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A

REPORT

FROM THE

COMMITTEE *of* SECRECY,

Appointed by Order of the

House of Commons

TO EXAMINE

Several BOOKS and PAPERS laid before the House, relating to the late NEGOTIATIONS of PEACE and COMMERCE, *&c.*

Reported on the Ninth of June, 1715.

By the RIGHT HONOURABLE

ROBERT WALPOLE, Esq;

CHAIRMAN *of the said* COMMITTEE.

Together with an APPENDIX, containing Memorials, Letters, and other Papers referred to in the said Report.

Publish'd by Order of the HOUSE *of* COMMONS.

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THE REPORT FROM THE Committee of Secrecy,

The Ninth of June, 1715.

THE Committee of Secrecy appointed to Examine the ſeveral Books and Papers to them referr'd, and to Report to the Houſe what they ſhould find Material in them, having examin'd and conſider'd the ſame, have agreed upon the following Report, to be made to the Houſe, containing ſuch Facts and Papers as appear'd to them to be moſt Material, and of the higheſt Importance, together with the Reaſons that induc'd the Committee to lay them before the Houſe for their further Conſideration.

The ſeveral Books and Papers referr'd to the Committee chiefly relate to the late Negotiations of Peace and Commerce; To the intended Demolition of *Dunkirk*; To the obtaining and diſpoſing of the *Aſſiento* Contract; To ſome Negotiations concerning the *Catalans*; and Secret Tranſactions relating to the Pretender.

The Committee was in hopes, in ſo Voluminous an Inquiry, to have been able to Trace out all the Steps, and the whole Progreſs of theſe Negotiations; but to their Surprize they find a want of ſeveral Books, Letters and Papers, mention'd and referr'd to in thoſe that have been deliver'd to them, and frequent and long Interruptions of ſome very material Correſpondences that were carry'd on: But being inform'd, that theſe Accounts are all, which have any way come to the Hands of thoſe who have the Honour to ſerve his preſent Majeſty, the Committee proceeded to draw up the following Report, warranted and founded upon ſuch Authorities, as the Perſons concern'd vouchſafed not to ſuppreſs.

The firſt material Paper is Entituled, *The firſt Propoſitions of France*, ſign'd by Monſieur *de Torcy*, *April* 22, 1711. *N. S.* and is here annex'd, *No.* (1 *.) To whom theſe Propoſitions were directed, what previous Steps had been made on the part of *France*, or what Encouragement had been given on the part of *England*, does not appear; but it is evident that they are conceiv'd in very looſe and general Terms; that from the beginning the Deſign of *France* was to ſecure *Spain* and the *Weſt-Indies* to King *Philip*; to create Jealouſies among the Allies; and that *France* offer'd to Treat with *England* and *Holland* either by themſelves, or jointly with the Reſt of the Allies, which is left to the Choice of *England*.

On the 27th of *April*, 1711. *O. S.* † Mr. Secretary *St. John* tranſmits theſe Propoſitions to Lord *Raby*, the Queen's Ambaſſador at the *Hague*, with Orders to Communicate them to the Penſionary, ' to aſſure that Miniſter the Queen was ' reſolv'd in making Peace, as in making War, to Act in perfect Concert with ' the States, and deſires the Secret may be kept among as few as poſſible; ' he confeſſes that the Terms of the ſeveral Propoſitions are very general, that

' there

* *Vol.* 9. *fol.* 7. † *Vol.* 1. *fol.* 5.

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‘ there is an Air of Complaisance shown to *England*, and the contrary to *Holland*, ‘ which might be of ill Consequence, but can be of none, as long as the Queen ‘ and States take care to understand each other, and to act with as little Re- ‘ serve as becomes two Powers so nearly ally'd in Interest; and desires the Pen- ‘ sionary to be assur'd, that this Rule shall on our Part be inviolably observ'd.

Lord *Raby* by his Letters of *May* the 25th and 26th, 1711. *N. S.* to Mr. *St. John*, in answer to these Orders and Assurances, acquaints him, * ‘ That the Pen- ‘ sionary had, with those of that State who had been formerly employ'd in the ‘ Negotiations of Peace, consider'd Monsieur *de Torcy*'s Propositions, and the ob- ‘ liging Manner in which her Majesty was pleas'd to Communicate them; that ‘ they thank'd her Majesty for her Confidence in them, and assure her, that ‘ theirs is reciprocal; and that as her Majesty had promis'd, she will make no step ‘ towards a Peace but in concert with them, they desire she may be assur'd of ‘ the same on their Part, and that they will make no step in that, or any other ‘ kind of Negotiation, which regards the mutual Interests of both Nations, but ‘ in Communication and Concert with her Majesty; they urge the Necessity ‘ of an entire Confidence one with the other, at this Critical Juncture; they de- ‘ clare themselves weary of the War, which they endeavour to conceal from ‘ the Enemy, least he should make his Advantage by it; and that they are rea- ‘ dy to join in any Measures, which her Majesty shall think proper, to obtain a ‘ good Peace. But they look upon these Propositions as yet, in the same manner ‘ as the Secretary does, to be very dark and general, and design'd to create Jea- ‘ lousies between her Majesty, that Republick, and the Allies; but they depend ‘ upon her Majesty's Justice and Prudence, to prevent any such ill Effect, and ‘ hope she will make the *French* explain, more particularly, the several Points ‘ contain'd in them.

After these mutual Assurances had passed betwixt *England* and *Holland*, the Committee is surpriz'd to find not the least Communication to the States of the Negotiations that were carrying on, for above five Months together, betwixt *England* and *France*, 'till after the special Preliminaries were sign'd, and the seven general Preliminaries were concluded and sent to them.

In the mean time Lord *Raby*, not being as yet let into the Secret, freely declares, † ‘ He thought it adviseable, and necessary, to go open with the States in ‘ this Matter of the Propositions; ‡ acquaints the Secretary that all the Letters ‘ from *France* agreed, that all the Hopes the *French* had was to sow Jealousies ‘ among the Allies. And ‖ repeats his Advice, ‘ That we must act cautiously ‘ with them (the States) that they may have no reason to accuse us, for taking ‘ the least Measures without them.

But it was not long before Mr. Secretary *St. John* prepared his Excellency to have other Sentiments of the manner of carrying on this Negotiation, and in his Letter of the 29th of *May* § acquaints him with the agreeable News, ‘ That ‘ it was her Majesty's Pleasure, that his Excellency should make all possible haste ‘ to come over, since her Service may better dispense with his Absence at this ‘ Point of time, than it will perhaps do at another, and since we must now ex- ‘ pect to have very soon upon the *Tapis*, many Intrigues, concerning which ‘ the Queen thinks it expedient that he should confer with the Ministers here; ‘ acquaints him, that her Majesty design'd, upon his arrival, to give him the Pro- ‘ motion in the Peerage, which he had desired. And then, that his Excellency might begin to have some Notions agreeable to the Sense of our Ministers, Mr. *St. John* in answer to some very long Letters of his Lordship's, full of his own Reasonings, and the repeated Assurances of the Ministers of the States to act in perfect Concert and with an entire Confidence in her Majesty, tells him in these Words, ‘ That *Britain* had gone so much too far in weaving her In- ‘ terest into that of the Continent, that it would prove no easie Task to disen- ‘ tangle our Affairs without Tearing or Rending.

But this work of Tearing and Rending did not at all discourage his Excellency, who waiting then for several Posts from *England*, stop'd by contrary Winds, and beginning to suspect that the course of the Negotiation was turn'd into another Channel, that the Ministry here might be satisfy'd that his Lordship could without much difficulty depart from his own Opinion, ¶ he declares in his Letter of *June* the 16th, 1711, *N. S.* to Mr. *St. John*; ‘ You may be assured, I will venture ‘ any thing and undertake any thing to serve the Queen, you may venture bold- ‘ ly to trust me with the real Intentions, and be assur'd, I will not make further ‘ use

* *Vol.* 1. *fol.* 29 and 33. † *June* 2. 1711. *Vol.* 1. *fol.* 65. ‡ *June* 12. *Vol.* 1. *fol.* 89. ‖ *June* 20. *Vol.* 1. *fol.* 89. § *Vol.* 1. *fol.* 53. ¶ *Vol.* 1. *fol.* 77.

‘ use of them, than according to my Instructions. He tells him, if the thing is ‘ actually gone no further than it appears, and *France* has not yet explain'd, and ‘ he has a mind, that he should come over for the Queen's Service, he is ready ‘ to come in a Yatcht, Frigat, Packet-Boat, or any way; and concludes in short, ‘ Dispose of me how you please, for all my desire is to serve her Majesty to her ‘ Satisfaction, and I shall never grudge any Danger and Pains.

This voluntary and frank Declaration his Excellency desires in a particular manner, may with his humble Compliments be communicated to the Duke of *Shrewsbury* and Mr. *Harley*.

It has been already observ'd, that all Correspondence betwixt *England* and *Holland*, concerning the present Treaty, ended with the Communication of the first Propositions of *France*; if the *Dutch* had made any Attempt to wrest the Negotiation out of the Hands of the Queen, if they had enter'd into any separate Measures, or taken any Steps that might give just Occasion of Offence or Suspicion to *England*, 'tis very probable the Accounts of any such Proceedings would have been left by the Ministry, for their own Justification; but the Committee do not find the least intimation of this kind, and are at a loss to know upon what Pretence such solemn Assurances were dispens'd with as soon as made, and the Honour and Name of the Queen sacrificed to the private views of her Ministers.

All Transactions betwixt *England* and *France* during this time, except two or three Papers, are entirely suppress'd, which in Lord *Strafford*'s Instructions of *October* the 1st, 1711, * are said to have been carry'd on by Papers sent backward and forward, and much time spent therein; the first Paper, that is found, is call'd, † *Private Propositions sent by Mr.* Prior *from* England, dated *July* 1. *No.* (2.)

The next is a Paper call'd, ‡ Mr. *Prior*'s *Authority*; this is sign'd, *Anne R.* at the top, and *A. R.* at the bottom, not countersign'd, and is without a Date, and the Contents are, *Mr.* Prior *is fully Instructed and Authorized to communicate to* France *our Preliminary Demands, and to bring us back the Answer.*

These two Papers together must be understood to be Mr. *Prior*'s Powers and Instructions, or are at least all that are found in the Office, or given in by him; but by an Entry in Lord *Strafford*'s Book subjoin'd to these private Propositions carry'd over by Mr. *Prior*, it appears that Mr. *Prior* had Orders to see if *France* had full Powers from *Spain*.

These Propositions, which were form'd here, leave no room to doubt of the little Concern the Ministry had to make good the repeated Assurances, that had been given to the Allies, in the Queen's Name, to make the *French* more plain and particular, since in all things that concern the Allies the *English* Proposals are as dark and general, as those that came from *France*; and if this still could be any Question, it is sufficiently clear'd up in a third Paper, entituled, § *Draught of Answers upon the Conference with Monsieur Mesnager*, wherein the *British* Ministry is much surpriz'd to find ‘ That Monsieur *Mesnager* had Orders to insist that the ‘ Queen should enter into particular Engagements upon divers Articles which ‘ depend not upon her, and which regard the Interest of the Allies; they appeal ‘ to all the Papers which had been sent backward and forward during this Ne- ‘ gotiation, and to that which was carry'd by Mr. *Prior*, that the Principle up- ‘ on which they had treated all along was, That *France* should consent to adjust ‘ the Interests of *Great Britain* in the first Place. This is a Principle from which ‘ the Queen can never depart, and that it was absolutely necessary to remit the ‘ Discussion of the particular Interest of the Allies to general Conferences.

By this it appears, that the Minister of *France* was instructed to treat of the Interests of the Allies, which the *English* Ministry would by no means consent to.

By Monsieur *Torcy*'s Proposals, *France* offer'd to Treat with *England* and *Holland*, either by themselves, or jointly with the rest of the Allies, not conceiving that *Holland* could possibly be excluded from the Negotiation; but it is determin'd by the *English* Ministry to carry on a separate Negotiation with *France*, exclusive of all the Allies, and in their private Propositions, an Express Article is inserted, ‘ That the Secret should be inviolably kept, 'till allow'd to be divulg'd by the ‘ Consent of both Parties; and thereby *England* put the Negotiation into a Me- thod more Advantagious for *France*, than *France* had proposed or could hope for.

The Committee think it proper to insert here ¶ the first Part of the Eighth Article of the Grand Alliance, wherein it is stipulated, *Neutri partium fas sit, Bello semel*

* *Vol.* 1. *fol.* 113. † *Vol.* 1. *fol.* 93. ‡ *Vol.* 1. *fol.* 97. § *Vol.* 8. *fol.* 16. ¶ *Vol.* 1. *fol.* 1.

semel suscepto, de Pace cum Hoste tractare, nisi conjunctim, & communicatis Consiliis cum alterâ Parte. What will be thought of so manifest a Violation, as this whole Proceeding appears to be, of the Grand Alliance, the Committee will not take upon them to determine; but this Step being once taken, and Secret Preliminaries sign'd upon this Foot between *England* and *France*, before any thing had been finally Treated and Concluded for the Security of *Great Britain*, what fatal Consequences did happen to her Majesty's Kingdoms, and what Advantages accrued to the common Enemy, seems to deserve the most mature Consideration.

Before we leave these Propositions it must be observ'd, that here, in the very Infancy of the Negotiation, the Trade of the World, and the entire *Spanish* Monarchy, which had cost so many Millions, and the Effusion of so much Blood, without being once insisted upon, contrary to the repeated Addresses of several Parliaments, and the declar'd Sense of the Queen, are given up by the *English* Ministry to the House of *Bourbon*, for *Verbal Assurances* that the Crowns of *France* and *Spain* shall never be United; and that this was done so early, will be Necessary to be remember'd in the further Progress of these Transactions.

There is no Account given of any Correspondence with Mr. *Prior* during this his Stay in *France*, nor does the certain time of his Continuance there appear. Upon his Arrival in *France*, Monsr. *de Torcy* in his Letter of the 3d of *August*, * 1711, *N. S.* tells Mr. *St. John*, 'he saw with great Pleasure Mr. *Prior* return after an 'interval of so many Years; that he could have wish'd, he had had greater Liberty 'to employ those Talents which he was persuaded he would have made a good Use 'of, but he hopes Monsr. *Mesnager* will supply what he could not do. Upon his Return he was attended by Monsr. *Mesnager*, a Minister of *France*, Vested with full Powers in due Form, and † dated *August* 3, 1711. to Treat, Negotiate, Conclude, and Sign with such Ministers, as should be authoriz'd in due form, not by *Britain* only, but any of the Princes or Estates then in actual War with *France*.

That Monsr. *Mesnager*, upon his Arrival here, frequently conferr'd with the Queen's Ministers, appears by many Instances; but the subject Matter of these Conferences, the Times, Places, and particular Persons with whom he Treated, or by what Authority, the Committee find no Account of, till the 20th of *September*, 1711.

By a Letter of Mr. Secretary *St. John*, then at *London*, of that date to the Queen at *Windsor*, *No.* ‡ (3.) it appears, that the *Lord Treasurer*, *Lord Chamberlain*, Lord *Dartmouth*, and Mr. *St. John* met Monsr. *Mesnager* that Evening at Mr. *Prior*'s House; which Meeting, as Mr. *St. John* says, was by Order of the Lords of the Committee of Council, but seems unknown to the Queen, until the Secretary acquainted her with it by this Letter.

At this Meeting Monsr. *Mesnager* deliver'd to the *British* Ministers the Answer, sign'd by the King of *France*, to the Demands last sent over by *England*; which Demands and Answers were made the Secret Preliminary Articles betwixt *Great Britain* and *France*, and were sign'd as such, *September* 27, 1711. by Monsr. *Mesnager* on the Part of *France*, and the Acceptation of them by Lord *Dartmouth*, and Mr. *St. John*, on the Part of *Great Britain*. *No.* ¶ (4.)

Mr. *St. John*, in this Letter, represents it to the Queen, as the Unanimous Opinion of her Servants, then present, that a Warrant and full Powers should be prepar'd that Night, and transmitted to her Majesty to be sign'd, in Order to pass the Great Seal the next Day, whereby the Earl of *Oxford*, the Duke of *Buckinghamshire*, the Bishop of *Bristol*, the Duke of *Shrewsbury*, Earl *Poulett*, Earl of *Dartmouth*, *Henry St. John*, and *Matthew Prior*, Esqrs; were to be Constituted Plenipotentiaries, to meet and treat with Monsieur *Mesnager*; which Warrant, and a Translation of the full Powers, were sent to the Queen. *No.* (5.) §

This Warrant under the Signet appears sign'd by the Queen, directing the Lord Keeper to affix the Great Seal to an Instrument thereunto annex'd, containing her Commission to himself, and others, therein nam'd, to meet and treat with the Sieur *Mesnager*; but it does not appear, that any such Instrument did pass the Great Seal, the Warrant remains not countersign'd, and is endors'd *Not used*.

This Warrant is dated the 17th of *September*, although 'tis manifest, by Mr. *St. John*'s Letter, it was not prepar'd, nor thought of, 'till the 20th.

This antedating seems design'd, to justifie the Ministers, in their meeting and conferring with the Queen's Enemies, previous to the Warrant; which never passing

* *Vol.* 8. *fol.* 8. † *Vol.* 9. *fol.* 33. ‡ *Vol.* 9. *fol.* 45. ¶ *Vol.* 9. *fol.* 59. § *Vol.* 9. *fol.* 37, 39.

passing into a legal Authority, it appears that these Secret Negotiations betwixt *France* and the Queen's Ministers here, were begun and carry'd on from the 11th of *April* to the 25th of *September*, 1711, when the Warrant to Lord *Dartmouth*, and Mr. *St. John* was sign'd, without any Powers or written Authority from the Queen; and it is very observable that the Queen was brought into these Measures, by its being represented to her by the Secretary of State as the unanimous Opinion of all her Ministers, to which alone the Assent of the Queen is to be ascrib'd.

But what is more strange, is, that after Mr. *St. John* had represented it to the Queen, as the unanimous Opinion of her Ministers, that full Powers must immediately pass the Great Seal to Authorize them to meet and treat with the said Monsr. *Mesnager*, these Powers should be laid aside: And the Acceptation of the Preliminaries sign'd by Lord *Dartmouth* and Mr. *St. John*, by Vertue of a * Warrant directed to them two only, sign'd by the Queen at top and bottom, and countersign'd by no Body. *No.* (6.)

Where the Obstruction arose to the passing these Powers, does not appear to the Committee; but those Ministers seem Conscious to themselves of what was doing, who so readily concurr'd in privately meeting, conferring and treating with the Ministers of *France*, till this separate Negotiation was brought to Maturity; but avoided to become Parties when the Treaty was to be sign'd and executed.

This great Care and Caution for their own Persons, and little Regard for the Honour and Interest of their Queen and Country, appears through this whole separate Negotiation: It being very remarkable that there is not one Paper of Powers or Instructions throughout the whole Affair countersign'd by any one Minister, but the Queen's Name expos'd to cover all; which looks as if they flatter'd themselves, that this Omission of their Duty would be sufficient to skreen them from the Justice of the Nation, if these Matters should ever come to be enquir'd into.

After such a Sacrifice made of the general Interest of *Europe*, such a direct Violation of the Grand Alliance, and such unwarrantable and illegal Steps taken in transacting and concluding these Special Preliminaries between *England* and *France*, it had been but reasonable to expect in them some very particular Advantages and Concessions made to *Great Britain*, to attone for such unprecedented Transactions; but it is astonishing to find how insignificant all the Demands are, that were made on the Part of *Great Britain*; and, inconsiderable as they were, how ineffectual they have since been rendred.

Nothing possibly could be said less with Regard to the Succession, than what is here demanded in the first Article. The Queen not yet acknowledg'd by *France*, nor design'd to be so, 'till the Conclusion of the Peace, as *France* afterwards explain'd this Article at the General Congress; not a word of removing the Pretender, nor any Engagement not to support him in any Attempt he might make upon the Nation.

The second Article offers a Treaty of Commerce, in such doubtful Words, as *France* only could make Advantage of.

In the Article of *Dunkirk*, the Equivalent is express'd in so strong a manner, and the Demolition so very loosely; as could not but bring certain and great Prejudice to our Allies, with very little Prospect of Advantage to our selves; and fatal Experience has convinc'd us, what Security is procur'd for our Navigation by this third Article. But the History of this will be further explain'd in its proper Place.

The fifth and seventh Articles chiefly regard the *Assiento* Contract; what a National Advantage that is like to be, is now too well understood to want much Explanation: But with what Views the Ministers were so fond of this, as to make it their chief Care and Concern, will no longer be a doubt when it shall appear that this part of the Treaty was calculated only for private Advantage.

What the Ministry themselves thought most valuable in these Articles, was that Part of the Seventh which grants us an Advantage of 15 *per Cent.* upon our Manufactures sent to *Spain*: But this great Advantage soon vanish'd into nothing; and was given up by our Ministry here. The Bishop of *Bristol* says indeed of it, in his Letter of the 17th of *August*, 1712, † That it was granted by the *French* with a Design either to inflame things between us and the *Dutch*, or to give the *French*

* *Vol.* 9. *fol.* 57. † *Vol.* 3. *fol.* 418.

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a pretence to ſtipulate for themſelves ſuch particular Advantages in the *Spaniſh* Trade as may be the Ruin of ours.

But what is moſt Remarkable in the Seventh Article is the Introduction to it, in which the Miniſtry confeſs themſelves to have been impos'd upon by *France*; for they declare that from the firſt Propoſals of Monſ. *de Torcy* to that time, they always underſtood that by the real Securities promis'd in thoſe Propoſals, were meant Places; which now was abſolutely refus'd; and they conſent to take for real Securities what they confeſs is none, but what a Love of Peace may induce them to accept as an Equivalent.

What was really of moſt Importance to *England* was the Eighth Article, which relates to *Hudſon's-Bay* and *Newfoundland*; but the Miniſtry ſuffer'd themſelves to be ſo groſly impos'd upon in this Article, that they directly give to *France* all they wanted, which was a Liberty of taking and drying their Fiſh; whilſt *France* gives nothing at all to us, but refers our moſt valuable Intereſts to the general Conferences: Which was but another manner of denying them, as the Event has ſufficiently ſhown.

We demand in the Sixth Article, that we ſhall have all the Privileges that have been or ſhall be granted by *Spain* to the Subjects of *France*, or any other Nation. Whereas the Miniſters ought to have inſiſted that *France* ſhould not upon any Pretence whatſoever be permitted to Trade to the *Spaniſh Weſt-Indies*, which they would not have omitted, if they had had the leaſt regard to the Trade of *Great Britain*, or had not entirely forgot the eighth Article of the Grand Alliance; wherein it is expreſly ſtipulated, as a Condition without which no Peace ſhall be made, *neque ipſis ibidem* (that is the *French* in the *Spaniſh Weſt-Indies*) *Navigatio Mercaturæ exercendæ causâ ſub quocunque prætextu, directè vel indirectè permittatur*. One thing further is to be obſerv'd of theſe Articles, that ſuch of them as any way relate to *Spain* are expreſly granted in the Name and by Vertue of Powers given by King *Philip*, and yet after this, all Intentions of leaving any part of the *Spaniſh* Monarchy to King *Philip* is publickly diſavow'd; as will afterwards appear.

This ſhort view of theſe Special Preliminaries ſufficiently demonſtrates that the Intereſt of *Britain* was not the Inducement to our Miniſters to proceed in this extraordinary manner. Yet trivial as theſe Advantages are, *France* is preſs'd that they may be firſt adjuſted; to what uſe and purpoſe is fully explain'd in the *Draught of Anſwers upon the Conferences with Monſieur* Meſnager, 'That our 'Miniſters may be enabled to engage the Queen to make the Concluſion of the 'general Peace eaſie to *France*.

It is declared, That to ſettle the Intereſts of *Great Britain* in the firſt place is a Principle from which the Queen can never depart; this Plea was made uſe of, to defer the Intereſts of all the Allies to be diſcuſs'd at general Conferences; but the Turn given to it here was to amuſe the People, by perſuading them that the *Engliſh* Miniſtry was contending for great and particular Advantages and Conceſſions to be made to *Great Britain*, that might make us ſome Amends for that great and unequal Burthen which we had lain under through the whole courſe of the War.

But the *Engliſh* Miniſtry having thought fit every where to extol and magnifie the vaſt Advantages that were granted to *Great Britain*, *France* reſolved to make a proper uſe of it, and declar'd theſe Articles were an eventual or conditional Treaty only; and that the King of *France* would not be oblig'd to make them good, but in caſe of the ſigning of a general Peace; in this Senſe Monſieur *Meſnager* ſign'd them, and with this Condition they are accepted on our Part. Hard Terms! That ſuch Conceſſions as theſe were not to be purchas'd at a leſs Price than forcing upon our Allies ſuch Conditions of Peace as *France* ſhould be pleas'd to impoſe upon them; and this the Miniſtry were fully appriz'd of ſome time before they were accepted, for in preſſing to ſettle and adjuſt ſingly and ſeparately the Intereſts of *Great Britain*, they enforce it by ſaying '*France* can run 'no Risk in ſuch Engagements, ſince the Special Preliminaries will have no Effect 'till a general Peace ſhall be ſign'd.

By theſe means the Committee obſerve to how fatal a Dilemma the Queen was brought by her Miniſtry; ſhe muſt either now go on through all Adventures in the Meaſures of *France*, or they had it in their Power, by divulging the Secret and expoſing ſuch a notorious Breach of National Faith, to make what Advantage they thought fit of it among the Allies, who muſt from this time think them-

themſelves diſengaged from the Queen, if they could find their own Account by looking after themſelves.

And that the *French* were neither ſo ignorant, nor wanting to themſelves as to miſs ſuch an Opportunity, appears above three Months before theſe Articles were ſign'd. When Lord *Raby* in his * Letter of the 20th of *June*, 1711, *N. S.* to Mr. *St. John*, acquaints him, 'That both the Penſionary and Monſieur *Vander Duſſen* had ſeen 'a Letter from Monſieur *de Torcy*, giving an Account that they had begun a 'Negotiation in *England*.

By this Management the *Engliſh* Miniſtry had, under Colour of the Queen's Authority, and the pretence of treating of a Peace, put it in the Power of *France* to diveſt the Queen of all her Allies, and given them greater Advantages than they could any other ways have hoped for.

On the ſame Day that the Special Preliminaries betwixt *Great Britain* and *France* were ſign'd, which it was a fundamental Condition ſhould be conceal'd with the utmoſt Secrecy, another ſett of General Preliminaries on the part of *France*, *No.* (7.) † was ſign'd by Monſieur *Meſnager* only; which Mr. *St. John*, in his Letter to the Queen, ſays, were to be ſent into *Holland*, as the Foundation of a General Peace, in which my *Lord Treaſurer* had made ſome Alterations to make the whole more palatable abroad. And on the ſame Day, a ſeparate Article was ſign'd in favour of the Duke of *Savoy*, which is here annex'd. ‡ *No.* (7.)

From this time a perfect Confidence was eſtabliſhed between the two Miniſtries of *England* and *France*; and in the Letters written in the Month of *October*, a mutual Sincerity is recommended and engag'd for, and that a perfect Unanimity be maintain'd for accompliſhing the Work in hand.

Lord *Strafford's* Inſtructions in order to his immediate Return into *Holland* were now preparing, and dated *Oct.* 1. *O. S.* 1711. And as an early proof of the Confidence which Mr. *St. John* repos'd in the *French* Miniſter, he acquaints Monſieur *de Torcy* by his Letter of *October* 2, *O. S.* that the Earl of *Strafford* was going for *Holland*; and ſays, ‖ 'Your Miniſter, (meaning Monſieur *Meſnager*, who was 'then going back to *France* and carried this Letter,) is fully inform'd in what the 'Earl of *Strafford* is to propoſe to the States.

Such Intelligence of the Queen's Counſels, which Mr. *St. John* confeſſes he had given to the Miniſters of the Queen's Enemies, ſeems very extraordinary; eſpecially if it be conſider'd, that Lord *Strafford* was ſent over to preſs the opening the General Conferences, with Aſſurances of the greateſt Friendſhip and Concern for the Intereſts of the States, on the part of the Queen, and by her Authority to procure from *France* juſt Satisfaction for all her Allies; and in his Inſtructions is likewiſe directed to propoſe to the States a new Scheme for carrying on the War, and to acquaint them with ſuch Reſolutions as the Queen had taken concerning it.

Lord *Strafford's* Inſtructions are hereunto annex'd, *No.* (8.) § wherein almoſt every Article is a Specimen of the Sincerity with which our Miniſters intended to treat the Allies. He is Inſtructed that it muſt be the moſt careful Endeavour and fix'd Principle of all the Confederates to hold faſt together; and this immediately after a ſeparate Treaty had been ſign'd by Us; and if the Miniſters of *Holland* ſhould expreſs any Uneaſineſs at their Apprehenſions of any ſuch private Agreement, he is order'd by evaſive Anſwers to avoid giving them Satisfaction concerning it. But his chief Buſineſs was to deliver to the States the Propoſitions ſign'd by Monſieur *Meſnager*, as the Foundation of a general Peace, and as the whole of what had been Tranſacted; and to acquaint them that *France* had propos'd *Utrecht*, *Nimeghen*, *Aix la Chapellé*, or *Liege*, to be the Plaee for opening the Conferences; to preſs the States to fix upon One of theſe Places, and immediately to grant Paſſports to the *French* Plenipotentiaries to come thither and open the General Conferences.

Theſe Propoſitions, ſo very general and uncertain, did extreamly alarm the States, as not being a ſufficient Foundation upon which a Negotiation might be hazarded; they dreaded the fatal Conſequences of opening the General Conferences, before the Articles offer'd by *France* were explain'd, and made Specifick, and eſpecially before they knew at all what they were to truſt to, for their own Barrier, and for their Commerce.

Theſe Conſiderations made them for ſome time decline granting the Paſſports; and in order to prevail with the Queen to have ſome regard to her faithful Allies, and particularly in the two great Articles of their Barrier, and Commerce, they ſent

* *Vol.* 1. *fol.* 89. † *Vol.* 1. *fol.* 137. ‡ *Vol* 9. *fol.* 89. ‖ *Vol.* 8. *fol.* 28. § *Vol.* 1. *fol.* 113

ſent over Monſieur *Buys* to interceed with her Majeſty to alter her Reſolutions; they make the ſame Repreſentations to the Earl of *Strafford*, but all to no Purpoſe. For as Mr. *St. John* declar'd in his * Letter to my Lord *Strafford* of *October* the 9th, 'certain it is that her Majeſty has ſo far determin'd upon her Meaſures, that thoſe will deceive themſelves who may imagine by delay or other Artifices to break them. And again *November* the 2d, to Lord *Strafford*, † 'The Queen will not finally concert a Plan for the Proſecution of the War with the States, until they join with her in agreeing to open the Conferences of Peace. And Lord *Strafford* acquaints Mr. *St. John*, *November* the 15th, ‡ 'that he had now told them her Majeſty's Order to him was to Declare, That ſhe ſhould look upon any delay as a Refuſal to comply with her Propoſitions.

In theſe Circumſtances the *Dutch* at laſt comply to grant the Paſsports, and agree to open the general Conferences at the time fix'd by the Queen, *January* the 1ſt, 1711-12.

The Reſolution of the States General upon this Occaſion is hereunto annex'd, ‖ *No.* (9) as a Paper that muſt have mov'd any ſett of Men, not already determin'd to hear no Reaſon but what came from *France*; for altho' the Repreſentations made by the States, on both ſides the Water, had made ſome Impreſſions, as is evident by a § Memorial deliver'd by Mr. *St. John* to the Abbot *Gaultier*, *October* the 29th, 1711, *No.* (10) and by Mr. *St. John's* ¶ Letter to Monſieur *de Torcy* of the ſame date, *No.* (71) that accompany'd it; yet 'tis in the Memorial declar'd 'that the Queen remains firm in her firſt Reſolution of cauſing the Conferences to be opened upon the Articles ſign'd by Monſ. *Meſnager*. The ſame Memorial declares, 'it was abſolutely neceſſary that the moſt Chriſtian King ſhould give to her Majeſty the Queen, ſuch Explications of his Intentions in reſpect to the particular Intereſts of the Allies, which he ſhall think proper to engage them to come more eaſily into the general Negotiation. So that hitherto 'tis plain, our Miniſters were entirely Ignorant even of the King of *France*'s Intentions with regard to the Allies. And again 'tis ſaid, 'If her Majeſty wiſhes the moſt Chriſtian King would give an Explication to the aforeſaid Demands, *&c.* his moſt Chriſtian Majeſty may aſſure himſelf, the Queen will make no other uſe of the Truſt the King ſhall repoſe in her, but to advance the Negotiation, in ſeeking the ſhorteſt means, and the moſt effectual, to obtain a Peace ſo much coveted.

It is therein again acknowledg'd, that the *Dutch* have nothing in view but their Barrier and Commerce; and provided the Queen can, without fear of being diſavow'd, Specifie ſomewhat near the Barrier that *France* will conſent to yield to them, and to aſſure them of the Tariff of 1664, there's no room left to doubt that the States General would come without any further Heſitation into the Negotiation, in the ſame manner as it had been concerted.

But leaſt all theſe Arguments ſhould have no effect, Mr. *St. John* in his Letter to Monſieur *de Torcy*, ſays, 'Theſe Explications will diſſipate all Clouds, and you may believe we will make uſe thereof with great Reſerve, when I aſſure you, that if the King would offer a Plan of Specifick Preliminaries, the Queen will never Communicate it to her Allies; he concludes, If the Sieur *Gaultier* returns with theſe marks of Confidence, you will ſee our Parliament as much inclineable to Peace as ever it was to War.

Here the Committee cannot but obſerve the *Engliſh* Miniſtry begging of *France*, after they had been ſeven Months treating with them, that they may have ſome Intimations at leaſt of what was deſign'd for the Allies; expreſſing their fear of being diſavow'd by *France*, after they had gone theſe lengths with them; declaring the *Dutch* would come into the Queen's Meaſures if they could but know any thing near the Barrier that was deſign'd them, and have Security about their Commerce; perſiſting ſtill, without any ſuch Satisfaction in the Meaſures preſcrib'd by *France*, reſolv'd to force the Allies into general Conferences upon looſe and uncertain Articles, and promiſing if they could but have ſo much Credit with *France* as to be truſted at all, they would uſe it with the greateſt Reſerve, and never communicate it to any of the Allies; for whoſe Satisfaction only it is pretended all this Submiſſion was made.

The Return made by *France* is to be ſeen in a Paper call'd, *† *Anſwer to the Memorial brought by Monſieur* Gaultier, November *the* 18th, 1711. *No.* (11.) This Memorial is accompany'd with a *‡ Letter from Monſieur *de Torcy* to Mr. *St. John*, of the ſame date, wherein he tells him 'his Majeſty wholly depends upon the Secrecy and good uſe you will make of the entire Confidence he teſtifies to the Queen

* *Vol.* 1. *fol.* 121. † *Vol.* 1. *fol.* 273. ‡ *Vol.* 1. *fol.* 285. ‖ *Vol.* 1. *fol.* 341. § *Vol.* 8. *fol.* 40. ¶ *Vol.* 8. *fol.* 48. *† *Vol.* 8 *fol.* 60. *‡ *Vol.* 8. *fol.* 58.

Queen of *Great Britain*, and the King of *France* extols the Firmneſs of the Queen, and ſees with great Pleaſure the new Marks of Reſolution ſhe ſhews.

The Committee think it needleſs to enter into a particular Diſquiſition of this Memorial; but obſerve in general, that nothing had at this time been demanded of *France* concerning the Diſpoſal of the *Netherlands*; and that the King of *France*, not ſatisfy'd with having ſecur'd *Spain* and the *Weſt-Indies* to his Grandſon, propoſes to ſtrip the Emperor of all his Dominions in *Italy*, and to impoſe upon him much worſe Terms than he afterwards procured for himſelf, when left to carry on the War alone. The *Dutch* may have the Tariff of 1664, with ſome Exceptions, if they conſent to this Scheme; if not, they are to be puniſhed with the Loſs of their Trade, and to be reduced to the Tariff of 1699.

But, extravagant as this Scheme was, it is receiv'd by the *Engliſh* Miniſters, without any Surpriſe or Reſentment; and Mr. *St. John*, in his *Letter of the 25th of *November*, 1711, 'thanks Monſieur *de Torcy* for the Communication of it; promiſes to make a diſcreet Uſe of it, and to keep the Contents with an inviolable Secrecy, and that the utmoſt Efforts ſhould be uſed by *England* to fix the Pretenſions of the Allies; he repreſents it as neceſſary, that all thoſe who wiſh for Peace may mutually help one another, and endeavour to finiſh the Treaty ſo ſoon, as not to be expos'd to another Campaign.

It is indeed no Wonder, that this Plan was never communicated to the Allies, which muſt at once have broke off all the Conferences; and determin'd them rather to run all Hazards, than treat upon ſo ruinous a Foundation; but 'tis a Wonder that the *Engliſh* Miniſtry were not ſtartled when they ſaw ſuch a Scene open'd: But this ſhews with what Juſtice the Miniſtry complain'd, that the Allies would not enter into the Queen's Meaſures, when they never were inform'd what the Queen's Meaſures were.

Purſuant to the Reſolution of the States-General upon the preſſing Inſtances of the Queen, Paſsports for the *French* Plenipotentiaries are ſent to Monſieur *Buys*, and delivered to Mr. *St. John*. *Utrecht* is agreed upon here to be the Place for the general Conferences.

The Biſhop of *Briſtol*, then Lord Privy-Seal, and the Earl of *Strafford*, are appointed her Majeſty's Plenipotentiaries.

December the 23d, 1711. her Majeſty's Inſtructions to her ſaid Plenipotentiaries are ſettled and Sign'd, and are hereunto annexed. † *No.* (12.)

The Committee think fit to make one Obſervation upon theſe general Inſtructions, wherein the Plenipotentiaries are order'd, 'That if it ſhall be thought proper to begin by the Diſpoſition of the *Spaniſh* Monarchy, you are to inſiſt that the Security and reaſonable Satisfaction which the Allies expect, and which his moſt Chriſtian Majeſty has promis'd, cannot be obtain'd, if *Spain* and the *Weſt Indies* be allotted to any Branch of the Houſe of *Bourbon*; ſo that hitherto the Queen thought fit to declare in all Publick Acts, that *Spain* and the *Weſt-Indies* ought by no means to be left in the Poſſeſſion of the Houſe of *Bourbon*; altho' in the Special Preliminaries, ſign'd by the Earl of *Dartmouth* and Mr. *St. John*, on the 27th of *September* preceding, the King of *France* did expreſly promiſe to make good the ſixth Article for himſelf, and for the King of *Spain*, purſuant to the Powers which were then in his Majeſty's Hands.

On the 15th of *January*, 1711-12, the *Britiſh* Plenipotentiaries arrive at *Utrecht*; who by their general Inſtructions being order'd to concert Meaſures with the Miniſters of the Allies, and at the Beginning purſuing theſe Directions; Monſieur *de Torcy*, on the 31ſt of *January*, writes to Mr. *St. John*, ‡ and tells him, 'he perceives there was not ſo perfect a Confidence eſtabliſh'd between the Plenipotentiaries of *France* and *Great Britain*, as was to be deſir'd: He believes therefore he will think it proper to ſend to the Biſhop of *Briſtol* and the Earl of *Strafford* more preciſe Inſtructions, concerning the manner, in which they were to concert their Proceedings with the King's Plenipotentiaries. And in the Anſwer to the Memorial ſent by Monſieur *Gaultier*, § *March* the 28th, 1712; it is delared, 'the principal Order that the King had given to his Plenipotentiaries, when they ſet out for *Utrecht*, was to eſtabliſh a ſtrict Intimacy between them and the Miniſters of the Queen of *Great Britain*.

On the 29th of *January*, at the Firſt General Conference, Lord *Strafford* took occaſion to Declare, That the Queen had receiv'd the General Propoſitions as a Foundation for a Negotiation of Peace: but that they were binding to *France* only, and not to the Allies; to which the *French* Miniſters readily aſſented. But it is to be obſerv'd through the whole Proceeding, that this is meant of the Propoſitions ſign'd by Monſieur *Meſnager* only, the Congreſs not having the leaſt Notice or Cognizance of what was ſign'd, both on the Part of *France* and *England*

* *Vol.* 8. *fol.* 82. † *Vol.* 1. *fol.* 625. ‡ *Vol.* 8. *fol.* 122. § *Vol.* 8. *fol.* 142.

land too; which had been hitherto conceal'd, and upon all Occasions publickly disown'd.

On the 11th of *February* 1711-12, the *French* deliver'd * a specifick Explanation of the General Preliminaries, sign'd by Monsieur *Mesnager*. *No.* (13.)

It must be observed that the King of *France* here makes, as well as in the Special Preliminaries, his first Offers, in the Name and by Vertue of Powers from his Grandson as King of *Spain*; how the *British* Plenipotentiaries could reconcile this to their Instructions, and how their Behaviour upon it is to be justify'd, is not very clear.

This Explication was received by all the Allies with the greatest Indignation, and deepest Concern; which had such an Effect, that Lord *Strafford* in his † Letter of the 16th of *February*, 1711-12, says, 'the *French* Ministers are mortify'd 'at the general Discontent these Offers gave; and seem to wish they had put in '*Tournay* for the *Dutch*, and *St. Venant* to be demolished, to have softned the 'Matter at its first coming out.

Nor were our Plenipotentiaries without their Uneasinesses: They had done all they could, Lord *Strafford* says, to perswade the *French* to be as ample in the Explication as they could, ‡ 'being that is what will have a great Effect, and strike 'the Minds of unthinking People, and make some Work for Reflection for the 'Faction. The Plenipotentiaries complain, they are under great Difficulties on all Hands, for both *Buys* and *Mesnager* think they come short of what had been told them in *England*; and the Allies then forming their respective Demands in concert with each other, they want further Orders: The Plenipotentiaries are at a great Loss how to behave about *Spain*, both in regard to the particular Advantages that were to be ask'd on the behalf of *Great Britain*, and the general Disposition of it.

But Mr. *St. John* soon sends them Words of Comfort, ‖ that Mr. *Harley* will set out in a few Days, who is fully instructed in all the Queen's Views and Desires; 'That it were to be wish'd this Gentleman could have been sooner sent, 'but the Hurry which we have been for some time in is inexpressible; and he 'was too useful to be spar'd, 'till the House of Commons was perfectly secur'd 'to the Queen's Interest, and to the Measures of Peace. I think I may say 'they are absolutely so now. He confesseth the *French* Plan to be too scanty. 'That they must let the *French* Ministers know, that the whole turns upon their 'Manner of Proceeding, her Majesty having gone further than could have been 'expected from her in promoting the Peace.

The Committee cannot but take Notice of the Reflection that is cast here upon that House of Commons; as if they were secur'd to the Queen's Interest, and the Measures of Peace, by the Management of a Secretary to the Treasury, a near Relation and a trusty Agent of the *Lord High-Treasurer*.

For whose Use and Service Mr. *Harley* had been so well employ'd at home, and was now to be sent Abroad, cannot be a Doubt, since Mr. *St. John* thought it necessary to give Monsieur *de Torcy* an immediate Account of his successful Endeavours here, and the Business he was sent abroad to manage.

In his § Letter of *March* the 4th, to Monsieur *de Torcy*, he tells him, 'He had 'deferred Writing of late, 'till he might write with certainty; 'till the necessa-'ry Dispositions were made among our People at home; and 'till the Queen had 'taken the only Resolution, which could bring us in a short time to a good and 'solid Peace. I have now the Satisfaction to tell you that this Resolution is 'taken, and that Mr. *Harley* will carry with him this Night, or to Morrow 'Morning, the final Instructions of the Queen to her Plenipotentiaries. I refer 'my self to Monsieur *Gaultier* to explain to you more at large the Subject of this 'Gentleman's Commission; and what the Queen hopes his most Christian Majesty will do to cooperate with her.

These Instructions of Mr. *Harley* do not appear, but it seems the Subject of them was not proper to be committed to Writing; for which Reason, as in almost all Matters relating to the Pretender, it is referred to Monsieur *Gaultier* to explain them; but what is meant by the necessary Dispositions made among our People here at home, is pretty well explain'd by Monsieur *de Torcy*, in a ¶ Memorial dated the 28th of *March* 1712, in Answer to what was brought by Monsieur *Gaultier*, wherein he commends the prudent Conduct of the Court of *Britain*, in managing the House of Commons, and in particular their wise Conduct in making known to the House of Commons that the Nation was abus'd by its Allies; and says, 'the King of *France* assures himself that those who now manage 'with so much Capacity the Affairs of the Queen of *Great Britain*, know how to 'curb the Passion of the turbulent Party in the other House.

In

* *Vol.* 2. † *Vol.* 2. ‡ *Feb.* 12, 1711-12. *Vol.* 2. ‖ *Feb.* 16. *Vol.* 2. § *Vol.* 8. *fol.* 130. ¶ *Vol.* 8. *fol.* 142.

In the mean time the Allies having each of them drawn up their respective Demands at *Utrecht* met together on the 4th of *March*, *N. S.* to communicate them to each other, as had been concerted, and likewise agreed that a Clause should be inserted in their respective Demands, for a just and reasonable Satisfaction for all the rest. Count *Zinzendorff* further insisted that the Restitution of the whole *Spanish* Monarchy should be expresly mention'd. The *Dutch* declare they were resolv'd to make good all their Treaties, made on occasion of this War, as well those that related to *Spain* and the *Indies*, as those made with *Portugal*.

What the Behaviour of the *British* Ministers was upon this occasion, will best appear by an Extract of their own Letter of *March* 6, * wherein they give an Account of the whole Proceeding, *No.* (14.) They were the only Ministers that did not make any mention at all of *Spain* and the *Indies*; and were sensible of the disadvantageous Consequences of being so; they were desirous to take off this Odium, by seeming to say something, and in reality to say nothing; which they do by a general Declaration concerning the just and reasonable Satisfaction for the Queen's Allies, in Conformity to her Alliances; and humbly hope what was said, will not be found contrary to what has hitherto been declar'd.

On the 5th of *March* the specifick Demands of the Allies were delivered to the *French* Plenipotentiaries in Writing; they promise to explain themselves further upon them at the next Conference, which was to be the 9th, and then desired a further time to the 30th.

On the 30th the *French* Plenipotentiaries declare they were ready to proceed in the Negotiation by debating with the several Allies; but would give no Answer in writing.

This was a great Surprize to all but the *British* Ministers, whom the *French* had beforehand advis'd with. The Allies still resolv'd to press the *French* to answer in writing, and sollicite the *British* Ministers to join with them in it; who, that no Mark of Disagreement might appear (as their Lordships express themselves in their Dispatch of the 1st of *April*, 1712, †) did finally consent to an Instance that was to be made the next Day, to require an Answer in writing.

But Lord *Strafford* had before given Mr. *St. John* an account of his Opinion in his Letter of the 25th of *March* ‡; wherein he says, 'I can't help saying I believe the *French* 'have taken the wisest Party not to answer in Writing, tho' most of the Ministers of 'the Allies will be surpriz'd, expecting they should; and says further, I believe it is 'best they should first begin in the open Congress to reason upon some of the Allies 'Demands, which will occasion so much difficulty that the Ministers of the Allies 'will propose debating separately, which had better come from them than any one else.

The *French* Ministers still persist in their Refusal, upon which the States came to a Resolution at the *Hague* not to treat unless an Answer was given in writing.

However the *French* continue obstinate. Lord *Strafford* sends an Account that a Resolution was taken at the *Hague* to carry Things to an Extremity; upon which Occasion Mr. *St. John* expresses himself in this manner, *April* 5, 1712, ‖ 'That he hopes 'the Resolution taken at the *Hague* to carry Things to an Extremity, was the last 'convulsive Pang of an expiring Faction; and yet this Resolution was no more than to insist on a Demand, in which all the Allies were unanimous, and in which the *British* Plenipotentiaries had themselves concurr'd.

But what made the *French* thus persist in the Resolution of giving no Answer in writing, is accounted for in Lord *Strafford*'s Letter of the 27th of *April*, 1712, § wherein he says the Pensionary was extreamly desirous the *French* would answer in writing, which ('tis his Lordship's Opinion) they will evade 'till they see what Success *Gaultier* has had at *London*; and in his Letter of the 30th, 'The *French* will avoid giving their 'Answer in writing, 'till they see all agreed betwixt their Court and ours.

And to shew that the *French* were very well satisfied with the method their Business was in, the Plenipotentiaries in their Letter of *April* 15, 1712, ¶ say, 'They do not 'find the *French* are much convinc'd of the necessity of Dispatch, and when any thing 'is let fall of breaking off the Conferences, they seem to take it with a great Air of 'Indifference, well knowing their Business was not to be done at *Utrecht*, but by a 'Negotiation carry'd on directly betwixt *London* and *Versailles*.

About the beginning of *April*, Mr. *Harley* and Monf. *Gaultier* arrive at *Utrecht*; in a very few Days after, the *French* Plenipotentiaries communicate to the Lord Privy-Seal and Earl of *Strafford* a Plan for a general Peace, to which they had added by way of marginal Notes, in a distinct Column, what they are told will be absolutely necessary in order to a general Peace: But this is entrusted to them under the highest Obligation of Secrecy, to discover nothing of it to the rest of the Allies.

Our Plenipotentiaries accept this Plan as a Mark of the great Confidence *France* had in them; and readily engage that the Allies should not be permitted to know a Word of it; and under the same Caution sent it to the Secretary. But there is no room to doubt

* *Vol.* 2. † *Vol.* 2. ‡ *Vol.* 2. ‖ *Vol.* 2. § *Vol.* 2. ¶ *Vol.* 2.

doubt, but this Plan that was transmitted to *England* as a great Discovery, was concerted here, and sent by Mr. *Harley* to *Utrecht*, and by Abbot *Gaultier* to *France*.

Mr. *St. John* * much concern'd at the Behaviour of the Allies, and the *Dutch* in particular, thinks it proper to make one Attempt more, as he calls it, to gain them; and therefore orders the Plenipotentiaries to acquaint them, 'that her Majesty will consent 'to their having *Dendermond* and *Ghent*, and at the same time depart from her Preten-'sions to *Ostend*, and is willing that the Trade to *Spain* and the *Spanish Indies* be set-'tled upon the same Foot as it subsisted at the Death of the late King of *Spain*, in all 'respects, except the *Assiento*; and their Lordships are order'd to tell them in very plain 'Terms, that her Majesty's Measures will be taken according to the Return they 'make to the Queen on this Occasion.

But at the same time no Communication at all is made to the States, of the general Plan of Peace last deliver'd by Mons. *Gaultier*, as there never had been of any other, altho' in this last the Interests of all the Allies were settled and determin'd between *Great Britain* and *France*.

And to show how candidly we dealt with the Queen's Good Friends and Allies, the *Dutch*, as her Majesty was pleas'd to stile them, the 15 *per Cent.* upon all the Goods and Manufactures of *Great Britain*, which was offer'd at first as one of the chief Bribes to *England* to come into this destructive Peace, Mons. *Mesnager* had now explain'd away, and confin'd to such Goods as were carry'd not to *Spain*, but to the *Spanish West-Indies* only; and our Ministers finding that *France* would not make this Effectual, Mr. *Harley* is order'd to let it drop. But see the Use that is to be made of this Insincerity of the *French*; at the same time that Mr. *St. John* acquaints our Plenipotentiaries with her Majesty's Consent to give this up, he tells them, †'but you will 'take care to do this in such a manner, as not only to get something for it another 'way, but also to render this Concession of the Queen's a means of bringing the '*Dutch* to reason, and to a Compliance with her Majesty's Measures.

Lord Privy-Seal, *April* the 29th, 1712, ‡ acquaints Mr. Secretary, our Negotiation is at a stand, till the *French* Ministers are ready to return one Answer or other; and *May* the 10th, 1712, the Plenipotentiaries say, 'The *French* tell us they can't think of gi-'ving in their Answer to the Allies till they hear from *England* the success of Mons. '*Gaultier*, and you may believe we wait for it with no less Impatience than they do.

Mr. *St. John*, *May* the 3d, 1712, ‖ acquaints their Excellencies, 'I hope in a 'few Days my Dispatches will become more material, and that we shall be able ei-'ther to satisfie our Friends at *Utrecht*, or not have Reason to be much concern'd 'at their Uneasiness.

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doubt, but this Plan that was transmitted to *England* as a great Discovery, was concerted here, and sent by Mr. *Harley* to *Utrecht*, and by Abbot *Gaultier* to *France*.

Mr. *St. John* * much concern'd at the Behaviour of the Allies, and the *Dutch* in particular, thinks it proper to make one Attempt more, as he calls it, to gain them; and therefore orders the Plenipotentiaries to acquaint them, 'that her Majesty will consent 'to their having *Dendermond* and *Ghent*, and at the same time depart from her Preten-'sions to *Ostend*, and is willing that the Trade to *Spain* and the *Spanish Indies* be set-'tled upon the same Foot as it subsisted at the Death of the late King of *Spain*, in all 'respects, except the *Assiento*; and their Lordships are order'd to tell them in very plain 'Terms, that her Majesty's Measures will be taken according to the Return they 'make to the Queen on this Occasion.

But at the same time no Communication at all is made to the States, of the general Plan of Peace last deliver'd by Mons. *Gaultier*, as there never had been of any other, altho' in this last the Interests of all the Allies were settled and determin'd between *Great Britain* and *France*.

And to show how candidly we dealt with the Queen's Good Friends and Allies, the *Dutch*, as her Majesty was pleas'd to stile them, the 15 *per Cent.* upon all the Goods and Manufactures of *Great Britain*, which was offer'd at first as one of the chief Bribes to *England* to come into this destructive Peace, Mons. *Mesnager* had now explain'd away, and confin'd to such Goods as were carry'd not to *Spain*, but to the *Spanish West-Indies* only; and our Ministers finding that *France* would not make this Effectual, Mr. *Harley* is order'd to let it drop. But see the Use that is to be made of this Insincerity of the *French*; at the same time that Mr. *St. John* acquaints our Plenipotentiaries with her Majesty's Consent to give this up, he tells them, † 'but you will 'take care to do this in such a manner, as not only to get something for it another 'way, but also to render this Concession of the Queen's a means of bringing the '*Dutch* to reason, and to a Compliance with her Majesty's Measures.

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ptive Heir to the Crown of *France*, he shall then declare the Choice he intends to make; either to maintain his Right to the Crown of *France*, or keep that of *Spain*; that King *Philip* shall become Party to the Treaty, wherein the Succession to the two Crowns shall be likewise settled, and that all the Powers of *Europe* shall enter into an Engagement with *France* to maintain it.

Mr. *St. John*, *April* the 6th, *O. S.* * reasons against this last Proposal, and the several Projects contained in Monsieur *de Torcy*'s last Letter; insists that no Expedient can effectually secure *Europe* from the Dangers wherewith it is threaten'd by the Union of the two Monarchies, unless the Prince, who is at present in Possession of *Spain*, makes his Choice at this very Instant; and upon a Supposition that the Crown of *Spain* would be his Choice, that this Declaration should be made during the Congress at *Utrecht*.

April 26. *N. S.* † Monsieur *de Torcy* seeming always to comply with what was desired, agrees that the Catholick King must calm the Uneasiness of *Europe*, in declaring from the present time what Part he will take, if ever the Succession of *France* is open in his Favour. That the Inconveniencies arising from hence, must submit to the Publick Good. 'Thus, Sir, says Monsieur *de Torcy* to Mr. *St. John*, the King approving your Proposition, dispatches a Courier to *Spain*, and writes to the King his Grandson, to let him know the Necessity of resolving on the Choice he shall make; and to declare it, to the end it may be inserted in the Treaty of the General Peace, and be made a Condition of it, whereof all *Europe* shall be Guarantee: And promises to use all possible Means, even Force, if it were necessary, to make the King of *Spain* agree to it. He hopes this Proposition will in a great Measure remove all Difficulties; and as they must expect new Obstructions from those who would willingly break the Conferences, he believes the best way to disappoint their Designs, would be, for the Queen of *Great Britain* to propose immediately a Suspension of Arms; for they ground their Hopes upon the Event of the Campaign.

April the 29th, *O. S.* ‡ Mr. *St. John* answers this Letter, and treats this Proposal as liable to all the Objections of the former, and argues thus upon it. 'Altho' the King of *Spain* should at this Instant declare his Choice; what greater Security will *Europe* have if the Execution of that Choice be deferr'd to another time? In offering that he shall be oblig'd to declare his Choice at this present time, you agree, that neither the Stipulations of a Treaty, nor the Guarantee of the Powers engag'd in the present War, would be sufficient to secure that the Choice shall be made; how then can we conclude that they will be sufficient to secure that when the Case shall happen, he shall quit one Crown to accept of the other, according to the Choice which he shall now make? He goes on, The Queen has often declar'd, that it will be impossible for her to be content with any Expedient which shall not be very solid, upon an Article of so great an Importance as the Re-Union of the two Monarchies. This would be to lose the Fruit of all the Blood which the Allies had spilt in the Course of this War; this would be to betray the common Cause of *Europe*; and to expose both the present Age and Posterity to greater Dangers than 'tis possible to imagine. In short, he insists that they must take Care that the time shall never be, when the same Prince shall have the Crown of *Spain* upon his Head, and the Succession to the Crown of *France* open to him. He at last proposes, if the King of *Spain* prefers the Expectation of the Crown of *France*, to the present Possession of *Spain*, in such Case he shall withdraw forthwith with his Family out of *Spain*, the Possession of which, and the *Indies*, should be given to the Duke of *Savoy*; that King *Philip* should have the Kingdom of *Sicily* and the Hereditary Dominions of the Duke of *Savoy*, together with the *Monferat* and *Mantua*, all which Dominions he should remain possess'd of, tho' he became King of *France*; excepting *Sicily*, which in that Case should return to the House of *Austria*.

May the 18th, *N. S.* § Monsieur *de Torcy* still yielding and complying with the Measures of *England*, shows the great Hardship the King of *Spain* must undergo, in sacrificing his own and the Interest of his Family, for the Establishing a General Peace; however the King of *France* would send to him to know his Mind upon the two Alternatives. In the mean time the King of *France* promises that the Treaty of Peace shall be made, upon the Foundation of one of these two Propositions; either that the King of *Spain* shall renounce his Right to the Crown of *France*, and keep *Spain* and the *Indies*; or if he prefers his Expectation upon *France*, he shall quit *Spain* and the *Indies* to the Duke of *Savoy*, in exchange for the present Dominions of the Duke of *Savoy*, &c. as propos'd by Mr. *St. John*. He hopes by this Promise of the King of *France*, all Uncertainties are remov'd; and submits to the Queen's Wisdom, to consider what Method would be the most conducive to the General Good. 'It would be very unhappy if any Event during the Campaign, should fall out to disturb the good Dispositions that are seen at present for Establishing the Publick Repose.

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* Vol. 8. fol. [illegible]. † Vol. 8. fol. 202. ‡ Vol. 8. fol. 210. § Vol. 8. fol. 262.

This Correspondence between the two Secretaries for preventing the Union of the two Kingdoms, carry'd on from about the middle of *March* to the 18th of *May*, 1712, ended at last, just as it began; and King *Philip* chose to make the Renunciation. The *French* Minister giving us such early Notice, and telling us so very plainly, that what we ask'd was utterly insufficient, and would be for ever deem'd by the unalterable Laws of *France* null and void, is very remarkable. His Dexterity in managing that part of the Negotiation, in seeming always to comply, and desirous to come as near as possible to the Proposals made from hence, and submitting at last, since we would have it so, to the Renunciation so peremptorily insisted on, is no less observable.

But it is unaccountable how the *English* Ministry, when they were expresly told those would deceive themselves, who should accept of a Renunciation as a sufficient Expedient to prevent the Reunion of the two Monarchies; when they laid it down themselves as a Principle never to be departed from, that the Union of the two Monarchies would be the greatest Mischief that could possibly happen to all *Europe*, and to *Great Britain* in particular; should still persevere in relying upon this Expedient of a Renunciation. And it cannot be forgot, that no Care was taken to render effectual the two only Expedients, that were ever propos'd for adding any degree of real Security to the Renunciation: Which were, to have it solemnly accepted by the States of *France*, and to have it confirm'd by a General Guaranty of all the Powers of *Europe* engag'd in the present War. The first was ask'd indeed; but upon the Refusal of *France* was entirely given up by our Ministry: The second, by our Method of Negotiating, and our Treatment of the Allies, was from that very time rendred Impracticable; as the *French* could not but foresee. It must be remembred, that a few Days after this Answer of Mons. *de Torcy* was receiv'd, Mr. *St. John* sent Orders to the *British* Plenipotentiaries to declare to the States-General, The Queen was now under no further Obligations whatsoever to them, who with the rest of the Allies were to be Guarantees of this Treaty.

The Committee think it proper to mention here a Passage in a Letter from the Lords Plenipotentiaries to Mr. *St. John*, *February* the 26th, 1711-12, *N. S.* * who acquaint him, that in some Discourse with the Marechal *D'Uxelles* upon occasion of the Death of the *Dauphin*, they desir'd to know of him, what those Measures are which *France* offers to take in Order to prevent the Union of the two Kingdoms; and whether they were to consist in real or verbal Securities; the *French* Minister pretended to know no other but of the latter Sort. And then they suggest to Mr. *St. John*, that an Obligation upon King *Philip* to Renounce the Regency as well as the Crown of *France*, for himself and his Posterity, would amount to some degree of real Security. But no Endeavours were used to obtain this, nor any mention made of it, as far as appears.

Mr. *St. John*, as Secretary of State, transacted this Affair with Mons. *de Torcy*; but as it can't easily be suppos'd, that he did this without the Advice and Approbation of the *Lord Treasurer*, as first Minister; so it appears, that at the same time a Correspondence was held betwixt the *Lord Treasurer* and Mons. *de Torcy*: Mr. *St. John* says in his Letter of the 24th of *April*, 1712, † He was forc'd to stop the Courier which he design'd to dispatch the Day before, to wait for a Letter which my *Lord Treasurer* writes to Mons. *de Torcy*; § and *April* the 11th, he was oblig'd to stop the Courier till to Day, in hopes that *Lord Treasurer* would be in a Condition to answer Monsieur *de Torcy*'s Letter, but the Defluxion in his Eyes, which has hinder'd him for five Days, still continues. And *April* the 26th, ‡ Mons. *de Torcy* is very much concern'd for the Indisposition of my *Lord Treasurer*, and ardently wishes he may soon recover. 'It is very Important, says he, that those who, like you and him, have had the principal Share in the Work of Peace, should have the Glory of finishing it.

Mons. *de Torcy*'s Letter of the 18th of *May*, *N. S.* ¶ was receiv'd by Mr. *St. John* the 9th of *May*, *O. S.* and the Promise of the King of *France* to oblige his Grandson to accept the Alternative of the two Kingdoms had so good and sudden an Effect, that the Day following, without waiting the Return of the Courier from *Madrid*, to know whether King *Philip* did consent or not to the Proposal; ‖ 'Orders are sent to the Duke of *Ormond* by Mr. *St. John* to avoid engaging in any Siege, or hazarding a Battel till further Order. And he is directed to disguise the Receipt of this Order. Her Majesty thinks he cannot want Pretences for conducting himself so as to answer her Ends, without owning that, which at present might have an ill Effect if it were publickly known.

On the same Day that these *† Orders are sent to the Queen's General with Directions to disguise them, which was to conceal them from the Confederates, they are communicated to the Queen's Enemies. 'Abbot *Gaultier* will give you an Account, says Mr. *St. John* to Mons. *de Torcy*, of the Orders I have just now dispatch'd to the Duke of *Ormonde*. What Mr. *St John* himself thought of the Importance of this Order is to be learn'd from his §* Letter to Mr. *Prior*, *September* the 19th, 1712. 'The moment I read the Queen a Letter from Mons. *de Torcy*, by which it appear'd that the King of *France* would oblige his Grandson to accept of the Alternative of quitting one of the two Monarchies, her Orders were dispatch'd to the Duke to engage in neither Siege or Battel: And she prevented the *French* from even making the Demand. I will not say that this Order sav'd their Army from being beat, but I think in my Conscience that it did.

On the 24th of *May*, 1712, ‡* Mr. *St. John* writes again to Mons. *de Torcy*, altho' they had yet receiv'd no answer from *Madrid* concerning the Renunciation, but being press'd in time, and finding it necessary for the Queen to make the Communication to Parliament, that she had promis'd, of the Terms on which a Peace might be made; he acquaints him with the Steps the Queen was resolv'd to take: Provided the most Christian King will render them practicable for her. And in a ¶* Memorial of the same date, *No.* (22.) specifies the Conditions upon which her Majesty consents to make such important Steps, and decisive Declarations to her Parliament, as these which follow. 'First, That she had settled with *France* the Interests of *Great Britain*. Secondly, That she looks upon the Interests of the other Powers engag'd with her in the War, as easie to be adjusted; since the King offers to the greatest Part of them, very near what they have demanded, and to all a just and reasonable Satisfaction. Thirdly, That she will set about accommodating the

* Vol. 2. fol. 3. † Vol. 8. fol. 158. § Vol. 8. fol. 182. ‡ Vol. 8. fol. 202. ¶ Vol. 8. fol. 262. ‖ *May* 10. Vol. 8. fol. 250. *† Vol. 8. fol. 254. §* Vol. 9. fol. 287. ‡* Vol. 8. fol. 270. ¶* Vol. 8. fol. 275.

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He takes Notice, 'That the Letters from the Army mention a Design to Invest *Quesnoy*, in order 'to besiege it; but the King cannot think that the Queen approves of such an Undertaking, much 'less that her Troops shall be employ'd to render it Successful: He concludes, that if a Suspension 'is not immediately made, we may find our selves indispensably drawn into some great Event, which 'he hopes the Secretary's Prudence and Care will prevent.' And altho' in the Answer to the Queen's Demands, nothing Material that was ask'd for our Trade in *North America* is granted, the Evacuating of *Dunkirk*, and admitting an *English* Garison is not agreed to, and the receiving a *Dutch* Garrison into *Cambray* is absolutely refus'd, which were propos'd as Conditions of the Suspension of Arms; Mons. *de Torcy* hopes 'That this return to the Queen's Demands will occasion 'no new Trouble, but as the Beginning and whole Course of this Negotiation was carried on upon 'the *Bona Fide*, and a mutual Confidence of which they had seen the good Effects; it is necessary to 'banish all Distrust, and the Queen to repose an entire Confidence in his Majesty, without insisting 'on Demands which may serve only to create Jealousies.

On the 6th of *June*, *O. S.* ‖ Mr. *St. John* owns the Receipt of Mons. *de Torcy*'s two Letters of the 8th and 10th of *June*, *N. S.* and says, altho' the King of *France* had not answer'd the Queen's Demands according to Expectation, which were the Conditions on which the Queen was to make such peremptory and decisive Declarations; yet the Queen would not defer going that day to Parliament, and making all the Declarations that were necessary to render the Nation unanimously inclin'd to the Peace; that she had not indeed mention'd to the Parliament the Suspension of Arms, but had commanded him to acquaint Mons. *de Torcy* with the Resolutions she had taken in Relation to it, and insisting upon the Renunciation as the Capital Point of the Negotiation; and for which, Her Majesty would rather depart from almost all the Points that had been agreed upon, than leave that to any Uncertainty. Upon this Foundation the Queen hopes, that the most Christian King will not find any thing offensive in the Demands, which she found her self oblig'd to renew, being Conditions for a Suspension of Arms between the two Armies in the *Netherlands*; which if the King consents to, says Mr. *St. John* to Mons. *de Torcy*, 'you have only to 'sign and send to the Duke of *Ormond*, who at the same time that he takes Possession of *Dun-* '*kirk*, will declare to the Allies, that he has Orders to act no further against *France*. He ac- 'quaints him that Lord *Strafford* was going back to *Utrecht*, that the Instructions he was to carry 'will, according to your Desire, put the Queen's Plenipotentiaries in a Condition to keep no 'longer

* *Vol.* 8. *fol.* 346. † *Vol.* 8. *fol.* 354. ‡ *Vol.* 8. *fol.* 358. ‖ *Vol.* 8. *fol.* 370.

longer those Measures to which they have been hitherto obliged to submit, but from 'henceforth they may openly joyn with those of *France*, and give Law to those who 'will not submit to just and reasonable Conditions; and promises when Lord *Straf-* '*ford* goes, he will dispatch another Courier to inform him of the Orders he carries.

Your Committee think it proper to insert here an Extract of a Letter from the Earl of *Strafford* to Mr. *St. John*, of the 30th of *April*, 1712. *'Thus you still 'see the Temper here, and the Time it will naturally take to get the *Dutch* (if 'they will at last settle a Plan) before it can be done. You see the Events we 'are exposed to by the Operations in the Field the mean time, and you have it by 'this time in your Power to terminate all, and even to stop the Operations of the 'Army for a Month, 'till the Negotiation is ended one way or other: There is no 'Pretence now it can be a Prejudice to us, should a Cessation be made; for the for- 'mer Pretences are out of Doors, of its being impossible for the *French* to make 'Magazines for their Army to take the Field as soon as ours, and having burnt these 'Magazines at first affirm'd impossible to be made, for us by that means to be Ma- 'sters of besieging either *Cambray* or *Arras*, and our Army's marching to *Paris* is 'stopt at least for this Summer in all Appearance. The *French* are now better 'posted than we are; their Army is much stronger. We cannot march to sur- 'prize them in other Parts of their Lines 'till we have green Forage, which 'won'nt be up these Three Weeks at soonest. They have all their Troops up, 'and we want a great Part of ours, especially the *Imperialists*, who, 'tis said, can- 'not joyn the Army in a Month yet; so that now the Advantage of a Cessation 'of Arms is on our Side, if they will for the sake of Peace consent to it. If, upon 'these and other Considerations, a Cessation is thought in *England* necessary, the 'Queen must not propose it, but at the same time be resolved to put it in Exe- 'cution on her Side, if agreed to by the *French*; because such a Proposition will 'be sure to meet with Opposition, unless back'd with Resolution, and may have 'the Effect of making those who delight in War undertake with so much the 'greater Precipitation some desperate Attempt.' Upon what grounds his Allegations the Earl of *Strafford* did here advise a Suspension of Arms, is submitted to the Consideration of the House.

The † Articles for a Suspension, signed by Mr. *St. John*, *June* 6, *O. S.* and the Answer, signed by Mons. *de Torcy*, *June* 22, 1712, *N. S.* are annex'd. *No.* (24)

The next Day, *June* 7, *O. S.* Mr. *St John* writes a ‡ private Letter to Mons. *de Torcy*, expressing the utmost Confidence in the good Faith of the Most Christian King; thinks it necessary to hasten the Peace; tells him, it will frighten the *Dutch* to be told the Queen will act no longer against *France*; and that if they do not hasten to make their Agreement, they will have a Blow then upon their Backs which they are not able to bear.

On the same Day Mr. *St. John* sends to the Duke of *Ormond* ‖ Copies of these two last Letters, and of the Memorial sent to the Marquis *de Torcy*. They have been, says his Lordship, prepared by the Queen's Order in Answer to the last Express which came from *France*, and 'You will perceive by them, my Lord, that the Queen 'insists on the Execution of the Article relating to *Spain*, and on the Delivery of '*Dunkirk*, as Points without which she will not declare for a Cessation of Arms 'in the *Netherlands*; but if these Conditions are accepted, and sent signed by the 'Marquis *de Torcy* to your Grace, and *Dunkirk* put into your Possession, you are 'publickly to own that you can act no longer againg the *French*. If they are not 'consented to, you are entirely free from Restraint, and at Liberty to take all 'reasonable Measures that are in your Power for annoying the Enemy. It is pro- 'bable the Marechal *Villars* may receive the Orders which will be sent him from '*Versailles* within a Day after this Letter will come to your Hands. Your Grace 'will therefore lose no Time in acquainting him, that you are in Expectation of 'hearing from his Court that which must determine your Proceedings; and that, 'according to the King's Resolution, you are either to look upon your selves on 'both Sides as freed from any Restrictive Orders, and in full Liberty of acting a- 'gainst each other, or that you are openly to declare for a Cessation.

The Committee think it necessary now to go a little back, and observe what Orders and Instructions had been given to the Duke of *Ormond*, and what Accounts he had sent of his Proceedings during the time the Correspondence relating to the Renunciation was carrying on.

On the 12th of *April* 1712, *N. S.* his Instructions are sign'd by the Queen § (*No.* 25.) He is order'd to repair first to the *Hague*, and to see the Pensionary, before he puts himself at the Head of the Troops; to express to him the Queen's Resolution of pressing the War with all possible Vigour; to assure him he is prepar'd to live in a perfect good Correspondence with all the Generals, and particularly with those

* *Vol.* 2. † *Vol.* 3. *fol.* 39. ‡ *Vol.* 8. *fol.* 374. ‖ *Vol.* 8. *fol.* 378. § *Vol.* 8. *fol.* 178.

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those of the States; to inform himself what Plan has been agreed for the Operation of the Campaign: And as soon as he arrives at the Frontier, to meet with Prince *Eugene*, and such of the Generals as shall be in the Secret, and with them to concert the proper Measures for entering upon Action.

Your Committee conceive these Instructions sign'd by her Majesty must be the Rule of his Grace's Actions 'till countermanded or revok'd by equal Authority, there being no general Direction in them to follow such further Orders as he should receive from a Secretary of State.

On the 24th of *April*, *N. S.* the Duke of *Ormond* gives the Secretary an Account, ' That, according to his Instructions, he had given the Pensionary all the ' Assurances of carrying on the War with Vigour, and acting in Confidence with ' all the Allies, and more especially the *Dutch*; which were receiv'd with the ' greatest Professions of Duty and Respect to her Majesty.

On the 30th, * the Duke of *Ormond* had been in Conference with the Council of State, where, his Grace says, ' there were great Expressions of Duty to her Majesty. ' They told him there was no particular Resolution taken as to the Operation of the ' Campaign, but left it to their Generals, who with their Deputies are to act in Con- ' cert with the Generals of the Allies; and that they had given Orders to their Ge- ' nerals to live in a good Correspondence with his Grace.

On the 25th of *April*, *O. S.* † which must be observ'd was before it was known *France* had agreed so much as to propose to the King of *Spain* the Alternative of the two Monarchies, which was not 'till the 18th of *May*, *N. S.* Mr. *St. John* begins to give the Duke of *Ormond* some distant Hint of the Scene that was afterwards to be open'd, and tells him, ' The Queen inclines to be of Opinion, that ' all the Troops, whether Subjects or Foreigners, belonging to her, should be im- ' mediately under his Grace's Command. There may have been formerly Reasons ' for using a different Method, but there seems at present to be some of a very strong ' Nature for taking this, and perhaps these may every Day grow still stronger. In- ' sinuates there may be Reasons to be jealous of Prince *Eugene*; and on this Oc- ' casion his Grace is directed to be more cautious for some time of engaging in an ' Action, unless in the Case of a very apparent and considerable Advantage, upon ' Pretence of waiting 'till the *German* Troops were all arriv'd, that they may have ' their Share, if there is to be any Action.

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In this † Letter his Grace gives an Account of a Letter that he had receiv'd from Mareschal *Villars*, and the Answer that his Grace wrote to the Mareschal.

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* *Vol.* 8. *fol.* 180. † *Vol.* 8. *fol.* 198. ‡ *Vol.* 8. *fol.* 222. ‖ *Vol.* 8. *fol.* 230. § *Vol.* 8. *fol.* 287. ¶ *Vol.* 8. *fol.* 294.

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* *Vol.* 8. *fol.* 296. † *Vol.* 8. *fol.* 300. ‡ *Vol.* 8. *fol.* 305. ‖ *Vol.* 8. *fol.* 309. § *Vol.* 8. *fol.* 318.

* These Representations and the pressing Instances made by Prince *Eugene*, are entertained by Mr. *St. John* as affected Alarms and Clamours raised with much Industry, but such as gave Her Majesty no Uneasiness whatsoever.

† But they began to make some Impressions upon the Duke of *Ormond*; he grew sensible of the ill Blood and Dissatisfaction caused among the Allies by the Measures he was obliged to take, who did not stick to say we were betraying them. He sends an Account, that Prince *Eugene* and the States Deputies had resolved to besiege *Quesnoy*, which Place was that Day, *June* 8. *N. S.* 1712. invested; and though he had nothing to do in the Operation, he could not refuse furnishing some Troops in the States Pay, but had avoided giving any in the Queen's whole Pay.

We are now come again to the 7th of *June*, *O. S.* when Mr. *St. John* sent to the Duke of *Ormond* his Letters of the 6th and 7th to Monsr. *de Torcy* and the last Articles proposed by *Great Britain* for a Suspension of Arms; and it is to be observed, that hitherto it was an entire Secret between the *English* and *French* Courts and their Two Generals, that neither Siege or Battle was to be engaged in by the Duke of *Ormond*. Prince *Eugene* and the whole Confederacy were as yet amused with Hopes that the Duke of *Ormond* might be permitted in some Degree to comply with his Instructions, and the solemn and repeated Assurances that had been given, to act in Conjunction with the rest of the Allies: But the Time was now come, when the Secretary's Care and Prudence was to deliver the *French* King from the Apprehensions under which Monsr. *de Torcy* had so often declared him to be for the Events of this Campaign: And altho' the Suspension of Arms was press'd and insisted upon by *France*, and was to be granted purely for the sake and Preservation of the *French* Army, which in all reason should have brought them to a Compliance with the Demands sent from *England*; yet so very tractable did our Ministry prove, that *France*'s refusing the Conditions at first proposed for granting a Suspension of Arms, had no other Effect but to make us lower the Terms upon which they were to accept what could be no Advantage to *England*, but was of the highest Importance to *France*.

When these last Conditions were sent to the Duke of *Ormond*, with the Orders that attended them, it is to be observed, that Mr. *St. John* declared the Queen insisted on the Execution of the Article relating to *Spain*, and on the Delivery of *Dunkirk*, as Points without which she would not declare for a Cessation of Arms: So that if these Conditions were not absolutely consented to, if the Answer from *France*, which was to determine the Duke of *Ormond*'s Measures, was not signed by Monsr. *de Torcy*, and *Dunkirk* was not put into the Possession of the Duke of *Ormond*, his Grace was at entire Liberty to act against *France*: but upon these Conditions the Duke of *Ormond* was ordered immediately to declare a Cessation of Arms.

The Committee cannot but think this Order in itself of a very extraordinary Nature, altho' conditional; and the Ministry seem in very great Haste to give all up into the Hands of *France*, when the Queen's General, at the Head of a Confederate Army in the Field, at that Time covering a Siege, which the Allies were engaged in, should be ordered to govern himself according to such Significations as should come from the Court of *France*, and those transmitted him by the General commanding the Enemy's Army, whose Duty it was by Force or Stratagem to raise the Siege, or gain any Advantage he could over the Allies.

On the 22d of *June*, *N. S.* ‡ an Answer to the Proposals last sent over was transmitted to Mr. *St John*, signed by Monsr. *de Torcy*, with Two Alterations, one no less material, than whereas it was demanded that the Renunciation should be ratified in the most solemn Manner by the States of *France*, which had been mentioned before as one of the chief Securities to make it as effectual as any thing could, it is here substituted, that it shall be register'd in the several Parliaments: And to the Article of *Dunkirk* is added, That all the King's Officers, both Land and Sea Officers, shall have Liberty to stay at *Dunkirk*, and to execute their several Offices. And on the same Day Monsr. *de Torcy* writes ‖ Two Letters to Mr. *St. John*, the one a publick Letter, explaining at large the Alterations; the other a private Letter to prevail with him to consent to these Alterations. And it may be here observed, that there are several Instances of such a private Correspondence carry'd on between the Two Secretaries.

At the same time, a Copy of the Memorial and the Answer was sent to the Mareschal *Villars*, who with his § Letter of the 24th of *June*, *N. S.* sends the Copies to the Duke of *Ormond*, and tells him the Originals were sent to *England*; and doubts not but the Suspension of Arms would immediately take Effect.

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* May 27, 1712. *Vol.* 8. *fol.* 330. † June 8. *Vol.* 8. *fol.* 342. ‡ *Vol.* 8. *fol.* 438. ‖ *Vol.* 8. *fol.* 440. § *Vol.* 8. *f.* 419.

But it appears by the Duke of *Ormond*'s [a] Letter to Mareschal *Villars* of the 25th of *June*, That these were only Copies and not sign'd, for his Grace says, It were to be wish'd that the Marquis *de Torcy* had given himself the trouble to sign them, as being more agreeable to his Grace's Instructions, but that he may not stop so good a Work by Difficulties and Scruples, he will not insist upon Formality: He promises to go immediately to Prince *Eugene*, and the States Deputies, to perswade them to abandon the Enterprize upon *Quesnoy*, and to declare, That in case of a Refusal, he shall be oblig'd to withdraw the Queen's Army; and as soon as the Troops which he should detach for that Purpose had taken Possession of *Dunkirk*, the Suspension of Arms shall take place.

On the 27th of *June*, the D. of *Ormond* gives Mr. *St. John* an [b] Account, That he had been with Prince *Eugene*, and the States Deputies, and had acquainted them, that the *French* King having agreed to several Articles demanded by the Queen as the Foundation of a Cessation of Arms, he could no longer cover the Siege of *Quesnoy*; but was oblig'd by his Instructions to march with the Queen's Troops, and those in Her Majesty's Pay, and to declare a Cessation of Arms as soon as the Town of *Dunkirk* was deliver'd up.

The Duke of *Ormond* having had this Conference with Prince *Eugene*, and the States Deputies, according to his Promise, sends a second [c] Letter to Mareschal *Villars* of the same Date, and tells him, He apprehends that the Generals of the Auxiliaries paid by the Queen, will not leave Prince *Eugene*'s Army without particular Orders from their respective Masters.

An Account of this being sent to the Court of *France*, Monsieur *de Torcy* dispatches an [d] Express *June* the 27th, *N. S.* and declares if the Foreign Troops in *English* Pay did not abandon Prince *Eugene*'s Army, the Condition upon which *Dunkirk* was to be deliver'd being not perform'd, it would be unreasonable for *England* to insist that *Dunkirk* should be given into their Hands; and appeals to the Title of the Memorial, that imported a Cessation of Arms between the two Armies in the *Netherlands*: He insists, that positive Orders be sent to the Duke of *Ormond* to withdraw all the Troops in *English* Pay; and when these Orders shall have been punctually comply'd with, the King will perform his Promise of delivering *Dunkirk*.

The Duke of *Ormond* having already declar'd absolutely to the Allies, that he could no longer cover the Siege of *Quesnoy*, remains in a State of Inaction, though 'tis plain by his Orders he was now free from all Restraint, the Answer not being sign'd by Monsieur *de Torcy*, as was expresly requir'd, some material Alterations being made in the Conditions relating to *Spain*, which his Grace had then no Notice that the Queen had consented to, and Mareschal *Villars* refusing to give him the Possession of *Dunkirk*, which were declar'd Points without which the Queen would not consent to a Cessation of Arms.

And that the Duke of *Ormond* was himself of this Opinion, is evident from his own [e] Letter to Mr. *St. John* of *June* the 29th; wherein he excuses his deferring separating the Troops, and marching towards *Dunkirk*, until he had sufficient Assurance that Place would be surrender'd to him; and then his Grace says the contrary appears now so evidently, that I should look upon my self immediately at Liberty to act in Conjunction with the Allies; but I do not take upon me to make a Step of such consequence without the Queen's particular Orders, which I shall expect with the greatest Impatience.

These unexpected Resolutions of the Foreigners in the Queen's Pay not to abandon their Allies, and leave them at the Mercy of the *French* Army, very much disconcerted our Measures here for a short time; but on *June* 20, *O. S.* N° (27) Mr. *St. John* writes to Monsieur *de Torcy*, [f] That the Accounts from the Duke of *Ormond* were conformable to what he had sent, which gave the Queen a sensible Displeasure; but as Her Majesty had taken a firm and unalterable Resolution not to yield to any Difficulties, he doubts not to succeed, and believes Monsieur *de Torcy* will be convinc'd of this Truth when he has read over this Letter: That he had just then told the Ministers of those Princes who have Troops in the Queen's Pay, that unless they obey the Duke of *Ormond*'s Orders, Her Majesty will take it as a Declaration against Her, and from that Time they shall not be paid: That if the *French* King will deliver *Dunkirk*, the Duke of *Ormond* shall retire with the *English* Troops, and all those Foreigners that will obey him, and declare the Queen will act no longer against

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against *France*, nor pay those that will, and will make no Difficulty to conclude immediately a separate Peace with *France*, leaving the Allies a Time wherein they may have Liberty to submit to such Conditions as shall be agreed upon betwixt the Queen and the Most Christian King. See, Sir, the Peace in the King's hands; if the Duke of *Ormond's* whole Army consents to the Suspension of Arms, our first Project proceeds; if they will not consent, the *English* Troops will withdraw, and leave the Foreigners to seek for their Subsistence from the States, who very far from being able to furnish new Expences, are not capable to support what they have already upon their hands. In short, *Britain* retiring from the Theatre of the War, and leaving it to those that are in no condition to make head against *France*, the Peace may be concluded between the two Crowns in a few Weeks. These, Sir, are the Propositions which the Queen commands me to make, and believes the King of *France* will find his Account at least as much the last Way as the first. He once more desires him to send an Express to the Duke of *Ormond*, that he may know how to regulate his Conduct; and if he signifies to him that the King has given Orders to the Governor of *Dunkirk* to admit the *English*, his Grace will immediately do all that he has said. He acquaints him further; That the Queen was resolv'd to send the Earl of *Strafford* immediately to the Army. On the same Day Mr. *St. John* sends [a] a Copy of this Letter to the Duke of *Ormond*; and to shew his own Opinion of this extraordinary Piece in a Postscript, he says, I need not caution your Grace that the inclos'd for Monsieur *de Torcy* is fit to fall under the Eye of no Person whatsoever but your Grace: As for his Instructions at this critical Conjuncture, they are such as Her Majesty thought deserv'd sending the Earl of *Strafford* on purpose to the Army; and his Grace is order'd to give Mareschal *Villars* an Account of the Endeavours the Queen had us'd to subdue the Obstinacy of those who refus'd to obey, and of his Expectations to hear from him on an Express sent to *France*; and a second time, according to what was said to Monsieur *de Torcy*, his Grace is order'd, if he receives an Account from the Court of *France* that Her Majesty's last Proposals are agreed to, and Orders dispatch'd for the Surrender of *Dunkirk*, without any more to do, to declare the Suspension between *Great Britain* and *France*, and to keep the whole Body that shall obey his Orders entire, and to withdraw in the best manner his Circumstances will allow.

This Offer was no sooner receiv'd in *France*, but without the Loss of one Moment's time accepted and consented to, as [b] Monsieur *de Torcy* acquaints Mr. *St. John*, *July* the 5th, *N. S.* He takes care to mention very particularly all the Reasons and Engagements which had been so plainly and explicitly propos'd; and upon Condition that the Queen does immediately make a separate Peace, keep no Measures with Her Allies, but only leave them a Time to submit to the Conditions that shall be agreed upon for them between *France* and *England*, the King of *France* hath determin'd to send his Orders to permit the *English* Troops to enter into *Dunkirk*; and at the same time a Courier was dispatch'd to Mareschal *Villars* to carry him these Orders. And as a general Cessation from all Hostilities both by Land and Sea between the two Nations, had been propos'd by *England* 'till their Treaties could be finish'd, the King of *France* with the same Readiness consents to that.

This Account was no sooner receiv'd in *England*, but fresh [c] Orders are sent to the Duke of *Ormond*, as soon as he shall hear that the Governor had receiv'd Orders to evacuate *Dunkirk*, and to admit the Queen's Troops into the Place, without losing a moment, if he had not already done it, to declare a Suspension of Arms; and to withdraw all the *English* Troops, and such others as would obey his Orders; and least any Accident might still obstruct this Project, his Grace by Mr. *St. John* is told, He must observe that the Order is positive, and that no Case can possibly happen in which Her Majesty will allow that any other Measure should be taken; and Mr. *St. John* is much concern'd that the Earl of *Strafford* will arrive at the Army later, than was to be wish'd, from whom his Grace was to receive those Lights and Informations for his Guidance in this nice Conjuncture, that he is amply instructed to give him.

On the 12th of *July*, *N. S.* Lord *Strafford* arrives in the Camp; on the 14th [d] Prince *Eugene* sends the D. of *Ormond* Word by an *Aid de Camp*, That he intended to march the next Morning with a Design, as was suppos'd, to attack *Landrecy*. The Duke of *Ormond* is much surpriz'd at the Message; refuses to

[a] *Vol. 8. f. 498.* [b] *Vol. 8. f. 500.* [c] *Vol. 8. f. 504.* [d] *Vol. 8. f. 548.*

march with him, or to give him any Assistance from the Queen's Troops; but lets the Prince know, that when he march'd, his Grace should be oblig'd to take the best Care he could for the Security of the Queen's Troops, and to change his Camp in Order to it.

On the same [a] Day Mareschal *Villars* giving the Duke of *Ormond* an Account, that he had sent by Colonel *Lord* Orders for the Delivery of *Dunkirk*, says, Permit me Sir to have the Honour to tell you, tho' it be very advantageous not to be obliged to engage the bravest and boldest of our Enemies, yet 'tis very important to know those that remain so, and I take the Liberty to desire you will do me the Honour to send me Word what Troops and what Generals will obey your Orders, because the first Attempt the Enemy makes, I will not lose one Moment to meet them: The King gives me a Liberty to fight; which Nothing but the Negotiations has hitherto prevented, and which the Army under my Command has a great Desire to make use of. I think the Work is finish'd if the Army which is under your Orders obeys them. This then, Sir, is no indiscreet Curiosity, that I presume to desire you to give me some Lights upon the Doubts which I am in.

I shall be very much oblig'd to you Sir, if by the Return of this Trumpet you'll honour me with one Word of Answer; upon the Lights which I have desired of you.

You'll give me Leave to join to this Pacquet a Letter for my Lord *Strafford*.

On the 15th of *July*, the [b] Duke of *Ormond* in Answer to this Letter says, I should be glad I were at present in a Capacity to give you all the Insight you desire, but it is yet impossible for me. Notwithstanding I was unwilling to delay sending back the Trumpet, to let you know I am well assured, I shall be capable of telling you to morrow, particularly what Troops will remain under my Command.

As to the Suspension of Arms you already know, Sir, that according to my Orders I cannot declare it in Form, 'till I am assured the Governour of *Dunkirk* shall have executed all the King's Orders for the Evacuation of the Place. His Grace adds, In the mean Time you will agree with me Sir, that the said Suspension has already its Effect on my Side, since I have just now inform'd Prince *Eugene* and the States Deputies, that in Case they should undertake any new Operation, I could not give them any Assistance with the Queen's Army.

On the 16th, the [c] Duke of *Ormond* writes again to Mareschal *Villars*, and says, Your Trumpet just now put into my Hands the honour of your Letter of the 15th, and I am now to acquit my self of the Promise I made you yesterday. Prince *Eugene* is march'd this Morning, and all the foreign Troops have quitted us except one Battalion and four Squadrons of *Holstein*, and two Squadrons of *Walef*. He adds, Things having passed as I have the Honour to tell you, I thought my self oblig'd to acquaint you of it as soon as possible, and as I observed to you yesterday, the Suspension of Arms has already its Effect on my part by the Separation I have made of the Queen's Troops, and all her Artillery, from those of Prince *Eugene*, and by my declaring to him, I could give him no Assistance, and that the Payment of the foreign Troops is stopp'd, and that by Consequence there is fallen upon the Emperour and *Holland* a Burthen they will not be long able to support; I trust, Sir, to your good Faith, and shall to morrow make a Movement to put my self into another Situation, and I hope I shall have News from *Dunkirk*, that will authorize me to declare the Suspension of Arms.

On the same Day [d] Mareschal *Villars* acquaints the Duke of *Ormond*, that the Governour of *Dunkirk* was making the necessary Preparations to evacuate that Place: He tells his Grace, For my part, Sir, as I already reckon you for our Ally, I am not at all in haste to have you further off, you are at your own Liberty to come near us, and encamp on the King's Territories, where-ever you shall think proper. Upon this the Duke of *Ormond* the Day after order'd a Cessation of Arms, to be proclaim'd by Sound of Trumpet.

[a] *Vol. 8. fol. 581.* [b] *Vol. 8. f. 584.* [c] *Vol. 8. f. 594.* [d] *Vol. 8. f. 591.*

Had the first Design taken Effect, which was depended upon by *France*, and so far presum'd by *England* as to be undertaken for, that all the Foreigners in the Queen's Pay, that compos'd the Duke of *Ormond*'s Army, should separate and withdraw from the rest of the Allies, it is notorious, that from that Instant Prince *Eugene*'s whole Army, unless they submitted to the same Measures, had been left at the Mercy of the *French* Army to be cut in Pieces, or made Prisoners at the Will of Mareschal *Villars*, which had left the Queen's Troops in no better a Condition than to have the Privilege of being last destroy'd; yet all the Allies, whose Honour and Conscience would not permit them to abandon their Confederates, and leave them as a Sacrifice to *France*, were punish'd by *England* with the Loss of their Pay and Subsidies, which was all that was in the Power of the Ministry to do, to shew their Resentment at this great Disappointment to the Measures of *France*.

This March of Prince *Eugene* Lord *Strafford* thought might be turn'd upon them, and he prevail'd with the Duke of *Ormond* in a Message to Prince *Eugene* to say his Marching without Concert with us, and all the Queen's Auxiliaries marching from us, expos'd us so, that we have been oblig'd to send to the *French* to declare with us a Cessation of Arms; nothing less could put the Queen's Troops in Safety; for though Matters fell out so pat, without this we must have declar'd for the Cessation, yet why should we not turn all this Matter upon them?

The Committee had not thought it worth their while to take Notice of such an idle Attempt to impose upon the Senses of Mankind, if they had not been induc'd by another Passage in the same Letter to think it deserv'd some Observation; where Lord *Strafford* giving an Account of what pass'd upon the Separation says, All the *English* seem rejoyc'd to march off, being weary of the Situation they were in, and the Reproaches they met with in the great Army; There are two or three Faces very sour, they sigh and wish the *Hanoverians* had not separated from us, but I shall tell them perhaps it may be better. He may see by this Time the wrong Advice he has follow'd, since all must lay the Blame of the Separation upon him. But this is not the only Instance of the Scorn and Contempt which his Lordship was ready to express upon the like Occasions; for *July* the 16th, 1712, [b] giving an Account of a Conversation with Monsieur *Bulow*, the Elector of *Hanover*'s General, wherein his Lordship declar'd, that the Queen had yet neither made Peace nor Truce, which Declaration was made near a Month after the Articles for a Suspension of Arms were sign'd, and his Lordship representing the great Dangers the Queen's Troops were expos'd to by being left alone in their Camp when Prince *Eugene* march'd, and Monsieur *Bulow* replying, in case of any Attack they had been sure of their Assistance and Protection; his Lordship says, My Answer was in a disdainful way, it would be a very odd thing, when an Elector of the Empire should be a sufficient Protection to *Great Britain*; and *December* the 14th, 1712, Lord *Strafford* in his [c] Letter to Mr. *St. John* says, Count *Zinzendorf* own'd, it was impossible to carry on the War alone, especially since the Elector of *Hanover*, who was the greatest Hero for the War, has threatned the States to recall his Troops, if they did not pay him the Queen's Share of the Subsidies.—In short, Count *Zinzendorf* himself could not but laugh at the ridiculous way of proceeding of that Court.

The Armies being now separated, and the Suspension of Arms declar'd, your Committee think it necessary to recapitulate in what manner, and by what Steps, this fatal Cessation was procur'd.

That it was of infinite Advantage and absolutely Necessary to the Affairs of *France*, and therefore insisted on by *France* is very evident; and it is as certain, that the *English* Ministry gave early into it, if they were not the first Advisers of it; for which no other Account need be requir'd, but that as all their Measures tended to advance the Interest of the Queen's Enemies, they could not fail to be zealous in a point which contributed more to those Views than any one Occurrence during the whole Negotiation; but as they all along wanted Appearances, and consulted them more than any real Advantages to the Kingdom, they thought it necessary to annex

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[a] *July* 27. *Ld. Strafford to St. John, Vol.* 3. *f.* 287. [b] *Vol.* 3. *f.* 255. *Ld. Strafford to Mr. St. John.* [c] *Vol.* 4.

some Conditions to this important Article, that might pass upon the deluded People as a Justification of this unprecedented Treachery.

The Demolition of *Dunkirk* was always so popular a Point, that nothing could strike the Imaginations of the People more, than to be told that this important Place was deliver'd into the Queen's Possession: This Step they thought, well improv'd, would recommend the Peace itself, at least justifie the Cessation. And as the Nation had Nothing more at Heart, than the Disposition of the *Spanish* Monarchy, after the Renunciation had been industriously cry'd up, and the Queen had declar'd from the Throne, that *France* and *Spain* were thereby more effectually divided than ever, These Two Articles were made the essential Conditions of granting a Cessation of Arms: For the latter, *France* easily consented to it, having declar'd it to be null and void by the fundamental Laws of *France*: For the first, 'tis evident how unwillingly *France* was brought to surrender *Dunkirk*, but this the Ministry were resolv'd to purchase at any Rate, as what would most easily amuse, and sensibly affect the Nation; and therefore to obtain this, they engage not only to grant a Cessation of Arms, but to conclude a Separate Peace.

The Prospect of concluding a Separate Peace, and the obtaining immediately a Cessation of Arms, which answer'd all the Purposes of *France* almost as well as a Separate Peace, by leaving the whole Confederacy in their Power, and at their Mercy, were so great Temptations to *France*, that the Surrender of *Dunkirk* is agreed to; but if we come to consider what *England* gain'd by granting this fatal Cessation, we shall find the Demolition of *Dunkirk* supply'd by a new Canal more beneficial to *France*, and formidable to the Navigation of *Great Britain*, than *Dunkirk* ever was; and for the Renunciation, We were told by *France*, we should deceive our selves if we accepted it as an Expedient to prevent the Union of the two Monarchies.

Your Committee cannot close their Observations upon this memorable Campaign of 1712, without inserting another Letter that was wrote by the Duke of *Ormond* to my Lord *Bolingbroke*. The *Dutch* it seems, encourag'd by the Success of their Enterprise upon Fort *Knocque*, had form'd a Design for surprising *Newport* or *Furnes*, which his Grace having Intelligence of, thought proper to write the following [a] Letter, *October* the 21st, 1712, to my Lord *Bolingbroke*.

'I take this Opportunity of an Express which brought me some Letters
'this Morning from *Ostend*, and is returning thither, to acquaint your Lordship
'with an Affair which has been communicated to me by a Person who is
'very well inclin'd to her Majesty's Service; your Lordship will best judge
'of the Importance of it, and the Use that is to be made of it, when I tell
'you, that the Success of the Enterprise upon *Knocque* has encourag'd the
'forming a Project for surprising *Newport* or *Furnes*, and that the fortifying
'*Dixmude* is made use of as a Pretence for drawing together a Body of Troops
'sufficient to put the Design in Execution; if it be thought more for her Ma-
'jesties Service to prevent it, I am humbly of Opinion some Means should
'be found to give Advice of it to Mareschal *Villars*, who may possibly
'think we owe him that good Office, in Requital of some Informations your
'Lordship knows he has given me, with a Design to serve her Majesty and
'the Nation: I am not yet at Liberty to acquaint your Lordship with the
'Name of my Author, who desires the whole Matter may be manag'd with
'the greatest Secrecy, which is a Caution I know I need only mention to your
'Lordship.

The great Step of the Cessation was no sooner taken, the Suspension declar'd, and *Dunkirk* deliver'd up, but [b] Monsieur *de Torcy* calls upon Mr. *St. John* to perform his Promise of concluding a Peace between *France* and *Great Britain* in a few Weeks, which he thinks can meet with no Difficulties, all the Conditions of Peace with *England* being regulated, and the Intentions of the King touching the General Peace known to, and he thinks he may say approv'd by, her *Britannick* Majesty. Monsieur *de Torcy* then proposes the Method of regulating the Suspension by Sea, and insists, that during the Suspension, either General or Particular, the Transportation of neither Troops, Ammunition, nor Provisions, shall be allow'd into *Portugal*, *Catalonia*, or any other Place where the War continues. Pacquet-Boats between *Dover* and *Calais* are to be immediately settled for the general Ease of Correspondence. and the

 Suspension

[a] *Vol.* 8. *f.* 896. [b] *July* 19. *N. S. Vol.* 8. *f.* 624.

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Suspension of Arms to be publish'd in *Portugal* and *Catalonia*, without waiting 'till it shall be settled at *Utrecht*.

All these Proposals from *France* are very readily assented to, and [a] Mr. *St. John* 'thinks the Queen in a Condition not to lose a Moment's Time in concluding 'with the Ministers of *France* the Convention for a general Suspension of Arms, 'both by Sea and Land, and even the Treaty of Peace between *Great Britain* 'and *France*.

Mr. *St. John* then opens to him the Measures that had been here concerted for the Duke of *Savoy*; 'Of all the Allies, says he, there is none whose Interest the Queen has so much at Heart as the Duke of *Savoy*'s: He hopes 'the Most Christian King will act in Concert with her Majesty, and omit 'Nothing that may engage his Royal Highness to come into all our Measures, 'and that may protect him from the Insults of the Imperialists for so doing; 'and among other Advantages propos'd for him, he lays it down as a Principle, that it is neither for the Interest of *Great Britain* nor *France*, that the 'Kingdom of *Sicily* should be given to the House of *Austria*, and therefore 'demands it for the Duke of *Savoy*, and declares the Queen will not desist 'from this Demand.

This Concern of the *British* Ministers for the Duke of *Savoy*, who is represented as the Ally, whose Interest the Queen hath most at Heart, your Committee is at a Loss to account for. The *French*, as appears by a [b] Letter of the Bishop of *Bristol* to Mr. *St. John*, of the 26th of *April*, 1712, had actually offer'd *Sicily* to the Emperor. The Duke of *Savoy* himself did not relish this Proposition, as appears by Lord *Peterborough*'s [c] Letter to Mr. *St. John* of the 24th of *September*, 1712, in which his Lordship represents the Duke of *Savoy* expressing, That he was not so vainly impatient of the Title of King, as to lose or hazard any real Interest for an empty Name, but that he thought it much more extraordinary, that a Prince beaten Ten Years together by his Enemies, should remain at last with the Prize contended for, and which so often by Parliament had been declared the just and unavoidable Motive of the War: Again in Lord *Peterborough*'s [d] Letter of *November* the 16th, 1712, to Mr. *St. John*, he affirm'd, That Nothing can represent the Uneasiness of Mind of the Duke of *Savoy*, after these Offers had been made him: To calm this Uneasiness, and to fix his Royal Highness in the Measures of the Ministry, it was necessary the Lord *Peterborough* should in a [e] Memorial given to him represent, That his Royal Highness in refusing these Offers must fall out with the Queen, and the *English* Ministers, whom his Lordship endeavours to excuse from the Reproaches cast directly upon them, as if they were Persons devoted to *France*. That for the Support of what was propos'd, a sufficient Fleet should be furnish'd either by *England*, or *France*, or by both Powers jointly, and that his Royal Highness should be guarantee'd and protected against any Power that should oppose this Project, or should insult him for having accepted these Offers. The Arguments of the *English* Ministers did at length prevail with his Royal Highness; and if the View of the said Ministers was effectually to disable the Emperor from supporting himself against *France* after our Separation, by forcing into the Interest of *France* an Ally so considerable as the Duke of *Savoy*, it must be confess'd these Measures were extremely well calculated for such an End, but it does not appear to your Committee how *England* came to be so far concern'd in this Matter as to offer its Guarantee for *Sicily*, which naturally must have engaged us in a War against the Emperor. This Forwardness of the Ministry in offering to make *England* Guarantee for Conditions advantageous only to *France*, seems the more extraordinary, when they observe, that, during the whole Course of this Negotiation, they find no Endeavours us'd to procure a Guarantee of our Confederates to secure the Protestant Succession, which had been address'd for by both Houses of Parliament; nor do they observe, that the King of *Sicily*, for whom so much was done, was ever requested to be Guarantee for the said Succession.

The dreadful Consequences of the Separation of the Armies were now sensibly felt in the unfortunate Action at *Denain*, where Mareschal *Villars* on the 24th of *July*, *N. S.* [f] attack'd Lord *Albemarle*'s Camp, which he forc'd, took him Prisoner, and entirely defeated all the Troops under his Command: M. *de Torcy* immediately sends an [g] Account to Mr. *St. John* of this agreeable News, and

[a] *July* 12. *Vol.* 8. *f.* 616. [b] *Vol.* 2. [c] *Vol.* 9. *f.* 291. [d] *Vol.* 9. *f.* 377. [e] *Vol.* 9. *f.* 299. [f] *Vol.* 8. *f.* 624. [g] *July* 26, 1712. *Vol.* 8. *f.* 624.

and says, 'The King of *France* is persuaded, that the Advantage, which his 'Troops have obtain'd, will give the Queen so much the more Pleasure, as 'it may be a new Motive to overcome the Obstinacy of the Enemies to Peace.

Your Committee could not with Patience read a Letter from a Minister of *France*, declaring to the Secretary of State of *England*, That a Victory obtain'd by the Queen's Enemies over Her good Allies, must be a Pleasure or Satisfaction to Her Majesty. But at that time the *French* thought themselves so sure of the *British* Ministry, that they depend upon their Assistance to push this Advantage against the Confederates still further; and Monf. *de Torcy* says, 'he hopes the Queen will 'effectually bring them to Reason in agreeing immediately with the King the last 'Measures that are to be taken for finishing this Work. She has the Means in Her 'own Hands, if She will make use of *Ghent* and *Bruges*, which Her Troops possess, 'and especially of *Ghent*; for it depends upon whosoever is Master of that Place, 'to make all the Designs of the Enemies Generals miscarry, and to give Law 'to the *Dutch*.

Neither was Monf. *de Torcy* singular in his Opinion about the Action at *Denain*; Mareschal *Villars* would not lose a Moment in giving the Duke of *Ormond* an Account of this News; he ascribes the Victory to the Separation of the brave *English*, and insults the Allies as common Enemies, that must now be sensible what wrong Measures they had taken: In this Manner, and to this Effect, Mareschal *Villars* thinks proper to write to the Duke of *Ormond*; and at the same time the Mareschal desires his Grace to transmit this Account to the *French* Plenipotentiaries at *Utrecht*, and to make a thousand Compliments from him to Ld. *Strafford*.

And that there might be no Part of the World where it was in the Power of the *English* Ministry to assist their new Friends the *French*, at the Expence of their old Allies, Monf. *de Torcy* further proposes, That the Queen should put a Stop to Count *Staremberg*'s Projects in *Catalonia*, by sending Orders to Her Troops in *Tarragona* not to let the *Germans* into that Place; and not content with being aided and assisted all that was possible by Land, he further desires that express Orders might be sent (and thorough *France*, as the shortest Way) to the *English* Men of War that were then cruising in the *Mediterranean*, to suffer the *French* Ships that were then returning from the *Levant*, to pass unmolested; which was no sooner ask'd than comply'd with.

But the taking Possession of *Ghent* and *Bruges* was not only the Desire of Monf. *de Torcy*, but was supported by the Advice of the E. of *Strafford*; who in his [a] Letter to Mr. *St. John* of the 17th of *July* 1712. says, 'I am for having the D. of 'Ormond send some Party on purpose to march through some of their Towns, to 'see whether or no they would refuse them Passage; if they did, that might authorize us the more to do a Thing very agreeable to the Queen's Troops, and 'what I believe you would approve of.' His Lordship adds, 'He (meaning 'the D. of *Ormond*) is very hearty in every thing, but really is under Difficulties 'with those about him; those that are able, are not yet entirely to be rely'd upon, and those that might be trusted, are not capable of giving Advice.

And that there might be no Doubt of his Lordship's Meaning in what he had before advis'd, *July* the 21st, he tells Mr. *St. John*, [b] 'The Measures I mention'd 'would not be disagreeable to you, was that of marching to *Ghent*, which we 'have now so well executed that we are within two Days March of it, and the 'English are entire Masters of the Citadel, as likewise of all the Gates of the 'Town, and have Orders to be upon their Guard; not to let themselves be 'surpriz'd by two Battalions, one of *Dutch* and one of *Walloons* in the Town, 'nor any Troops sent from any other Place. This is a *Coup de Parti* for the 'States who did not expect it, else they would not have behaved themselves 'with the *Hauteur* they lately did; the Thing was so well and secretly ma'nag'd, that all Preparations were made to march about to *Warneton* between '*Lisle* and *Ipres*, to have liv'd upon the *French* Country, and 'till we had 'march'd a Day's March on this Side the *Scarp*, the *Dutch* and their Friends 'did not perceive our Design, which as soon as they did, their Surprise and 'Uneasiness were equally great.

[c] The D. of *Ormond* having given an Account of his Marching his Army towards *Ghent* and *Bruges*, [d] L. *Bolingbroke* commends his Conduct, and tells him, 'the Methods he had pursued were so well adapted to the present Conjuncture of 'Affairs, that they answer in every Point what they would have wish'd: That the 'News of *Dunkirk* could not have been follow'd by any more agreeable than that 'of his Grace's having directed his March towards *Ghent*. And

[a] *Vol.* 3. *f.* 287. [b] *Vol.* 8. *f.* 311. [c] *July* 26. *Vol.* 8. *f.* 680. [d] *July* 18. *O. S. Vol.* 8. *f.* 636.

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And on the 22d of *July*, O. S. his Lordship tells his Grace, [a] That taking Possession of *Ghent* and *Bruges* had improv'd Her Majesty's Views, which he is order'd to secure in the best manner he was able, and doubts not but it will have a good Effect upon the Conduct of the Allies.

On the 17th of *July*, O. S. in a [b] Letter to Monsr. *de Torcy*, Lord *Bolingbroke* recapitulates what he said before concerning the D. of *Savoy*; and as a farther Motive to induce *France* to comply with his Demands, he represents that it will be very important to have his Concurrence both in the Suspension of Arms, and the Treaty of Peace, which in all probability will be made between *Britain*, *France* and *Spain*, without the Intervention of the other Allies; and that *Savoy*'s declaring for us will be a decisive Stroke, and the more necessary, because the King of *Prussia*'s Conduct has not answer'd the Queen's Expectations.

Before this Letter was dispatch'd, the Lord *Bolingbroke* receives Monsr. *de Torcy*'s of the 26th, *N.S.* In answer to which, *July* the 18th, O. S. he insists further in behalf of the D. of *Savoy*, tells him with great Satisfaction, [c] That the Duke of *Ormond* was possess'd of *Ghent* and *Bruges*, and had Orders to be upon his Guard, and secure those Posts; and as the Queen embrac'd with a great deal of Satisfaction every Opportunity that offer'd to do the King a Pleasure, positive Orders are sent to Admiral *Jennings* to suffer the *French* Ships coming from the *Levant*, to pass freely.

It is almost incredible that the *English* Ministry, however determin'd they were to give up the Honour of the Queen, and Interest of their Country, in following the Dictates of *France*, should venture to do it in this open Manner. All that had been hitherto declar'd, was a Suspension of Arms in *Flanders*, and that our Troops were to act no longer against *France*: But here by the Advice of the Earl of *Strafford*, at the Desire of Monsr. *de Torcy*, they are to keep Possession of *Ghent* and *Bruges* in order to disappoint the Designs of the Enemies of *France*, and the Allies of the Queen; and altho' the Suspension of Arms extended as yet no further than to the two Armies in *Flanders*, and the general Suspension by Sea and Land was not sign'd till the 19th of *August*, *N.S.* the Lord *Bolingbroke* on the 18th of *July*, O. S. declares he had then sent very positive Orders to the Queen's Admiral not to intercept the *French* Fleet coming from the *Levant*.

These constant Compliances in the *English* Ministry encourag'd Monsr. *de Torcy* to believe they would now stick at nothing that could be propos'd. [d] He presses again the concluding the Separate Peace between *England* and *France*, as what they both agreed in to be the most effectual Way to make the rest of the Allies comply. He desires that the Troops in *Flanders* under the Command of the D. of *Ormond*, may be left there to make a good Use of the Towns which he was in Possession of; but as the King of *France* could not consent to the D. of *Savoy*'s having *Sicily* except the Elector of *Bavaria* has also the *Netherlands* besides his Electorate, he thinks the Queen's having a good Army in *Flanders* under the Command of the D. of *Ormond*, may render this very practicable; and as the Queen has done a great deal for her own ungrateful Allies, it will be for Her Glory now to contribute to the Good of a Prince of so much Merit as the Elector of *Bavaria*, whose Acknowledgments will be equal to the Benefits he shall receive.

But this would not pass even upon the [e] Ministry of *Great Britain*: The giving *Flanders* to the Elector of *Bavaria*, was not only contrary to all the Propositions of Peace that had been made and pass'd between *England* and *France*, but was what would absolutely engage us in a new War, to oblige the *Imperialists* and *Dutch* to agree to it; and they could not think it for the Honour or Interest of the Queen to make War upon Her Allies, as ungrateful as they had been, in Favour of the Elector of *Bavaria*; and especially considering, that altho' we could secure *Ghent* and *Bruges* for him, the Allies had yet an Army in *Flanders* so considerable both for the Number and Goodness of their Troops, that they were able to defend the Conquests they had made. And to give him *Sicily*, which was likewise demanded, L. *Bolingbroke* hopes it will not be insisted on, 'Because it might be the occasion of 'continual Jealousies; it might in particular be the Source of Disputes and Quar-'rels betwixt *England* and *France*, whose strict Union and indissoluble Friendship 'were the Points in view to which all our Measures had been directed for so long 'a time.' The Queen's Ministers think when the King of *France* has made all reasonable Efforts for His Allies, he must do something for the Love of Peace, and that a particular Interest should yield to the general. 'You cannot, says my 'L. *Bolingbroke*, but feel the Force of this Argument, because you are not at all 'ignorant that this Negotiation was begun and carried on upon a Supposition, 'that

[a] *Vol.* 8. *f.* 696. [b] *Vol* 8. *f.* 644. [c] *Vol.* 8. *f.* 644. [d] *July* 18. *Vol.* 8. *f.* 660. [e] *July* 21. O. S. *Vol.* 8. *f.* 668.

'that the Queen must desist from many Conditions, which in rigour She was oblig'd 'to procure for Her Allies.' He very strongly urges the Necessity of concluding immediately the Peace between *England*, *France* and *Spain*; but absolutely insists upon *Sicily* for the Duke of *Savoy*.

But altho' this Negotiation was carry'd on upon a Supposition, That the Queen was to depart from several Things, which in Justice ought to have been procur'd for Her Allies, [a] the King of *France* thought himself under no such Obligation; His Honour to an Ally, whose Fidelity was without Reproach, was not to be dispens'd with; and therefore to satisfy his Engagements to so good an Ally, was a Point from which the K. of *France* would never depart. But to shew the King's good Dispositions to the Peace, he at last consents to the D. of *Savoy*'s having *Sicily* upon certain Conditions; wherein very ample Provision is made for Satisfaction to the Elector of *Bavaria*; and one express Condition is, That a Peace be concluded between *England*, *France*, *Spain* and *Savoy*.

In answer to this Letter, [b] Lord *Bolingbroke* acquaints Monsr. *de Torcy*, That he had receiv'd the Queen's Orders to go immediately to *France*, and he hop'd under the Auspices of the Abbot *Gaultier* in a Week's time to salute him at *Fontainbleau*.

Whilst these great Points were transacting, and carrying on directly betwixt *France* and *England*, it is not to be suppos'd, that any Thing very material pass'd at *Utrecht*; some few Passages only concerning such Communications as were thought necessary to be made to keep up the Form of a Negotiation, may not be improperly taken notice of.

The Advice of the D. of *Ormond*'s Orders to engage in neither Siege or Battel, gave great Alarm; the States desire the *British* Ministers to give them some Satisfaction concerning a Matter wherein they thought Religion, Liberty, and all that is valuable, was so nearly concern'd: To which they could obtain nothing but very general Answers. Upon which they expressing their Discontent to be kept entirely in the Dark, without the least Knowledge of what was done or intended to be done, the [c] Bishop took that Opportunity to put an End to their Curiosity by executing the Orders before-mentioned, That the Queen thought Herself now under no Obligation whatsoever to the States.

This Declaration is grounded upon the Behaviour of the States; but it must be remembred, that this Order is dated very few Days after the Orders to the D. of *Ormond* not to engage in Siege or Battel. And in the same Letter the B. of *Bristol*, giving an Account of a Conference between his Lordship and Mr. *Consbruck*, the Emperor's Minister, the Bishop says, 'He was very desirous to know, and I was as unable to inform 'him of the Particulars wherein the Care of the Emperor's Interest did consist.

The *Dutch* did likewise send an Express to their Minister at *London*, with a long and most moving Letter to the Queen, to remonstrate against this Proceeding, *N°* (36.) but he could obtain no Answer at all; [d] 'Mr. *St. John* thought the Queen intending 'that Week to lay before the Parliament the Plan of the Peace, the Proceedings of the 'Two Houses on that Occasion, would be a more seasonable as well as a more decisive 'Answer to the States than any he could return.

The Queen having communicated to the Parliament how far the *French* are already come, in their Proposals for settling a General Peace, the [e] B. of *Bristol* is directed to discourse with the Ministers of the several Allies as soon as possible, agreeable to the Plan contain'd in Her Majesty's Speech; but before his Lordship makes this Step, Mr. *St. John* tells him, 'It will be proper that he speaks first with the *French* Plenipotentiaries upon this Subject, and enquire of them whether they will be willing, and in what Manner they will be willing to give this Communication to the Allies: But the [f] B of *Bristol* gives an Account on the 28th of *June*, *N.S.* [g] That the *French* Plenipotentiaries declar'd they had no such Orders, and without them they could not do it: And the Bishop finding it might be of some Service, and that it was look'd upon at the *Hague* as a Step that might facilitate the Suspension of Hostilities, his Lordship did again press the *French* Ministers to know, whether they were willing to declare in a solemn Conference, that the Particulars declar'd in the Queen's Speech are the King their Master's Offers to the Allies, and that he will make them good in the Negotiation. The *French* again refus'd to make any such Declaration; and in this Opinion they persisted even after the *Dutch* Ministers consented to accept the Contents of [h] Her Majesty's Speech *pro materiâ tractandi*, if the *French* would at the same time acknowledge them to be their Master's Offers, and negotiate upon them in order to make them good. But the *French* Plenipotentiaries were so far from agreeing to this, that they demanded of our Ministers to know the Queen's Mind upon the several Parts of the last general Plan brought over by Monsr. *Gaultier*, and which are not explain'd in Her Majesty's Speech; saying, Their King expected it, and they do not know how to proceed

[a] *Aug.* 4. *N.S. Vol.* 8. *f.* 700. [b] *Vol* 8. *f.* 712. [c] *June* 7. *N.S. Vol.* 3. *f.* 7. [d] *June* 3. O. S. *Vol.* 3. *f.* 19. [e] *June* 11. *Vol.* 3. *f.* 47. [f] *Vol.* 3. *f.* 79. [g] *July* 12. *Vol.* 3. *f.* 203. [h] *Aug.* 12. *Vol.* 3. *f.* 201.

proceed till those Points be stated; and the utmost they were to be brought to, was, that it was not to be understood to exclude their Master from making some Demands for the E. of *Bavaria*, and that *Lisle* was to be restor'd over and above the two or three Places excepted in the Queen's Speech. These Passages are here mention'd as falling in, in point of Time, but will be more properly consider'd afterwards.

At the same time that Mr. *St. John* communicated the Queen's Speech to the B. of *Bristol*, he orders him to let the *Dutch* Ministers know, That the Queen thinks a Suspension of Arms, at least in the *Netherlands*, to be absolutely necessary. And here your Committee must observe, that these Orders to propose to the States a Suspension, are dated *June* 11th, O.S. which was the very Day the Articles for a Suspension were sign'd by M. *de Torcy*, and had been sign'd by L. *Bolingbroke* five Days before.

In several Letters that follow'd from the B. of *Bristol*, [a] He gives an Account of the general Dissatisfaction of all the Allies, and the inexpressible Consternation they were all in; that they represented our Proceedings as the unavoidable Ruin of *Europe*; Religion, Liberty, the Faith of Treaties, are urg'd to show the Enormity of our Usage: His Lordship does not know what he may expect from the unmeasurable Rage of the People, nor where it will end; [b] that the *Dutch* seem to be uneasy on no account so much, as that they cannot come to the Knowledge of what is to be their Lot: Their Concern is chiefly, that they cannot know the Particulars of what is design'd for them, especially [c] what Species are to be excepted out of the *Tariff* of 1664. and what Towns out of the Barrier. On which Occasion the B. of *Bristol* did, as with the greatest Truth, assure them, That he knew nothing either of the one, or the other.

But the Reception that these Representations met, seems to your Committee as unaccountable as any Thing that happened: [d] Mr. *St. John*, *June* the 20th, *O.S.* says, They are not surpriz'd at the Clamours and Rage of the *Dutch*, which they foresaw and were prepar'd for: It is certain we run great Hazards, but it is as certain their unaccountable Folly is the Occasion of it: He cannot imagine the Bishop should be in any Danger, his Character is sacred in a double Manner; and besides, I have reason to think that tho' they kick and flounce like wild Beasts caught in a Toil, yet the Cords are too strong for them to break; they will soon tire with struggling, and when they are tir'd grow tame.

This is the Treatment and Language which the Queen's Secretary thinks fit to bestow upon Her Allies: Their desiring to have some Satisfaction in what most nearly concern'd them, is call'd unaccountable Folly, that had drawn all these Mischiefs upon them; and if any Resentment is shown, they are wild Beasts; but the Cords of the Toils which *England* and *France* had caught them in, were too strong for them to break. But L. *Strafford* is not content with hard Words only, [e] He is glad that Orders were given to stop the Pay of the Foreigners, of which they complain horribly, but it will make them humble and sharp; handling does better with these People, than the best Words.

On the 24th of *June*, O.S. [f] Mr. *St. John* writes a long Letter to the Lord Privy-Seal, and instructs him to lay the entire Blame of all that has happen'd, upon the *Dutch*; and that the Want of Concert, is only to be imputed to those who are at the head of Affairs in *Holland*; however, that Her Majesty is still ready for their Sakes, and for the Sake of the Common Interest of *Europe*, to forget all that is past, and to join with them in the strictest Terms of Amity and Confidence. This Farce was still to be carry'd on in *Holland*, and these Professions made in the Name of the Queen, when it is notorious that four Days before, on *June* the 20th, O.S. Mr. *St. John* had in the strongest Terms promis'd in the Queen's Name to Monsr. *de Torcy*, to conclude a Separate Peace with *France* on Condition *Dunkirk* was deliver'd to the *English*; and that this Offer of a Separate Peace made by *England*, arose from the *French*'s refusing to deliver *Dunkirk* upon the Conditions first agreed upon, although at the same time the Queen's Plenipotentiaries are directed in a most publick Manner to lay the Blame of all our Measures at the door of the States General.

But whatever Measures were carrying on elsewhere, and altho' in all the Letters that pass'd upon that Subject between L. *Bolingbroke* and Monsr. *de Torcy*, the concluding a Separate Peace is treated as a Thing settled on both Sides; the Plenipotentiaries at *Utrecht* are order'd to proceed upon another foot; and in a [g] Letter from L. *Bolingbroke* of *July* the 16th, O.S. to the Plenipotentiaries jointly, upon a Supposition, that L. *Strafford* was then got back again to *Utrecht*, they are ordered to lose no Time in settling the Conventions for a Suspension of Arms between *Great Britain* and *France*, both by Sea and Land; and when that is brought to Perfection, to call upon the Allies to enter again upon the Negotiations on the Foundation of the Plan laid down in the Queen's Speech; and it is desired their Lordships will appear solicitous

[a] *June* 28. *Vol.* 3. *f.* 79. [b] *June* 17. *Vol.* 3. *f.* 71. [c] *July* 1. *Vol.* 3. *f.* 139. [d] *Vol.* 3. *f.* 95. [e] *July* 9. *Vol.* 2. *f.* 109. [f] *Vol.* 3. *f.* 143. [g] *Vol.* 3. *f.* 323.

tous in this Matter, and affect to be the Aggressors, and to press the Allies to give in Categorical Answers. By this means the Negotiations were seemingly set on foot again; and whether the Allies did or did not comply, our Ministry were ready to make their use of it either way; if they did comply, the Scandal of a Separate Peace would be avoided; if they did not, the Blame was to be imputed to their Obstinacy.

The Treaty being left upon this Foot at *Utrecht*, with a possibility of being carried on or dropt, as should be found convenient, and the King of *France* having, as was before observ'd by M. *de Torcy*'s Letter of *August* the 4th, N.S. consented to the Demands made by *England* on Behalf of the Duke of *Savoy*, but among others upon these two express Conditions, That a Suspension of Arms both by Sea and Land be immediately granted, and that a Separate Peace between *England*, *France*, *Spain*, and *Savoy*, be forthwith concluded, it is thought proper and necessary, that Lord *Bolingbroke* should go himself to *France*, finally to adjust and settle the great Points in Dispute.

His Powers and Instructions are hereunto annexed, [a] No. (35.)

The Substance of his Instructions was in short to remove all Difficulties and Differences that might obstruct the general Suspension of Arms between *England* and *France* from taking Place, or settling the Treaty of Peace in such a Course, as may bring it to a happy and speedy Conclusion. But to declare, that he does not imagine there will be any possibility to prevail with the Queen to sign the Peace with *France* and *Spain*, unless full Satisfaction be given to his Royal Highness, the Duke of *Savoy*, and unless they can take him along with them in the doing thereof. He is therefore to take particular Care to settle his Barrier, and to procure *Sicily* for him; to settle the Renunciation in such a manner, that there may be as little room left as possible for Dispute or Delay; that the Elector of *Bavaria* may have *Sardinia*, and be restor'd to his Dominions in the Empire, except the *Upper Palatinate* and the first Electorate; and when he has had Satisfaction in these Points, he is to proceed to speak to such Articles as relate particularly to the Interest of *Great Britain*, and endeavour to have such of them, as there may appear to be any Doubt concerning, explain'd in the most advantageous Manner. And then he is to do his best to discover upon the several Parts of the General Plan of Peace, what the real Ultimatum of *France* may be; and when the Peace between *England* and *France* shall be sign'd, that it may be expedient to fix the Allies a Time to come in, wherein the Queen will use her good Offices, but will not be under any Obligation to impose upon the Allies the Scheme offer'd by *France*, or to debar them from obtaining better Terms for themselves.

By these Instructions it appears, that Lord *Bolingbroke* was impower'd to conclude a Separate Peace with *England*, *France*, *Spain*, and *Savoy*; that at this time there was some Doubt concerning several Articles relating to the particular Interests of *Great Britain*, which he was to endeavour to get explain'd; but no Instruction, if his Endeavours prove ineffectual in Behalf of *Great Britain*, not to conclude the Treaty, which in these very Instructions is expresly provided for in Favour of *Savoy*; and his Lordship is ordered to do his best to discover the Ultimatum of *France*, which hitherto it seems the Ministry were ignorant of; but whether *France* condescended so far or not, as to let his Lordship into this Secret, our Treaty was to be concluded; and the Ministry seem to think, they had sufficiently discharg'd their Duty in declining to be engag'd to impose what Terms *France* should think proper upon the Allies, those Allies to whom the Queen was bound by the Faith of Treaties, and all the most solemn Engagements and publick Declarations, to procure all just and reasonable Satisfaction, according to their several Alliances. But now it seems sufficient that we did not debar them from the Liberty of endeavouring to obtain still better Terms for themselves.

With these Instructions Lord *Bolingbroke* goes to *France*, and for his Proceedings the Committee referr'd to his Lordship's own Account in his [b] Letter to the Earl of *Dartmouth*, *Aug.* 22. *N.S.* 1712, N° (37.) and without entring at present into any further Particulars, the Convention for a General Suspension of Arms between *Great Britain* and *France* for four Months was sign'd at *Paris* by Lord *Bolingbroke* and Monsieur *de Torcy*, *August* the 22d, *N.S.* 1712, as his Lordship says, but dated *August* the 19th, *N.S.* N° (29.)

France was now become entire Master of all future Negotiations, and did not fail to make Use of the Power that was put into their Hands; an early Instance will be seen of this in the Affair of *Tournay*: But being now come back to *Utrecht*, it will be necessary to mention an Incident that happen'd there, the Dispute between Count *Rechteren* and Monsieur *Mesnager*; which is taken notice of only as a Pretence that

[a] *Vol* 8. *f.* 716 *and* 720. [b] *Vol.* 3. *f.* 487.

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that was made use of by the *French* to keep the Negotiations in Suspence as long as it serv'd their purpose, and in this *England* concurr'd, as will appear afterwards.

On the 30th of *August* [a] the *British* Plenipotentiaries acquaint Lord *Bolingbroke*, that in some Discourse with the Ministers of the Allies they had carried Matters so far as to tell them, that tho' her Majesty will endeavour to promote their Interest in a Peace, and obtain for them the best Terms that shall be possible, yet if those Endeavours should not procure more than the Contents of her Majesty's Speech, or even in some Degree fall short of that Plan, the Fault will be entirely theirs, who have render'd Things difficult and uncertain, which otherwise would have been easie and practicable: And having thus far complied with their late Orders to lay all the Blame upon the Allies, they further inform his Lordship, that they had however obtain'd the Consent of the Ministers of the Allies to come to a Conference with those of *France* in order to renew the Negotiations; the time to be fix'd between the *British* and *French* Plenipotentiaries; who meeting to have some Discourse previous to the General Conferences, parted without coming to any Conclusion.

The Occasion of their Difference, that prevented renewing the Conferences, arose upon Proposals made by the *British* Ministers in relation to *Tournay*. Their Lordships in their [b] Letter of the 2d of *September*, N. S. to Lord *Bolingbroke* state the Case in this Manner.

'In her Majesties Speech it is express'd, That the *Dutch* are to have the entire Barrier as demanded in 1709, except two or three Places at most.

'The *French* Ministers insist, that they must have *Lisle* as an Equivalent for *Dunkirk*, and that the same is not to be understood as one of the three Places mentioned in the Speech, and consequently that they must, in all, have four of the Places mention'd in the Demands of 1709.

'This to us appears to be altogether inconsistent with what her Majesty has declar'd, and we accordingly think it contrary to our Duty to bring on a Conference in which such an Explication is to be made.

'The *French* Ministers on the other Hand have shew'd us their Orders, which positively require them to insist upon the Restitution of *Tournay* as well as *Lisle*; and that they can by no means consent to the Cession of *Maubeuge* or *Condé*.

'The *British* Ministers then press'd the *French* to speak at first in Terms as general, as their Proposal was conceiv'd in; but the *French* thought it necessary to be particular and express in that Point above all others, because they shall otherwise have tied themselves up, and given the *Dutch* an Advantage.

'The Result of this Debate was not to proceed to a Conference 'till this Point be determin'd; the *French* insisting, that their Orders were so plain as neither to need or admit any Explication, and the *British* Ministers thinking the Matter as plain on their Side.

'They hope their Zeal for her Majesty's Honour will be graciously approv'd, and desire to be directed what further they are to do in this Matter, which they apprehend to be of a decisive Consequence, because they find even those among the *Dutch*, who appear to be most cordially dispos'd to such a Peace as may re-establish a good Harmony between her Majesty and the States, as absolutely necessary for their mutual Preservation, fully resolv'd, either to retain *Tournay* and have *Condé* yielded to them, or to take one of these two Courses, either to come into any Terms that *France* offers, or to continue the War at all Hazards.

In the same Letter our Plenipotentiaries give an Account, that the *French* Ministers by an Order from their Master did insist, that the States-General should in a publick manner disavow C. *Rechteren* for the Affront done to M. *Mesnager*, and then remove him from the Congress, and this Satisfaction to precede any further Negotiation.

[c] The Language which our Plenipotentiaries had us'd to the Allies is very much approv'd by L. *Bolingbroke*, who says they had spoke the Sentiments of the Queen's Heart in what they declar'd the 30th of *August*, N. S. and that if the Allies did fall short of the Plan laid down in the Queen's Speech, the Fault was entirely their own. His Lordship says, 'sure it is, that this Plan was nothing more than the Ultimatum of what *France* would offer, but he wish'd that the Imperial and *Dutch* Policy had not render'd it the Ultimatum of what *France* will grant. The same general Reflection may be applied to the particular Case mentioned in your Lordship's last Letter. *France* would have yielded *Tournay*, tho' much against the Grain. If *France* has now any Advantage, and refuses flatly to yield what she only begg'd to have restor'd, the Fault is entirely theirs.

But the Dispatch of the Plenipotentiaries of the 2d of *September*, relating to *Tournay*, having not yet been consider'd by the Lords of the Council, his Lordship could not

[a] *Vol.* 3. *f.* 464. [b] *Vol.* 3. *f.* 467. [c] *Aug.* 26. *Vol.* 3. *f.* 471.

not give any positive Instructions about it 'till the next Opportunity, but in the mean time recommends to them two Considerations; that the keeping of the *Dutch* in hopes of Her Majesty's good Offices, will prevent them from taking any desperate Resolution; and the *French* insisting to have Count *Rechteren* disavow'd before any further Treaty, will put off for some time the Decision of that great Point.

Lord *Strafford* in the mean time, by his [a] Letters of the 13th and 16th of *September*, N. S. 'represented the States as mightily sunk with their Misfortunes, and not 'knowing well what Measures to take, but that they insisted upon *Tournay* as so essential to their Barrier, that they actually had none without it; and his Lordship is so much of that Opinion, that he wishes they might have *Tournay*, though they were forc'd to truck *Ipres* for it; that if he could positively assure them they should have *Tournay*, he believed they would submit to the Plan of the Queen's Speech.

This Opinion of his Lordship is not very easily to be reconcil'd to what he afterwards wrote to Mr. *Prior* upon this Subject, *October* the 4th, 1712. [b] 'If we had a Mind to have *Nick. Frog* sign with us, we might, for he is ready to do it for *Tournay*; which, if we sign together, we can't well refuse him, but I expect you will cut that Matter short, and I long to hear from you.

But this Affair of *Tournay* was not so soon settled here, altho' the Difficulty does not seem to be, whether the *French* or *Dutch* were to have it, but in what manner it was to be procur'd for *France*, without a manifest Contradiction to what was said by the Queen in her Speech concerning the Barrier.

L. *Bolingbroke*, *September* the 10th, *O. S.* writes Three Letters upon this Subject to Mons. *de Torcy*, to Mr. *Prior*, and to the Plenipotentiaries, which being upon an Affair of this Nicety are all annex'd, [c] N° (33, 32, 31.)

In the [d] Letter to Mons. *de Torcy*, 'L. *Bolingbroke* desires him to remember the Proposition which was often laid down by him when in *France*, and insisted upon as a Fundamental in all their future Proceedings upon the General Peace; that the Conduct of the Queen in regard to the Interests of her Allies was in a great measure determined by their Behaviour; that the violent Measures which they had taken to obstruct the Peace had put the Queen in a Condition to make her Peace without waiting for their Concurrence, in which Case the Queen would declare that she had sign'd the Treaty with *France* and *Spain*, and would propose the Plan brought over by Abbot *Gaultier*, and deliver'd the 29th of *April*, 1712, for the Allies to treat upon, and could do no more than by her good Offices, as a common Friend to both Parties. But in Case the *Dutch* in particular, or the other Allies, should before the Conclusion of her Peace with *France* enter into Concert with her Majesty, we should have more Measures to keep with them, the Compassion of our People would be mov'd in their Behalf, and the Queen's Ministers be obliged to make some Steps, which otherwise they would absolutely refuse to do. Upon this Foundation, says L. *Bolingbroke* the King's Ministers seem to exact something more, when they insist the Queen's Ministers should propose the holding a Conference, in which the first Proposition started would appear in some measure contrary to what the Queen said in her Speech, touching the Barrier of the States. The Point in Dispute between your Plenipotentiaries and ours is not to know, whether *Tournay* shall be restor'd to the King, or not? For to obtain that Place, it is not necessary that you should begin by making this Specifick Declaration, but the Question is, whether the Queen ought formally, and at present, to declare that *Tournay* shall be restor'd to *France*? Which would be to consent to the Explanation which your Ministers give to this Article of the Queen's Speech. He then says, not to swell my Letter too much, which may already seem tedious, I refer my self to what Mr. *Prior* shall have the Honour to explain to you upon this Point, and I shall content my self with saying, that as it is not difficult to find a Temperament, I hope we shall avoid all Things that may occasion a Dispute between the Ministers of *Great Britain* and *France*.

'This Temperament is to be found in his Lordship's Letter to Mr. *Prior* of the same Day, which his Lordship says is to be look'd upon only as a Letter from *Harry* to *Mat.* and not the Secretary to the Minister. He sends him enclos'd an Extract of his Letter to Monsieur *de Torcy*, which, he says, relates to a Matter that has given *Lord Treasurer* and himself no small trouble in Cabinet; he likewise sends him a Copy of the Plenipotentiaries Dispatch of the 2d of *September* upon the same Subject; wherein, as he will observe, their Lordships are very warm about the Dispute. He can assure him, we have those here, who are not a jot cooler. His

'Lordship

[a] *Vol.* 3. *f.* 531, *and* 567. [b] *Vol.* 9. *f.* 357. [c] *Vol.* 9. *f.* 245, *and* 249. [d] *Vol.* 3. *f.* 547.

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'Lordship goes on; the Solution of this Difficulty must come from you, which is 'a matter of Management and Appearance, more than of Substance.

'The Method of doing it is by making Monsr. *de Torcy* sensible of the Proposition 'settled between them in *France*, That the Queen can never do any Thing which 'shall look like a direct Restraint on Her Allies from demanding what they judge neces-'sary; but as long as they act the Part which they now do, She can very justly be pas-'sive and neuter, as to their Interests. This his Lordship thinks is Advantage enough 'for *France*, and such a one, fairly speaking, as a Year ago they would have given more 'than *Tournay* to be sure of. They must not therefore press us to go further than this, 'nor to do any Thing which may seem contradictory to what the Queen deliver'd 'from the Throne.

'In a word, The Use which the *French* will make of the unaccountable Obstinacy 'of the *Dutch*, and the other Allies, may in several Respects, and particularly, for ought 'I know, in the Instance of *Tournay*, give them an Opportunity of saving and gaining 'more than they could have hop'd for; and the Queen may in the present Circum-'stances contribute passively to this End, but actively She never can in any Circum-'stances.

His Lordship then very plainly gives his Advice how this Matter is to be manag'd in these Words; 'I think in my own Opinion, and I believe I speak the Queen's upon this 'Occasion, it were better the *French* should in the Course of the Treaty declare, that 'whatever they intended to have given the *Dutch* when the Queen spoke from the 'Throne, their Conduct has been such, and the Situation of Affairs is so alter'd, 'that the King is resolv'd to have *Tournay* restor'd to him: I say, I believe this were 'better than to expect that we should assent to an Exposition of the Queen's Words, 'by which Her Majesty would yield the Town up; let the Conferences begin as 'soon as they will, I dare say Business will not very speedily be dispatch'd in them: 'We shall go on to ripen every Thing for a Conclusion between us and *Savoy*, and '*France* and *Spain*; and this is the true Point of View which the *French* ought to have 'before their Eyes.

This Scheme being concerted here, and transmitted to *France*, L. *Bolingbroke* on the same Day writes to the Plenipotentiaries in answer to theirs of the 2d of *September*, *N. S.* upon which he had before told them, He could give no Instructions till their Letter was consider'd by the Lords of the Council; neither does his Lordship now send them any Directions, but enlarges upon the same general Topicks of imputing all the Mis-chiefs that had happen'd, and in particular this Affair of *Tournay*, to the Obstinacy of the Allies. His Lordship observes, 'That in the Plan brought over by Abbot *Gaul-'tier*, the K. of *France* begg'd for *Tournay* rather than insisted upon it, but was now en-'courag'd to refuse what he only endeavour'd to save; and in short, that *France* had 'now gather'd Strength by our Divisions, and was grown sanguine enough to make 'that Plan the *Ultimatum* of her Concessions, which was at first nothing more than the '*Ultimatum* of her Offers; but that the *Dutch* had no Body to blame for all this but 'themselves.' His Lordship adds, 'Her Majesty is very sensible of the Concern you 'express for Her Honour, and will not, you may be sure, suffer Herself to be a Party 'to any Thing which may appear contradictory to what She has once advanc'd; and 'altho' perhaps the yielding of *Tournay* might be reconcil'd to the Terms of Her 'Speech, yet should the Queen consent to this Exposition of it, such Consent would 'be almost a formal Restoration of this Place to *France*; and this, my Lords, is what Her 'Majesty will avoid: But, I hope, the Solution of this Difficulty will come from *France*; 'and that when they have so many other Quarrels to decide, that Court will go back 'from a Measure which must involve them in a Dispute with the Queen.

The Committee finds a Paper which is said to be deliver'd among Mr. *Prior*'s loose Papers, and seems to be the Draught of a Letter from Mr. *Prior* to Monsr. *de Torcy*, pur-suant to what L. *Bollingbroke* had written to him upon the Subject of *Tournay*; which is in Substance the same, and almost in the very Words of L. *Bollingbroke*'s Letter to Mr. *Prior* of the 10th of *September*, with this Addition, that it begins thus: 'There is more 'Appearance than Substance in this Affair that is now under Agitation at *Utrecht*, and 'my *Lord Treasurer* does not at all doubt but the Court of *France* will find a Remedy.

And his Lordship was not mistaken in his Expectations, for Monsr. *de Torcy* very rea-dily follow'd the Advice that was given by the *English* Ministry; and on the 27th of *September*, *N. S.* sends to my L. *Bolingbroke* a [a] Declaration to be made by the *French* Ple-nipotentiaries at *Utrecht*, wherein the King's Ministers are order'd to declare to those of *Great Britain*, That the King did consent to treat of the Peace upon the Plan laid 'down in the Queen's Speech to Her Parliament; but at the same time they were 'to say, That the *Dutch* having refus'd to conform to the Sentiments of that Princess, having

[a] *Vol.* 3. *f.* 665.

'having rejected the Suspension of Arms, and given Opportunity to the several Chan-'ges in Affairs that had happen'd, it is but just that His Majesty should be recom-'penc'd for the Expence he has been oblig'd to make during the Course of this Cam-'paign. Upon this Foundation his Majesty orders his Plenipotentiaries not to sign 'a Peace but upon Condition, That *Tournay* should be restor'd to him besides the other 'Places which he has demanded, and which he had reason to believe the Queen of '*Great Britain* did design to comprehend in Her Speech.

The Original of this Declaration that came from *France*, is in the Secretary's Office; and was sent by Monsr. *de Torcy* to L. *Bolingbroke*, who transmitted a Copy of it to the *British* Plenipotentiaries; but the Letter of Monsr. *de Torcy*, in which it was inclos'd, does not appear.

This Transaction in relation to *Tournay*, seems of so extraordinary a nature, as to deserve to be set forth in one short View: The Dispute concerning it arose from the *French* Ministers insisting to be very particular and express in demanding the Restitu-tution of this Place; which the *British* Plenipotentiaries conceiving to be inconsistent with what the Queen had declar'd, refuse to open the Conferences until they had fur-ther Orders. When this came to be consider'd in *England*, L. *Bolingbroke* says, It oc-casion'd great Warmth in the Cabinet-Council; but his Lordship instead of taking Measures for preserving the Town as Part of the Barrier of the States General, which, as he confesses, was so intended in the Queen's Speech, proposes Expedients whereby the Town might be restor'd to *France* without the Queen's becoming a Party to a Thing which was contradictory to what She had once advanc'd: And gives his Ad-vice to Monsr. *de Torcy*, by what Management *Tournay* might be secur'd to the King of *France*, contrary to the avow'd Sense of what the Queen had declar'd in Parliament; and altho' *France* had consented in a Memorial deliver'd by Abbot *Gaultier* so early as the 18th of *November* 1711. not to insist upon *Tournay*; and this he does in his private Capacity, and not as Secretary of State: But that his Lordship was not single in his Endeavours to assist *France* upon this Occasion, appears by the great Trouble that he says this Matter had given both him and my *Lord Treasurer* in the Cabinet; and if any Regard is to be given to [a] Mr. *Prior*'s Paper, my *Lord Treasurer* must certainly have written to Mr. *Prior* upon this Subject, who could otherwise have had no ground to say, My Lord Treasurer does not at all doubt but the Court of *France* will find a Re-medy: Which is agreeable to what L. *Bolingbroke* said in other Words when this Ad-vice was sent. The Solution of this Difficulty must come from *France*.

What happen'd afterwards in relation to *Tournay*, upon what great Concessions made to *France*, together with the advantageous Terms procur'd for the Elector of *Bavaria*, the Measures and Councils relating to this Affair were afterwards alter'd, is not material enough to require a long Detail; but nothing less than an absolute Concurrence, without any new Objections or further Demands, was to satisfie for the Cession of *Tournay*, and that it was at last obtain'd is owing solely to the Firmness and Resolution of the States.

The Dispute between Count *Rechteren* and Monsieur *Mesnager* was still kept on Foot; and tho' it was at last left to Her Majesty to decide upon this Difference. There being some Points relating to Commerce, and *North-America*, which are of very great Consequence to the Interest of the Queen's Subjects, and the Honour of this Treaty still to settle; [b] Lord *Bolingbroke* thinks it necessary, tho' the *Dutch* may be uneasy that the Affair of the Four Species to be excepted out of the *Tariff* of 1664, should still be kept in Uncertainty; and the *British* Plenipotentiaries ac-cordingly, to gain Time 'till they could know her Majesty's Pleasure, reviv'd the Difference between Count *Rechteren* and Monsr. *Mesnager*; and hope 'tis for her Ma-jesties Service in this manner to stave off the Conferences.

The Correspondence carried on between *London* and *Utrecht* about this time, relating to the Differences that arose concerning the Treaty of Peace, and in particular about Our Commerce, is contain'd chiefly in the Fourth Volume; but as it ap-pears that all the Matters in Question, being reduc'd to as narrow a Compass as was possible, were finally to be determin'd at *Paris* by the Duke of *Shrewsbury* and Mr. *Prior*, the Committee think it needless to enter into all the Orders and Instructi-ons, Objections and Answers, that went and came to and from *Utrecht*, where there was indeed but little more than the Form of a Negotiation; and conceive that an Account of what pass'd between *London* and *France* will set this whole Matter in a clear Light.

Your Committee think it not improper to take Notice here of a remarkable Pas-sage or two, that are found in Lord *Bolingbroke*'s [c] Letters to Mr. *Prior* on the 19th

[a] *Vol.* 9. *f.* 265. [b] *Dec.* 9. 1712. *Vol.* 4. *f.* 49. [c] *Vol.* 9. *f.* 287.

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19th of *September*, O. S. L. *Bolingbroke* sends Mr. *Prior* an Account of some Advices they had receiv'd of the Invasion of the *Leeward-Islands* by the *French*.

'This, Dear *Mat.* says his Lordship, proves a very untoward *Contretemps*; it gives a Theme 'to the Whigs, and serves to awaken Passions that were almost lull'd asleep. We expected 'that *Cassart*'s Squadron might be gone to the Coast of *Brasil*, or to *Surinam*, but we never imagin'd our Colonies would have been attack'd by him, at the time when we were knitting the Bands of Friendship between the two Nations with all possible Industry. Could 'this ill Opinion of our new Friends have enter'd into our Heads, I do assure you he should 'have been accompanied by a Fleet of the Queen's, which would have kept him in Respect: 'Compare this Conduct with that of the Queen's, *&c.* And here follows that Passage which has been already mention'd, wherein his Lordship declar'd concerning the Order sent to the Duke of *Ormond*. 'I will not say this Order sav'd their Army from being beat, but I think 'in my Conscience that it did.

His Lordship goes on. 'In a Word we depended so much upon the good Understanding, 'which we thought establish'd, and were so earnest to prevent any thing which might break 'in upon it, that we not only avoided to fortifie our Squadron as we might have done, 'but we also neglected to put in Execution some Designs, which would have annoyed both '*French* and *Spaniard*, perhaps more than any that have been effected in the Course of this War.

Another Instance of his Lordship's good Disposition to the *French* Nation is to be found in his [a] Letter to Mr. *Prior* of the 29th of *September*, wherein he says, '"I have got at last the 'Affair of the *Griffin* compounded, not without very great Difficulty; and tho' the Sum 'paid to the Captors was so large as 35000, *l.* the Ship was plainly Prize, and the Pass sent 'over hither might have been prov'd to have been numerically one of those I deliver'd at '*Fontain-bleau*,' four Days after the *Griffin* was in Sir *Thomas Hardy*'s Power; tho' *Gaultier* 'was ready to swear that he receiv'd it some Months before; which part of the Abbot has, 'I confess to you, done him no Good in my Opinion. From whence it appears, tho' this 'Pass was none of them, that Passes had been granted some Months before the Suspension was concluded.

Whilst the *English* Ministry are doing these good Offices to the Subjects of *France*, and taking all Opportunities both publick and private to espouse their Interests, your Committee is surpris'd at the ill Treatment which *England* receiv'd from *France* at this Time, and at their Backwardness in making good the Promises and Engagements they were under in some Points that most nearly concern'd the Interests of *Great Britain*.

At the latter End of *October* Mr. *Prior* was sent into *England*, and by what appears left his Residence in *France*, without the Leave or any Orders from the Queen his Mistress; but was sent over by the King of *France* as a proper Person, whom he thought fit to entrust with the great Secret of prevailing with the Queen by her Credit to obtain what the King demanded for the Elector of *Bavaria*. He brings a Credential Letter from the King of *France* to the Queen, which seeming something New of the Kind is here annex'd. [b] N° (38.)

About the Middle of *Novemb.* Mr. *Prior* goes back into *France* with new Instructions, [c] wherein the Proposal of a Neutrality in *Italy* is one of the chiefest Articles; and that he might have a perfect Knowledge of the Queen's present Resolutions and Councils in relation to the present Treaty of Peace, a Copy of the last Instructions to the Plenipotentiaries at *Utrecht* is given him, that as Occasion shall require he might act in all Things conformable to the Queen's Intentions therein express'd.

He carries likewise a Letter from the Queen to the King of *France*, wherein, among other Things, it is said, That Mr. *Prior* continuing to behave himself so as that his Conduct may be entirely agreeable to the King of *France*, he does but literally execute the Orders the Queen had given him, and is a Proof of his Duty and Zeal for her Service. [d] N° (39.) After this short Digression, to return back to what was just now mention'd, it appears that when the Treaty of Peace was ready to be concluded, the Advantages *Great Britain* was to expect and reap from the Endeavours of the *British* Ministry, to assist and support the Cause of *France*, were in a great Measure unsettled and undetermined. *France* began to cavil, and, as Lord *Bolingbroke* said, go back from what the King had promised the Queen. His Lordship cannot be persuaded, as he tells Mr. *Prior*, '"That the *French* act either fairly or wisely, they press 'us to conclude, that they may have others at their Mercy; and at the same time they Chicane 'with us concerning the most essential Article of all our Treaty, and endeavour to elude an 'Agreement made, repeated, confirmed.

The two great Points of Moment in Dispute, were concerning the Fishery at *Newfoundland*, and in what manner the Cession of *Cape-Breton* was to be made; the other was about the Treaty of Commerce.

As to the first, it is to be observ'd, That in the [e] Queen's Instructions to the Duke of *Shrewsbury*, He is directed to propose, as the Queen's last Resolution, that She will Consent to give and yield up to His Most Christian Majesty, the entire Possession and Propriety of the Island of *Cape-Breton*, but with this express Condition, That his said Majesty shall on his Part, in consideration of the same, relinquish to Her Majesty all manner of Right to Fishing and drying Fish on the Coast of *Newfoundland*, or any Part, reserv'd to his Subjects, by the Article Sign'd at *London* the $\frac{11 \text{ Sept.}}{8 \text{ Oct.}}$ 1711.

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a *Vol.* 9 *f.* 319. b *Vol.* 9. *f.* 357. c *Vol.* 9. *f.* 381. d *Vol.* 9. *f.* 373. e *Vol.* 9. *f.* 657. f *Vol.* 9. *f.* 421.

Several Representations were sent backward and forward, shewing the fatal Consequences of what was demanded by *France*; and although my Lord *Bolingbroke* in his Letter to (a) Mr. *Prior* of the 19th of *January* 1712-13. insisted that the Queen had never yielded what *France* pretended to, which then remained an unsurmountable Difficulty; yet in his Letter to the (b) Duke of *Shrewsbury* of the same Date he tells His Grace, if the *French* close with the Overture he then made them, with regard to the Disputes concerning Commerce, Her Majesty is willing to accept the last Expedient proposed by *Monsieur de Torcy*, for adjusting our Differences about *North America*, and to consent that the King, in the Cession of *Newfoundland*, do reserve to His Subjects a Right of Fishing and Drying on the Coast of *Newfoundland*, from Point *Riche* North about, to *Cape Bonavista*; and here no Direction is given concerning *Cape Breton*, of which the *French* got the entire Possession and Propriety; although, in the Duke of *Shrewsbury*'s Instructions, it is declar'd, 'That the Queen 'look'd upon *Cape Breton* to belong to Her; and reckon'd that *Island* a Part 'of the ancient Territory of *Nova Scotia*, which is, by this Treaty, restor'd to 'Her. But if his Grace could not prevail upon them to agree with him in the Article of Commerce, he was to declare, That neither will the Queen agree with them in their Proposition concerning *Newfoundland*.

Your Committee come now to consider, upon what Consideration this great and valuable Privilege of Taking and drying Fish upon the Coast of *Newfoundland* was yielded up to *France*.

In this Letter from (c) Lord *Bolingbroke* to the Duke of *Shrewsbury*, is represented the State of the great Dispute about Commerce, which appears to be this; In Monsieur *de Torcy*'s Answer to Lord *Bolingbroke*'s Memorial of *May* the 24th 1712. it was, among other things, agreed, That *Britain* and *France* should grant to the Subjects of each Crown reciprocally, the same Privileges and Advantages, which they shall either of them grant to the Subjects of any other Nation whatsoever; upon this Foundation was establish'd the Principle of treating, and being treated, as *Gens amicissima*; and pursuant to this Principle the *Tariff* of 1664, which was granted to *Holland*, except the Four Species, was likewise to be granted to us; and by the 8th and 10th Articles of the Project of the Treaty of Commerce it was so settled. But *France* pretending now, that this Tariff would be too beneficial to us, although we were entituled to it, upon the Principle of being used as the *Amicissima Gens*, refused to grant it to us, until another Tariff should be made in *Britain* exactly conformable to that of 1664, whereby our Duties should be reduc'd as low here, as theirs are in *France* by that Tariff.

'This, Lord *Bolingbroke* says, is an open Violation of Faith; and by this 'they are removing a Corner-stone, which was laid early in the Foundation of 'a Building brought almost to Perfection; the Fall whereof must prove at 'last of as fatal Consequence to them as to us.

He confesses, 'He was strangely surpriz'd when he saw the Precedent of the '*Ryswick* Treaty quoted, to persuade us to refer our Commerce, as the *Dutch* 'then did theirs, to Commissioners, to be treated of after Signing the Peace. He says, 'The Behaviour of the *French* upon that Occasion has given us warning; and it is from thence we have learn'd, that whatever is referr'd, is 'given up; and they must have a mean Opinion of those whom they would 'persuade to pursue the same Method, to get the Tariff of 1664, by which 'the *Dutch* then lost it.

But surely his Lordship had either not learnt this Lesson, or had entirely forgot it, when on the 24th of *May* he himself had propos'd, as has been before observ'd, that several Points relating to Commerce, requiring a longer Discussion than that Crisis would admit, Commissaries should be appointed to settle and adjust the Differences. But then it seems they were more intent upon the General Peace, than any particular Advantages.

His Lordship goes on to offer an Expedient which was to solve all the Difficulties; and tells his Grace, 'I am commanded to acquaint you, that having 'fully opened to the *French* Ministers, Her Majesty's Sense of the King's Engagements to Her upon this Head, you are to propose to them, to strike 'out of the Project of the Treaty of Commerce the 9th and 10th Articles, and 'instead thereof, to insert one to the Effect of that which I have drawn, and 'which comes here inclosed; and as the Acceptance of this Amendment was

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(a) *Vol.* 9. *Fol.* 695. (b) *Ditto f.* 661. (c) *Ditto f.* 695.

to put an end to all the Differences, and at the ſame time gave ſuch ample Advantages to *France*, the *French* readily agreed to it. And did inſert this Article *verbatim* as it was ſent in the Treaty of Commerce, which makes the *Ninth* Article of the Treaty as it now ſtands, and is the ſame that was rejected by the Parliament; and this Article, which has been ſince ſo univerſally and juſtly condemned, appears to be the Work of the *Engliſh* Miniſtry, and the Price for which they ſold to *France* the Fiſhery of *Newfoundland*.

This Treatment of *France* could not without doubt but give the Miniſtry the greateſt Uneaſineſs, tho' their Apprehenſions, leaſt the Circumſtances they were in ſhould be known, far exceeded their Concern at the Diſappointment *Great Britain* was like to meet with. They had ſign'd a ſeparate Treaty with *France* in *September* 1711. upon this ſingle Principle, that the Intereſts of *Great Britain* were in the firſt place to be adjuſted; and as long as they had this to ſay, they were unconcerned at all other Events. They had gone on for Fifteen Months together, and acted in every thing as the Inſtruments of *France*, and are at laſt in danger of being diſavow'd by *France* in the moſt eſſential part of all their Treaty. One of the chief Inducements, and principal Conditions, upon which the fatal Ceſſation of Arms was granted was, That no Privileges or Advantages relating to Commerce with *France* ſhall be yielded to any Foreign Nation which ſhall not at the ſame time be granted to the Subjects of Her *Britannick* Majeſty; but *France* had now reap'd the full Benefit of the Suſpenſion, and were at Liberty to diſpute the Principle of *Gens amiciſſima*.

In theſe Circumſtances were the *Engliſh* Miniſtry in *January* 1712-13. and to extricate themſelves, they give up all Points in Diſpute in *North America*, and the Fiſhery of *Newfoundland*; upon the ſingle Conſideration of the *Ninth* Article of the Treaty of Commerce, which the Parliament rejected with a juſt Indignation.

However, to bring *France* to a Compliance, even upon theſe Conditions, his Grace in the ſame Letter is inſtructed to prevail with *France* to come to this Reſolution without the Loſs of one Moment's time. The Parliament was ſuddenly to meet, and it would be neceſſary for the Queen to communicate to both Houſes the preſent State of the Negotiation. His Grace is then to repreſent to Monſieur *de Torcy*, in the beſt manner he is able, 'How ſmoothly 'every thing would glide along, if the Queen was able to ſpeak of Her own 'Intereſts as abſolutely determined with *France*; and on the other hand, 'what Travels we ſhall be expos'd to, and what Confuſion may ariſe, if our 'Negotiation appears to be ſtill open, and if the Secret comes to be di-'vulged, that *France* refuſes to make good in the Treaty the full Effect of 'former Promiſes to the Queen.

His Lordſhip having finiſhed what he had to ſay concerning Her Majeſty's particular Intereſts, he proceeds upon the general Plan of Peace, and inſtructs his Grace what he was to inform the *French* Miniſters would be the Meaſure of Her Majeſty's Conduct, and what they may expect from Her.

'That as the *French* Miniſters deſire that the Queen would precipitate the 'Concluſion of Her Peace, and leave all the Confederacy at their Mercy, they 'muſt be told, that when the mutual Intereſts of *France* and *England* are 'ſettled, as they will be, if the Propoſitions contained in the firſt part of 'this Letter are accepted, the Plenipotentiaries of *Great Britain* ſhall publick-'ly declare in the Congreſs that they are ready to Sign with thoſe of *France*, 'and ſhall call upon the Allies to quicken their Negotiations, and conclude 'without Loſs of Time. But if they ſeek unneceſſary Delays, or make unrea-'ſonable Demands, Her Majeſty, who has induced them to Treat, will by the 'ſame Meaſures engage them to conclude, or at leaſt She will ſign without 'them.

'And the Queen having once declared Her Intereſts to be ſettled, and Her 'Treaty ready to be ſign'd, the General Peace becomes from that Moment ſure; 'and the Remainder of the Negotiation eaſie; it is therefore wiſe for the *French* 'to comply with Her Majeſty.

The great Diſtraction the Miniſtry was in, appears ſufficiently from this long Letter of Lord *Bolingbroke*'s to the Duke of *Shrewsbury*: But to be more fully ſatisfied, what their own Apprehenſions were, and what they themſelves thought would be the Conſequence of ſuch Proceedings; it is neceſſary to have recourſe to

to two Letters, written about this Time, and upon this Subject, by Lord *Bolingbroke* to Mr. *Prior*. One of *January* the 19*th*, the other of the 22*d*, O. S. (*d*) The firſt was of the ſame Date as his Letter to the Duke of *Shrewsbury*; and therein his Lordſhip ſays to Mr. *Prior*, 'I have exhauſted all my Stock of Arguments in 'the long Letter which, by the Queen's Order, I write to the Duke of *Shrews-'bury*; to you I can only add, We ſtand indeed upon the Brink of a Precipice, 'but the *French* ſtand there to: Pray tell Monſieur *de Torcy* from me, that he 'may get *Robin* and *Harry* hanged; but Affairs will ſoon run back into ſo much 'Confuſion, that he will wiſh Us alive again. To ſpeak ſeriouſly, unleſs the Queen 'can talk of Her Intereſts as determined with *France*; and unleſs Your Court 'will keep Our Allies in the Wrong, as they are ſufficiently at this time, I fore-'ſee inextricable Difficulties.

'My Scheme is this: Let *France* ſatisfie the Queen, and let the Queen imme-'diately declare to Her Parliament, and in the Congreſs, That She is ready to 'ſign; at the ſame time let the *French* Plenipotentiaries ſhow a Diſpoſition to 'conclude with all the Allies. And then his Lordſhip enumerates the ſeveral Offers which he would have *France* make to the ſeveral Allies: which, tho' very general and inſufficient, his Lordſhip ſays, 'If ſuch Overtures as theſe (made to 'the Allies) were not inſtantly accepted, Our ſeparate Peace would, ſitting the 'Parliament, be addreſs'd for, made, and approved; and the Cauſe of *France* for 'once become popular in *Britain*.

'If they were accepted, let Monſieur *de Torcy* ſit down, and conſider, what 'a Bargain would be made for *France*; let him remember his Journey to 'the *Hague*, and compare the Plans of 1709, and 1712.

'Monſieur *de Torcy* has a Confidence in you: Make uſe of it once for 'all upon this Occaſion, and convince him thoroughly, that we muſt give 'a different turn to our Parliament and our People, according to their Re-'ſolution at this Criſis.

The next Letter from his Lordſhip to Mr. *Prior*, is upon the ſame Subject, and of the ſame Strain: 'We are now, ſays his Lordſhip, at the 'true Criſis of our Diſeaſe, we Die at once, or Recover at once, let *France* 'depart from that ſhameful Expedient by which they thought to bubble us 'out of the Advantages which they had ſolemnly yielded, and all is well, o-'therwiſe, *by God*, both they and we are undone.

'Pray ſend *Barton* back as faſt as poſſible; the Queen can neither delay 'the Meeting of Parliament longer than the 3*d*, nor ſpeak to the Houſes, 'till we hear from you.

'My Compliments to Monſieur *de Torcy*: Let him know, that if they do 'not agree with the *Queen*, I may perhaps be a *Refugee*; if I am, I pro-'miſe before hand, to behave my ſelf better in *France*, than the *French* Re-'fugees do here. Make the *French* aſham'd of their ſneaking Chicane; by 'Heaven, they treat like Pedlars, or, which is worſe, like Attorneys.

As all theſe publick Tranſactions paſs'd through the Hands of Lord *Bolingbroke*, who, although he was Secretary of State, acted *Extra*-provincially in all his Correſpondence with *France*; ſo it appears at the ſame Time, that his Lordſhip was not the only Perſon in the Secret; but that a greater Influence chiefly directed and governed all theſe Councils. And my *Lord Treaſurer*, as in the great Affair of *Tournay*, was in this Tranſaction the chief Conductor, as may very reaſonably be concluded by ſeveral Letters that Mr. *Prior* wrote about this Time to my *Lord Treaſurer*, although Mr. *Prior* has not thought fit to produce one Letter from his Lordſhip to him.

It is to be obſerv'd, that theſe Letters to my *Lord Treaſurer*, were chiefly wrote on the ſame Days that Mr. *Prior* ſent Diſpatches to the Secretaries of State, giving an Account of his Proceedings, and deſiring the Queen's Directions upon them; but it ſeems, he thought not that ſufficient without knowing my *Lord Treaſurer's* particular Pleaſure upon them.

Mr. *Prior*'s Diſpatch to the Secretary's Office, giving a full Account of the preſent State of the Treaty, together with ſeveral Papers, Memorials, and Propoſitions relating to the Points in Diſpute, and concerning Commerce, and North *America*, is dated (*e*) *December* the 28*th*, 1712. *N. S.* The Day after, (*f*) *December* the 29*th*, *N. S.* Mr. *Prior* writes to my *Lord Treaſurer*, and tells him, I have wrote a Book inſtead of a Letter, to my Lord *Bolingbroke*;

(d) *Vol.* 9. *fol.* 657 & 681. (e) *Ditto*, *f.* 445. (f) *Ditto*, *f.* 493.

broke, which I desire your Lordship would be pleased to run over, that knowing what I have done here, you may Honour me with your Commands as to what I am to do. He hopes his Proposal about *Newfoundland*, which he sends his Lordship enclos'd, is such as may terminate that Affair to our Advantage. If your Lordship is of the same Opinion, I shall have entire Satisfaction.

January the 8*th*, 1712-13. *N. S.* (*g*) Mr. *Prior* having sent another full Account in Form to the Secretary of State, writes the same Day to (*h*) my *Lord Treasurer*, that he had been in Conference with the *French* Ministers to adjust the Points undecided between Her Majesty and the King of *France*; that he had sent Lord *Bolingbroke* the Result of those Conferences, as well what was agreed to by the *French* Ministers, as his own Remarks upon each particular Head; and says, I hope your Lordship will find the whole adjusted so far to your Satisfaction, as that our Plenipotentiaries may receive their final Orders. I will not doubt but the whole Affair of *Newfoundland* is adjusted to your desire; there were some Points insisted upon by our Plenipotentiaries which the Ministers here thought very unreasonable; and to say a Truth to my Lord Treasurer plainly, which I a little mitigate to my Lord *Bolingbroke*, I think not very reasonable. He then gives an Account that Monsieur *de Torcy* was surpriz'd, that the *Dutch* had but in Part comply'd with what Lord *Strafford* declar'd to them to be Her Majesty's Resolutions, to which he hopes the Queen will send such an Answer as may cut off all Delays; and upon this Occasion Mr. *Prior* says to my *Lord Treasurer*; 'This I only write to your 'Lordship, it being a thing that should not be canvass'd in Council; and I have 'promis'd that the King should have Her Majesty's Answer upon it, as he 'desires.

January the 19*th*, 1712-13. *N. S.* (*i*) Mr. *Prior* writes again to my Lord *Treasurer*; acquaints him, 'That the Duke of *Shrewsbury* now sends to Lord *Bolingbroke* the 'Substance of their last Conferences with Monsieur *de Torcy*, upon the Subject 'of *Newfoundland*; to which I take Leave to add; That your *Friend Torcy* is 'in the last Concern to find the Duke's Instructions so strict, in a Point which 'cannot be given up by *France*, at a Time when we well hop'd that Diffe-'rence was adjusted. Pray, my Lord, let us have your distinct and positive 'Orders hereupon by the first. I send your Lordship enclos'd a Copy of my 'Letter to my Lord *Bolingbroke*, and Duke of *Shrewsbury* desires, that we 'may have your Orders to finish. I believe *Torcy* writes himself to you. *January* the 23*d*, 1712-13. *N. S.* (*k*) Mr. *Prior* writes once more to my *Lord Treasurer*, and tells him, 'I have already wrote so amply to your Lordship, on the two great 'Points of *Newfoundland*, and the Tariff of 1664, and expect so daily your 'last Orders upon those two Points, that I will not trouble you at present 'further than to say, if these Two are settled, the Peace may be determined 'here to Morrow, and sent the next Day to *Utrecht* to be sign'd. And on the 2*d* of *February* 17012-13. (*l*) Mr. *Prior* says to my *Lord Treasurer*; 'If I desire you 'to write to me, it is because I really think it for the Queen's Service; that 'in this great Post where you have put me, I may be able to say, I have the 'immediate Commands of my *Lord Treasurer*; and in regard to that Friendship 'with which you have so publickly honour'd me, and which, by the By, does 'all the Business here.' And on (*m*) *February* the 4*th*, 'I shall direct my self as 'you shall be pleas'd to instruct me privately.

If your Committee had found among the Papers delivered by Mr. *Prior*, My Lord *Treasurer*'s Answers to these Letters, they have Reason to believe it would have appear'd from them, how far the giving up the Fishery of *Newfoundland*, and the accepting of the 9*th* Article of the Treaty of Commerce, was owing to his Lordship's immediate Orders. It seems, however, to be a very extraordinary Proceeding, that the Queen's Ministers in *France*, acting by Her Authority, and under Her Instructions, should apply to my Lord *Treasurer*, for his distinct and positive Orders to release them from the Queen's Instructions; because they are thought by the *French* Ministers to be too strict; and if it be a Doubt, by whose Order or Advice it was procur'd, so much is certain, that these Applications had their desired Effect; and the *Newfoundland* Fishery was given up; and the Advantages we were to receive from being treated upon the Foot of *Gens amicissima*, were all bury'd in that destructive Article, the 9*th* Article of the Treaty of Commerce.

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(g) *Vol.* 9. *fol.* 561. (h) *Ditto f.* 597. (i) *Ditto f.* 625. (k) *Vol.* 10. (l) *Ditto.* (m) *Ditto.*

The Difficulties relating to North *America* and Commerce, being in this Manner determined, *France* was wholly intent upon concluding and signing with *Great Britain*, without taking in the rest of the Allies; and in this they had the good Fortune to have the Concurrence and Assistance of the *British* Ministry.

By good Management, the Dispute raised at *Utrecht* had been so order'd, that the Ministers of the Allies could not obtain any Conferences with those of *France*, till the Points in Difference were adjusted between *England* and *France*; by which Means it was *February* 1712-13. before the *Dutch* and *French* were suffered to meet: And it being now the Business of *France* to conclude with *England* separately, the Temper the *French* Plenipotentiaries appear'd in, made all Business so impracticable, that the *British* Plenipotentiaries were under a Necessity of complaining of it to Lord *Bolingbroke*, and to acquaint him, *February* the 3*d*, 1712-13. 'The *French* (*n*) appear so very uncomplying in every Point debated, and so very forward 'and positive in their Refusal of a great many things, which the *Dutch* took to 'be granted and settled, as well by Her Majesty's Speech, as the Declarations 'lately made by Lord *Strafford*, that the Disappointment they met with, put them 'in the greatest Consternation: Reason was also given us to participate in these 'Discontents, and to regard several things which appear contrary to what Her 'Majesty has declar'd, as very unfair; yet all that could be said prevail'd not.

Your Committee is not surpriz'd, that the Instances of their Excellencies had so little effect with the *French* Plenipotentiaries, who then expected that Orders should be sent to the *British* Plenipotentiaries immediately to sign a separate Peace, which, according to their Expectations, were sent (*o*) *Feb.* 20. 1712-13. by Mr. *St. John*, Brother to the Lord *Bolingbroke*, to Conclude and Sign with *France* as soon as the Duke of *Shrewsbury* should send them Advice that the Propositions he was to make at the *French* Court were accepted; and on the 28*th* Lord *Bolingbroke* with the utmost Joy acquaints their Excellencies, 'That he had received from the Duke of *Shrewsbury* the 'expected Returns; and which he doubted not would have reach'd their Lordships. 'He had therefore, without staying to enter into any other Detail, dispatch'd a Cou-'rier to them, to renew those Instructions which he hoped were clearly enough signi-'fy'd in those Papers which his Brother carried. He acquaints them that the Duke of '*Shrewsbury* had declar'd, that their Lordships had Orders, in Case the *French* com-'ply'd, as they now actually have done, to sign Her Majesty's Peace with *France* 'without further Delay; and that his Grace had also declar'd, that in this Case 'Her Majesty would open the Parliament, by telling them, She had made a Peace 'with *France*. These two Considerations, his Lordship says, were perhaps the most 'prevalent Inducements to the *French* Court, to come roundly into Her Majesty's 'Propositions; and the Queen thinks Her self, for this Reason, still the more ob-'lig'd punctually and religiously to fulfil these Promises. The latter She will 'Her self perform on *Tuesday*; and the former, it is Her positive Command that 'your Lordships make good as fast as the necessary Forms of preparing and exe-'cuting the Instruments will allow. And his Lordship looking upon it now, that 'the chief Difficulties, relating to the Treaty of Peace, were remov'd; as likewise 'in the Treaty of Commerce, by the Article drawn by himself, and propos'd by 'the Duke of *Shrewsbury*, he gives their Excellencies positive Orders, without 'any Delay, to execute the Treaties of Peace and Commerce between *Great Britain* and *France*.

On the 7*th*, and 20*th* of *March*, *O. S.* (*p*) Lord *Bolingbroke* repeats these positive Orders, and insists, that the Peace should be concluded with that Precipitation which Her Majesty would have us'd. And it is observable, that among all the Demands that were made, upon Account of any Prince or Potentate, none at this Time met with the least Regard; when, at the same time, the Interest of the Princess *Ursini* is espous'd in the strongest Terms: And in the same Letter, *March* 3. *O. S.* (*q*) where his Lordship, speaking of the Consequence of the Restoration of the Elector of *Bavaria* to his Electorate, says; 'Her Majesty does not much enter in-'to the Notion of the Degradation of *Hanover* as a Matter of any Importance. His Lordship declares, 'That the Principality in some Part of the *Spanish Nether-'lands*, with a Revenue of 30000 Crowns, demanded for the Princess *Ursini*, must 'be made to the Emperor, and all Parties concern'd, a Condition, *sine qua non*, of 'the General Peace.

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But the *British* Plenipotentiaries, who were to sign, had some Difficulties; and they acquaint (r) Lord *Bolingbroke*; 'We could say a great deal to justify our cautious Proceedings with the *French*; and are satisfy'd, that your Lordship would be of the same Opinion, if you were to see their Way of negotiating with all the Allies; And how hard it is for us to obtain here what to your Lordship seems impossible the *French* should make any Difficulty to grant.

The repeated Orders to the Plenipotentiaries prevail'd at last so far upon them, as to acquaint the Allies, the Queen found it necessary to conclude Her own Peace without Delay; and that Time should be allow'd those that are not ready: But they still avoided the actual Signing till the rest of the Allies, whose Treaties were in a Forwardness, were ready to sign with them; and, to justify themselves, they acquaint the (s) Duke of *Shrewsbury*, 'That, besides other Considerations, their chief Objection was, that though they had Orders to sign a particular Peace, yet their full Powers under the Great Seal, only Authoriz'd them to negotiate, agree, and conclude the Conditions of a Good and General Peace, agreeable to the Interests of all, and each of the Allies. And what made them more averse, was the great Importunity with which the *French* push'd them to sign separately. We are surpriz'd at the Eagerness of the *French* Ministers to have us conclude with them alone, when so many of the Allies are, in a Manner, ready to join with us; nor can we enough apprehend the Consequences at Home of doing it alone.

Lord *Bolingbroke*, (t) who says he has not Sagacity enough to find the Objections that the Plenipotentiaries had made to their first full Powers, for their Satisfaction, sends them a new Commission, and repeats to them positive Orders to sign and conclude with *France*; for which Purpose they were to appoint a Day to desire them to be ready; and at the same time to press such as could not be ready by that Day, to fix some other on which they will sign.

By this new Commission, his Lordship tells them, they have a Power, as before, *tractandi conveniendiq*; the Conditions of a Good and General Peace, which is no more than you are to do when you are to offer jointly with the Ministers of *France*, a General Plan to the Allies.

These Difficulties of the Plenipotentiaries made my *Lord Treasurer*, who never fail'd to exert himself when he found it absolutely necessary, think it high Time to interpose his Authority; and accordingly *March* 31*st*, *N. S.* (u) wrote to my Lord *Strafford* in this Manner; 'I must felicitate your Excellency upon the Success of all your Zeal, and the true Love you have shewn to your Queen, your Country, and Repose of all *Europe*.

'The remaining Danger is, least we should suffer Ship-wreck in the Sight of the Port. The Nation here are Five Hundred to one for Peace. The Warriours are driven from their Out-works; the last Retrenchment they have is Delay; and I must say, this operates much here: The Ferment begins to work, and it will be impossible to answer for the Turn the House of Commons will take, if these Delays provoke them further. They all feel how many Hundred Thousand Pounds this needless Protraction costs them. We now maintain Forty Nine Thousand effective Men by Land, and Thirty Thousand, within a Trifle, by Sea. In the mean Time, the Merchants lie off, and will not come into Port; the Amusement of Stories invented by the Faction, and the Correspondence and Encouragement that Party gives to their Friends to hold out, and to wait for some unhappy Accident that may unravel all which is done: Add to this, the ill Humour which will grow in Members, by being kept so long in Town idle; and, in one Word, all that has been unsettled for many Days, is not worth one Day's Charge *England* is at extraordinarily by this Delay. I find this seems to be the prevailing universal Opinion here; and that *France* has acquitted her self, the only Stop is now at *Utrecht*.' But this Stop did not now remain long; and as his Lordship never yet appeared in vain, all further Obstructions at *Utrecht* were after this soon removed. *April* the 1*st*-11*th*, 1713. the Treaties of Peace and Commerce between *Great Britain* and *France* were sign'd, between two and three in the Afternoon. This Example was follow'd by several of the Allies, who came dropping in one after another: And last of all, when it was in vain to hold out any longer, the *Dutch* about Midnight sign'd their Treaties of Peace

(r) *April* 4. N. S. 1713. *Vol.* 5. (s) *March* 20. *Vol.* 5. (t) *March* 20. O. S. *Vol.* 5. (u) *Vol.* 5.

Peace and Commerce; and the Emperor and Empire alone, chose rather to bear the whole Weight of the War, than submit to such disadvantageous and dishonourable Terms as had been carv'd out for them by *England* and *France*.

The Peace being thus settled between *Great Britain* and *France*, your Committee find, from the Negotiation which remain'd still to be carry'd on with *Spain*, that the Queen's Plenipotentiaries did suffer a Clause to be inserted at the End of the 15*th* Article of the Peace with *Spain*, whereby they gave a Pretence to the *Spaniards* to claim a Right to fish at *Newfoundland*.

The Words of the Article are these: *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 Catholick King*; *Her* Britannick *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 allow'd and preserv'd to them.*

This Claim of the *Spaniards* is contrary to the 7*th* and 8*th* Articles of the Treaty made with that Crown by Sir *William Godolphin*, 8*th*-18*th July* 1670. whereby it is agreed, 'That the most Serene King of *Great Britain*, His Heirs and Successors, shall have, hold, keep, and enjoy for ever, with plenary Right of Sovereignty, Dominion, Possession, and Property, all those Lands, Regions, Islands, Colonies, and Places whatsoever, being or scituated in the *West-Indies*, or in any Part of *America* which the said King of *Great Britain*, and his Subjects, do at present hold and possess.

'And that the Subjects and Inhabitants, Merchants, Captains, Masters of Ships, Mariners of the Kingdoms, Provinces and Dominions of each Confederate respectively, shall abstain and forbear to sail and trade in the Ports and Havens which have Fortifications, Castles, Magazines, or Ware-Houses, and in all other Places whatsoever, possess'd by the other Party in the *West Indies*; to wit, the Subjects of the King of *Great Britain* shall not sail unto, and trade in the Havens and Places, which the Catholick King holdeth in the said *Indies*; nor, in like Manner, shall the Subjects of the King of *Spain* sail unto, or trade in those Places which are possess'd there by the King of *Great Britain*.

The Board of Trade was consulted upon the *Spaniards* claiming a Right to fish at *Newfoundland*, soon after the late Peace, and returned the following Answer to Lord *Dartmouth*, dated *June* the 13*th*, 1712-13.

'That in Obedience to Her Majesty's Commands, signify'd to us by your Lordship's of the 1*st* Instant, We have considered the Extract of a Memorial from the Marquiss *de Monteleon*, relating to a Claim of the Inhabitants of the Province of *Guipuscoa*, to fish on the Coast of *Newfoundland*; and thereupon take Leave to inform your Lordship, that we have discours'd with such Persons as are able to give us Information in that Matter; and we find that some *Spaniards* have come thither with Passes from Her Majesty, and others may have fish'd there privately; but never any, that we can learn, did do it as of Right belonging to them.

By the Act to encourage the Trade to *Newfoundland*, pass'd in the 10*th* and 11*th* Years of His late Majesty, when we were in Amity and Alliance with *Spain*, it is declar'd and enacted, 'That no Alien or Stranger whatsoever, not residing within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, shall at any time hereafter take, bait, or use any Sort of Trade, or Fishing whatsoever, in *Newfoundland*, or in any of the Islands adjacent: Pursuant to which Act, Instructions have been given every Year to the *Commodores* of the Convoys, to prevent Foreigners coming thither.

The Committee find themselves at a Loss to account for the Reasons that prevail'd with the Ministry to admit the Insertion of this Article; and upon this Occasion they think themselves oblig'd to acquaint the House, that they find very few Footsteps remaining of the whole Transaction, relating to Commerce with *Spain*. It appears, that the Management of it was entrusted with Mr. *Gillingham*, an *Irish* Papist, who was sent thither for that Purpose; for which Reason Lord *Lexington*, in his Letters to Lord *Dartmouth*, frequently excuses himself for not writing upon that Subject, Mr. *Gillingham* giving such full Accounts of the Matter; notwithstanding which, no one Letter from Mr. *Gillingham* to the *Secretaries Office* can be found; and the Committee are induc'd to believe, that this whole Transaction was carry'd on by another Way. From a Letter of Lord *Lexington* to Lord *Dartmouth* of *January* the 9*th* 1712. (w) wherein his Lordship, speaking of the Business of Commerce, says, 'Mr. *Gillingham* gives an Account of the Steps we have made, so I don't trouble you with them again; knowing that what goes to my *Lord Treasurer*, is the same as to your self.

From

(w) *Vol.* 12.

From this Passage it appears evident to your Committee, that a Correspondence was carry'd on between the Earl of *Oxford* and Mr. *Gillingham*, in relation to our Treaty of Commerce with *Spain*. But for want of the Papers which pass'd between them upon this Subject, your Committee is likewise at a Loss to find what Motives could induce the *British* Ministry to admit so essential an Alteration of the Treaty of Commerce, sign'd by the Queen's Plenipotentiaries, as is made by the *Three Explanatory Articles*, as they are call'd, which are added to the said Treaty, and are, in an unprecedented Manner, inserted in the Ratification of it; nothwithstanding it doth not appear, they had ever been consented to, much less sign'd, by any of the Queen's Plenipotentiaries; amongst other very material Disadvantages to which these Articles subject our Merchants, your Committee is inform'd, that, by Virtue of them, *Spain* does actually at this Time demand of our Merchants Fourteen *per Cent.* on Account of *Cientos*, *Millones*, and *Alcavalas*, over and above Fifteen *per Cent.* which they exact for other Duties, (*No.* 44.) which added to them, amounts to no less than Twenty Nine *per Cent.* whereas, 'tis notorious, that, during the Reign of King *Charles* II. of *Spain*, the whole Duties exacted, and paid by our Merchants for all Goods imported to the several Ports of *Spain*, computed by an Avarage, did never exceed Ten *per Cent.* but rather fell short of it. By what Management these Articles were ratified, and how legal and warrantable it was to affix the Great Seal to Articles so pernicious in their Contents, and so irregularly offer'd, your Committee must submit to the Consideration of the House.

Your Committee having thus gone through the chief Transactions relating to the Negotiations of Peace and Commerce, proceed to offer to the House what they have found material in the Papers referr'd to them concerning the *Catalans*.

After several unsuccessful Attempts by the Way of *Portugal*, and the Design upon *Cadiz*, to settle King *Charles* on the Throne of *Spain*; and that the Confederate Fleet had appear'd before *Barcelona* in 1704. without the desir'd Success; Her Majesty, in the Beginning of the Year 1705. sent Mr. *Crowe* as Her Minister to *Genoa*, with private Instructions which are here annex'd, (*x*) (*No.* 45.) to the following Effect: 'That Her Majesty being inform'd, that the People of *Catalonia* were enclin'd to cast 'off the Yoke impos'd on them by the *French*; and by withdrawing themselves from 'the Power of the Duke of *Anjou*, to return to the Obedience of the House of '*Austria*, was desirous to maintain and improve that good Disposition in them; and 'to induce them to put the same speedily in Execution, had made Choice of 'him to carry on so great a Work for the Advantage of Her Service, and the 'Good of the Common Cause. He is therefore order'd to repair to *Genoa*, '*Leghorn*, or such other neutral Country or Place, as he should judge most proper, 'for carrying on Her Majesty's Service in this particular; and to treat with the '*Catalans*, or any other People of *Spain*, about their coming into the Interest of '*Charles* the Third of *Spain*, and joining with Her Majesty and Her Allies. For that 'Purpose he is to inform himself, what Number of Forces they will raise, and 'what they expect shall be sent to assist them: If any of the Nobility insist upon a Sum of Money to be advanc'd to them, he must assure them, he does not 'doubt but he shall be impower'd to remit to them whatsoever is necessary and 'reasonable for their Support, as soon as they are actually in the Field: That he 'shall give the *Catalans*, or other *Spaniards*, Assurances of Her Majesty's utmost 'Endeavours to procure the Establishment of all such Rights and Immunities as 'they have formerly enjoy'd under the House of *Austria*: That She has, for their 'further Satisfaction, sent to King *Charles* the Third, for Powers for confirming 'the same to them; and that She is willing, if they insist on it, to give Her 'Guarranty that it shall be done.

Mr. *Crowe* had also a Commission (*y*) (*No.* 46.) of the same Date with his Instructions, to treat with the *Catalans* upon the Terms beforementioned, upon this express Condition on their Side, that they should acknowledge, and receive King *Charles* as lawful King of *Spain*, and utterly renounce the House of *Bourbon*.

He had with this, credential Letters, (*z*) (*No.* 47.) Sign'd by the Queen, directed to the Nobility, Magistrates, and all Officers Civil and Military, of *Catalonia*, desiring them to depend upon the Promises he should make them in Her Name.

The

(x) *7th March*, 1704-5. Catalan *Book*, *fol.* 231. (y) *Ditto*, *fol.* 235. (z) *Ditto*, *fol.* 239.

The Earl of *Peterborow*, and Sir *Cloudesly Shovel*, by their Instructions, N°. (48). dated *May* 1. 1705. are likewise order'd to use their Endeavours to induce the *Catalans* to join with them in their Undertakings, and to animate that People to prosecute their Liberty with more Vigour; they are empower'd to assure them of the Queen's Support, and to promise them in the Queen's Name, that she will secure them a Confirmation of their Rights and Privileges from the King of *Spain*, that they may be settled on a lasting Foundation to them and their Posterities. But lest Perswasions alone should not prevail, they are ordered, in Case the *Catalans* make no suitable Return to these kind Offers, to annoy the Towns on the Coast of *Spain*, and to reduce them by Force. *Cat. Book, Vol.* 13. *f.* 243.

In Conformity to these Instructions, a Declaration was drawn here, and deliver'd by Mr. Secretary *Harley* to the Earl of *Peterborow*, for his Lordship to publish in *Spain*, full of Assurances in the Queen's Name, of Support, and of their Liberties on the one hand, and Threats on the other; which Declaration his Lordship, on his Arrival in *Spain*, did accordingly publish, N° (49).

The Success of that Expedition needs not be here particularly mention'd: King *Charles*, in his Letter to the Queen, of *October* 22. 1705. gives an Account of them, and what they were owing to, *viz.* "The Assurances of your "Majesty's generous Protection, upon which my Subjects in *Catalonia* expose "their Lives and Fortunes.

No Want of Fidelity or Zeal for the Common Cause, during a long War, that abounded with extraordinary Turns of Fortune, was ever objected to these People; on the contrary, they received to the last the Applauses of the Allies, and Assurances repeated to them by every General and Minister that was sent from *Great Britain* to that Country, that they should never be abandon'd.

When the Queen enter'd into separate Measures of Peace, Lord *Lexington* was sent Ambassador to *Spain*, at which time, considering the Circumstances of King *Philip*'s Affairs, and the Obligations he had then received from the Queen, the *Catalan* Privileges, if plainly demanded and insisted upon, could not have been refused, and without it, could never be expected to be granted to a People so remarkably zealous for the Common Cause.

But his Lordship's Instructions, N° (50), instead of directing him to insist upon this, as a Condition of the Queen's Coming into the Peace, order him only to *Represent* to the Court of *Spain*, that it is no less for the King's Interest, than for the Queen's Honour, that a general Amnesty without Exception be granted to all *Spaniards* who have adher'd to the House of *Austria*, and in a particular manner to the *Catalans*, with regard to their Persons, Estates, Dignities and Privileges. *Cat. Book, V.* 13. *f.* 14.

These Instructions, tho' very defective, were not complied with; for Lord *Lexington*, in the 11th Article of his Paper, which is call'd Demands, N° (51), deliver'd to the Court of *Spain*, upon his Arrival there, expresses himself thus; "That the Queen prays his Catholick Majesty, that a general Amnesty without Exception be granted; but leaves out the Words in his Instructions *with regard* to their Persons, Estates, Dignities and Privileges. *Cat. Book, Do. f.* 9.

The King's Answer was, "That the General Amnesty relating entirely to "the General Peace, was not proper for the present Treaty; and therefore he "leaves it to be then treated of; that his Majesty will make Use of his great "Clemency, provided the Queen will contribute to the Safety, to the Repose, "and to the Interests of so many faithful Subjects, who, according to their "Duty, had followed his righteous Cause in *Flanders*, and in all the Parts of "*Italy*; and that an express Article be inserted in the Peace, wherein it shall "be declared, That all Subjects who have done their Duty, by adhering to "his Catholick Majesty, shall be establish'd in their Estates and Honours, of "what Nature soever they be, which they enjoyed when they were under his "Obedience; and that they may mortgage, exchange or sell, at their Pleasure; and that they shall have full Liberty to continue in the Service of their "King; and that neither upon this Pretext, or any other whatsoever, they "shall receive the least Prejudice, or the least Harm in their Estates and "Honours, or any Molestation whatever; and that any Municipal Law to the "contrary (if there be any such) shall be made void by the Treaty of Peace. *Cat. Book, Do. f.* 21.

Lord *Lexington* transmits this Answer to *England*, which, tho' containing a direct Refusal at present of what was desired, and only General Assurances of Clemency from the King, on Conditions that could not possibly be expected

Cat. Book, f.25. to be complied with; yet his Lordship in his Letter to Lord *Dartmouth*, writes Word, That the 11th Article (which is this about the *Catalans*) was agreed to; and thinks what they desire is but Justice: And then goes on; "Thus, My "Lord, I have finish'd my Negotiation in the best Manner I could, and "hope it will be to her Majesties Satisfaction.

Ld Dartmouth's Letter to Ld Lexington. No Dissatisfaction was shewn by the Ministry in *England*, either with this Manner of Negotiating, or the Fruitlesness of it, but he is ordered to proceed in the Business, both as it was an Act of Humanity, which every one to the utmost of their Power ought to promote; and that the Interest of the King of *Spain* was most nearly concern'd by that Means to get the *Germans* out of the Country.

Cat. Book, f. 29.

Ld Lexington's Memorial, Cat. Book, f. 13. Hereupon another Memorial for an Amnesty is presented, the Motive us'd to induce the King to grant it, is his own Interest, and to remove the *Germans*, without any Notice taken of the Queen's Honour being concern'd in the Affair.

* *No.(54) Do. f. 17.* The King answer'd, "*That the *Catalans* had deserved little from him; that "they were now reduc'd to a small Extent of Ground, by the with-drawing "of the Troops of *Britain* and *Portugal*; that his Troops, and those of the "King his Grandfather, were entring into their Country by three several "Ways; therefore more in Complaisance to the Queen, than for the Argu-"ments that had been offer'd, he was willing to grant his Pardon to those *Ca-"talans*, who acknowledging his Clemency, and repenting them of their Error, "should submit to his Dominion and Vassalage, within a Time to be prefix'd.

Do. f. 33. Count *Sinzendorff*, in the Project for Evacuating *Catalonia*, insisted upon the preserving the People their Privileges: But the King of *Spain* refus'd it, and would only grant them an Amnesty and Pardon.

† *No.(52) Do. f. 37.* Lord *Dartmouth*, in his Letters both to the Marquis *de* † *Monteleone*, and Lord *Lexington*, says, "He cannot express the Queen's Surprize to hear, that the "Privileges of the *Catalans* were not intended to be preserved to them by the "Court of *Spain*; that those Privileges were necessarily included in the "Meaning of a General Amnesty already granted; and this was an Affair "wherein the Queen's Honour was extremely concern'd, and that she was "obliged by Motives of Conscience not to depart from it. Lord *Lexington* is hereupon order'd to insist again upon it, in the strongest Manner imaginable; that when the King of *Spain* is convinc'd of her Majesty's Steadiness, and the Firmness of her Resolution to adhere to this Demand, no doubt he will yield to what has been so solemnly promis'd, and is in it self so reasonable. That the Marquis *de Monteleone*, being restrain'd by his Instructions from treating upon this Point, the Negotiating of it must entirely lie upon Lord *Lexington*.

Ld Lexington to D. Shrewsbury, Do. f. 49. Accordingly his Lordship presents another Memorial for a general Amnesty, with the Confirmation of all their Privileges. The Amnesty, he says, was granted, but the Privileges entirely refused, and in such a positive Stile as he never met with, but in demanding a Tract of Ground about *Gibraltar*.

Ld Lexington to Ld Dartmouth, Do. f. 61. In another Letter, speaking of the many denials he met with in *Spain*, he says, "Things are not here upon the same Foot as they were before the Suspension, "for the King told me these Words, We know that the Peace is as necessary "for You as for Us, and that You will not break it off for a Trifle.

Do. f. 67. It may seem at first sight unaccountable how the Queen's Endeavours could fail of Success, when she declar'd her Conscience was concern'd in this Matter, and that, tho' She desired a Peace, She would not act inconsistently with Honour and Justice to obtain it.

Ld Dartmouth to Ld Lexington, Do. f. 5. The first fatal Step to the Ruin of the *Catalans*, was the Orders sent Lord *Lexington*, (contrary to his first Instructions) upon his arrival at *Madrid* to acknowledge *Philip* as King of *Spain* in a private Audience, before any one Article of Peace or Commerce was settled with him, which put him in a Condition of refusing this, and whatever else he should think fit.

The manner how *Spain* gain'd this important Point appears to be as follows: Lord *Dartmouth* had acquainted Mr. *Prior*, that Lord *Lexington* was not to acknowledge *Philip* as King of *Spain*, till he had agreed to the Demands his Lordship was to make in the Queen's Name.

However Lord *Dartmouth* thinks it convenient the Sentiments of the *French* Court should be known upon this Matter as soon as possible.

This Method of Proceeding with *Spain* was very much dislik'd in *France*, and Mr. *Prior* writes Lord *Dartmouth* a very elaborate Letter, full of Monsieur *Torcy's*

cy's Reasons to induce our Ministry to recede from that Point, and concludes with this remarkable one. "That the whole Treaty being Eventual, this Ac-"knowledgment of *Philip* as King of *Spain*, would fall as the other Points, un-"less the Conditions were made good, and the Peace agreed and ratified.

Hereupon Lord *Bolingbroke* determins this Matter in Favour of *Spain*, by imputing the former Directions to Lord *Dartmouth's* mistaking the Queen's meaning: And writes Mr *Prior* Word that he was equally surpriz'd, and vexed to find by the uncouth way of explaining the Queen's Sense, that Mr. *Prior* had been led to imagine it was intended Lord *Lexington* should make any difficulty of acknowledging the King of *Spain* as such. "The proceeding this way, "by acknowledging the King in the first Place, (says his Lordship) seems natu-"ral, civil, and unexceptionable, but any other Scheme is absurd and incon-"sistent with all the rest of our Proceedings; and then concludes, "For God's "sake, dear *Matt*, hide the Nakedness of thy Country, and give the best turn "thy fertile Brain will furnish thee with, to the Blunders of thy Country-"men, who are not much better Politicians than the *French* are Poets.

Lord *Dartmouth* it seems thought fit to acquiesce, and the same Day that this Letter was writ, dispatch'd Orders to Lord *Lexington*, to acknowledge King *Philip* in the first Place, notwithstanding his former Instructions to the contrary.

But to return to the *Catalans*. Nor did the Ministers shew that Zeal for the Queen's Honour as might be expected, but plainly gave this Matter up. *Do. f.25.* Lord *Bolingbroke* in his Letter to the Queen's Plenipotentiaries at *Utrecht*, tells them, "It is not for the Interest of *England* to preserve the *Catalan* Liber-"ties, and likewise begs leave to make an Observation to them, that the *Catalan* "Privileges are the Power of the Purse and Sword; but that the *Castilian* "Privileges, which the King of *Spain* will give them (in exchange for their "*Catalan*) are the Liberty of Trading, and resorting to the *West-Indies*, and "a Capacity of holding those beneficial Employments the King has to bestow "in *America*, which, says his Lordship, are of infinitely greater Value to "those who intend to live in a due Subjection to Authority.

Ld Lexington to Mr. Orry. Do. f.119.

Lord *Lexington* also, instead of supporting the *Catalan* Privileges, treated the People as Rebels, and to induce *Spain* to make Peace with *Portugal*, puts Monsieur *Orry* in mind of the necessity *Spain* is in of withdrawing their Troops from *Andalusia*, in order to end the *Rebellion* of the *Catalans*. N°(53.)

The Convention. Do. f. 83. When the Convention † was forc'd upon the Emperor for the evacuating *Catalonia*, the Imperial Ministers at *Utrecht* insisted upon the preserving by that Treaty the Privileges of *Catalonia*, *Majorca*, and *Ivica*; but *France* and her Confederates insisting, that that Matter should be referred to the Peace, the Imperial Ministers at last acquiesc'd, upon the Queen of Great *Britain's* declaring again, "That she would interpose her good Offices in the most effectual "Manner to obtain the Privileges of *Catalonia*, *Majorca*, and *Ivica*:" And the *French* King engag'd at the same time to join his Endeavours for that Purpose. Hereupon the Negotiation in *Spain* was kept up till our Treaty of Peace with that Crown was ripe, by which the *Catalan* Liberties were to be abandon'd. This Lord *Lexington* sign'd, contenting himself with protesting against that Article at the same Time he sign'd it; as he had writ Word before he intended to do, and that therefore the Queen was entirely at liberty to reject it.

† *No.(55)*

Ld Lexington to Ld Dartmouth. Do. f. 87. & f. 75.

Notwithstanding the King of *Spain's* former refusal, Lord *Lexington* is again directed to insist upon the *Catalan* Privileges, and is again told, That the Queen thought her self obliged by the strongest Ties, *viz.* those of Honour and Conscience, to insist upon it, for a People whom the Necessity of the War had obliged her to draw into her Interest. His Lordship had sign'd the Treaty with *Spain* before these Orders to present another Memorial arrived.

Do. f. 61. & 79.

He thereupon acquaints the Marquis of *Bedmar*, that he was sorry he was oblig'd to do any thing which he knew was against the King's Sentiments, but having receiv'd express Orders, he must follow his Duty, and presents the following Memorial.

THE under-written Minister of the Queen of *Great Britain*, in pursuance of the strict Orders he receiv'd the last Post, is oblig'd most humbly to renew the Instances he has so frequently made to Your Majesty, in favour of the *Catalans*; The Queen orders him to represent, that she has nothing more at heart, than to obtain for those People the same Privileges they formerly enjoy'd,

Do. f. 91. & 95.

joy'd, which ſhe thinks her ſelf oblig'd to do, by the two ſtrongeſt Motives that are poſſible, *viz.* Honour and Conſcience, that ſhe may not leave a Nation, which the Misfortune of War obliged her to draw into her Intereſt, in a worſe Condition than ſhe found them. She hopes, that after all the Pains ſhe has taken for procuring a ſolid and laſting Peace to *Europe*, Your Majeſty will not leave her with the Grief of having been the Occaſion of the Loſs of the Privileges of that People, but rather that in regard to the ſtrict Friendſhip which with God's Bleſſing is ſo near being eſtabliſh'd, between both Your Majeſties, as well as the Union ſo neceſſary to the Intereſts of both Nations; Your Majeſty will not make any Difficulty any longer to grant this Favour to her Majeſty, which ſhe has ſo much at heart.

*Do. f.*103. The Marquis *de Bedmar*'s Anſwer to this Memorial was, That this Point about the *Catalans* having been debated in the Treaty lately concluded, and ſign'd in this Court by his Excellency and himſelf, which his Excellency will own, and may be pleas'd to acknowledge, the King does not ſee that any thing further is to be done in the Matter.

Ld Dartmouth *to Ld* Lexington, *Do. f.*107. This Treaty was ſent to *England*, and ratified by the Queen. Lord *Dartmouth* ſays that Lord *Bolingbroke* had the principal ſhare in the Negotiation, and that the Article of the *Catalans* was put in as ſoft Terms as was conſiſtent with the Queen's Honour to allow.

*Do. f.*115. The Terms of the Treaty are, That the *Catalans* ſhall have the ſame Privileges as the King's beſt belov'd Subjects the *Caſtilians* enjoy.

Ld Lexington *to Ld* Dartmouth. *Do. f.*127. When the King of *Spain* had received this convincing Proof of our Miniſtry's Attachment to his Intereſts, and that the beforemention'd Ties of the Queen's Honour and Conſcience were of no Force with them when oppoſed to his Deſires, he takes a further Step, and directly propoſes to Lord *Lexington*, that the Queen would aſſiſt him with Ships to block up *Barcelona*. N° (56).

His Lordſhip's Anſwer was, That he was affraid this Propoſal would meet with this Difficulty, That her Majeſty would be very unwilling to lend her Ships to exterminate a People that had taken up Arms in a great meaſure at the Inſtigation of her Miniſters; and that ſhe would think ſhe had done enough to gratify the King, in not inſiſting upon the preſerving for them their antient Liberties, without helping to deſtroy them. But the Regard the Miniſtry had to this Requeſt of the King, will afterwards appear.

The French Ambaſſador and the Princeſs *des Urſins* propoſed to Ld *Lexington*, and the Night before he left *Madrid*, the King ſent for him, and engaged him to write a Letter, concerted with, and approved by the King, to the Regency *Do. f.*159. of *Barcelona*, N° (57) adviſing them to ſubmit themſelves to their King. His Lordſhip aſſures them of his conſtant Endeavours to do the beſt he could for them; that God had not permitted him to do more than he had done: That if they would take their Reſolutions ſoon, before he was out of *Spain*, he would write for them in the manner they ſhould deſire; and concludes his Letter with new Aſſurances of his Concern for their Intereſts.

To make this appear the more friendly to them, he tells them, he had entruſted the Conſul at *Alicant* to get this Letter conveyed to them, upon ſome Pretence or other; tho' a Duplicate of it was alſo ſent to the Count of *Lecheraine*, one of the King of *Spain*'s General's before the Town, with Direction to have it ſent in as by a Deſerter, without his Knowledge. N° (58.)

Mr. *Burch*, his Lordſhip's Secretary, amongſt other Reaſons, gives this for *Do. f.*171. the writing this Letter; That if the *Catalans* had a mind to accommodate, the Queen would have the Mediation; and if they had not, that then the Court of *Spain* would ſee, that her Majeſty would be always ready to ſerve them. N° (59).

But this Artifice to induce the *Catalans* to abandon their Defence in hopes of his Lordſhip's good Offices, had no effect upon Men determined to die for the Liberty of their Country.

Nothing but Force could extort that from them; and therefore Sir *Patrick* *Do. f.*135. *Lawleſs*, in *September*, 1713. preſents a Memorial, N° (60.) to the ſame effect with what was propoſed the Month before to Lord *Lexington* in *Spain*, ſetting forth that the *Catalans* and *Majorcans* had not ſubmitted themſelves to the King's Obedience, and interrupted all Commerce and Correſpondence in the Mediterranean, and ſubmits it to the Conſideration of the Queen, not only as Guarantee of the Treaty of Evacuation, but as it concerned the Intereſts of *Great*

Great Britain, and therefore his Catholick Majeſty hopes the Queen will order a Squadron of her Ships to reduce his Subjects to their Obedience, and thereby compleat the Tranquillity of *Spain*, and of the Mediterranean Commerce.

As ſoon as the Seaſon of the Year would permit, a Fleet is accordingly fitted out for the Mediterranean, under the Command of Sir *James Wiſhart*, whoſe firſt Inſtructions bear Date 28 *Feb.* and the Additional 18 *March*, 171$\frac{3}{4}$. by which N° (61, & 62.) he is ordered to inforce a ſtrict Obſervance of the Treaty of Evacuation in all its Parts, upon any Complaints of the Queen's Subjects, of Interruptions of Commerce, or Depredations by the Veſſels of *Catalonia*, *Majorca*, *Sardinia*, *Naples*, and other Places, to demand Reſtitution; and in caſe of Refuſal, to make Repriſals. To repair with the Fleet before *Barcelona*, then beſieged by the Enemy, and demand immediate Payment of the Value of the Queen's Stores in the Town, or a ſufficient Security for Payment in ſome reaſonable time. To take care to time his Arrival before the Town, according to the Advices from Lord *Bingley*, then deſigned to be ſent to *Spain*; By the ſtrongeſt Repreſentations to induce the Regency of *Barcelona* to accept of the Terms that ſhall be obtained for them. To take all the neceſſary Meaſures purſuant to the Queen's Intentions to put an end to the Confuſions that now reign in thoſe Parts: And all proper Methods of Perſwaſion to induce the Inhabitants of *Majorca* to ſubmit to the Terms that ſhall be offered them; and in caſe of Refuſal, to employ his Squadron in countenancing and aſſiſting all Attempts which may be made for reducing them to a due Obedience. *Ditto fol.* 123 & 131.

It may not be improper in this Place, to take notice,

1*ſt.* That altho' the Queen had engaged her ſelf by the Treaty of Evacuation, to interpoſe her good Offices in the moſt effectual manner, to obtain the *Catalans* their Liberties, yet inſtead thereof the moſt effectual Methods were uſed to the contrary, and Mr. *Prior* acquainted Monſieur *Torcy*, that the Queen was aſſured the *Catalans* would ſubmit upon the Terms before offered by the King of *Spain*, without ſo much as mentioning their antient Privileges any more. N° (63.) *Do. f.*151.

2*dly.* That the French King who had put himſelf under the ſame Obligation as the Queen, by the ſaid Treaty, after this Account from Mr. *Prior*, of the Queen's Sentiments, thought fit alſo not to ask for their Privileges; Mr. *Torcy* alſo alledging, that the King had little Intereſt with the Court of *Spain*. *Mr.* Prior *to Lord* Bolingbroke. *Do. f.*143.

3*dly.* That *Britain* was under the ſame Engagements by that Treaty, to ſupport the Privileges of *Majorca*, as thoſe of *Catalonia*, at the time Sir *James Wiſhart* had direct Orders to attack them. *Treaty of Evacuation, ditto f.*83.

4*thly.* That when theſe rigorous Meaſures were forming againſt the *Catalans*, Lord *Bolingbroke* writes word to Mr. *Prior*, 'That by what we obſerve in the *Catalan* 'Agent here, of whom we have never taken the leaſt notice as a publick Man, it is 'pretty plain that a reaſonable Accommodation might be made, as he expreſſes it, 'with that Turbulent People. N° (64.) What was called Turbulency in the *Catalans*, may appear by their Anſwer to the Duke of *Popoli*, the King of *Spain*'s General, who ſummoned them to ſurrender. They told him, they would die rather than be Slaves; but if their antient Liberties were confirmed to them, they would open their Gates, and receive him with all Gladneſs. *The Marq.* Dalmaſſes *Do. f.*139.

The Houſe of Lords expreſs'd their Concern in a publick Manner for the Miſeries of the *Catalans*, and by their Addreſs to the Queen, *April* 3, 1714. made it their moſt humble and earneſt Requeſt to her Majeſty, 'That She would be gra-'ciouſly pleas'd to continue her Interpoſition in the moſt preſſing manner, that 'the *Catalans* may have the full Enjoyment of their juſt and ancient Privileges 'continued to them.

Her Majeſty's Anſwer was, 'That at the time ſhe concluded her Peace with 'Spain, ſhe reſolved to uſe her Interpoſition upon every occaſion for obtaining thoſe 'Liberties, and to prevent, if poſſible, the Misfortunes to which that People are 'expoſed by the Conduct of thoſe more nearly concerned to help them.

Hereupon, for Form's ſake, and to allay the Indignation conceived againſt the Miniſtry by the People in general, who compaſſionated the Calamities of thoſe who fought for Liberty, the Demand of the *Catalan* Privileges is again put down in Ld *Bingley*'s Inſtructions, who was before ordered to go to *Spain*, but was never ſent. *Do. f.*195.

So that the only Favour obtained from the Miniſtry by this earneſt Addreſs of the Houſe of Lords, in behalf of the *Catalans*, was an intimation ſent by Lord *Bolingbroke* to the Admiral, not to appear before *Barcelona*, nor to attack the *Majorcans*, till he ſhould hear from Lord *Bingley*, and receive Directions from *England*. And alſo a Letter from his Lordſhip to Mr. *Grimaldo*, above two Months after the Addreſs, tho' the Town was inveſted at the Time of making it, wherein he makes a kind and friendly Complaint, as he terms it, that the *Catalan* Privileges had not been yet *Ld* Bolingbroke *to Sir* Jam. Wiſhart. *Do. f.*191. *Do. f.*211.

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granted them, nor any reasonable Terms offered, which they must either have accepted, or forfeited the Queen's Compassion, and that of the whole World.

The Admiral had also his Scruples, whether his Orders, couch'd in ambiguous Terms, would justifie him in attacking *Barcelona*. He therefore writes to Lord *Bolingbroke* and Lord *Bingley* upon it, and submits it to Lord *Bingley*'s Consideration, whether the *Catalans* might not refuse Conditions that may be most advantagious, if they find he is not to act by Force; and desires that his Orders to act before *Barcelona*, either by Force or otherwise, may be very plain and clear, assuring him that he will most punctually obey those already given him, and such as he shall hereafter receive.

Ditto f. 187.

When Sir *James Wishart* arrived at *Cadiz*, he gave the Governour a List of the Ships under his Command for the *Mediterranean* Service, who sent it immediately to *Madrid*; but tho' several Messages came from Court to the Governour during the Admiral's stay there, no one Compliment was made him, to signifie his Arrival was welcome, or any Question asked, about what Services he was to perform, which a little surprized him; that assoon as they had an Account at *Madrid*, of his Arrival at *Cadiz*, Mr. *Orry* was dispatch'd to *Catalonia* with full Power to treat with the *Catalans*; so that, says he, it would appear, that tho' the King of *Spain* has all the Advantage of the Queen's Ships, as much as if they were actually before *Barcelona*, by representing to those People, which they very well know, our Arrival in these Parts, and how far we are on our way to the *Mediterranean*, yet the King would not seem to owe the Success of such Agreement to the Queen and her Ships, but to *France* only.

Do. f. 199.

But this Negotiation of Mr. *Orry* failing of Success, by the *Catalans* refusing to submit without having their Liberties granted them, obliged the Court of *Spain* to take more Notice than otherwise they were inclined to do of the Admiral, who from *Alicant* writes to Lord *Bingley*, then expected at *Madrid*, That he had received a very civil Letter from Mr. *Grimaldo*, who sent him the King's Order for exempting the Provisions for the Fleet from paying any Duty. He tells him, that this Exemption was usually granted to the Admiral himself that commanded, but being a Trifle, he submits it to his Lordship's better Judgment, whether the granting him this, might not be a means to prevent any Thing that might be intended by the Court at *Madrid* more to his Advantage, and leaves it to his Lordship's Consideration what may be most for his Interest at that Place; and hopes by his Friendship to find some Marks of Favour from thence, in regard to his Expence in this Expedition, so much intended for their Service, and for which he has no allowance from home but his Pay, which will not defray half his Charges. N° (65.)

Do. f. 203.

In another Letter of Sir *James Wishart* to Lord *Bingley*, he acquaints his Lordship, that tho' he had formerly desired him to move the King of *Spain*, that the Grant of Exemption of Duties for Provisions for the Fleet might be made to himself, yet upon farther Consideration of the Matter, which is but of small Moment, and may appear greater at the Court of *Spain* and *England* than really it is, he desires his Excellency, not to take any Notice of it, but let it stand as it does; and desires his Excellency's Countenance and Assistance upon any other Occasion that the Court of *Madrid* might take to express their good Will to him. N° (66.) Nor was it long before the Admiral gave the Court of *Spain* more particular Proofs that he was not unworthy of their expected Favours.

Do. f. 203.

After *Barcelona* had been invested a considerable Time by the *Spaniards*, and reduced to great Difficulties for want of Provisions, the *French* King, tho' engaged with the Queen by the Treaty of Evacuation, to employ his good Offices in the most effectual manner, in favour of the *Catalan* Liberties, thought fit to send his Troops against them, commanded by Marshal *Berwick*, who opened the Trenches before *Barcelona* the first of *July*, O. S. 1714. And on the Eighth of the same Month, Sir *James Wishart*, in the Queen's Name, writ them a threatning Letter, N° (67) directed to the Deputies, and others who possess'd the Government there, telling them, that Complaints had been made of their disturbing the Commerce of the Queen's Subjects, and that they had insolently presumed to take, carry up, and plunder their Ships, and used the Men in a barbarous manner; he had therefore thought fit to send Captain *Gordon* with two Men of War, to represent to them these unwarrantable and presumptuous Proceedings, and by the Queen's Command demands immediate Satisfaction for the same, and the Punishment of the Officers of the Ships with the utmost Severity. If this be not punctually complied with, he leaves it to themselves to judge what the Consequences may be.

f. 215.

The Deputies returned Answer, N° (68) that only one of those Vessels mentioned in Captain *Gordon*'s Memorial, was taken by them into *Barcelona*, being laden with Salt, for which they paid the Price immediately to the Captain of it; that being besieged, they thought they might do so with Justice, and by the Law

f. 219.

Law of Nations; that they were far from living like Pirates, as their Enemies suggested in order to distress them, by preventing any ones coming with Provisions for their Relief; that what *English* Vessels had entred their Port with Provisions, had been well treated, and had freely sold their Merchandize, and at a higher Price than they could have got any where else; that they had paid them with their best sort of Money, and to all their Satisfactions; that they had that Day published an Order, forbidding upon Pain of Death any of their Ships to molest any *English*, even tho' they were going with Provision to the Enemy.

They hope his Excellency will be satisfied with their Conduct, which is conformable to the Rights of People that are besieged; assuring him, that when they shall know of any of their Ships, either with Commission, or without, that shall have caused the least Damage to any *English*, they will not only immediately inflict a rigorous Punishment, but repair all the Damage, desiring to live in the good Correspondence they have had with his noble and generous Nation, with the utmost Deference for the Queen, and ready to obey his Excellencies Orders with all Affection and Respect.

The Government of *Barcelona*, in their Extremity writ another Letter to the Admiral, dated *July* 23, N° (69) setting forth, 'That his Excellency very well knew that the Engagement *Catalonia* entred into to receive *Charles* the Third for their King, was founded on the Protection of the High Allies, but most particularly of *England*, without which they were not capable of undertaking so great an Enterprize. That they had for seven Years together endeavoured to serve the *English* Nation in every Thing it was possible for them to do, by contributing Troops and considerable Sums of Money without Interest. And tho' they had pleased themselves with the Thoughts of the Happiness to be always Subjects of *Charles* III. yet by the ordinary Change to which Human Affairs are liable, they now see the Troops of the Duke of *Anjou* aided by the *French*, Masters of all the Principality except *Barcelona* and *Cardona*, committing through the whole the most execrable Hostilities, Burnings and Plunderings, without sparing the Effusion of innocent Blood, and without Distinction of Age or Sex.

f. 255.

'That for a Year together the Enemies Army had oppressed *Barcelona* by Sea and Land, making them continually suffer the Calamity of so long a Blocade; during which Time the Enemies have thrown Fourteen Thousand Bombs into the Town, which have ruined the greatest part of the Houses; that now they expect to be attacked in Form, and that in Twenty four Hours the Town will be batter'd in Breach. They cannot express their Affliction, to see the Danger of the Inhabitants exposed to be the Victims of that Cruelty with which the Enemy threatens to treat them. Having no Comfort left, they fly to the Queen of *Great Britain*, beseeching Her Protection by the inclosed Letter to *Don Dalmases*, their Envoy at *London*; and in the mean Time, till an Answer can come, they beseech his Excellency from their Souls to mediate with the *French* Troops who oppress them, for a Suspension of Arms, since the Congress at *Baden* now sitting to conclude of a General Peace, may still determine this Affair; they doubt not that his Mediation will be able to procure them this Relief, since his Squadron is superior to that of the Enemy. They see no other Remedy in Nature for their Misfortunes, and therefore hope his Excellency will not refuse them, that if *Catalonia* has merited any Thing by its Services, and by its Conjunction with the *English* Nation, this is the Time to receive the Fruits of it; that it is worthy of his Excellency to comfort the Afflicted, and not to deny them this Favour in their great Necessity.

How the Admiral was affected with this Letter may appear by one of his to Lord *Bingley*, dated *Aug.* 7. N° (70), wherein he acquaints him 'That Mr. *Grimaldo* had signified to him from the King of *Spain*, that all the King's Ships of War being employ'd before *Barcelona*, his Majesty could not send any of them to meet his Flota then coming home; and therefore desired the Admiral to send three of his upon that Service", which was accordingly complied with. Of this he had acquainted Lord *Bolingbroke*, and hoped to meet with her Majesty's Approbation.

f. 223.

The *Catalans* thus abandon'd, and given up to their Enemies, contrary to Faith and Honour, were not however wanting to their own Defence, but appealing to Heaven, and hanging up at the High Altar the Queen's solemn Declaration to protect them, underwent the utmost Miseries of a Siege, during which, what Multitudes perished by Famine and the Sword? how many have since been executed? and how many Persons of Figure are still dispersed about the *Spanish* Dominions in Dungeons, is too well known to need any Relation.

It is hoped however, that the Calamities of the *Catalans*, will not be imputed to *Great Britain* in general, abused by the Ministry, with repeated Assurances, that every thing was doing for the Preservation of that unfortunate People. The

The Committee find frequent Notices and Mention made of the Abbot *Gaultier*, who, altho' he does not appear to have had any publick Character, resided in *England* during the greatest part of this Negotiation, and upon extraordinary Occasions, was very often sent backward and forward.

But the Share that he had in the more publick Transactions, was not his only Business. It is evident, that some Negotiations, which required more than ordinary Privacy, were verbally transacted, and upon all such Occasions, Abbot *Gaultier* was the Person to whom the *French* and *English* Ministers mutually referr'd each other.

And as of Necessity nothing could be a greater Secret than all Matters relating to the Pretender, this Province was particularly allotted to Abbot *Gaultier*, that thro' his Hands, and under his Conveyance, by *French* Couriers going continually betwixt *France* and *England*, such Practices might be carried on with great Safety, which in any other manner had been too dangerous an Undertaking.

The first Time that any secret Negotiation is expresly referr'd to Abbot *Gaultier*, is found in a Letter already taken Notice of, where Mr. *St. John*, *March* 4. 17$\frac{11}{12}$. tells Mr. *Torcy*, ' He had deferr'd writing to him of late, till he might write with Certainty, till ' the necessary Dispositions were made among our People at home, and till the Queen ' had taken the only Resolution which could bring us in a short time to a good and solid ' Peace. I have now the Satisfaction to tell you, that this Resolution is taken, and that ' Mr. *Harley* will carry with him this Night, or to Morrow-Morning, the final Instru- ' ctions of the Queen to her Plenipotentiaries. I refer my self to Mr. *Gaultier*, to explain ' to you more at large the Subject of this Gentleman's Commission, and what the Queen ' hopes his most Christian Majesty will do to co-operate with her.

The Committee having observed, at the Beginning of this Report, that several Letters and Papers are wanting, which by the Circumstances of Time and Matters then depending, appear to be of Moment and Consequence: It is not to be expected, that those who have been so careful to suppress Matters of less Importance, would leave behind them any Transactions that might tend openly and directly to favour and support the Cause of the Pretender.

But as the Committee has observ'd several Passages which are a plain Indication of the Tenderness and Regard with which the Cause and Person of the Pretender were treated, as often as mention'd; They have thought fit to bring them together, and lay them before the House in one View.

Vol. 8. *fol.* 24. There is a Paper that was left in Lord *Bolingbroke*'s Closet, dated at *Versailles*, the 24*th* of *September*, 1711. endors'd, as some Office-Papers usually are. It gives an Account, that the Pope's Nuntio had in his last Audience of the King made the following Declaration. ' The Court of *Rome* being fully inform'd, that *France* was endeavouring to procure a ' Peace upon the most advantagious Terms that was possible, and being perswaded, that if ' the Peace should be made, *England* would not suffer that the King of *France* should per- ' mit the Prince of *Wales* to continue in his Realms; the Court of *Rome* offers to the ' King of *France* to give this Prince an *Azylum* at *Rome*, or in any other Part of the Eccle- ' siastick Dominions.

Vol. 3. To which the King of *France* return'd in answer, ' That an *Azylum* for the Prince of ' *Wales* would be no Obstacle to the Peace. That if the Allies did truly design to make ' a Peace, he would accept of any reasonable Propositions they should make; and in this ' Case an Article for the Prince of *Wales* would be inserted in the Treaty.

June 7. 1712. The Bishop of *Bristol* giving an Account to Lord *Bolingbroke* of some Discourse he had with some of the Ministers of the Allies, says, ' Monsieur *Consbruck*, one of ' the Emperor's Plenipotentiaries, kept also within the Terms of Decency, save only that ' he took it for granted, that one great End of all this Management on our part, was to ' bring in the Pretender; which Apprehension one of the Ministers of the States lately ' own'd in private Discourse, to have been the fundamental Reason of all their Conduct of late.

It cannot be forgot what great Stress and Weight was laid upon the Removal of the Pretender out of the Dominions of *France*. This was what all the Nation with great Justice expected, and what the Queen declared was taken Care of, as an additional Security to the Protestant Succession.

But his removing out of *France*, and being permitted to reside in *Lorrain*, was not only a great Surprize to all the Nation, but was received with such just Indignation, that the Parliament address'd the Queen upon this Occasion, ' That she would insist upon his Re- ' moval from *Lorrain*, that Residence being equally or more dangerous to *Great Britain*, ' than his Abode in *France*'. Her Majesty's Answer, *That she would repeat her Instances*, occasion'd in the House of Lords a coming Resentment, that the Duke of *Lorrain* should presume to receive and entertain the Pretender to her Majesty's Crown, in Defiance to her Majesty's Application to the contrary. But it will now appear in what Manner the Removal of the Pretender out of *France* was transacted and settled, and that his residing in *Lorrain* was not only with the Approbation, but even by the Direction and Appointment of the *English* Ministry. Mr. *St. John*, in his Letter to Mr. *de Torcy*, of the 24*th* of *May*, 1712. *O. S.* when he sent him over the Conditions upon which her Majesty would make those Important and Decisive Declarations to Parliament, concludes that Letter with saying, ' He hopes, that, with the general Repose we shall see reviv'd in a few Weeks, a good ' Understanding between two Nations, which may become to each other the most ' useful Friends, for the same Reasons they have been the most formidable Enemies. The ' Queen commands me to tell you, that she hopes when you send an Answer to this Letter, ' we shall have an Account that the Chevalier had begun his Journey. In

In Answer to this, Monsier *de Torcy* says to my Lord *Bolingbroke*,(*)' You may as- ' sure the Queen that the Chevalier is ready to depart at a Moments Warning, if ' he did but know where he was to go, and in what Place he might be in Safety. ' I own to you, that I know no Prince who is willing to receive him, for Fear of ' displeasing the Queen, or other Powers; it will be absolutely necessary, that ' there should be some Explanation upon this Subject, which I desire you to make ' to me by the Abbot *Gualtier*, if you do not judge it proper to do it your self.

Mr. *St. John* on the 6th of *June*, 1712. *O. S.* writes a publick Letter (*a*) in answer to the several Points contain'd in Monsieur *de Torcy*'s last Letter; but in that Letter takes no Notice at all of the Chevalier.

But the Day after, *June* the 7th, 1712. he writes a private Letter, as he calls it himself, to Monsieur *de Torcy*, and concludes it with saying, ' The Abbot *Gual-* ' *tier* will write to you upon the Subject of the Chevalier(*b*).

The Committee observe, there are two Copies of this private Letter, One deliver'd by my Lord *Bolingbroke*, the Other entred in Lord *Strafford*'s Book: And in the Copy of this Letter given in by Lord *Bolingbroke*, this Passage, That Abbot *Gualtier* shall write about the Chevalier, is omitted by his Lordship.

On the 22d of *June*, 1712. *N. S.* Mons. *de Torcy* writes Two Letters (*c*) to my Lord *Bolingbroke*. In the Publick Letter nothing is said of the Pretender; the Private Letter concludes with saying, ' I have the Honour to send you a Letter un- ' der the King's Hand, for Her *Britannick* Majesty; and I refer you to what the ' Abbot *Gualtier* shall say to you, about the Departure of the Chevalier.

On the 21st of *August*, 1712. Lord *Bolingbroke* being then in *France* to give the finishing Stroke to all Matters of Consequence that were undetermin'd, (*d*) in his Dispatch to the Earl of *Dartmouth*, giving an Account of his Proceedings at the Court of *France*, says, The Chevalier has fix'd his Departure for the First of next Month, *N. S.* They propose that he shall retire to *Bar*, and they intend to write to the Duke of *Lorain* to ask of the Emperor, and other Princes, a Security for his Person, during his Residence in that Place.

But on the 28th of *December*, 1712. *N. S.* it appears, (*e*) that the Chevalier was still in *France*, upon which Account Mr. *Prior* writes thus to my Lord *Bolingbroke*. ' Another Point upon which this Court is very solicitous, is, That the Chevalier ' remaining in any Town of *France* obstructs the Signing the Peace; yet he can- ' not go to *Lorain* till the Emperor's Passports will secure him there. Your Lord- ' ship, by the Perusal of the Papers, will see the State of that Case; and I have ' only to add upon this Subject, that the Court of *France* expresses an Impossibili- ' ty on their Side, to do more than they have done, and hopes we should have ' Interest enough with the Emperor, to obtain such Passports from Him, as may ' secure, as well the Person who is to go into *Lorain*, as the Duke of *Lorain*, who ' is to receive him.

Mr. *Prior* on the 29th, writes to the same Effect (*f*) to my *Lord-Treasurer*, and says, ' The Monarch is a good deal troubled upon this Head, lest the Young ' Man should fall into the Hands of the *Hussars* or *Barbarians*. And Mons. *D'Au-* ' *mont* has, I presume, Orders to speak to our Ministry upon it.

' As to the Dowry, I shall not only be dunn'd to Death, but hang'd; for the ' Dowager sends Messengers to me, which you in *England* do not think it ex- ' tremely lawful to receive: But if it is to be paid, pray let it be done in an ' handsome Manner, that may shew the Charity of the Queen, and the Genero- ' sity of Her *Lord-Treasurer*.

The Papers referr'd to in Mr. *Prior*'s Letter, contain an Account of what the Duke of *Lorain* had done at the Desire of the King of *France*, to obtain from the Allies the necessary Safeguards for the Chevalier. He says, (*g*) that understanding that the Queen of *Great-Britain* had already granted Her Safeguard or Protection to the Chevalier *de St. George*, He believ'd they had no more to do, but to apply to the Emperor, and to the States-General.

By this Account it is evident, that Abbot *Gualtier* was the Person entrusted to Manage the Affairs of the Pretender, with whom such Practices were Verbally to be transacted as our Ministry did not think proper to commit to Writing. It appears, that the Place to which he was to go, because no body would receive him at the hazard of the Queen's Displeasure, and where he might remain in Safety, was to be prescrib'd from *England*. That this was not fix'd and determin'd till Lord *Bolingbrooke* went into *France*. And if his Lordship's Instructions are consider'd, it will be hard to find in them any thing of that Importance and Se-

(*) June 10. (*a*) Vol. 8. f. 370. (*b*) Ditto f. 374. (*c*) Vol. 8. f. 434. (*d*) Vol. 8. f. 487. (*e*) Vol. 9. f. 445. (*f*) Vol. 9. f. 493. (*g*) Vol. 9. f. 485.

erecy, as to require his going in Person to settle it. His Lordship gives an Account from thence, that the Pretender was to go to *Bar*, and this is acquiesc'd in here without the least Objection made. The Ministry are told by Mr. *Prior*, that the Court of *France* hopes by our Interest such Passports would be procur'd as might secure his Person: And in the Paper sent to *France* from the Duke of *Lorrain*, it is asserted, that the Queen of *Great-Britain* had already granted Her Protection to the Pretender.

But *Nov.* the 6th, 1713. Lord *Bolingbroke* writes to Mr. *Prior*, and says, (*a*) 'Her 'Majesty having repeated to the Duke of *Lorrain* the Instances which you know 'have been so often made to the Most Christian King, for removing of the Pre'tender to Her Crown out of his Dominions, I am directed to acquaint You 'therewith, that You may speak to the Minister of *Lorrain*, and to any other 'Minister whom you shall think proper, and let them know it is absolutely in'consistent with the Amity and good Correspondence that is between the Queen 'and their Masters, to receive into their Dominions, or to protect a Person, who 'disputes Her Majesty's most undoubted Title, and thereby endeavours to disturb 'the Peace and Quiet of Her Kingdoms. That you may be able to shew them 'that this is the Collective Sense of the whole Nation, as well as the Queen's 'Command to you, I herewith send you the Addresses of both Houses of Par'liament.

This can be understood as no more than a bare Compliance with the Addresses of Parliament. And to shew how little Resentment and Indignation was conceiv'd against the Duke of *Lorrain* for this Indignity offer'd to Her Majesty, the Committee have thought fit to Transcribe a Letter that was wrote by Lord *Bolingbroke* to Mr. *Prior* within Four Days after his last mention'd Letter upon the Subject of the Pretender.

'This Letter, says Lord *Bolingbroke* to Mr. *Prior*, (*b*) will be delivered to you by the 'Baron *de Forstner*, who has been twice at our Court with the Character of Envoy 'from the Duke of *Lorrain*, and who is extremely well with your Friends on this 'side of the Water, that I make no doubt but that he will be a welcome Acquain'tance to you. I must at the same time recommend the Interest of the Duke of '*Lorrain* his Master to your Care. You know, Sir, how little that Prince has yet 'felt the good Effects of what was stipulated for him at *Ryswick*. You know, Sir, 'how justly he pretends to an Equivalent from this Emperor for the *Montserrat*, 'which was given away from him to the King of *Sicily*. *In a word, you are* '*enough appriz'd of his Wants, of his Expectations, and of Her Majesty's earnest Desire,* '*if by any means she can, to contribute to the Ease, and to the Advantage of a Prince,* '*who deserves much better Usage than he has on many Occasions met with.*

There are several other Letters that were wrote after the Address of Parliament to press the removing of the Pretender from *Lorrain*; but after what has been said, 'tis needless to observe what little Effect was to be expected from such Representations made in the several Courts of *Europe*, which were known to be Contrary to the Sense and Intention of the Court of *Great-Britain*. And if any further demonstration was wanting to shew their true Spirit and Inclination, it may be observ'd that the Addresses in Parliament were made in *July*, 1713. And the first Letter that Lord *Bolingbroke* wrote in pursuance of those Addresses was the 6th of *November*, which was Four Months after the Addresses were presented to the Queen.

The Committee think it not improper to insert here an Extract of a Memorial touching the Demolition of the Sluices of *Dunkirk*, deliver'd by Monsieur *de Torcy* to Lord *Bolingbroke* at *Paris*, in *August* 1712.

'It is not our Business now to examine whether the Queen of *England*, and 'the *English* Nation, were in the right to demand the Demolition of the Fortifi'cations, and the filling up the Harbour of *Dunkirk*. That is a Thing resolv'd 'and agreed upon. It may perhaps come to pass in the Course of this Affair, 'for Reasons easily to be foreseen, That *England* shall repent having demanded 'the Demolition of a Place, and the Destruction of an Harbour, which might 'be of great Use in Conjunctures which perhaps are not very remote.

Your Committee do not take upon them to explain what Conjuncture *France* had in View, and which they thought not very remote, when *Dunkirk* might be of particular Service; but think it proper to conclude this part of the Report with observing, That the Pretender did immediately upon the Demise of the late

(*a*) Vol. II. (*b*) Nov. 10. 1713. Vol. II.

Queen

Queen publish a Declaration, which the Duke of *Lorain* has acknowledg'd in his Letter of the 6th of *December*, 1714. that he receiv'd from the Pretender himself, wherein is this remarkable Passage, 'Yet contrary to Our Expectations upon the 'Death of the Princess Our Sister (*of whose good Intentions towards Us We* '*could not for some Time past well doubt; and this was the Reason we then sat* '*still, expecting the good Effects thereof, which were unfortunately prevented* '*by Her Deplorable Death*) We found that Our People, instead of taking this fa'vourable Opportunity of retrieving the Honour and true Interest of their Coun'try, by doing Us and Themselves Justice, had immediately Proclaim'd for their 'King a Foreign Prince, to Our Prejudice, contrary to the Fundamental and In'contestable Laws of Hereditary Right, which their pretended Acts of Settle'ment can never Abrogate.

The Committee observing in the Eleventh Volume referr'd to them, a Letter from the Earl of *Oxford* and *Mortimer*, then Lord High-Treasurer of *Great-Britain*, to the Queen, dated *June* the 9th, 1714; together with an Account of Publick Affairs from *August* the 8th, 1710, to *June* the 8th, 1714, all written with his own Hand, and sent to the Queen with the Letter; and finding therein many Passages, in their Opinion, highly deserving the Consideration of this House, have thought it necessary to insert the same here at large, and are as follow.

Lord *Oxford*'s Letter to the Queen, *June* the 9th, 1714.

'*May it please Your Majesty,*

'I Presume, in Obedience to Your Royal Commands, to lay before Your Ma'jesty a State of Your Affairs. Though I have very much contracted it from the 'Draught I made, and the Vouchers from whence it is taken; yet I find it swell 'under my Pen in Transcribing, being willing to put every Thing before Your 'Majesty in the Clearest Light my poor Understanding can attain to. It was ne'cessary to lay it before Your Majesty in the Series of Time, from the beginning 'to this present Time; and when that is compleatly laid before You, it remains 'only for Me to beg God to direct Your Majesty.

'And as to my self, do with me what You please, place me either as a Figure 'or a Cypher, displace me or replace me, as that best serves Your Majesty's Oc'casions, You shall ever find me, with the utmost Devotion, and without any 'Reserve,

MADAM,

Your most Dutiful, most Faithful, most Humble,
most Obedient Subject, and Unworthy Servant,
OXFORD.

A Brief Account of Publick Affairs since August *the 8th*, 1710. *to this present 8th of* June, 1714. *To which is added, The State of Affairs Abroad, as they relate to this Kingdom; with some humble Proposals for securing the future Tranquility of Her Majesty's Reign, and the Safety of Her Kingdoms.*

'HER Majesty on the 8th of *August* 1710, was pleas'd to alter Her Treasury, and 'two Days after, in a New Commission, *Robert Harley*, by Her Majesty's great 'Favour was made Chancellor of the *Exchequer*.

'The State of Affairs at Home and Abroad are fresh in every ones Memory.

'The Condition of the Treasury at that Time was laid before Her Majesty in a 'large Representation.

'I beg leave to touch some few Heads. The Army was in the Field; no Money 'in the Treasury; none of the Remitters would Contract again; the Bank had re'fus'd to lend a Hundred Thousand Pounds to Lord *Godolphin* on very good Secu'rity; the Navy, and other Branches of Service, Eleven Millions in Debt, which 'enhanc'd the Price of every Thing proportionably; the Civil List in Debt a'bout Six Hundred Thousand Pounds, and the Yearly Income too little for the 'Currant certain Expence, by the lowest Computation, One Hundred Twenty 'Four Thousand, Four Hundred Ninety Five Pounds, Two Shillings and Four 'Pence.

'In

'In a few days this new Commiſſion made Proviſion for paying the Army by 'the greateſt Remittance that had ever been known: Though the Oppoſition from 'every Office, which was full of Perſons who were Enemies to the Change made 'by the Queen, was very ſtrong, and very troubleſome and vexatious; and ſuch 'was the Situation of Affairs, that nothing but great Patience could ever have 'overcome theſe Difficulties; it being impoſſible as well as unavoidable to make 'Removes, but by degrees.

'As ſoon as it was poſſible, (and notwithſtanding the Clamours then rais'd, it 'was the only proper Time) a new Parliament is call'd.

'Its firſt meeting was *November* the 27th, 1710. *Robert Harley* had prepar'd the 'Funds ready (before the Parliament met, as he has done every Seſſion to this 'Day) not only for the Current Service of the Year, both by Sea and Land, but 'alſo for eaſing the Nation of above Nine Millions of Debt. This was thought ſo 'Chimerical when *Robert Harley* did begin to open it, that it was treated with Ri'dicule, until he ſhow'd how practicable it was. It is true, this gave great Reputa'tion Abroad, and enabled to treat advantageouſly of a Peace: It rais'd ſinking 'Credit at home, but at the ſame time as it drew Envy upon *Harley* from ſome, 'and the Rage of others, ſo it gave Offence to ſome of his Fellow Servants, who 'told him plainly that he ought to have told his Secret, and if he would not get 'Money himſelf, he ought to have let his Friends ſhare a Hundred Thouſand 'Pounds, which would not have been felt or found out in ſo vaſt a Sum as Nine 'or Ten Millions.

'To this Principle was owing the ſetting on Foot at this time the unhappy 'Voyage to *Canada*: To all which Meetings *Harley* avoided coming, and gave Lord '*Rocheſter* his Reaſons, and after he deſir'd his Lordſhip to be a Means to the 'Queen to hinder that Expedition; but it happen'd to be too late. But Lady '*Maſham* knows how much *Harley* was concern'd at it, tho' he did not know the 'true Spring of that Voyage, which will appear after in this Paper.

'The beginning of *February* 1710-11, there began to be a Diviſion amongſt thoſe 'call'd Tories in the Houſe, and Mr. Secretary St. *John* thought it convenient to 'be Lifting a ſeparate Party for himſelf.

'To prevent this, Lord *Rocheſter* and *Harley* deſir'd to have a Meeting, and to 'cool ſuch Raſh Attempts; and it was contriv'd Mr. Secretary St. *John* ſhould in'vite Us to Dinner, (which was the laſt time he ever invited *Robert Harley*, being 'now above Three Years) where was Duke of *Shrewsbury*, Earl *Poulet*, Lord *Ro'cheſter*, and others; and Lord *Rocheſter* took the pains to calm the Spirit of Diviſi'on and Ambition.

'*Harley* was at this time ſeiz'd by a violent Fever, and on his firſt coming Abroad, '*March* 8. met with a Misfortune which confin'd him many Weeks. The Tranſacti'ons during that Time are too publick, as well as too black, for *Harley* to remem'ber or to mention.

'In the end of *May* 1711. the Queen, out of her abounded Goodneſs, was 'pleas'd to confer undeſerv'd Honours on *Robert Harley*; and on the 29th of the 'ſame Month, was pleas'd to put the Treaſurer's Staff into his Hands: A Poſt ſo 'much above *Harley*'s Abilities to ſtruggle with, that he had nothing but Integrity 'and Duty to recommend him to Her Majeſty's Choice; ſo he muſt have recourſe 'to Her Majeſty's Tranſcendent Goodneſs and Mercy to Pardon all his Faults and 'Failings, both of Omiſſion and Commiſſion, during the whole Courſe of his 'Service.

'But to return and reſume the Thread of this Diſcourſe. (*a*) The 4th of *June* '1711. Three Days after the Treaſurer was Sworn, he was ſurpriz'd with a Demand 'of Twenty Eight Thouſand Thirty Six Pounds and Five Shillings, for Arms and 'Merchandize, ſaid to be ſent to *Canada*. When the Treaſurer ſcrupled this, 'Mr. Secretary St. *John*, and Mr. *Moor* came to him with much Paſſion upon this 'Affair; and about a Fortnight after, the Secretary of State ſignified the Queen's 'poſitive Pleaſure to have that Money paid; and accordingly Her Majeſty ſign'd a 'Warrant *June* 21. and the Treaſurer not being able then, with all his Precauti'on, to diſcover further Light, the Money was paid *July* the 4th 1711.

'Since the Return from that Expedition, the Secret is diſcovered, and the 'Treaſurer's Suſpicion juſtified: For the Publick was cheated of above Twenty 'Thouſand Pounds.

'There is Reaſon to be more particular upon this Head, becauſe it is one of 'the Things never to be forgiven the Treaſurer; and Lord Chancellor told 'him

(*a*) See the Paper of this Affair at large.

him more to that Purpoſe; that they told him no Government was worth ſer'ving, that would let them make thoſe Advantages, and get ſuch Jobbs.

'One thing more is crav'd leave to be added, That the Treaſurer was forc'd 'to uſe all his Skill and Credit to keep the Houſe of Commons from examining 'this Affair laſt Parliament.

'*June* the 12th. 1712. The firſt Seſſion of laſt Parliament ended.

'From this time, to the beginning of the next Seſſion, *the Treaſurer's Hands were 'full of Negotiating the Peace in all Courts abroad*; and beſides the ordinary and ne'ceſſary Duty of his Office at home, he had frequent Occaſion of Calming the 'Quarrels and Grudges Mr. Secretary had ſometimes againſt Lord *Dartmouth*, ſome'times againſt Lady *Maſham*, and ſometimes againſt the Treaſurer himſelf.

'The Second Seſſion of the laſt Parliament began *December* the 7th, 1711.

'This was attended with great Difficulties and Dangers, as well from the Practi'ces of the Diſcontented here, as the Deſigns carry'd on by Mr. *Buys*, Prince *Eu'gene* and *Bothmar*; in which Deſigns concurr'd the Emperor, and other States and 'Princes who gain'd by the War.

'This put Her Majeſty under a ſort of Neceſſity to preſerve the Whole, and to 'take a Method which had been us'd before *to Create ſome New Peers*.

'So many having been brought formerly out of the Houſe of Commons of thoſe 'who us'd to manage Publick Affairs, it was propos'd to Mr. Secretary, That if he 'would be Contented to ſtay in the Houſe of Commons that Seſſions, Her Majeſty 'would have the Goodneſs to Create him a Peer, and that he ſhould not loſe his 'Rank.

'The Second Seſſion ended the 21ſt of *June*, 1712; and notwithſtanding *Both'mar*'s Memorial, and all other Attacks both from Abroad and at Home, Supplies 'were provided, and every Thing relating to the Publick put upon a good Foot, 'and the Malecontents began to deſpair, as appear'd by the Duke of *Marlborough* 'retiring Abroad, and other Particulars.

'After the Seſſion was ended, the Queen, as She had promis'd, Order'd a War'rant for Mr. Secretary *St. John* to be a Viſcount; this happen'd to put him in the 'utmoſt Rage againſt the Treaſurer, Lady *Maſham*, and without ſparing the 'Greateſt.

'(*a*) It did avail very little to tell him how much he had got in Place; for had he 'been Created with the other Lords, it would have fallen to his ſhare to have come 'next after Lord *Trevor*; but the *Treaſurer* with great Patience bore all the Storm, 'of which Lord *Maſham* was often a Witneſs of the Outragious Speeches; and 'Mr. *Moor* very lately told the *Treaſurer*, that Lord *Bolingbroke* ſaid very lately to 'him, that he ow'd him a Revenge upon that Head.

'This Diſcontent continued, until there happen'd an Opportunity of ſending him 'to *France*; of which there was not much Occaſion; but it was hop'd, that this 'would have put him in good Humour; which it did, until in *October* 1712, there 'were Knights of the Garter made. This created a new Diſturbance, which is 'too well remembred, and breaks out now very often in Outrageous Expreſſions 'publickly againſt all then made.

'In *November*, on the Death of Duke *Hamilton*, he was much againſt Duke *Shrewſ'bury*'s going, for Reaſons very plain, which then were in Negotiation; for before 'the laſt Seſſion of that Parliament began, a new Model was fram'd, or a Scheme 'of Miniſtry; which how they afterwards came to fall out, will appear in its due 'Place.

'The Third and Laſt Seſſion began *April* the 9th, 1713; which was as ſoon as 'the Peace was Concluded, and could be Proclaim'd.

'It is not decent to take Notice, *That during this whole Negotiation, the Treaſurer 'was obliged by his own Hand, and his own Charge, to Correſpond in all the Courts con'cern'd in the Negotiation; and very often he had the good Luck to ſet Right ſeveral Mi'ſtakes, and to obtain ſome Things very little expected; but the only Merit of this belongs to 'Her Majeſty, the Credit of whoſe Favour brought it about, and gave Power to the Treaſurer 'to act with Succeſs.*

'During this Seſſion, the Lords of the Cabinet, and Others, met every *Satur'day* at the Treaſurer's, in Order to carry on the Queen's Buſineſs, as they had done 'the Year before on *Thurſdays*. (*b*) Many Offers were made, and repeated by the 'Treaſurer, in order to attack former Offenders, and quiet the Minds of the Gen'tlemen, and of the Church-Party; and the only Reaſon for this Failing, was, be-

(*a*) See the Letters of Monſieur *Torcy*. (*b*) See the Letter *July* 25.

cauſe

'cause of the Project laid for their New Scheme, and putting themselves at the 'Head, as they call'd it, of the Church-Party.

'This being the last Session of Parliament, and some Gentlemen fearing their 'Elections, and some for other Reasons, dropt the Bill of Commerce.

'The Treasurer saw this Opportunity, and immediately took it, and prevail'd 'with Sir *Thomas Hanmer*, and Others, to come into the Payment of the Civil List 'Debts, incurr'd before the Change of the Treasury, tho' the present Treasurer 'was rail'd at, and malign'd; which he chose to bear patiently, rather than own 'the true Reason, that there was no Money to do it with, which would have ruin'd 'all at once.

'This Step of paying the Debts, put the Malecontented into the utmost Rage, 'which they did very publickly express in both Houses.

'This last Session of that Parliament, and the Third since the Change of the Ministry, ended *July* the 16th, 1713.

'The Peace with *France* being over, and it growing necessary to put Her Maje-'sty's Affairs into a further and more settled Regulation, and to ease the Treasurer 'of the Burthen, as well as Envy, of such a Bulk of Business; Her Majesty was 'pleas'd to approve of the Scheme of the Duke of *Ormond*'s staying here to attend 'the Army Affairs, which was necessary at the time of Disbanding; Duke *Shrewsbury* to go to *Ireland*, upon his Return from *France*; Lord *Findlater* to be Chancellor of *Scotland*; Lord *Mar* Third Secretary; Lord *Dartmouth* Privy-Seal, and 'Mr. *Bromley* Secretary of State, and Sir *William Wyndham* Chancellor of the Exchequer. I am sure the Queen very well remembers the Rage this caus'd, as perfectly Defeating their Scheme, and shewing that Her Majesty would put her 'Affairs upon a solid Foot; the Lord Chancellor said it was against Law, and to 'this Day will not treat Lord *Findlater* with Decency; and Lord *Mar* has met with 'many ill Treatments as well as Mr. Secretary *Bromley*.

'But that the Treasurer might leave them without Excuse, and make Her Maje-'sty's Affairs, if possible, easy with and to those in Her Service; as soon as he was 'recover'd enough to write, he wrote a large Letter to Lord *Bolingbroke*, containing his Scheme of the Queen's Affairs, and what was necessary for Lord '*Bolingbroke* to do, as belonging only to his Province. This Letter was dated *July* 'the 25th, 1713, and was Answer'd *July* the 27th, by Lord *Bolingbroke*; the Copy 'was shown to Lady *Masham*, who came to Visit the Treasurer then Confin'd to his 'Chamber; and she then thought it was a very good One, and what was proper 'for the Occasion. I believe the Whole would be of Use to give Light to Her Majesty into the Ground and Foundation of the Follies and Madness which have 'since appear'd; the Whole is ready for Her Majesty's Perusal when She pleases.

'In this Letter the Treasurer gives an Account to Lord *Bolingbroke* of the Occasions, or rather the Pretences for giving Disturbance to the Queen's Servants. He 'proposes the Remedy, and what was requisite to be done by him as Secretary in 'his own Province, and also Assurance of the Treasurer's Assistance to the utmost, 'and of his Desire to consult with him (Lord *Bolingbroke*) how to Unite the rest of 'our Friends.

'Being then Sick, the Treasurer took the Liberty to put Lord *Bolingbroke* in mind 'of the several Particulars which then requir'd Dispatch, and were solely belonging to his Province, without any other Interposition than that of taking Your Majesty's Direction.

'Amongst others, that of a Circular Letter upon the Addresses of both Houses 'relating to the Pretender.

'This was not done in Three Months. His Lordship wrote Word it was done '*July* the 27.

'In the same Letter the Treasurer propos'd, that (according to the Treaty of 'Peace) Care should be taken of the following Particulars, *viz.* *Newfoundland*, '*Hudson's-Bay*, *Acadia*, St. *Christophers*, *Assiento*, and other Things contain'd in the 'Treaties of Commerce.

'These Particulars the Treasurer thought to have been executed, until within a 'few Weeks he heard the contrary by Accident, and that the Time in the several 'Treaties was elaps'd. Upon this, the Treasurer on *Wednesday*, *June* the 2d, told 'Mr. *Moor* of this, and that every Body would be liable to blame who are in the 'Queen's Service. *Thursday*, *June* the 3d, 1714. Lord *Bolingbroke* writes to the 'Treasurer a Letter which begins thus.

'Mr. *Moor* has been this Morning with me, and has put into my Hands a Paper, which he calls, I think not improperly, a Charge upon me.

This

'This Paper contains the Neglect above mention'd in the Treasurer's Letter of '*July* the 25th, 1713, Eleven Months before, and yet these Faults are now 'charg'd upon the Treasurer.

The Committee cannot but observe, that his Lordship has here taken to himself the Credit of corresponding by his own Hand, and his own Charge, in all the Courts concern'd in the present Negotiations, and that very often he has had the good Luck to set right several Mistakes, and to obtain some things very little expected. That he boasted of his laying hold of a seasonable Opportunity in Parliament upon rejecting the Bill of Commerce, to prevail with Members of that House of Commons to come into the Payment of the Civil List Debts; and has also charg'd several Persons, then in High Stations in Her Majesty's Service, with Corruption and Imbezzlement of the Publick Money; and presum'd to recommend himself to Her Majesty, by having us'd all his Skill and Credit to keep the House of Commons from examining into the same. And your Committee having receiv'd Information, that large Sums of Money had been directed *for special Services relating to the War*, by Signs Manual, and Warrants upon the same, Countersigned by his Lordship, which Sums were afterwards paid to his Lordship's Order; Your Committee thought it incumbent upon them to lay before the House Copies of the said Signs Manual, and Warrants, and Orders thereupon, together with Extracts from the Register of the Exchequer; whereby it will appear, that these large Sums, issued for the Service of the War, were received and apply'd *to his Lordship's Private Use.*

Your Committee in drawing up and forming this Report, having observ'd several Transactions, Orders, and Directions given by the Ministers in the Queen's Name, which are in no manner agreeable to Her Majesty's Sentiments and Intentions, as expressed in Her several Messages to Parliament, and Speeches from the Throne, concerning the Terms of Peace which She was pleased to communicate to both Houses; thought it their Duty to enter into a particular Examination of this matter, and to compare Her Majesty's Declarations with the Measures that Her Ministers presum'd to take in carrying on these important Negotiations.

The first time that the Queen made any mention of the Peace to the Parliament, was on *December* 11. 1711. at which time nothing had been concluded between *England* and *France*, but the special Preliminaries that were Sign'd by the Earl of *Dartmouth*, and Mr. St. *John*, on the part of *England*, and Monsieur *Mesnager* on the part of *France*, *Sept.* 27. 1711. and the general Preliminaries Sign'd by Monsieur *Mesnager* only, which were sent over by the Earl of *Strafford* as the Foundation of a General Peace. After these Preliminaries were Sign'd, Mr. St. *John* had press'd Monsieur *de Torcy*, that the King of *France* would explain himself with regard to the Allies; begs that the Queen may have some Explication of his Intentions in respect to the particular Interest of the Allies, and concludes with saying, If the Sieur *Gualtier* returns with these Marks of Confidence, you will see our Parliament as much inclin'd to Peace as ever it was to War. Oct. 29. 1711.

Such Explications as the King of *France* thought fit to make, are contain'd in the Answer to the Memorial brought by Monsieur *Gualtier*, *November* 18. 1711. inserted in the Appendix. Upon which Her Majesty, at the opening of that Session, in laying before the Parliament the State of the Treaty then on Foot, according to the Advice and Representation made to Her by Her Ministers, said, *That notwithstanding the Arts of those who Delight in War, both Place and Time are appointed for opening the Treaty of a General Peace. Our Allies, especially the States-General, whose Interest I look upon as inseparable from my own, have, by their ready Concurrence, express'd their Confidence in me.* The Queen thought the States had readily concurr'd with Her, but it must be remembred, that the States had in the strongest manner Represented against the Propositions Signed by Mr. *Mesnager*, as too General and Uncertain, not being a sufficient Foundation upon which a Negotiation might be hazarded; they dreaded the fatal Consequences of opening the General Conferences, before the Articles offer'd by *France* were made Specifick, and before they knew what they were to trust to for their own Barrier and their Commerce. These Representations were made in *Holland* to the Earl of *Strafford*; and Mr. *Buys* was sent over into *England* to enforce them here.

But

But instead of acquainting the Queen with these Representations, or acting according to her Majesty's Sentiments, Mr. St. *John*, *October* 9. declares; 'Certain it is, that Her Majesty is so far determin'd in her Measures, that 'those will deceive themselves who may imagine by delay to break them. And *October* the 29th, 'The Queen remains firm in Her first Resolution, of Causing the 'Conferences to be open'd upon the Articles Sign'd by Monsieur *Mesnager*. And *November* the 2d, 'The Queen will not finally concert a Plan for the Prosecution 'of the War with the States, until they join with her in agreeing to open the Con'ferences of Peace. And *November* 15. Lord *Strafford* says, 'He had now told them 'her Majesty's Order to him was to Declare, that she should look upon any delay 'as a Refusal to comply with Her Propositions. By these Threats and extraordinary Measures, the States are compell'd by the Queen's Ministers, to consent to open the Conferences; when at the same time Her Majesty was perswaded, that they readily concurr'd in what had been propos'd to them. Her Majesty Declares, 'She looks upon the Interest of the States-General to be inseperable from 'her own. Mr. St. *John* declares, 'That *Britain* had gone so much too far in 'weaving her Interest into that of the Continent, that it would prove no easy Task 'to disentangle them without Tearing and Rending.

The Queen says further, *The Princes and States which have been engag'd with Us in this War, being by Treaties entitl'd to have their several Interests secur'd at a Peace, I will not only do my utmost to procure every one of them all reasonable Satisfaction, but I shall also unite with them in the strictest Engagements for continuing the Alliance, in order to render the General Peace secure and lasting.* And in Her Message of the 17th of *January* following, Her Majesty again expresses *the Care She intended to take of all Her Allies, and the strict Union in which She propos'd to join with them.*

By these Declarations it appears, Her Majesty's own Resolution was to unite with the Allies in the strictest Engagements. But Her Ministers had taken upon them, in the private Propositions sent over by Mr. *Prior*, to insert an Article, 'That 'the Secret should be inviolably kept between *England* and *France*, till allow'd to be 'divulg'd by the Consent of Both Parties. And although *France* in the first Propositions sent over by Mons. *de Torcy*, had offer'd to treat with *England* and *Holland*, either separately, or jointly, with the rest of the Allies, at the Choice of *England*, the Queen's Ministers excluded the Allies, and in the Conference held with Monsieur *Mesnager*, 'they are much surpriz'd to find that he had Orders to insist, that 'the Queen should enter into particular Engagements, upon divers Articles, which 'depend not upon Her, and which regard the Interest of the Allies: And they 'insisted that it was absolutely necessary to remit the Discussion of the particular 'Interests of the Allies to General Conferences. And when Mr. *St. John* was pressing Monsieur *de Torcy* to give them some Explications of what was design'd for the Allies, he assures him, 'If the King would offer a Plan of Specifick Preliminaries, the Queen will never communicate it to Her Allies.' And upon another Occasion, he declares 'this Negociation was begun and carried on upon a Supposition, that the Queen must desist from many Conditions, which in Rigor She 'was oblig'd to procure for Her Allies.

In the Message of the 17th of *January* the Queen declares, *Her Plenipotentiaries had begun, in Pursuance of their Instructions, to concert the most proper Ways of procuring a just Satisfaction to all in Alliance with Her, according to their Treaties, and particularly with Relation to* Spain *and the* Indies. And Her Majesty had said before, in Answer to an Address from the House of Lords, presented the 11th of *December*, 1711, *I should be sorry any one could think I would not do my utmost to recover* Spain *and the* Indies *from the House of* Bourbon.

Your Committee cannot make the least doubt but Her Majesty was determin'd to recover *Spain* from the House of *Bourbon*. But that Her Ministers had no such Thoughts, and did not in the least endeavour it, appears in every part of the Negotiation. In the first Propositions sent over by Mr. *Prior*, Demands are made of the King of *France*, to be perform'd by the King of *Spain*, which the King of *France* was to engage for. And as appears by an Entry in Lord *Strafford*'s Book, Mr. *Prior* had Orders to see if they had full Powers from *Spain*. In the special Preliminaries, an Acceptation whereof was Sign'd by the Earl of *Dartmouth*, and Mr. *St. John*, *September* the 27th 1711. it is said expresly, The King promises in the Name of the King of *Spain* his Grandson, and according to the Powers which

which His Majesty has receiv'd from that Prince, That Port *Mahon* and *Gibraltar* shall remain to the *English*. These Steps had been taken by the Queen's Ministers, even before Her Majesty had made these Declarations; which the Committee cannot therefore but conclude Her Majesty was not inform'd of. And altho' the Queen's Plenipotentiaries were oblig'd by their Instructions to insist, That *Spain* and the *West-Indies* should not be allotted to any Branch of the House of *Bourbon*; when the Plenipotentiaries of *France*, on the 11th of *February*, 1711-12, gave in their Specifick Explanation of the General Preliminaries, Sign'd by Mr. *Mesnager*; the King of *France* made his first Offers in the Name, and by Virtue of Powers from his Grandson King *Philip*, as King of *Spain*. On the 4th of *March*, 1711-12, at a Meeting of the Ministers of the Allies at *Utrecht*, where they were to Communicate to each other their respective Demands; Count *Sinzendorff* insisted, That the Restitution of the whole *Spanish* Monarchy should be expresly mention'd; upon which Occasion it appears, by a Letter from the *English* Ministers of the 6th of *March*, That they were the only Ministers that did not make any mention at all of *Spain*, and that they were sensible of the disadvantageous Consequences of being so; but being desirous to take off this Odium, they make a General Declaration concerning the just and reasonable Satisfaction for the Queen's Allies, in Conformity to their Alliances; and humbly hope what was said will not be found contrary to what has been hitherto declar'd.

All the Attempt that the Queen's Ministers ever made towards obtaining this great Point, which Her Majesty declares, She should be sorry any one could think She did not do Her utmost to procure, was to demand Assurances that the Crowns of *France* and *Spain* should never be united. The Method of preventing this Union was never mentioned by the Queen's Ministers in order to be treated of, nor the Sense of *France* and *Spain* ever ask'd upon it till the latter End of *March*, 1712.

In this Message her Majesty further adds, *The World will now see how groundless those Reports are which have been spread abroad by Men of evil Intentions to serve the worst Designs, as if a Separate Peace had been treated, for which there has not been the least Colour given.*

In this Declaration, Her Majesty is advis'd by Her Ministers, in order to clear them from the just Suspicions which all the World had conceiv'd of the separate Measures they were engag'd in, not only to declare there had not been the least Colour given for such Jealousies, but to Brand all that entertain such Apprehensions, with the Character of Men of evil Intentions, that had the worst Designs to serve. But that most just Cause had been given for these Reports, is sufficiently Evident from what was just now observ'd. The Ministry had insisted that the Secret should be inviolably kept between *England* and *France*, exclusive of all the Allies. A Separate Negotiation between *England* and *France* had been carry'd on by Papers sent backward and forward, and much Time spent therein, as is said in Lord *Strafford*'s Instructions. Mr. *Prior* had been sent into *France*, and Mr. *Mesnager* had been in *England*, and not the least Communication was given for Five Months together to any of the Allies of these Transactions, which were depending from *April* 1711, to *September* following, from the Time that the first Proposals Sign'd by Monsieur *de Torcy* were sent to the States, till the Seven General Preliminaries Sign'd by Mr. *Mesnager*, were communicated to them. When these General Preliminaries were Sign'd, which were sent over as a Foundation to open the General Conferences, a Set of Special Preliminaries between *England* and *France* was Sign'd on both Parts, which were conceal'd, publickly disown'd, and never appear'd till this Enquiry; and all these Transactions had pass'd, however disguis'd to Her Majesty, before the Time that Her Ministers advis'd the Queen to impose so grosly upon the Nation, as to declare in Parliament, there had not been the least Colour given for these Surmises.

Her Majesty is advis'd here to declare, That to report that a Separate Peace had been treated, proceeds from evil Intentions, and to serve the worst Designs. But Your Committee observe, That after this Declaration of the Queen, Her Ministers propose to *France*, agreed with *France*, and sent positive and repeated Orders to the Queen's Plenipotentiaries, not only to treat, but to conclude a Separate Peace with *France*. On the 20th of *June*, 1712, Mr. *St. John* acquaints

Mon-

Monsieur *de Torcy*, The Queen will make no difficulty to conclude immediately a Separate Peace with *France*, leaving the Allies a Time wherein they may have Liberty to submit to such Conditions as shall be agreed upon between the Queen and the Most Christian King. In Answer to this Monsieur *de Torcy* tells Mr. *St. John*, Upon Condition the Queen does immediately make a Separate Peace, and keep no Measures with Her Allies, the King has determin'd to send his Orders to permit the *English* Troops to enter into *Dunkirk*. On the 12th of *July*, 1712, Mr. *St. John* thinks the Queen in a Condition not to lose a Moment's Time in concluding with the Ministers of *France* the Convention for a General Suspension of Arms both by Sea and Land, and even the Treaty of Peace between *Britain* and *France*. And on the 4th of *August*, 1712, Monsieur *de Torcy* acquaints Mr. *St. John*, That the King consented to the Duke of *Savoy*'s having *Sicily* upon certain Conditions; wherein one express Condition is, That a Peace be concluded between *England*, and *France*, *Spain*, and *Savoy*. And at last, when the Treaty drew near to a Conclusion, and almost all the Allies were ready to Sign, on the 20th of *February*, 1712-13, positive Orders are sent to the *British* Plenipotentiaries to conclude and Sign with *France*; and on the 28th Lord *Bolingbroke* repeats his Orders to the *British* Plenipotentiaries to conclude and Sign with *France*: And acquaints them, 'The Duke of *Shrewsbury* had declar'd, That their Lordships had 'Orders, in case the *French* comply'd, as they now have actually done, to Sign Her 'Majesty's Peace with *France* without further delay; and that His Grace had also 'declar'd, That in this Case Her Majesty would open the Parliament by telling 'them that She had made a Peace with *France*: These two Considerations, his 'Lordship says, were perhaps the most prevalent Inducements to the *French* Court 'to come roundly into Her Majesty's Propositions.

July 5. 1712.

Your Committee think they cannot close this Head better than with repeating a Passage from one of Lord *Bolingbroke*'s Letters to Mr. *Prior*, wherein he says, 'If such Overtures as these were not instantly accepted, our Separate 'Peace would, sitting this Parliament, be address'd for, made, approv'd, and the 'Cause of *France* for once become Popular in *Great-Britain*.

On the 6th of *June*, 1712, the Queen says, *I am now come to let You know upon what Terms a General Peace may be made.*

On the same Day, Lord *Bolingbroke* acquaints Monsieur *de Torcy*, 'That tho' the 'King of *France* had not answer'd the Queen's Demands, according to expectation, 'the Queen would not defer going that Day to Parliament, and making all the 'Declarations that were necessary to render the Nation unanimously inclined to 'the Peace.

The Queen says, *The Difficulties had been increas'd by other Obstructions, artfully contriv'd to hinder this great and good Work.* Whereas it is notorious, that the Ministers had receiv'd but the Day before, the Account that King *Philip* had consented to make the Renunciation, upon which Account only the Queen's speaking to the Parliament had been defer'd.

The Queen says, *I have not omitted any Thing which might procure to all our Allies what is due to them by Treaties, and what is necessary for their Security.*

Lord *Bolingbroke*, on the very same Day, in his Letter to Monsieur *de Torcy* says, 'Lord *Strafford* is going back to *Utrecht*, and the Instructions he is to carry will put 'the Queen's Plenipotentiaries in a Condition to keep no longer those Measures to 'which they have hitherto been oblig'd to submit; but from henceforth they may 'openly joyn with those of *France*, and give Law to them who will not submit to 'just and reasonable Conditions.

The Queen says, *Nothing has mov'd me from steadily pursuing in the first Place the true Interest of my own Kingdoms.*

Lord *Bolingbroke* just before, on the 24th of *May*, had propos'd to Monsieur *de Torcy*, 'That the Queen being much more Intent upon the General Peace, than 'any particular Advantages, Commissaries should be appointed to settle after the 'Peace, such Points relating to Trade, as requir'd a longer Discussion than the 'present Crisis would admit.

The

The Queen says, *That to prevent the Union of the Two Crowns, she would not be content with what was Speculative, but insisted upon something Solid*: Al-tho' Monsieur *de Torcy* had before declar'd to the Queen's Ministers, 'That to ac-'cept of this Expedient which they propos'd would be to build upon a Sandy 'Foundation.

The Queen says, *The Nature of the Proposal for a Renunciation is such, that it executes it self; and that* France *and* Spain *are thereby more effectually divided than ever.* 'But Monsieur *de Torcy* had before assur'd the Queen's Ministers, That 'this Renunciation would be null and void, by the fundamental Laws of *France*; 'and they would deceive themselves who accepted of it as an Expedient to pre-'vent the Union of the Two Crowns.

The Queen says, *Provision is made, that the same Privileges and Advantages as shall be granted to any other Nation by* France, *shall be granted in like Manner to Us.* But it appears, by a Letter of Lord *Bolingbroke*'s in *January* following to the Duke of *Shrewsbury*, That *France* refus'd to let our Trade stand upon the Foot of *Gens amicissima*; declar'd the Tariff of 1664, which was granted to the *Dutch*, except the Four Species, was too Beneficial for Us; and refus'd to grant it until another Tariff should be made in *Great-Britain* exactly conformable to that of 1664. whereby our Duties would be reduced as theirs are in *France* by that Tariff.

As to our Commerce with *France*, the Queen says here, *June* the 6th 1712. *It was in a Method of being settled.* And Mr. *Prior* says of it in *May* following, near a Twelvemonth after, 'We had like to have made an *Athanasian* Business of 'it at *Utrecht*, by that Explanation of our own Way of understanding our own 'Commerce. Their Letters to you, full of Surmises and Doubts, that all was un-'hinged; and their Letters to Us again, That Explanations, however made, were 'only to save Appearances, and signified nothing: This *Mélange*, I say, and my 'endeavouring to understand it, had like to make me run mad, if the Duke of '*Shrewsbury*'s extreme good Sense, and Mons. *de Torcy*'s not only Honest but Right 'Understanding, had not redress'd Us.

The Queen says, *The* French *consented to deliver up* Newfoundland *and* Placentia. But it must be remembred, That in the Preliminaries sign'd in *September* preceding, the *French* had reserv'd to themselves a Liberty of taking and drying Fish in *Newfoundland*.

The Queen says, *An absolute Cession was to be made of* Nova Scotia, *or* Acadia. But Cape *Breton*, which was always understood to be, and is so declar'd by the Queen's Instructions to the Duke of *Shrewsbury*, to be Part of *Nova Scotia*, is expresly given up to *France*.

The Queen says, *The Trade to* Spain *and the* West-Indies *may in general be settled, as it was in the Time of the late King of* Spain, Charles *the Second*. But when the Project of the Treaty of Commerce came from *Madrid*, Lord *Bolingbroke* says of it, 'They had sent a Blind, Lame, Mishapen, Indigested Mon-'ster, instead of that fair Offspring which we had reason to expect from our 'Candour.

If all the other Parts of this Speech be strictly examin'd, it will be found that the Ministry did so grosly deceive the Queen, in order to impose upon the Parliament by her Authority, that there is scarce a Paragraph that does not contain some unfair, or at least equivocal Representation of the State of the Negotiations. And when the Queen was advis'd by her Ministers to make this Communication to Parliament, as the Terms upon which a General Peace might be made, it is very evident, they had no Assurances that *France* would make good what they prevail'd upon the Queen to declare in so solemn and publick a Manner. For on *June* the 11th, the Bishop of *Bristol* is directed by Mr. St. *John* to Discourse with the Ministers of the Allies agreeably to the Plan contain'd in Her Majesty's Speech: But before his Lordship makes this Step, Mr. St. *John* tells him, 'It will be proper that he speaks first with the *French* Plenipotentiaries upon this 'Subject; whether they will be willing, and in what manner they will be willing, 'to give this Communication to the Allies. In answer to which, the Bishop of *Bristol* writes word, *June* the 28th, that the *French* Plenipotentiaries declar'd they had no such Orders, and without them they could not do it: And in this

Refusal

Refusal of owning the Queen's Speech, as containing their Masters Offers, and in absolutely denying to Treat upon it, the *French* Plenipotentiaries persever'd, even after the *Dutch* had consented to Treat upon that Plan, and to accept the Queen's Speech *pro Materiâ tractandi*.

The Committee having proceeded thus far in the Perusal and Examination of the Books and Papers referr'd to them, thought it not proper to defer this Report until they had perfected what remains, especially upon the Affairs of Dunkirk *and the* Assiento: *In which they have made such a Progress, that they hope they shall in a short time be able to lay them before the House.*

APPEN-

APPENDIX.

N°. I.

The First Propositions of France, *Dated the Twenty second of* April, 1711.

AS it is not to be doubted but the King is in a Condition to maintain the War with Glory, so it cannot be esteem'd a Sign of Weakness, that his Majesty breaks the Silence that he has kept since the Separation of the Conferences of *Gertruydenberg*; and that before the Opening of the Campaign, he still gives new Proofs of the Desire that he has always preserv'd to procure the Re-establishment of the Repose of *Europe*: But after the Experience he has made of the Sentiments of Those who now Govern the Republick of *Holland*, and of Their Industry to render the Negotiations fruitless, he is willing, for the Publick Good, to address to the *English* Nation the Propositions that he thinks fit to make to end the War, and firmly to Secure the General Tranquillity of Christendom.

'Tis with this View, that the King offers to Treat of Peace upon the Basis of the following Conditions.

I.

That the *English* shall have real Securities to Exercise their Commerce hereafter in *Spain*, to the *Indies*, and in the Ports of the *Mediterranean*.

II.

The King will Agree to form in the *Low Countries* a sufficient Barrier for the Security of the Republick of *Holland*; and this Barrier shall be agreeable to *England*, and to the good liking of the *English*; his Majesty promising at the same time an entire Liberty and Security for the Commerce of the *Dutch*.

III.

Reasonable Means shall be sincerely and *bonâ fide* sought out for, to satisfie the Allies of *England* and *Holland*.

IV.

As the good State of the Affairs of the King of *Spain* furnishes new Expedients to end the Difference touching that Monarchy, and to Regulate it to the Content of the Parties interested, sincere Endeavours shall be us'd to surmount the Difficulties rais'd on this Occasion, and to secure the State, the Commerce, and generally the Interests of all the Parties engag'd in the present War.

V.

The Conferences to Treat of the Peace upon the Basis of these Conditions shall be immediately Open'd, and the Plenipotentiaries that the King shall Nominate to assist thereat, shall Treat with Those of *England* and *Holland* alone, or joyntly with Those of their Allies, at the Choice of *England*.

VI.

His Majesty proposes the Cities of *Aix la Chapelle* and *Leige* for the Place where the Plenipotentiaries shall be Assembled, referring it to *England* to Choose One of those Two Cities to Treat therein of the General Peace. Given at *Marli* the Twenty second Day of *April*, 1711.

De Torcy.

N°. II.

Private Propositions sent by *from* England, *Dated* Saturday *the* 1st *of* July, 1711.

THAT the Man was to be sent over to Morrow for a final Answer.

That We would make no Peace but what should be to the Satisfaction of all Our Allies; That the *Dutch* should have a Barrier, the Emperor One for their Security, and the Duke of *Savoy* One; and that he should have Restor'd all that was put into his Possession by the Emperor; and that the *French* should Restore all they had taken from him; and that he should have what other Addition should be thought proper; and that Care should be taken to keep the Balance in *Italy*; and that We should have positive Assurance that the Crowns of *France* and *Spain* should never be United.

That all Our Allies should be Satisfied according to their Agreements and Treaties with Us.

That the Trade of *Holland* should be Secur'd.

In Relation to Great Britain *in particular.*

THAT Our Trade and Commerce should be Settled and Agreed on such a foot as will be to the Satisfaction of the Subjects of *Great Britain.*

That the Government should be acknowledg'd in *France*, as it is now Settled in *Great Britain.*

That *Gibraltar* and Port *Mahon* should continue in the Possession they now are in.

That *Dunkirk* should be Demolish'd.

That the *Assiento* should be entirely in the Hands of *Great Britain*, and that *France*, nor no other, should pretend to meddle in it, but *Britain* enjoy it after the Peace as the *French* do now.

That *Newfoundland* should be entirely given up to the *English*, that the Trade of *Hudsons Bay* should continue in the hands of the *French* and *English*, as they are now.

And that all things in *America* should continue in the Possession of Those they should be found to be in at the Conclusion of the Peace.

That all Advantages, or Liberty of Commerce, that has been or shall be Granted to the *French* by the *Spaniards*, shall be equally Granted to the Subjects of *Great Britain.*

That the Secret shall be inviolably kept, till allow'd to be divulg'd by the mutual Consent of both Parties concern'd.

Pr. was sent to *France* the day of *July*, 1711. had a Power Sign'd by the Queen, and order'd to return if they made Difficulties, and to see if they had full Powers from *Spain*,

N. *He was met by* Bussi, *he told at* Dover *he met one going to* France *strait from the River.* Bussi *coming without a Pass was taken up, and the People desir'd to inspire.*

Examined.

N°. III.

Letter from Mr. Secretary St. John *to the Queen, Dated the* 20th *of* September, 1711.

Madam,

THE Lords of the Committee of Council met this Morning at the *Cockpit*, and directed the Earl of *Dartmouth* and my self to Confer with Monsieur *Mesnager.*

We saw him accordingly this Evening at Mr. *Prior*'s House, where my Lord Treasurer and my Lord Chamberlain were likewise present.

He has put into our hands the Answer Sign'd by the King of *France* to the Demands last sent over by Your Majesty's Order, and this Answer complies with every Article, except the Eighth relating to *North-America*; we find however, that we shall be able to compound this Point, in the manner which Your Majesty some time ago resolv'd to pass it in, provided *France* gave You Satisfaction upon the Seventh Article, as she has nowentirely done.

The Propositions which are to be sent into *Holland*, as the Foundation of a general Treaty, we have likewise receiv'd from him, and that which was thought most liable to Objection, has been very much mended. My Lord Treasurer having however propos'd some farther Alterations, in order to make the whole the more palatable Abroad; and Monsieur *Mesnager* seeming inclin'd to agree to them, I am this Night to draw them into Form for my Lords of the Council to consider to Morrow Morning.

This, Madam, being the present Scituation of the Treaty, Your Servants are Unanimously of Opinion, that the Warrant and full Powers should be prepar'd this Night, and Transmitted to Your Majesty, by which means, if it be Your Pleasure, the latter may pass the Great Seal to Morrow.

It is now so extremely late, and I have so much Business to do, which must of necessity be got ready by Morning, that the whole Night would not suffice, if I was to Engross the Instrument in my own Hand-Writing; I therefore make use of a Clerk to Transcribe them, but it is the same who has Copy'd all the Papers which have pass'd in the Course of this Negotiation.

There comes an exact Translation of the full Powers in this Pacquet, the Words of which are very ample and extensive, but they are agreeable to the Form used by Your Majesty upon such Occasions.

My Lord Treasurer mov'd, and all my Lords were of the same Opinion, that Mr. *Prior* should be added to those who are Empower'd to Sign, the reason for which is, because he having Personally Treated with Monsieur *de Torcy*, is the best Witness we can produce of the Sense in which the General Preliminary Engagements are Enter'd into; besides which, as he is the best vers'd in Matters of Trade of all Your Majesties Servants who have been trusted in this Secret, if You shall think fit to employ him in the future Treaty of Commerce, it will be of Consequence that he has been a Party concern'd in concluding that Convention, which must be the Rule of this Treaty. The rest of the Plenipotentiaries are all those who have the Honour to sit in Your Majesty's Cabinet Council, which my Lords understood to be Your Majesty's Pleasure.

The *Ostend* Mail which arriv'd last Night, brought no News.

I am, with the utmost Respect,

Madam, Your Majesty's most Dutiful Subject,

and most Obedient, Faithful and Devoted Servant,

H. St. John.

N°. IV.

The Answer of France *to the Preliminary Demands for* Great Britain *more particularly.*

THe King being particularly inform'd, by the last Memorial, that the Ministers of *Great Britain* return'd to Mr. *Mesnager* of the Dispositions of that Crown, to Facilitate the General Peace to the Satisfaction of all the Parties Interested in the present War, and his Majesty plainly seeing, as the Memorial sets forth, that he can run no Risque by engaging himself in the manner therein express'd, since the Preliminary Articles will not have any Effect before the Signing of the General Peace; desiring moreover very sincerely to do all that is in his Power to Advance the Re-establishment of the Repose of *Europe*, especially by a way so agreeable to his Majesty as the Interposition of a Princess will be, whom so many Ties of Blood should unite with him, and whose Sentiments for the Publick Tranquillity cannot be doubted: His Majesty mov'd with these Considerations, hath order'd the Sieur *Mesnager*, Knight of his Order of St. *Michael*, Deputy to the Council of Commerce, to give in Writing the following Answers to the Articles contain'd in the Memorial which was sent to him, Intituled, *Preliminary Demands for* Great Britain *more particularly.*

The Kings Answer.

Article I.

HIs Majesty will acknowledge the Queen of *Great Britain* in that Quality, as also the Succession to that Crown, according to the present Establishment.

II.

The King consents to make a New Treaty of Commerce with *Great Britain*, after the most Just, most Reasonable, and most Advantageous manner to *France* and *Great Britain*.

III.

Tho' *Dunkirk* has cost the King very great Sums of Money in Purchasing as well as Fortifying it, and that a very considerable Expence will still be necessary to Rase the Works; His Majesty is however willing to Engage that they shall be Demolished immediately after the Conclusion of the Peace, upon condition that an Equivalent shall be given him to his own content, in lieu of the Fortifications of that Place; and as *England* cannot furnish the said Equivalent, the Discussion thereof shall be referred to the Conferences held for the Negotiation of the General Peace.

IV.

The King promises in the Name of the King of *Spain* his Grandson, and according to the Power that his Majesty has received from that Prince, that *Gibraltar* and Port *Mahon* shall remain in the Hands of the *English* who now Possess them.

V.

The *English* shall have, after the Peace Concluded, the Treaty of Negroes of *Guinea* to the *West-Indies*, *alias*, the *Assiento* Contract, upon the same Conditions that that Convention was made by the King of *Spain* with the *French*; So that the Company which shall be Establish'd for this Effect in *England* shall have the Prerogative of Refreshing, Vending, and Selling their Negroes in all the Places and Ports of *America* upon the *North* Sea, in that of *Buenos Ayres*, and Generally in all the Places and Ports wherein the Importation was permitted to the Ships of the Company form'd in *France* under the Name of the *Assiento*.

VI.

The King promises, for himself, and for the King of *Spain*, pursuant to the Power which is in his Majesty's Hands,

Preliminary Demands for Great Britain *more particularly.*

Article I.

THe Succession to the Crown of these Kingdoms, according to the present Establishment, shall be acknowledged.

II.

A New Treaty of Commerce between *Great Britain* and *France* shall be made after a most Just and Reasonable Manner.

III.

Dunkirk shall be Demolished.

IV.

Gibraltar and Port *Mahon* shall remain in the Hands of Those who now Possess them.

V.

The *Assiento* Contract shall be made with the *English* after the same manner that the *French* now Possess it; and such Places in *Spanish America* shall be Allotted to Those Interested in the said Commerce, for the Refreshment and Sale of their Negroes, as shall be thought necessary and convenient.

VI.

All the Advantages, Rights and Privileges which are already Granted or which shall hereafter be Granted by *Spain* that

that this Article shall be Granted in case the Peace be Concluded, as the foregoing, and that it shall be punctually Executed.

VII.

Tho' the King of *Spain*, in the beginning of his Reign, was inclinable to favour the *French* Nation, having Occasion for Supplies of Money to relieve his Country from an Impending War; this Prince, notwithstanding these Considerations Granted but for Ten Years to the *French*, the Privilege of the Treaty of Negroes; 'Twould be very much in favour of the *English* to leave in their hands for Twenty Years a Prerogative which it seems all the Nations of *Europe* would each enjoy in their Turn. Yet the King promises, that the King his Grandson shall yield to the *English* during Thirty Years Successively the Treaty of Negroes of *Guinea* to the *West-Indies*, *alias*, the *Assiento* Contract, upon the same Conditions, Prerogatives, and Privileges Granted to the *French* Company, and which they Enjoy'd or ought to have Enjoy'd since the 1st. of *May* 1702. to this time.

The King shall grant this Article.

His Majesty promises likewise in the Name of the King of *Spain*, the Advan-

to the Subjects of *France*, or of any other Nation whatsoever, shall be likewise Granted to the Subjects of *Great Britain*.

VII.

And for the better protecting the Commerce in the *Spanish America*, the *English* shall be put in Possession of such Places as shall be nam'd in the Treaty of Peace.

France having offer'd a real Security for the Commerce of the Subjects of the Queen of *Great Britain* in the *Spanish America*, it was never Doubted but *France* thereby meant some Places; and we have been Confirmed in this Opinion, since *France* hath proposed *Gibraltar* as a Security for the Commerce of *Spain* and of the *Mediterranean*. The Advantages and the Privileges offered by the Sieur *Mesnager*, are not to be regarded as real Securities, because it will always be in the Power of *Spain* to resume them: Therefore 'tis believ'd that *France* is oblig'd, either to cause to be yielded to *Great Britain* the Places Demanded in this Article, or to procure it new Advantages, such as the Love of Peace may make it accept as an Equivalent. Upon which We think Our Selves oblig'd to insist, that this Minister be furnished with a sufficient Power. And further, to Testifie the Sincerity wherewith We Treat, and the Desire that Her Majesty of *Great Britain* hath to Advance the General Peace; She hath thought fit to Declare, that the Difficulty arisen upon this Article may be remov'd, in Granting to Her the following Articles.

That the *Assiento* Contract be made with *Great Britain* for the Term of Thirty Years.

That the whole Island of St. *Christophers* be Secured to *Great Britain*.

That the Advantages and Exemptions of Duties promis'd by the Sieur *Mesnager*,

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tages and Exemptions of the Duties whereof mention is made in this Article, and which the *English* shall enjoy immediately after the Conclusion of the Peace, at the Exchange of the Ratifications.

The General Peace being made, there shall be Assign'd to the *English* Company of *Assiento*, an Extent of Land in the River *de la Plata*, upon which they may not only refresh their Negroes, but keep them safe till they be Sold, according to the Conditions which shall be Stipulated by the Convention which is to be pass'd for the *Assiento*; and to hinder any Abuse of this Permission, the King of *Spain* shall name an Officer to Intend the Affair, to whose Inspection the Interested in the said Company, and generally all those they shall employ in their Service, shall submit themselves.

VIII.

The Discussion of this Article shall be referr'd to the General Conferences of the Peace, provided that the Liberty of Fishing and Drying of Cod-Fish upon the Isle of *Newfoundland* be Reserv'd to the *French*.

and which he pretended amounted to 15 *per Cent.* profit upon all Merchandises of the Growth and Manufacture of *Great Britain*, be effectually Granted to that Kingdom.

Great Britain may Refresh their Negroes at *Jamaica*, and there make a Distribution of those whom they shall send to *Vera Cruz*, *Porto Bello*, and other Factories in that Part of the *Indies*: But as on the Side of the River *de Plata*, they have no Possession of any Colony, they demand that there be Assign'd to them in that River some Extent of Land, upon which they may not only Refresh their Negroes, but keep them Safe until they be Sold to the *Spaniards*. And as no Artifice is intended in making this Demand, they will Submit themselves in this respect, to the Inspection of the Officer that shall for this purpose be nam'd by *Spain*.

VIII.

Newfoundland, the *Bay*, and *Streights* of *Hudson*, shall be entirely Restor'd to the *English*; *Great Britain* and *France* shall respectively Keep and Possess all the Countries, Dominions, and Territories in *North-America*, which each of those Nations shall Possess at the time that the Ratification of this Treaty shall be Publish'd in those Parts of the World.

In the Execution of the Orders of the King, We the underwritten Knight of his Order of St. *Michael*, Deputy to the Council of Commerce, have Adjusted the present Answers to the Preliminary Demands for *Great Britain*, in Number Eight Articles, by Virtue of the Power of his Majesty, of which We have furnish'd a Copy Sign'd with Our hand, and promise in the Name of his said Majesty, that the said Answers shall be look'd upon as Conditions that he agrees to Grant, of which the Articles shall be Reduc'd into the Ordinary Form of Treaties, and Explain'd after the most clear and most intelligible Manner, to the Common Satisfaction of *France* and *Great Britain*. And this in case of the Signing of the Treaty of the General Peace. In Witness whereof We have Sign'd, and put the Seal of Our Arms. Given at *London*, 27 Sept. / 8. Octo. 1711.

(L.S.) *Mesnager.*

The most Christian King, having Testified to the Queen the sincere Desire that he has to see the General Tranquillity of *Europe* Re-establish'd by a Definitive, Sure, and Durable Peace, agreeable to the Interest of all the Allies, and having Desir'd that the Queen would Advance the Negotiation of such a Peace, it hath been thought Just and Reasonable, that the Interests of *Great Britain* should in the first Place be Adjusted and Secured. For this End the most Christian King having sent the Sieur *Mesnager*, Knight of the Order of St. *Michael*, and Deputy to the Council of Commerce, he hath Adjusted the abovemention'd Articles in Number Eight, by Virtue of the Power of his most Christian Majesty, whereof he has Supplied Us with a Copy Sign'd with his hand; which Articles We the underwritten Declare, by Virtue of an Express Order from Her Majesty, that She does accept as Preliminary Articles, which only contain such Securities and Advantages as Her Majesty thinks She may in Justice expect, what Prince soever he be to whom the Monarchy of *Spain* shall be Allotted. And these Articles are to be look'd upon as Conditions that his most Christian Majesty agrees to Grant; which Articles shall be Reduced

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into the usual Form of Treaties, and Explain'd after the most clear, and most intelligible Manner, to the Common Satisfaction of *Great Britain* and *France*. And this only in case of the Signing of the General Peace. In Witness whereof We have Sign'd, and put the Seals of Our Arms. Given at *London*, 27 Sept. / 8. Octo. 1711.

(L.S.) *Dartmouth.*

(L.S.) *H. St. John.*

N°. V.

Warrant to Lord Keeper, for Affixing the Great Seal to a Commission for Signing a Treaty with Mesnager.

(L.S.) *Anne R.* Endors'd----not Us'd.

OUR Will and Pleasure is, That you forthwith cause Our Great Seal of *Great Britain* to be Affix'd to an Instrument bearing Date with these Presents, whereof you have a Copy hereunto annex'd; containing Our Commission to you Our Keeper of Our Great Seal, and others therein Nam'd, to Treat with the Sieur *Mesnager*, sent hither with full Power from the most Christian King, concerning the Interests of Us and of Our Kingdoms; and to conclude and Sign a Conditional, or Eventual Treaty, for Settling and Securing the same. And for so doing this shall be your Warrant. Given at Our Castle at *Windsor*, this 17*th* Day of *September*, 1711. In the Tenth Year of Our Reign.

By Her Majesties Command.

To Our Right Trusty and Well-beloved Counsellor Simon *Lord* Harcourt, *Our Keeper of Our Great Seal of* Great Britain.

Translation of the full Powers, Annex'd to the foregoing Warrant.

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 the most Christian King hath given Us Assurances, That he is ready to enter into a Negotiation for Concluding a General Peace, which may be agreeable to the Interests of all the Confederates, and hath Invited Us to promote the same: And whereas it is highly Just and Reasonable to Agree, in the first place, concerning Our Affairs, and the Advantages of Our Kingdoms, and to settle them by previous Conditions, and some Eventual Treaty; and the most Christian King having sent hither for that purpose the Sieur *Mesnager*, Knight of the Order of St. *Michael*, and Deputy in the Council of Commerce, fully instructed, and provided with sufficient Authority. We likewise on Our part have thought fit to Name certain Plenipotentiaries for the Perfecting so necessary a Work. Now know ye, That We reposing special Trust in the Loyalty, Prudence, and Skill in the Management of Affairs, of Our Right Trusty and Well-beloved Counsellor *Simon* Baron *Harcourt* of *Stanton Harcourt*, Our Keeper of Our Great Seal of *Great Britain*; Our Right Trusty and Right Well-beloved Cousin and Counsellor *Robert* Earl of *Oxford* and *Mortimer*, Our High Treasurer of *Great Britain*; Our Right Trusty and Right entirely Beloved Cousin and Counsellor *John* Duke of *Buckinghamshire*, Our President of Our Council; the Right Reverend Father in God, and Our Right Trusty and Well-beloved Counsellor, *John* Lord Bishop of *Bristol*, and Keeper of Our Privy Seal; Our Right Trusty and Right Entirely Beloved Cousin and Counsellor *Charles* Duke of *Shrewsbury*, Our Chamberlain of Our Houshold; Our Right Trusty and Right Well-beloved Cousin and Counsellor *John* Earl *Poulet*, Our Steward of Our Houshold;

Houſhold; Our Right Truſty and Right Well-beloved Couſin and Counſellor, *William* Earl of *Dartmouth*, One of Our Principal Secretaries of State; Our Right Truſty and Well-beloved Counſellor, *Henry St. John* Eſq; another of Our Principal Secretaries of State; and Our Truſty and Well-beloved *Mathew Prior* Eſq; have Named, Conſtituted and Appointed, and do by theſe Preſents Name, Conſtitute and Appoint them to be Our True, Real and Undoubted Plenipotentiaries, giving and granting unto them full Power and Authority, with the aforeſaid Sieur *Meſnager*, being ſufficiently Impower'd to this purpoſe by the moſt Chriſtian King, for Us, and in Our Name, to Meet and to Treat of Our Intereſts, and of thoſe of Our Subjects, which are to be Settled by an Eventual or Conditional Convention between Us and the aforeſaid moſt Chriſtian King: And We do likewiſe give unto them full Power and Authority to Sign and to Exchange ſuch Convention, and to Do and Perform all ſuch other Matters as may be neceſſary, in as full and ample manner as if We Our ſelves were preſent, Promiſing upon Our Royal Word, that We will make good all ſuch Things as ſhall, by Our aforeſaid Plenipotentiaries, by virtue of theſe Preſents, be Concluded; and that We will not at any time ſuffer the ſame to be Broke, but on the contrary, that We will Religiouſly and Inviolably Obſerve, and cauſe to be Obſerv'd, the ſame. For the greater Manifeſtation and Strength whereof, We have Order'd Our Great Seal of *Great Britain* to be fixt to theſe Preſents, Sign'd with Our Royal Hand. Given at Our Caſtle of *Windſor*, the Seventeenth Day of *September*, in the Year of Our Lord, 1711. And the Tenth Year of Our Reign.

Anne R.

N°. VI.

Warrant for Lord Dartmouth, *and Mr. Secretary* St. John, *to Sign the Preliminaries with* France.

(L. S.) Anne R.

WHereas We have ſeen and approv'd the Paper hereunto annex'd, containing the Demands made by Our Order, for Settling and Securing the Intereſts of theſe Our Kingdoms in a future Treaty of Peace, together with the Anſwers of the moſt Chriſtian King thereunto, as alſo the Form according to which the Sieur *Meſnager* propoſes to Sign the ſaid Articles, and the Declaration which is to be made on Our part; We do therefore hereby Direct, Authorize and Impower you to Sign the ſaid Declaration accordingly: And for ſo doing, this ſhall be your ſufficient Warrant. Given at Our Caſtle at *Windſor* this Twenty fifth Day of *September*, 1711. In the Tenth Year of Our Reign.

A. R.

To Our Right Truſty and Right Well-beloved Couſin and Counſellor, William *Earl of* Dartmouth, *and Our Right Truſty and Well-beloved Counſellor,* Henry St. John *Eſq; Our Principal Secretaries of State.*

27 Sept. / 8 Octo. 1711.

N°. VII.

N°. VII.

Preliminary Articles on the Part of France *to come to a General Peace.*

THE King being willing to Contribute all in his Power to the Re-eſtabliſhment of the General Peace, his Majeſty Declares,

1. That he will acknowledge the Queen of *Great Britain* in that Quality, as alſo the Succeſſion to that Crown according to the preſent Eſtabliſhment.

2. That he will conſent, Voluntarily and *bonâ fide*, to take all Juſt and Reaſonable Meaſures to hinder the Crowns of *France* and *Spain* from being ever Reunited upon the Head of One and the ſame Prince, his Majeſty being perſwaded that this Exceſs of Power would be contrary to the good, and to the general Repoſe of *Europe*.

3. The Kings Intention is, that all the Parties Engag'd in the preſent War, without Excepting any, may find their reaſonable Satisfaction in the Treaty of Peace to be made; That the Commerce be Re-eſtabliſh'd, and be hereafter Supported to the Advantage of *Great Britain*, *Holland*, and other Nations, which have been accuſtom'd to Exerciſe it.

4. As the King is alſo willing to Maintain exactly the Obſervation of the Peace, when it ſhall be Concluded, and that the view his Majeſty propoſes to himſelf, is to ſecure the Frontiers of his Kingdom, without troubling in any manner whatſoever the Neighbouring States, he promiſes to agree by the future Treaty of Peace, that the *Dutch* ſhall have in their Hands the Fortified Places, which ſhall be Specified, in the *Low Countries*, to Serve hereafter as a Barrier, which may Secure the Repoſe of the Republick of *Holland* againſt any Attempt on the part of *France*.

5. The King alſo Conſents, that there be form'd for the Empire and for the Houſe of *Auſtria*, a ſure and convenient Barrier.

6. Tho' *Dunkirk* hath coſt the King very great Sums of Money, as well to purchaſe as to Fortifie it, and that a conſiderable Expence will ſtill be neceſſary in order to Raſe the Works thereof, his Majeſty is nevertheleſs willing to Engage to cauſe them immediately to be Demoliſh'd after the Concluſion of the Peace, upon condition that there be given him for the Fortifications of that Place, an Equivalent agreeable, and to his own content; And as *England* cannot furniſh the ſaid Equivalent, the Diſcuſſion thereof ſhall be referr'd to the Conferences to be held for the Negotiation of the Peace.

7. When the Conferences for the Negotiation of the Peace ſhall be form'd, all the Pretenſions of the Princes and States Engaged in the preſent War ſhall be *bonâ fide* and Amicably Diſcuſs'd thereat, and nothing ſhall be omitted to Regulate and to Conclude them to the Satisfaction of all the Parties.

By Virtue of the Kings full Power, We the Underwritten Knight of his Order of St. *Michael*, Deputy to the Council of Commerce, have, in his Majeſties Name, Settled theſe Preliminary Articles. In Witneſs whereof We have put to Our Seal. Given at *London* 27 *September* / 8 *October* 1711.

(L.S.) *Meſnager.*

Separate Article.

THe King Promiſes to Reſtore to the Duke of *Savoy* the Dominions and Territories which belong'd to that Prince at the beginning of the preſent War, and which his Majeſty now Poſſeſſes; Aſſuring further, that his ſaid Majeſty will Conſent, that there be alſo yielded to the Duke of *Savoy* ſuch other Places in *Italy* as ſhall be found agreeable to the Senſe of the Treaties made between that Prince and his Allies.

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By Virtue of the full Power from the King, whereof We have furnish'd a Copy Sign'd with Our own Hand, We the Under-written Knight of his Order of St. *Michael*, Deputy to the Council of Commerce, have concluded this present Preliminary Article, and do promise, in the Name of his Majesty, that it shall be as duly Executed, in case the General Peace be Sign'd, as if it had been inserted in the other Preliminary Articles by Us this Day Adjusted. In Witness whereof, We have Sign'd the same, and Affix'd the Seal of Our Arms thereunto. Given at *London*, 27 *Septemb.* / 8 *October* 1711.

(*L.S.*) *Mesnager.*

N°. VIII.

October *the First*, 1711.

Her Majesty's Instructions to the Earl of Strafford, *Ambassador*, &c. *to the* States General.

UPon your Arrival in *Holland* (whither you are to repair with all possible Diligence) you shall take the first Opportunity of conferring with the Pensionary, and of informing him, that We have sent you back as soon as some Matters of the greatest Moment were Ripe, and fit to be laid before Our good Friends and Allies the States General.

You are to represent to this Minister, and to such others as shall be appointed to confer with you, That when We receiv'd, in the Month of *May* last, by your Dispatches to Us, an Account of the Sense which those among them, who were at that time in the Secret, had of the Overtures made by *France* for Settling a General Negotiation of Peace again on Foot, and of the Answer which it was desir'd might be return'd to the Propositions Sign'd by Monsieur *de Torcy*, We did immediately acquaint the Enemy, that their Offers were thought by Us, and by the States General, neither particular nor full enough, and therefore We did insist that they should form a distinct Project of such a Peace as they were willing to conclude.

You are further to inform the *Dutch* Ministers, that this Affair being Transacted by Papers sent backward and forward, and much time being lost in this dilatory Method, We did at last think fit to send to the Court of *France*, in order to have from thence some more certain Account of the Dispositions towards Peace, and of the Terms on which they might be willing to make it.

That the *French* did hereupon send over a Person with Powers to Treat and to Settle some preliminary Articles to a General Negotiation; but that this Person being neither fully Instructed, nor sufficiently Empower'd, a still further Delay was created, and it became absolutely necessary to allow him to send to his Court for more ample Instructions; We being determin'd on Our part, according to the Desire of the Pensionary, and of the other Ministers, to leave nothing undone which might bring the *French* to be more Direct and Particular in their Overtures.

You are to Communicate to the Pensionary, and to the Ministers you confer with, the Paper herewith deliver'd to you, Sign'd by Monsieur *Mesnager*, an old Acquaintance of theirs, and one with whom they have formerly Treated; representing to them, That though the several Articles do not contain such particular Concessions as *France* must, and to be sure will make, yet they are, in Our Opinion, a sufficient Foundation whereupon to open the Conferences.

That We were unwilling to take upon Our Selves to Determine the several Interests of Our Allies, and did therefore Resolve to content Our Selves with such General Offers as might include all the particular Demands proper to be made in the Course of the Negotiation, during which it must be the most careful Endeavour, and the fix'd Principle of all the Confederates, to hold fast together, in order to obtain from the Enemy the utmost which can be hop'd for in the present Circumstances of Affairs. And this Rule you may assure them, that We shall on Our part firmly adhere to.

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If upon this, or upon any other Occasion, the Ministers of *Holland* shall express their Uneasiness, lest We should have Settled the Interests of these Our Kingdoms in a future Peace, by any Private Agreement; you are to say, That We have refused to suffer the Treaty to be carry'd on in Our own Country, and that We shall still continue to do so, unless they constrain Us to take another Measure: That by this means, the *Dutch*, and all Our Allies, will have the Opportunity and Conveniency of Treating and Adjusting their different Pretensions; in promoting of which We shall exert all that Zeal for the Common Good, and for their particular Advantage, which We are sure they do Us the Justice to confess that We have shown through the whole Course of Our Reign.

You will further say, that you can take upon your self to assure them, That We have made no Stipulations for Our Selves, which may Clash with the Interest of *Holland*; That those Articles which We expect should be Inserted in the future Treaty of Peace, for the particular Interest of *Great Britain*, are for the most part such as contain Advantages, which must either Continue to the Enemy, or be Obtain'd by Us. And also, that no Concessions whatsoever can Tempt Us to Embrace the Blessing of Peace, unless Our good Friends and Allies the States General have all reasonable Satisfaction as to their Barrier, as to their Trade, and in all other Respects.

These Assurances being given in Our Name, you are to Insinuate strongly to the Ministers of *Holland*, how Just Reason We should have to be Offended, and to look on the Proceeding between them and Us as very Unequal, if they should pretend to have any further Uneasiness upon this head: And We being determined to accept of no Advantages to Our Selves, repugnant to their Interests, nor of any Peace which may not be to their reasonable Satisfaction; That the figure which We have made thro' the whole Course of this War, and the part which We have Acted in it, Superior to what any of the Allies, even those who are nearest to the Danger, and in Interest most deeply Concern'd, have done, might Justly Entitle Us, if We should so think fit, in the first Place, to Adjust and Settle the Particular Concerns of *Great Britain*, before We should consent to set the General Negotiation on Foot.

If those Engagements, which We are under by Our Treaties, of making no Peace, but in Concert with them, or the particular Obligations of the Barrier Treaty, are Objected to you, you are to say, as to the first, That We have not in any sort Acted contrary thereto; That We are so far from making a Peace without their Concurrence, that We have Declared Our firm Resolution not to make it without their Satisfaction; and that all that has Passed between *France* and Us, amounts to no more than an Introduction to a General Negotiation: As to the latter, you will Represent very earnestly to them, how much it is for the Interest even of *Holland* it self, rather to Compound the Advantages of the Barrier Treaty, than to insist upon the whole, since it is notorious, the House of *Austria*, and several other of the Allies are and must necessarily continue utterly Averse to it; and since you may your self, assure them upon the Observation which you have made during your stay here, that nothing can be more odious to the People of these Kingdoms, than many Parts of this Treaty; and that nothing has prevented that National, and Universal Indignation which would have broke out upon this Occasion, but the great Care and Industry which has been Us'd to calm the Minds of those who are acquainted with the Terms of this Guarrantee, and to keep the same as Secret as possible from those who are not yet appris'd of Them; you will Expostulate further with the Ministers of *Holland*, by shewing the absolute Necessity of Entertaining a good Harmony between the two Nations, upon which not only their Mutual Safety in a great Measure depends, but without which, there can at no time be form'd a Strength sufficient to Reduce any Exorbitant Power, and to Preserve the Balance of *Europe*; and upon this Foundation, you will Argue, that it is the true Interest of neither Country to insist on any Conditions which may give Just Apprehensions to the other.

You are to acquaint them, That *France* proposes *Utrecht*, *Nimighen*, *Aix la Chapelle*, and *Liege*, as Places in any One of which the Conferences may with Conveniency be held; That We have refused to let the General Treaty be carried on in Our own Country, and that We are ready to send Our Plenipotentiaries to such of these Four Towns as may be most agreeable to them.

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You are to conclude your Conference by desiring that they will give all possible Dispatch to the Choice of a Place of Treaty, and that the Passports to the *French* Plenipotentiaries may be hastned; It being in Our Opinion of Importance so to forward the Progress of this great Affair, that on one hand We may not be Exposed to begin too late the Preparations for the next Campaign, nor on the other to put Our Selves to an Expence which, in case the General Treaty proceeds, will be unnecessary.

And whereas not only the *Dutch*, but the Imperial and other Ministers, may perhaps deny the Paper herewith Delivered to you, to be a Sufficient Ground for Opening the Conferences upon; and may insist that *France* should consent to Preliminary Articles in the Nature of those form'd, and on the part of the Allies Signed in 1709. You are in the first place, besides what is in these your Instructions before Directed, to Insinuate, that the *French* might very probably have been brought to Explain themselves further, had they not perceived the Extraordinary Uneasiness, Impatience, and Jealousie, which, during their Transactions with Us, discover'd themselves amongst Our Allies.

You are afterwards, in Our Name, to Declare to them, That if they are desirous to carry on the War, and Determin'd to accept of no Terms of Peace inferior to those which have been formerly Demanded, We are, on Our part, ready to concur with them, and to continue to Sacrifice the Blood and Treasure of Our Subjects, as We have hitherto done, for their greater Advantage and Security; but that We are in Justice bound, neither to deceive Our selves nor them; and do therefore, by you Our Ambassador and Plenipotentiary, Solemnly Declare, That We can no longer bear that disproportionable Burthen which has every Year been Encreas'd upon Us, nor that Deficiency which Our Allies in every part of the War are Guilty of. That it is Evident that the common Effort must be still greater against the Enemy than it is, or that there will remain no prospect of arriving at those Ends which are propos'd; That therefore it is incumbent on them, if the War be continued, to furnish for the future such Quota's of Ships and Forces, as they are at this time wanting in, and to encrease their Expence, whilst We reduce Ours to such a Proportion as in reason and in Justice both should be Settled at.

If on the part of the Ministers of *Vienna*, and of *Holland*, their Inability to do more than they have hitherto done, be Urg'd in answer to you, Our Pleasure is, that you finish by saying, That We think that We may Justly insist that they should comply with Us in War, or in Peace, since in the former case We require nothing but what it belongs to them to perform; and what is Essential to the Success of Our Arms; and since in the latter We have done, and to the last shall continue to do, all that is in Our Power towards obtaining such a Peace as may be to the Satisfaction of all Our Allies.

A. R.

October *the Second*, 1711.

Additional Instructions to the Earl of Strafford.

WHereas by an Article in your Instructions, bearing date the First Instant, you are to conclude the Conference which you shall have, upon your Arrival at the *Hague*, with the Ministers of the States General, by desiring all possible Dispatch may be given to the Choice of a Place of Treaty, and that Passports for the *French* Plenipotentiaries may be hastn'd: It is Our further Will and Pleasure, That as soon as the said Passports shall be promis'd, you do immediately give notice thereof, by a Courier, to the Court of *France*; or if the States General shall desire it of you, that you do send the said Passports to the Marquis *de Torcy*.

A. R.

N°. IX.

October 24. 1711.

Extract from the Register of the Resolutions of their High Mightinesses the States General of the United Provinces, of Saturday *the 24th of* October, 1711.

IT having been deliberated upon what the Earl of *Strafford*, Ambassador Extraordinary and Plenipotentiary of Her Majesty the Queen of *Great Britain*, has represented to the Counsellor Pensionary *Heinsius*, in order to be communicated to their High Mightinesses, and on the Preliminary Articles deliver'd on the part of *France*, to come to a General Peace, also communicated to the Counsellor Pensionary *Heinsius*: It has been thought proper, and agreed upon, that the Answer to be given to the Earl of *Strafford*, shall be, That their High Mightinesses having Examin'd the said Articles with all possible Attention, have found them couch'd in Terms so General and Obscure, as to deserve great Consideration; and that they have strong Apprehensions, that by entring upon them into a formal Negotiation, the Affairs of the Peace will be subject to many Delays, Incertainties, and other great Inconveniencies, which their High Mightinesses earnestly desire may be avoided, that a Speedy, Good, and General Peace may be the sooner come at. That for this reason their High Mightinesses have Order'd the Sieur *Buys*, who is going to *England* in Quality of their Envoy Extraordinary, to communicate to Her Majesty their Fears and Thoughts upon this Subject; and thereupon to Represent to Her Majesty, That they judge it necessary in so important an Affair, in which having themselves no other Aim but the Advancement of the Common Cause, and the mutual Interests of both Nations, they firmly rely upon the great Wisdom, and the so much Renown'd Zeal of the Queen for the Common Good, that upon the Representations to be made to Her on this Subject, She will be pleas'd to make such Reflections, as the States believe an Affair of so great Consequence to the Safety and the Publick Good deserves: The said Earl of *Strafford* is also desir'd, that he will be pleas'd to contribute to this purpose by his good Offices.

N°. X.

A Memorial for Monsieur Gaultier.

Hampton-Court, *October* 29. 1711.

THE Queen has propos'd by the Earl of *Strafford* the Opening of the Conferences: The States General answer'd, they did not look on the Memorial Her Majesty had sent them as a sufficient Foundation on which they might venture upon a Negotiation. Wherefore they had deferr'd proceeding any further in that Affair with the said Minister, until they knew what Effect the Remonstrances had which Mr. *Buys* their Envoy Extraordinary was Order'd to make to the Queen thereupon.

The said Envoy has Represented to Her Majesty, That the States are ready to concur with Her to facilitate the General Peace, but that they believe it is Hazarding too much to Open the Conferences, unless the General Article offer'd by *France* be Explain'd and Specify'd.

Her Majesty, who has always foreseen, and who still foresees how impossible a thing it would be to bring the Allies to Agree on a Plan of particular Preliminaries, and who remains firm in Her first Resolution, to Open the Conferences on the Articles Sign'd by Monsieur *Mesnager*, has given Monsieur *Buys* Her final Answer on that Head, That She looks on those Articles as containing in general all the

Pretenſions Her Allies can reaſonably form; That She ſtill perſiſts in the ſame Opinion; She renews Her Orders to the Earl of *Strafford*, to repeat his Inſtances with the States General to induce them to chooſe one of the Four Places that have been appointed for the Place of Congreſs; and to oblige them likewiſe to diſpatch Paſsports for his moſt Chriſtian Majeſty's Plenipotentiaries.

Things being in this Scituation, Her Majeſty thinks, in order to the ſpeedy Opening of the Conferences, and for the greater Diſpatch of the Work of the Peace, it will be abſolutely Requiſite, the moſt Chriſtian King ſhould give Her Majeſty ſuch Explanations of his Deſigns, with reſpect to the particular Intereſts of the Allies, as he ſhall think fit, to induce them to Enter more willingly into a General Negotiation.

The *Dutch* Aim at nothing but their Barrier, and their Commerce, and provided the Queen can, without fear of being Diſown'd, Specify, within a ſmall matter, the Barrier which *France* is willing to Yield to them; and that She may aſſure them of the Tariff of 1664, there's no room to doubt but the States General will enter, without any difficulty, into the Negotiation as it has been concerted.

The Duke of *Savoy's* Miniſters are allarm'd for their Barrier towards *France*. The Queen thinks it would not only be for the Quiet and Security of *Italy*, that this Prince ſhould be made more Powerful on that ſide: But Her Majeſty would be likewiſe very glad if She could give him ſome Aſſurances concerning a Barrier for his Country towards *France*: And Her Majeſty looks on that Article to be ſo Eſſential, that She hopes the Anſwer will be as favourable, and as particular as is poſſible.

The *Dutch* and the Duke of *Savoy* being Agreed on thoſe Heads with Her Majeſty, the greateſt Difficulties that may be rais'd to delay the General Peace, will preſently be remov'd, and the Conferences forthwith Open'd.

There are ſeveral Pretenſions of the other Allies included in the general Promiſe of a reaſonable Satisfaction, that muſt be Examin'd and Settled in the courſe of a Negotiation; as thoſe of the King of *Pruſſia*, and thoſe of the Electorate of the Duke of *Hanover*, on which, if the Queen was Authoriz'd to give Aſſurances on the part of *France*, it would be attended with this good Effect, That thoſe Powers would preſently come into Her Majeſty's Views and Meaſures.

There is no room to doubt, after all the Steps Her Majeſty has already made, but She has a ſincere Deſire to procure the general Quiet of *Europe*; and if Her Majeſty deſires that the moſt Chriſtian King would give an Explanation to the aforeſaid Demands, and to ſuch others as might happen concerning the particular Intereſts of other Confederated Princes, his moſt Chriſtian Majeſty may be Aſſur'd, the Queen will make no other uſe of the Confidence the King will have in Her, but to forward the Negotiation, in ſeeking the ſhorteſt and moſt effectual Means to attain a Peace ſo much wiſh'd for, that will be Honourable to his moſt Chriſtian Majeſty, and Secure and Equitable to the Confederates.

N°. XI.

Anſwer to the Memorial brought by Monſieur Gaultier, November 18. 1711.

THe King ſees with Pleaſure, that the Queen of *Great Britain* perſiſts with that Firmneſs worthy of Her, in the deſire She has expreſs'd of uſing the moſt ſpeedy and effectual Means for attaining an Honourable Peace to *France* and *Great Britain*, and which may be at the ſame time both Safe and Equitable, with reſpect to the other Powers engaged in the preſent War. His Majeſty intending alſo to Confirm by Deeds, the Aſſurances he has given of the Confidence he has in that Princeſs, His Majeſty thinks he cannot better expreſs his Sentiments, than by explaining himſelf on the Points of this Memorial, with as much Frankneſs as if the Peace was made, and as if there was already a ſtrict Alliance between him and the Queen of *Great Britain*.

So

So without conſidering that there has been no Mention made hitherto but of Preliminary Articles, and that the Queen of *Great Britain* does now deſire Explanations on the particular Conditions which are to form the Treaty of Peace, the King is willing to entruſt Her, as a Princeſs in Amity with him, with his Thoughts on the Detail of the chief Conditions of the Peace.

He is willing, as he has already declar'd, that the *Dutch* ſhould have a Barrier ſufficient to ſecure the Tranquillity of their Republick.

He is willing alſo that Trade be Reſtored and Maintained for the future to their Advantage, provided they will concur *bonâ fide* to the Re-eſtabliſhment of the Peace.

As to the Barrier, it would be neceſſary, before it be Settled, to agree upon the Deſtination of the *Low Countries*, as the King of *Spain* has yielded them to the Elector of *Bavaria*, and that the King has Sign'd the Treaty thereof; if it ſhould not be fulfil'd, the Elector would have his recourſe to his Majeſty to be Indemnified. He will therefore deſire, that the *Dutch* ſhould put into the Hands of the Elector of *Bavaria*, the Towns and Provinces poſſeſſed by them, or their Allies, in the *Spaniſh Netherlands*, ſo as that Prince may poſſeſs the ſame in Sovereignty after the Peace, in like manner as he now poſſeſſes the Towns and Provinces of *Luxemburg* and *Namur*, and the Places of *Charleroy* and *Nieuport*; the King will promiſe, That on condition of this Ceſſion, the *Dutch* ſhall put Garriſons into the Strong Places of the *Low Countries*, which ſhall be Paid and Maintain'd at the Expence of the Country, ſo that thoſe Provinces being Poſſeſs'd by an independent Prince, and Garriſon'd by *Dutch* Troops, will form a Barrier, which alone would be ſufficient to ſecure the Republick of *Holland* againſt any reaſonable Apprehenſion of the Deſigns of *France*.

But the better to ſecure the States General againſt thoſe vain Fears, the King is willing to engage his Word to the Queen of *Great Britain*, ſtill to ſtrengthen that Barrier, by quitting and yielding to the *Dutch* the Town of *Menin*, with its Verge, in giving them *Ipres* and its Chaſtellenie; but it muſt be obſerv'd that *Caſſel*, *Poperingue*, and *Bailleul* do not make part thereof, and therefore his Majeſty reſerves them to himſelf.

In ſhort, by yielding further, with the ſame regard to the Barrier, *Furnes* and the *Furn Ambach*; theſe are the Ceſſions the King is willing to make for the good of the Peace, but then theſe are the only ones his Majeſty can Grant, unleſs he would leave Open the Frontier of his Kingdom.

As his Majeſty is perſwaded, that neither the Intention nor the Intereſt of the Queen of *Great Britain* are, that *France* ſhould remain Naked, and always Expoſed to the Deſigns of her Enemies; his Majeſty expects to be ſtrongly Supported by *England*, in the Demand he makes of the Reſtitution of the Towns of *Aire*, *Bethune*, *St. Venant*, *Douay*, *Bouchain*, and their Dependencies, which he pretends to Obtain by way of Compenſation for the Places he Yields, to form the Barrier demanded by the *Dutch*.

He ſtill renews the promiſe of Demoliſhing, immediately after the Concluſion of the Peace, all the Fortifications of *Dunkirk*, as well towards the Land, as towards the Sea, without any Exception; and as it was Settled between the King and the Queen of *Great Britain*, that a fitting Equivalent ſhould be given for this Demolition, his Majeſty demands *Liſle* and *Tournay*, with all their Dependencies and Chaſtellenies, to form the promiſed Equivalent.

Tournay is the ancient Domain of the Kingdom, it forms the Frontier of it, and it muſt be look't upon as a Place of Safety to *France*, rather than an Inlet into the Neighbouring Country; the King cannot receive a more publick Obligation from the Queen of *Great Britain*, than if She will contribute to the Reſtitution of a Place ſo neceſſary for Securing the Frontier of his Kingdom. On the other hand, it is indifferent to *England*, whether this Place returns, as formerly, under the King's Dominion, or whether it remains in the Hands of a Foreign Power; and the Interpoſition of the Queen of *Great Britain*, by Her good Offices on this occaſion, will cement, for the future, a moſt ſtrict Union between the Crowns of *France* and *England*.

However, if Her Majeſty's good Offices ſhould prove Fruitleſs, notwithſtanding Her beſt Endeavours for procuring to his Majeſty the Reſtitution of *Liſle* and *Tournay*, as an Equivalent for the Fortifications of *Dunkirk*, his Majeſty Declares

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from this present time, but only to the Queen of *Great Britain*, That for the good of the Peace, he will be satisfied with the Restitution of the Town and Cittadel of *Lisle*, with the Chastelleny and Dependencies, without insisting on *Tournay*, being willing to content himself with this last Equivalent, rather than to retard, by more extensive, tho' just Pretensions, the Re-establishment of the Tranquillity of *Europe*.

The Cession of the Catholick *Low Countries* was made by the King of *Spain* to the Elector of *Bavaria*, only with a design to indemnifie him, for the Losses he suffer'd during the Course of this present War; but his Majesty, and the King his Grandson, are further engag'd by Treaties with that Elector, to restore him, by the Peace, to the Possession of his Dominions, of his Rank, and of his Dignities, whereof he was deprived by the War, so his Majesty will Demand, that this Prince resume in the Electoral College the first Rank, which was transferred to the Elector *Palatine*; that the Upper *Palatinate* given to the said Elector *Palatine*, be restored to the Elector of *Bavaria*, and in short that the Dismemberments made from the Chief Parts of the same Electorate, be Annulled, and things restored to their former order.

Even these Demands are not repugnant to the Interest of the *Dutch*, supposing that they will Consent to leave the *Low Countries* to the Elector of *Bavaria*; for it is consistent with their Maxims, that these Provinces should be Possess'd by a Prince, whose Power secures their Barrier.

However, if they have different Thoughts with respect to the Elector of *Bavaria*, and that forgetting the first Engagements of that Prince with the House of *Austria*, they are perswaded that his Ties with *France* will never be weakened, if upon this Foundation, they think that his Power might at any time be Dangerous to their State, and that therefore it is necessary to Diminish the same; regard may be had to this fear, altho' ill grounded, by proposing for the good of the Peace, to engage the Elector of *Bavaria*, to yield *Bavaria*, and the Electoral Dignity to the Prince his Eldest Son; whereof it would be necessary to conclude at the same time the Marriage with the Arch-Dutchess, Eldest Daughter of the late Emperor *Joseph*. In this case it should be Stipulated, that the Elector would be satisfied to Possess the *Low Countries* instead of *Bavaria*, with the condition that has been mention'd, of putting *Dutch* Garrisons into the Places, to be paid, and maintain'd at the Charge of the Country.

If these Proposals should be rejected, the King being engaged by his Treaties, to take care of the Interests of a Prince his Ally, demands that at least, the Elector of *Bavaria* may keep the Provinces of *Luxemburg* and *Namur*, and that his Electorate, his Dignity, and his Rank may be Restored to him; but it would not be Just, that being reduc'd to Two Strong Places in the *Low Countries*, he should be obliged to receive a *Dutch* Garrison therein, which the Revenue of those Two Provinces would not be able to Maintain. This Condition must be struck out; which the King only proposes in case all the *Low Countries* be intirely given to the Elector of *Bavaria*.

As the King doubts not, but the Queen of *Great Britain* thinks it Just, that the Elector *Palatine* should restore the Upper *Palatinate*, his Majesty thinks, that the Dutchy of *Limbourg* might be Separated from the *Low Countries*, and given to the Elector *Palatine*, to Indemnifie him for the Upper *Palatinate*, which he should restore; this his Majesty leaves to the Prudence and Justice of the Queen of *Great Britain*. However it be, it might be Agreed, that the Elector *Palatine* should enjoy, during his Life, the Upper *Palatinate*, and the First Rank in the Electoral College, and that after his Death, both should return to the Elector of *Bavaria*, and his Successor.

This Second Proposal, with respect to the Elector of *Bavaria*, would bring no Alteration to the offer already made, of yielding to the *Dutch* for a Barrier, *Menin*, *Ipres*, *Furn*, and *Furn Ambach*, on the Conditions beforementioned.

But the manner in which they will use this Prince, will decide the Advantages the King will grant with respect to Trade.

If one of the preceding Proposals is accepted, the King's Intention is, to Re-establish, in Favour of the *Dutch*, the Tariff of 1664. with the Exemption of the Duty of 50 *per* Tun, his Majesty will particularize only some Exceptions to this Tariff, whereof the Detail is contain'd in a Memorial by it self; he thinks himself oblig'd to Stipulate the same, not only to prevent the utter

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Ruin of Trade, the Navigation, and the Manufactures Establish'd in his Kingdom, but also to take away the Equivocations that might hereafter occasion Complaints, and troublesom Disputes.

If it happens on the contrary, that the Proposals made in Favour of the Elector of *Bavaria* be rejected, that he be obliged to content himself with the single Restitution of *Bavaria*, perhaps dismember'd from the Upper *Palatinate*, and the Elector be depriv'd of the First Rank in the Electoral College; in this Case, his Majesty will only grant to the *Dutch* the Tariff Sign'd in *May* 1699.

There would still be another Indemnization more honourable, but far less useful, and which his Majesty would nevertheless pay at the same rate of the Re-establishment of the Tariff of 1664. with the Exceptions mention'd.

The *Dutch*, and their Allies, by refusing the *Low Countries* to the Elector of *Bavaria*, would probably have the same yielded to the Arch-Duke: The King will consent thereto, and moreover, his Majesty will dispose that Elector to yield the whole Electorate of *Bavaria* to the House of *Austria*, provided the Kingdom of *Naples* be given to that Prince.

The Proportion is not equal between that Kingdom of the one, and the *Spanish Netherlands* on the other part, with a Country like that of *Bavaria*, and so convenient to the House of *Austria*; but the King undertakes to Supply the Loss of the Elector of *Bavaria*, and to make, by the Indemnization, *England* a considerable Gainer.

The Means his Majesty proposes to succeed therein, is, by engaging the King of *Spain* to yield *Sicily* to that Elector, so by possessing both Kingdoms, he would be indemnified for what he should forsake otherwise, and the *English* would find their particular Advantage in the Conventions *England* might make with him for the Commerce in the *Mediterranean*. It is not indifferent to the Nation to be secure of the Prince who shall be Master of *Messina*, and the *Dutch* would easily prevent *England*, if ever *Sicily* should fall into the Hands of the Arch-Duke. This Reflection will not have escaped the Wisdom of the Queen of *Great Britain*, who shews likewise Her Regard to the Affairs of *Italy*, by the Article which concerns the Duke of *Savoy*.

The King's Intention is, punctually to perform the Convention Sign'd, in his Name, by Monsieur *Mesnager*, in relation to that Prince. His Majesty will acquaint him therewith directly, since the Queen of *Great Britain* desires it. The Silence his Majesty has kept upon this Subject, was grounded upon this, That his Majesty has no Correspondence, either directly or indirectly, with the Duke of *Savoy*, he referring himself to that Princess to instruct him with what was Stipulated for him.

For what remains, the King is so far from opposing the Aggrandizement of the Duke of *Savoy*, on the side of *Italy*, that he thinks it would be the Advantage of that Part of *Europe*, that the rest of the *Milanese* should be Joyn'd with that Part, whereof that Prince is already Possess'd; he would even consent with Pleasure to Treat him then in Quality of King of *Lombardy*.

The King's Sentiments on this Occasion being entirely agreeable with those of the Queen of *Great Britain*, there is no room to doubt, but that Princess will also agree, that it is just that the Duke of *Savoy* should be satisfied with the Old Barrier towards *France*, and that he restore the Places of *Exilles* and *Fenestrelles*, both lying in *Dauphine*; his Majesty confirming the Promise he has made of Restoring to him the Dutchy of *Savoy*, and the County of *Nice*; whereof the Consideration is still above the Importance of these two Places for the Frontier of the Kingdom.

Besides these Explanations, the King will give, with an intire Confidence, to the Queen of *Great Britain*, all the Explanations She will be pleas'd to ask him, for the good of the Peace; and since She desires to know, what are the Kings Dispositions with respect to the Elector of *Brandenburgh*, and the Duke of *Hanover*; his Majesty assures Her, that he will make no difficulty to acknowledge the First, as King of *Prussia*, and the Second, as Elector, when the Peace is Sign'd. The Queen of *Great Britain*, may even make use of this Confidence, as She shall think most fitting for advancing the Peace, and be sure that the King will not disown Her.

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In ſhort, the deſire which that Princeſs expreſſes, to Procure forthwith the general Tranquillity of *Europe*, ſeems ſo Sincere, that his Majeſty is further willing to Communicate to Her his Intentions on the Peace, to be made with the *Empire*; which are,

To acknowledge the Arch-Duke, as Emperor.

To reſtore to that Prince, and to the *Empire*, Fort *Kehl*, in the ſame Condition it is now in.

To cauſe the Forts built in the *Rhine*, and depending on *Strasbourg*, to be Demoliſhed.

To raſe the Fortifications built over againſt *Hunningen* on the Right, and in the Iſland of the *Rhine*.

In like manner, the Fort built on the other ſide of the *Rhine*, overagainſt Fort *Louis*, as well as that part of the Bridge leading from the Iſland to the right hand Shore of the *Rhine*.

To demoliſh in general, all the Fortifications built, or rais'd on the other ſide of that River.

In ſhort, to reſtore to the Emperor the Town of *Briſac*, except nevertheleſs the Fort called *Mortier*, lying on the left, and on this ſide of the *Rhine*.

Upon theſe Conditions, which ſufficiently ſhew the King's deſire of leaving the *Empire* in Peace; his Majeſty deſires only for himſelf the Reſtitution of the Town of *Landau*; and for the Allies the Re-eſtabliſhment of the Elector of *Cologn*, in his Dominions, Benefices, and Dignities; referring himſelf, as to what relates to the Elector of *Bavaria*, to what has already been mentioned, with reſpect to that Prince.

The King expects with impatience the happy effects of the Application of the Queen of *Great Britain*, in contributing to the Re-eſtabliſhment of the Peace, and his Majeſty deſires with no leſs earneſtneſs a fitting time wherein he may give publick Proofs of his Sentiments for that Princeſs.

N°. XII.

St. James's, Decemb. 23. 1711.

The Queen's Inſtructions to my Lord Privy Seal, and the Earl of Strafford, *Her Plenipotentiaries for a General Peace.*

UPon your Arrival at *Utrecht*, you are to begin by concerting with the Miniſters of Our Allies, in what Manner it may be moſt proper to open the Conferences, and what Method to obſerve in the Progreſs of the Treaty. You will upon this, and upon all other Occaſions, earneſtly Repreſent to theſe Miniſters, the great Importance of appearing United; and for that reaſon, Recommend to them, That if any Difference or Diſpute ſhould ariſe, the ſame ſhould be accommodated amongſt your ſelves, that *France* may have no Hold to break in upon you; but on the contrary, whenever you meet the Enemies Miniſters in the Congreſs, every Opinion that is deliver'd, and every Inſtance that is made, may be back'd by the concurrent Force of the whole Confederacy.

In order to bring this great Work to a ſpeedy Iſſue, and to prevent, as much as poſſible, any Advantage which the Enemy might take by a long Negotiation of Dividing the Allies, or of Slackning their Preparations for another Campaign, you are to propoſe, that a time be fix'd for the Concluſion, as was done for the Commencement of theſe Conferences.

If it ſhall be thought proper to begin by the Diſpoſition of the *Spaniſh* Monarchy, you are to inſiſt, That the Security and reaſonable Satisfaction which the Allies expect, and which his moſt Chriſtian Majeſty has promis'd, cannot be obtain'd,

obtain'd, if *Spain* and the *Weſt-Indies* be allotted to any Branch of the Houſe of *Bourbon*: And in caſe the Enemy ſhould object, as the Imperial Miniſters have done, That the Second Article of the Seven, Sign'd by the Sieur *Meſnager*, implies, that the Duke of *Anjou* ſhall continue on the Throne of *Spain*, you are to inſiſt that thoſe Articles, as far as they extend, are indeed binding to *France*; but that they lay neither Us, nor Our Allies under any poſitive Obligation; that they were receiv'd only as Inducements for Opening of Conferences; and that an Agreement to take Meaſures for preventing the Crowns of *France* and *Spain* from being ever United upon One Head, cannot be conſtrued by any means to imply, that the latter ſhould remain to the preſent Poſſeſſion, ſince by the Sixth Article of the Preliminaries made in 1709, this very Point was inſiſted upon, although in the ſame Preliminaries it was agreed, That the Duke of *Anjou* ſhould Abandon the Throne of *Spain*. In treating therefore upon this Head, You are to conſider, and Settle, in conjunction with Our Allies, the moſt effectual Meaſures for preventing the Crowns of *France* and *Spain* from being ever United upon One Head, and the Conditions which ſhall be agreed as neceſſary to this Effect, you are peremptorily to inſiſt upon.

Whether the great Article of the *Spaniſh* Monarchy ſhall be in the firſt place Adjuſted, or whether it ſhall be thought expedient to defer the Conſideration thereof; you are, in behalf of Our Allies, to demand of *France* the following Terms, with ſuch Extentions and Alterations, as the ſeveral Parties concern'd may be deſirous of, and as ſhall appear juſt and reaſonable. And for your better Information and Guidance, as well in reſpect to theſe Articles, as to others, the ſeveral Memorials and Repreſentations which We have receiv'd from divers Princes and States, concerning their Intereſts in the Treaty of Peace, are herewith deliver'd to you.

In the firſt place, with reſpect to the Intereſts of Our good Brother the Emperor, and of the Empire, you are to inſiſt, That the Town and Citadel of *Strasbourg* be reſtor'd to them in the ſame Condition they are at preſent, together with the Fort of *Kehl*, and the Dependencies thereof, Scituated on both ſides of the *Rhine*, without the Repayment of any Demand of Charges under any Pretext whatſoever, with One hundred Pieces of Braſs Cannon, of different Sizes, and Ammunition in proportion. That the ſaid Town of *Strasbourg* be likewiſe reſtor'd to the Rank, Prerogatives, and Privileges of an Imperial City; and do Enjoy the ſame in ſuch manner as they were Enjoy'd before it was brought under the Dominion of his moſt Chriſtian Majeſty, both in Eccleſiaſtical and Civil Rights; and you are to demand, that the ſaid Town and Forts be effectually Evacuated in ſuch time and ſuch manner, as ſhall be Agreed upon by you in Concert with Our Allies.

You are further to inſiſt, That the Town of *Briſac*, with its Territory, be Reſtor'd to his Imperial Majeſty, and the Houſe of *Auſtria*, with all the Cannon, Artillery, and Ammunition that are therein, to be Held and Enjoy'd by his ſaid Imperial Majeſty in ſuch manner as he ought to have Held and Enjoy'd the ſame, purſuant to the Treaty of *Ryſwick*.

You are to endeavour to procure, that his moſt Chriſtian Majeſty may hereafter have the Poſſeſſion of *Alſatia*, in ſuch wiſe only as appears to be according to the Literal Senſe of the Treaty of *Weſtphalia*, and by Virtue thereof, that he be contented with the Right of Prefecture over the Ten Imperial Cities, lying in the ſaid County of *Alſatia*, without extending the ſaid Right to the Prejudice of the Prerogatives, Rights, and Privileges which belong to them, as to other Free Cities of the Empire; but that his ſaid moſt Chriſtian Majeſty may enjoy the aforeſaid Right, together with the Prerogatives, Revenues and Demains, in like manner as he ought to have enjoy'd them at the time of the Concluſion of the Treaty abovemention'd.

You are to demand, That the Fortifications of the ſaid Ten Towns be put in the ſame Condition they were in at the time aforeſaid, except the Town of *Landau*; the Poſſeſſion and Propriety whereof you are to procure to the Emperor and the Empire, with Liberty to Demoliſh the Fortifications of that Place, if they ſhall think fit.

You are likewiſe to inſiſt, That his moſt Chriſtian Majeſty, in purſuance of the ſaid Treaty of *Weſtphalia*, do cauſe to be Demoliſhed in ſuch time as ſhall be agreed on, and at his own Expence, the Fortreſſes, which he has at preſent

ſent on the *Rhine*, from *Baſle* to *Philipsburg*, namely, *Hummingen*, New *Briſac*, and Fort *Louis*, with the Works belonging to the ſaid Fort, on both Sides the *Rhine*, without ever Rebuilding the ſame.

You are further to demand, That the Town and Fortreſs of *Rhinfelt*, with its Dependencies, be put into the Hands of Our good Couſin the Landgrave of *Heſſe Caſtle*, until that Matter be otherwiſe Settled.

The Clauſe inſerted in the Fourth Article of the Treaty of *Ryſwick*, relating to Religion, being contrary to the Honour of the Treaty of *Weſtphalia*; you are accordingly to inſiſt, That the ſame be Revoked and Annulled, and that the State of Religion in *Germany* be Reſtored to the Tenour of the Treaty of *Weſtphalia* aforeſaid.

You are likewiſe to inſiſt, That his moſt Chriſtian Majeſty do acknowledge our good Brother the King of *Pruſſia* in that Quality; and that he do promiſe not to give to his ſaid *Pruſſian* Majeſty, any Diſturbance in the Poſſeſſion of the Principality of *Neufchatel*, and of the County of *Valengin*; and that he do reſtore the Principality of *Orange*, to thoſe to whom it ſhall appear by Law to Appertain, and ſuch other Eſtates as did belong to our late dear Brother King *William* the Third, which are now in the hands of *France*.

You are alſo to demand the acknowledging of the Electorate, which has been Erected in favour of the Duke of *Hanover*, now Elector of *Brunſwick* and *Lunenburg*.

And if any difficulty ſhall ariſe, concerning the time of acknowledging his *Pruſſian* Majeſty, and the Elector of *Hanover*, the Miniſters of *France* inſiſting not to do it until the Peace be Sign'd; and the Miniſters of theſe Princes, inſiſting to be received as the Miniſter of a Crowned Head, and of an Elector, at the Firſt Opening of the Congreſs, you are in ſuch Caſe, to endeavour by ſome Expedient to Reconcile the Diſpute. You may in the Firſt Place, Propoſe, that the Several Miniſters ſhould Confer, and Treat together, without Exchanging, or Producing their full Powers, until they come to Conclude and Sign; you may in the next Place offer, that the full Powers of the *Pruſſian*, and *Hanover* Miniſters be accepted with a Declaration, that this ſhall be of no Conſequence, unleſs the General Peace enſue. Thirdly, you may Endeavour to Terminate the Difference, by Preſſing to have the full Powers of all the Miniſters put into the Hands of ſuch Plenipotentiaries, as ſhall be Agreed upon by the Parties preſent.

As to Our good Brother the King of *Portugal*, you are to inſiſt that he have and enjoy all the Benefits and Advantages granted to him by the Treaties made between Us, Our Allies, and his ſaid Majeſty.

As to what relates to the Particular Intereſts of our good Friends, and Allies the States General, you are to Inſiſt, that the moſt Chriſtian King do Yield towards Forming a ſufficient Barrier to them, *Furnes*, *Fort Knock*, *Menin*, *Ipres*, *Liſle*, *Tournay*, *Conde*, *Valenciennes*, and *Maubeuge*, as likewiſe *Douay*, *Bethune*, *Aire*, *St. Venants*, and *Bouchain*, with their ſeveral Dependencies, and the Cannon, and Artillery, and Ammunition now being in ſuch of the aboveſaid Towns as are ſtill in the Hands of the *French*, to be Garriſoned in ſuch manner as is or ſhall be Agreed on between Us, and the ſaid States General, or others Concerned. You are further to Inſiſt on that Head, that his moſt Chriſtian Majeſty, do reſtore all the Towns, Forts, and Places belonging to *Spain*, which he at preſent Poſſeſſes, or has been in Poſſeſſion of, during the Courſe of this War in the *Spaniſh Low Countries*, together with the Cannon, Artillery, and Ammunition, now being and remaining therein, to the End, that ſuch Part of them that have been, or ſhall be thought Fit, may alſo be Allotted for a Barrier to the States General.

You are to uſe your utmoſt Endeavours, that the Tariff of 1664, be granted by *France* to the ſaid States General, with the Suppreſſion of all other Tariffs made ſince that time; Revoking and Annulling all Edicts, Declarations, and Decrees contrary thereunto; that the Advantages of the Treaty of *Ryſwick* be likewiſe given to the States; and that the Exemption of Fifty Pence *per* Tun be allowed to all *Dutch* Veſſels, Trading to the Ports of *France*.

You

You are however to take eſpecial Care not to ſuffer theſe Articles in favour of the States-General to be concluded, until the Treaty of Succeſſion and Barrier be ſo explained, as to remove thoſe apprehenſions which We have as to the Conſequence of it in ſome Points, concerning which you are already Inſtructed, and ſhall hereafter be more fully inform'd of Our Pleaſure.

As to Our good Brother the Duke of *Savoy*, you are to Demand that he be put again into Poſſeſſion of the Dutchy of *Savoy*, County of *Nice*, and all his Hereditary Countries and Places yielded to him by the Treaties made with the Emperor and others of the Allies; And that His Moſt Chriſtian Majeſty do likewiſe yield to the ſaid Duke of *Savoy*, the Towns of *Exilles*, *Feneſtrelles*, and *Chaumont*, together with the Valley of *Pragelas*, and all the Tract of Land lying between *Piedmont* and Mount *Genevre*, ſo that the ſaid Mountain may ſerve hereafter as a Barrier between the Kingdom of *France* and the Principality of *Piedmont*.

When the Barrier of Our good Friends and Allies the States-General ſhall be under Conſideration, or at any other time which in the courſe of this Negotiation ſhall to you appear moſt proper, you are to preſs the explaining, extending and ſettling the Sixth Article ſign'd by the Sieur *Meſnager*, which relates to the Demolition of *Dunkirk*.

As to Our own Intereſts, you are to be particularly attentive to them in the whole courſe of this Negotiation, to make uſe of every Accident which may happen, and of every occaſion which the ſeveral Allies may have of Our Aſſiſtance, in order to promote and ſecure the ſame with each of them.

Whereas by the Treaty of Barrier the Commerce of theſe Our Kingdoms to the *Spaniſh Netherlands*, and to ſuch Places as by virtue of the ſaid Treaty accrue to the States-General, is expoſed to be loſt, or at leaſt to become precarious; And whereas the Sieur *Buys* their Envoy extraordinary to Us, has himſelf acknowledg'd the reaſonableneſs of Our Apprehenſions, and the Juſtice there is that We ſhould be ſecur'd againſt any Prejudice which We have reaſon to fear may ariſe to Us from thoſe great Acceſſions which they have, at the expence of the Blood and Treaſure of Our Subjects, acquir'd:

You are therefore at the ſame time as you uſe your Endeavours with the Enemy, and ſuch of the Allies as may be concerned therein to procure to the States-General the effect of the aforeſaid Treaty, to inſiſt that *Nieuport*, *Dendermonde*, the Caſtle of *Ghent*, and ſuch other Places as may rather appear to be a Barrier againſt Us than againſt *France*, be either not put into the Hands of the *Dutch*, or that ſuch Expedients be found for the doing thereof, as may ſecure the ingreſs and egreſs of Our Subjects in all the *Low-Countries*, as fully and effectually as if the ſaid Barrier had not been granted to the States-General.

The Seventh Article of the Barrier Treaty giving a Power to the States-General, in caſe of an apparent Attack, or of War, to put ſo many Troops as they ſhall judge neceſſary into all the Towns, Places and Forts of the *Low-Countries*, you are to endeavour to have this Article ſo explain'd, as to be underſtood for the future only of an Attack from, or of a War with *France*, ſince nothing can be more unreaſonable, than to leave it in the Power of the States-General to make uſe of the Ten Provinces againſt thoſe to whom the Sovereignty of theſe Provinces may belong, or againſt the *Britiſh* Nation.

It muſt be your further Care, that a ſpecial Proviſion be made that Our Subjects may not ſuffer in their Commerce by any omiſſion in the Fifteenth Article of the ſaid Barrier Treaty, and that it be expreſly ſtipulated that the Subjects of theſe Our Kingdoms ſhall Trade as free, with the ſame Advantages and Privileges, and under the ſame Impoſitions and no other, as they us'd to do when thoſe Places were in the Hands of *France* or *Spain*, or as the Subjects of the States-General themſelves have done, or ſhall at any time hereafter do.

Purſuant to what is beforementioned you are to make theſe Inſtances, and ſuch others as ſhall be hereafter directed upon theſe Heads, wherein the Intereſts of Our Kingdoms, and of the Dominions of the States-General may interfere, at ſuch time and in ſuch manner, that Our Satisfaction may go Hand in Hand with the Settlement of their Barrier.

You

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You are to insist that the Most Christian King do not only in the plainest and strongest Terms, acknowledge the Succession to the Crown of these Our Kingdoms, as the same is limited by Law to the House of *Hanover*, but also the Person pretending a Right thereunto shall be immediately oblig'd to retire out of the Dominions of *France*, and that His Most Christian Majesty shall further Promise and Engage for himself, His Heirs and Successors, never to acknowledge any Person to be King or Queen of these Realms besides Ourself, and such as shall succeed to Us by virtue of the Acts of Settlement now in force.

You are to Demand that a Treaty of Commerce may be as soon as possible commenc'd between Us and *France*; and that in the mean time such Points may be settled as shall appear necessary to prevent the Doubts and Difficulties which may otherwise arise in the future Negotiation of this Matter.

The joint Possession of the Island of St. *Christopher* having been the occasion of frequent Disputes between Our Subjects and those of the Most Christian King, as well as of the effusion of much Blood, you are to demand and insist, that the Right to and Possession of the said Island do for the future remain to Us, and that the Most Christian King do Renounce all Right, Title, Claim or Interest which he or any of his Subjects may have or pretend to have to or in the said Island, or any part thereof.

As to our Interests in the North Parts of *America*, you are to be particularly careful, and to Demand in the first place the Restitution of the Bay and Streights of *Hudson*, together with such further Security for the Trade, and recompence for the Losses of this Company, as you shall be able to obtain.

You are in the next place to insist, that *Placentia* and the whole Island of *Newfoundland* be yielded to Us by the *French*.

Thirdly, You are to Demand that His Most Christian Majesty shall quit all Claim or Title by Virtue of any former Treaty or otherwise, to the Country call'd *Nova Scotia*, and expresly to *Port-Royal*, otherwise *Anapolis Royal*, which is now in our Possession.

You are, in the fourth place, to endeavour in the best manner you possibly can, to describe and fix the Bounds of the *British* and *French* Settlements in these Parts.

Besides those Advantages and Privileges which by virtue of any former Treaty or Agreement Our Subjects are entitled to in any part of the Dominions of the *Spanish* Monarchy, you are to insist in the future Treaty upon the following Articles.

First, That *Gibraltar* and *Port-Mahon*, with the Island of *Minorca*, be for the future annex'd to the Crown of these Realms.

Secondly, That the Contract call'd the *Assiento* for furnishing Slaves to the *Spanish West-Indies* be made for the Term of Thirty Years, with such of Our Subjects as shall be by Us Nominated and Appointed, who shall enjoy all the Prerogatives, Privileges and Advantages which were yielded to the *French* by a Contract made with them in the Year 1702, or which shall appear necessary and reasonable; particularly you are to insist, that some extent of Ground on the River of *Plate* may be assign'd, upon which Our Subjects may not only refresh their Negroes, but keep them in Security until they shall be dispos'd of to the *Spaniards*.

Thirdly, You are to take care that a general Article be inserted, by virtue whereof all Advantages, Rights and Privileges which have been granted, or which may hereafter be granted by *Spain* to the Subjects of any Nation whatsoever shall be in like manner granted to the Subjects of *Great-Britain*.

Fourthly, In settling the Trade of Our Subjects to the *Spanish* Dominions, you are to endeavour to obtain such Exemptions of Duties upon all Goods and Merchandizes of the Product or Manufacture of these Kingdoms, as shall amount to an advantage of at least 15 *l. per Cent.*

You

You have herewith delivered to you such Proposals and Observations, relating to Our Interests in Commerce, as have been prepared and made by Our Commissioners for Trade and Plantations; together with the Petitions and Representations of Our *Turkey* and *East India* Companies, and of other Our Subjects; of all which, and of such others as shall hereafter be transmitted to you, you are to make the best use you shall be able, for the Relief of Our Subjects, and for the Improvement of Commerce.

And whereas We have directed a State to be prepar'd of such Demands as We may justly make, not only on account of the Expences which We have been at for Our good Friends and Allies the States General, but also on account of those immense Summs which We have furnish'd for the use of Our good Brother the Emperor, you are hereby requir'd, as soon as this State shall be transmitted to you, to insist upon Satisfaction for as much as shall thereby appear to be due to Us.

And whereas we think Ourselves oblig'd on all Occasions to exert Our Zeal in behalf of the Protestant Religion and Interest, We cannot conclude these Our Instructions without directing you to concert with the Ministers of the States General and Our other Protestant Allies, the most proper and effectual Methods for restoring to their Religious and Civil Rights the Protestants of *France*, and particularly for the immediate Relief of such as may at this time be in the Gallies.

Our Will and Pleasure is, in the last place, that you do from time to time observe and follow such further Instructions and Directions as you shall receive from Us or one of Our Principal Secretaries of State, with whom you are constantly to correspond, and give Us, by him, an account of all your Proceedings in these important Affairs, and of all other material Occurrences, which may come to your knowledge, during the Course of this your Employment for Our Service Abroad.

A. R.

N° XIII.

A Specifick Explanation of the Offers of France *for a General Peace, to the Satisfaction of all the Powers interested in the present War. Deliver'd* February *the* 11*th* 1712.

THE King will acknowledge, at the Signing the Peace, the Queen of *Great Britain*, in that Quality, as well as the Succession to that Crown, according to the present Establishment, and in the Manner the most agreeable to Her *Britannick* Majesty.

His Majesty will cause all the Fortifications of *Dunkirk* to be demolished immediately after the Peace, having an Equivalent to his Satisfaction.

The Island of St. *Christophers*, the Bay and Streights of *Hudson* shall be yielded entirely to *Great Britain*, in like manner *Accadie*, with its Fort and Fort Royal, shall be entirely restor'd to His Majesty,

As to *Newfoundland*, the King offers to yield it again to *Great Britain*, reserving to himself only the Fort of *Placentia*, and the Right of Fishing and Drying of *Cod-Fish*, as before the War.

He will agree to make a Treaty of Commerce before or after the Peace, at the choice of *England*, of which the Conditions between the two Nations shall be made as equal as possible.

The King will consent, at the Signing the Peace, that the *Spanish Low-Countries* yielded to the Elector of *Bavaria* by the King of *Spain*, shall serve as a Barrier to the united Provinces; and to enlarge it, he will add thereto *Furnes* and its District, *Knocke*, *Ipres* and its District, *Menin* and its District. In exchange

His

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His Majesty demands, for forming the Barrier of *France*, *Aire*, *St. Venant*, *Douay*, *Bouchain* and their Dependencies.

If the States General will keep Garisons in the strong Places of the Barrier thus formed from the Countries yielded to His Electoral Highness, and from what *France* shall add thereto, His Majesty consents that they may put therein their Troops in as great Number as they please; and further, that they be maintained at the Charge of the Country.

For this Cession and Consent, the King on his part demands, for the Equivalent of the Demolition of *Dunkirk*, the Cities and Citadels of *Lille* and *Tournay*, with their Chastellenies and Dependencies.

The Barrier thus regulated between *France* and the States General, the King will agree to augment the Commerce of their Subjects, which is stipulated by the Treaty of *Ryswick* and the advantageous Tariff of 1664, excepting only six sorts of Merchandize, of which it shall be agreed, and which shall remain charged with the same Duties as they now pay, together with the exemption of fifty Sols *per* Tun, upon the *Dutch* Ships coming into *France* from the United Provinces, and from foreign Countries.

As to the Commerce of *Spain* and the *Indies*, the King will promise, not only to the States General, but also to *Great Britain* and to all the other Powers, by virtue of an Authority which he has for that purpose, that the Commerce shall be made exactly and entirely after the same manner that it was made under the Reign and until the Death of *Charles* the Second, and will promise, that the *French* shall be subject, as well as all other Nations, to the ancient Laws and Rules made by the Kings, Predecessors of His Catholick Majesty, in relation to the Commerce and Navigation of the *Spanish Indies*.

His Majesty further consents, that all the Powers of *Europe* shall enter into a Guaranty of this Promise.

His Majesty promises, that the King his Grandson shall renounce, for the good of the Peace, all his Pretension to the Kingdoms of *Naples* and *Sardinia*, as well as to the Dutchy of *Milan*, which he will consent in the same Name, that the part yielded to the Duke of *Savoy* do remain to His Royal Highness; provided that for this Cession the House of *Austria* shall likewise desist from all Pretension upon the other parts of the Monarchy of *Spain*, from whence it shall draw its Troops immediately after the Peace.

The Frontiers of both sides upon the *Rhine*, shall be put in the same State as they were before the present War.

For all these Conditions abovementioned, the King demands, that the Electors of *Cologn* and *Bavaria* be Re-established in the full and entire Possession of their Estates, Dignities, Prerogatives, Goods movable and immovable, which they enjoyed before the present War; and His Majesty will reciprocally acknowledge in *Germany* and in *Prussia*, all the Titles which to this time he has not acknowledged.

The King shall restore to the Duke of *Savoy* what he hath taken from him during his War; in like manner His Royal Highness shall restore to him what he hath taken from *France*, so that the Bounds on both sides shall be the same as they were before the Declaration of War.

All things in *Portugal* shall be re-established and remain upon the same foot in *Europe* as they were before the present War, as well in regard to *France* as *Spain*: And as to the Dominions which are in *America*, if there be any difference to regulate, Endeavours will be used to agree it amicably.

The King will voluntarily and *bonâ fide* consent, to concert with the Allies the most just Measures whatever to hinder the Crowns of *France* and *Spain* from being ever reunited upon one and the same Head; that is to say, that one Prince be at the same time King of both.

All the precedent Treaties, that is to say, those of *Munster* and the following ones shall be Ratified and Confirmed, to remain in their Force and Vigour, excepting only those Articles from which the Treaty of Peace now to be made, shall have derogated or changed any thing.

Huxelles.

N° XIV.

Lords Plenipotentiaries to Mr. Secretary St. John, 6 March 1712.

Extract.

THE Conference in order to communicate our several Demands, was held Yesterday; and all produc'd theirs, except the Imperial Ministers, who having but then receiv'd their Courier from *Vienna*, desir'd time to prepare theirs. At this latter Meeting Count *Sinzendorff* insisted with great Earnestness that each Ally should in their several Demands, make express mention of, and insist upon the Restitution of the whole Monarchy of *Spain*, that having been the great Object of the War; the Minister of *Portugal* join'd in this Requisition: After a long Silence Count *Sinzendorff* press'd Us and the *Dutch* to explain Ourselves: We said, Her Majesty had thought it most proper each Ally should make their own Demands, and a general Clause to support each other in obtaining a just and reasonable Satisfaction was sufficient, especially since the Words, *en Conformité de Ses Alliances*, were in it: This We remain'd by.

The *Dutch* being again press'd in like manner, retir'd; and, after a long Debate among themselves, being return'd, spoke to the same Purpose: We had done, adding that *Spain* and the *Indies* ought to be demanded by those it immediately concern'd; and Mr. *Buys* reason'd very much at large, that the Method We had put things in, could not suffer it to be otherwise. Count *Sinzendorff* and his Collegue parted with great Discontent, the former saying with much Concern, This would be a fatal Day for the Grand Alliance, *&c.* Here We thought this Dispute had ended, but this Morning the *Dutch* Plenipotentiaries desir'd We would come to the Town-House a little before the time of Meeting; those of *France* being come, they press'd Us with the necessity of giving Count *Sinzendorff* some Content, and at last declar'd they were resolv'd to do it: accordingly coming into the Room where the Allies Ministers meet, they said, That since they perceiv'd the Arguments they us'd last Night had not given Content, they had now thought fit to go further, and accordingly declar'd the States General were resolv'd to make good all their Treaties made on occasion of this War, as well those that related to *Spain* and the *Indies*, as those made with *Portugal*, *Prussia*, *Savoy* and others.

Upon this We immediately went to the Conference with the *French*, to deliver Our several Demands; while We were there We considered the disadvantageous Consequences of being the only Ministers that did not make any mention at all of *Spain* and the *Indies*, even at Our Conferences among Ourselves, and thought it might be proper to say something to take off that Odium; wherefore, being return'd to the Apartment of the Allies, Lord Privy Seal said, We are unwilling to speak more than We had done, till after We had given in Our Demands to *France*, because We could not see but the mentioning any one specially in Our Demands, would naturally have drawn on the mention of more; but at present, to give the Satisfaction so earnestly desired, We own'd, that as Her Majesty insists for a just and reasonable Satisfaction for all Her Allies in conformity to Her Alliances, those Alliances that may concern *Spain* and the *Indies*, are understood thereby as others that concern the Interests of the rest of the Allies. We humbly hope what was said by Lord Privy Seal on this Occasion will not be found contrary to what has hitherto been declared, and that as it goes no further than to just and reasonable, it does not import any new Obligation.

The

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No XV.

The Answer to the Memorial brought by Monsieur Gaultier, *the 23d of* March 1712.

28 *March* 1712.

Extract,

THE last Article of the Memorial certainly requires much Discussion, and to be maturely examined; the Matter is so important that one ought to depend upon the first Views and Conceptions of it; the more specious they are, the more dangerous it is to be misled by a Perswasion of their being easily executed.

France can never consent to become a Province of *Spain*, and *Spain* will likewise think the same in respect to *France*; it is therefore our Business to take solid Measures to hinder the Union of the two Monarchies; but we should absolutely depart from the End proposed, and should fall into infinite Misfortunes, worse, if it be possible, than what we would unanimously avoid, if we act contrary to the fundamental Laws of the Kingdom.

According to these Laws the most near Prince to the Crown is of necessity the Heir thereto, 'tis an Inheritance that he receives neither from the King his Predecessor, nor from the People, but from the Benefit of the Law: So that when one King dies, the other succeeds him forthwith, without asking the Consent of any Person whatsoever. He succeeds not as Heir, but as the Master of the Kingdom, the Seignory whereof belongs unto him, not by Choice, but by Right of Birth only.

He is not beholden for his Crown, either to the Will of his Predecessor, or to any Edict, nor to any Decree, nor to the Liberality of any Person, but to the Law. This Law is looked upon as the Work of him who hath established all Monarchies, and we are perswaded in *France*, that GOD only can abolish it.

No XVI.

Whitehal, March 23d 1711. *V. S.*

Mr. Secretary St. John *to Monsieur de* Torcy.

SIR,

I Was answering your Letter of the 20th of this Month *N. S.* the Day before Yesterday, when a Courier brought me that of the 28th, with a Memorial of the same Date.

The Queen believes Mr. *Gaultier* will have given you Satisfaction upon the Points contained in the first, and Her Majesty has commanded me, without loss of Time, to communicate to you Her Sentiments, in regard to the Article of the Union of the Two Monarchies, upon which your last Dispatch generally run.

The Facilities which have been receiv'd from hence, for the Conclusion of a General Peace, have been expected from the Queen, or than any other Power could have contributed. The first Motive that Her Majesty had to make all these Steps, has been a firm Trust, founded upon the so often repeated Assurances, on the Part of His Most Christian Majesty, that he would consent to take all the Measures necessary to hinder for ever, that Union of so ill Consequence to all *Europe*.

The Expedient that Mr. *Gaultier* has been instructed to propose, is the only one which seems to the Queen capable of giving the least hope of preventing this Inconveniency; and Her Majesty observes, that the Proposition contain'd in your Memorial, does but confirm and make the Queen and Her Allies Parties to a Plan which has been, and which is now more than ever the Object of their Fears.

It is not necessary that I should enter into the Particulars of the Objections upon which we might insist. You are, Sir, of too clear a Genius not to see them in their whole Extent and Force. The Queen relies too much upon the Equity of

of the King your Master, and the sincere desire he has always shewn for a General Peace, to be capable of imagining, that he will require her to content herself with a Surety of so little Solidity as that proposed in the Memorial; or that she should suffer that the Case might happen, that he that shall be in possession of the Crown of *Spain*, should have the Right to succeed to the Crown of *France*: Who would then assure us that this Prince would not make use of his Power to keep the one, and to acquire the other, rather than shew a Moderation without Example?

We are ready to believe that you are perswaded in *France*, that GOD alone can abolish that Law upon which your Right of Succession is founded; but you will give Us leave to be perswaded in *Great Britain*, that a Prince may depart from his Right by a voluntary Cession, and that he in favour of whom that Renunciation is made, may be justly supported in his Pretensions, by the Powers which become Guaranties of the Treaty.

In short, Sir, the Queen commanded me to tell you, that this Article is of so great Consequence, as well for Herself as for the rest of *Europe*, for this present Age, as for Posterity, that She will never agree to continue the Negociations of Peace, unless the Expedient She has proposed be accepted, or some other equally solid.

I dispatch, however, a Courier to the Lords Plenipotentiaries, to communicate to them the Queen's Orders upon this Subject, and I must tell you they cannot accept of any Plan for a General Peace, as reasonable as it may be in other Respects, if they don't receive Satisfaction upon the means to hinder this Union.

It would be in effect, Building upon the Sand, taking unnecessarily many Precautions to make a Peace, and not have prevented a Danger so great and so probable as this.

We see with a great deal of Satisfaction, that you wish this new Proposition should be look'd on only as a first Thought; let us do what we can on each side, that our second Thoughts may nearer meet, and let us not leave imperfect a Work which hath been so advanc'd, spight of that vigorous and general Opposition.

I am rejoic'd that the King has been pleas'd to recompence the Services of Mr. *Gaultier*, by giving him an Abbey. He will not fail to be useful at *Utrecht*, and what is certain, he will find the Queen's Ministers in the Disposition to shorten the Negociation. I beg you would be perswaded that I am, *&c.*

No XVII.

Mr. Torcy *to Mr.* St. John. *8th* April 1712.

I Receiv'd by the Courier, return'd from *London*, the Letters you honour'd me with of the 23d and 24th of *March*, *O. S.* and observ'd with a great deal of Pleasure in the last, that you thought the Conditions of the Treaty of Peace would be soon adjusted to common Satisfaction, if the means of preventing the Reunion of the Monarchies of *France* and *Spain* could be settled and agreed on.

I believe, Sir, that it cannot be impossible to find out an expedient which all *Europe* is equally concern'd to settle; and since you do not altogether stick at that which Mr. *Gaultier* propos'd to me on your part, I hope second Thoughts upon this Matter may prove more successful than the first. If it is not yet entirely to your Satisfaction, be pleas'd to communicate to me what may be added to it, or rather taken from it. In short, let us labour earnestly and without prevention for the conclusion of a Work of so great Importance as that of the Peace.

As the principal Difficulty which still opposes the conclusion of it, is the trouble to find sufficient Security to prevent the dangerous Reunion of the Monarchies of *France* and *Spain*, the King proposes to consent by the Treaty of Peace, of which all the Powers of *Europe* shall be Guarantees, that if ever the King of *Spain*, *Philip* V. or the Prince his Son, or any of their Children who shall succeed them to the Kingdom of *Spain*, becomes either the next and presumptive Heir, or the Successor of the Crown of *France*, and prefers it to the

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Crown of *Spain*, That of *Spain* shall belong of full Right to the Prince whom they shall fix upon by the same Treaty to possess it; That not only King *Philip* shall Sign and Ratify this Condition of the Treaty, but moreover that all the Powers of *Europe* shall enter into an Engagement with *France* to main ain this Article; so that if the Prince of the House of *France*, that shall Reign in *Spain*, has a mind to assert his Right to the Crown of *France* in the manner I just now observ'd, he shall be oblig'd to Renounce his own Right, and that of his Descendants to the Crown of *Spain*, to Depart from thence and to go to *France* with all his Children, Princes and Princesses.

That if he prefers the Crown of *Spain* to that of *France*, or the Quality of Heir and immediate Successor to the Crown of *France*, he shall be obliged to Renounce in favour of the Line which shall follow nearest his own, and which shall remain in *France*, his own Right and that of his Children to the said Crown of *France*; so that in this case, the Catholick King, or he that should Reign in his stead, should have the Choice as being eldest; but he cannot possess the Two Monarchies together, or inherit that of *France* and leave *Spain* to one of his Children.

If you should ask, Sir, what Precaution must be taken to settle such a Renunciation as I have laid before you, as being contrary to the Order established in *France* for the Succession to the Crown, I answer first, that there is no room to suppose that the King of *Spain* would prefer the Crown of *Spain* to that of his Forefathers, for a thousand Reasons easy to comprehend, and too tedious to lay down.

Secondly, That if he was so ill advis'd to make such a Choice, the securest Precaution would be what you insinuate in one of the Letters you honoured me with, *viz.* a solemn Engagement which all the Powers of *Europe* should enter into by the Treaty of Peace, to maintain a disposition made with the View of preserving the general Liberty and Repose of *Europe*.

Since the Clause of the Will of the late King of *Spain*, *Charles* II. which appoints the Duke of *Berry*, appears rather a new Obstacle to the Peace, than an Expedient capable of preventing the Union of the Two Monarchies, it seems necessary to consent that the King of *Portugal* possess himself of the Crown of *Spain*, as soon as the King of *Spain* should be call'd to the Succession of *France*, and should prefer it to the Crown of *Spain*.

The Marriage of the King of *Portugal* with a Princess of the House of *Austria* would countenance the disposition to be made in favour of this Prince; but if it be not convenient to think of him to be King of *Spain*, they may on the same Foundation choose that Prince who would marry one of the Arch-Duchesses, Daughters of the Emperor *Joseph*.

In short, the Duke of *Savoy* being nominated by the Wills of the late Kings of *Spain*, in default of the House of *Austria*, he may likewise be chosen; but as a King of *Spain*, Master both of *Piedmont* and *Savoy*, would be a dangerous Neighbour to *France*; the King would find himself obliged to demand for a Barrier, not only the Restitution of *Exilles* and *Fenestrelles*, but even the Cession of *Savoy* and the County of *Nice*.

To settle more firmly the Tranquility of *Europe*, it may be agreed upon by the Treaty of Peace, that the Measures taken to prevent the Union of the Two Monarchies be received and confirmed by the Courts, or States of the Kingdoms of *Spain*.

I wish, Sir, this Plan may be agreeable to the Intentions and Sentiments of the Queen of *Great Britain*, and I cannot but hope so, since it is your own Thought to guaranty the Renunciations by the Powers who shall sign the Treaty of Peace; and no better Care can certainly be taken to confirm the validity of these Acts, than to stipulate them by a solemn Treaty, of which all *Europe* is concerned to back the Execution.

The King orders me to acquaint his Plenipotentiaries of what I have the Honour to write to you; and I hope, Sir, that the good Understanding and Correspondence between His Majesty and the Queen of *Great Britain*, will daily encrease in such a manner, that the Enemies to the Peace shall have no room to triumph. You will have the pleasure to silence such as are so; and I desire no less the satisfaction of finding opportunities to assure you how truly I am, *&c.*

De Torcy.

Mr.

Number XVIII.

Mr. St. John *to Monsieur* De Torcy, *April 6.* 1712.

I Answer now the Letter which you did me the Honour to write to me the 8th Instant, N. S. and which I receiv'd by the same Messenger who brought me your former.

Be assur'd, Sir, that we will go on vigorously, and without prevention, in accomplishing the great Work of the Peace, the Conditions whereof will soon be settled to the common Satisfaction, provided we agree on the Means to prevent the Union of the two Monarchies of *France* and *Spain*. You see, Sir, I am still of the same Opinion.

Each of our Allies has his own private Ends; they are not all perhaps limited within the Bounds of Reason; there are several besides, inconsistent one with another. It is not necessary these Points should be so strictly taken notice of; and reciprocal Condescensions will not fail reducing all these Differences to a just and reasonable Medium. But the Article concerning the Union of the two Monarchies, is of that Nature and Importance, that the least false Step in it cannot but prove fatal; and all the Advantages that could possibly be stipulated, would be paid for too dearly, in accepting of an Expedient too weak to obviate so real a Danger.

I must confess, Sir, that second Notions prove better than the first; and that they clear up many Difficulties, at the same time that they dissipate most of our Apprehensions. To avoid all Equivocation, and to prevent the least Misunderstanding on so nice a Subject, you'll give me leave to explain in what Sense her Majesty takes the Words you make use of, and the Scheme you offer by the King's Order. You propose then, that the Prince, who at present reigns in *Spain*, shall not wait, according to your former Plan, till the Crown of *France* falls to him, for to chuse which of the two he likes best; but that as soon as he becomes either immediate Successor of the Crown of *France*, or presumptive Heir, he will be oblig'd to declare his Choice, and you settle the same Rule for his Issue.

Now, Sir, the Queen thinks the Objection which has been made to your former Proposition, may in some measure take place as concerning this: For in either of the two Cases you lay down, how will *Europe* be certain that such a Choice will be made? All the Powers, you'll say, will be Guarantees of that Convention. Such a Guaranty indeed may form a Grand Alliance, to wage War against the Prince who will offer to break the Conditions of the Treaty; but we seek the Means rather to prevent than support new Wars.

Finally, Sir, must not one confess that there appears no Expedient effectually able to secure *Europe* from the Dangers wherewith it is threaten'd, by the Union of the two Monarchies, unless the Prince, who at present is in possession of *Spain*, makes his Choice at this very Instant; and unless, according to that Choice, the Order of the two Successions be settled in the General Treaty of Peace?

Her Majesty remarks with very great Pleasure, that this Plan does not much differ from that which his Most Christian Majesty has caus'd to be communicated to Her. Let us, in the first place, argue, if you please, on the Supposition, that the above-mention'd Prince will chuse the Crown of his Ancestors preferably to that of *Spain*.

There is in nature but one Case alone, that may happen to render our Proposal less advantageous to him than yours.

Pardon me, Sir, if I make two Suppositions, very disagreeable, but necessary for the better understanding the Question we are examining. If the young Dauphin should chance to die, the Prince we are talking of would be immediate Successor of the Crown of *France*; in this Case then he can lose nothing in chusing the Crown of *France* now aforehand.

His Most Christian Majesty (whom God preserve for many Years) happening to die, the same Prince would be presumptive Heir of the Crown of *France*. In this Case how should he be a Loser, in making his Choice as the Queen desires? Can it be said he runs the hazard to quit *Spain*, without gaining *France*? You see, Sir, he would be expos'd to the same Inconveniency by your own Scheme. From all that I have said, the Queen's Opinion is, Sir, that it follows, It will equally be advantageous to the Prince now in question, to chuse the Crown of *France* at present, or to do it in any of the two Circumstances set down in your Letter: and you will be

doubtless

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doubtless convinc'd, that the Security of *Europe* will be establish'd infinitely better one way than the other.

If we argue on the Supposition, that this Prince will chuse the Crown of *Spain*, it is beyond dispute, in the First Place, That it is much better for him and for us, that this Declaration should be made during the Congress at *Utrecht*, than at any other time. Secondly, That the Guarantee of the Powers of *Europe* will be much abler to prevent his Return to *France*, contrary to the formal Renunciation that he shall have made of this Right, than to force him to quit a Crown, whereof he will be in possession, and to depart from a Pretension which he has not renounc'd.

I have, as clearly as possible, laid before your Eyes, Sir, the Queen's Thoughts on the Contents of your last Letter; her Majesty seeks but the common Safety, the Most Christian King has the same Views. In God's Name, to be over-nice in the Negotiation, let us not lose those Benefits which we are ready to reap. Let the King your Master, and the Queen my Mistress, share in the Glory of giving Peace to *Europe*; and let those, who are desirous to break the Conferences by the Events of the Campaign, find their Projects overturn'd, by the speedy Conclusion of the Treaty.

On one hand, his Most Christian Majesty may secure the peaceable Possession of the Crown of *Spain* to his Grandson; on the other hand, he may strengthen the Succession of the Crown of *France*, for ever prevent the Union of the Empire with *Spain*, and procure to his Kingdom very considerable Advantages: on both sides he may set *Europe* free from Apprehensions and Fears, and perfect a Work as glorious as that of a definitive, secure, and lasting Peace.

By the Letters of Messieurs the Plenipotentiaries, dated the 12th instant, N. S. I understand we are to expect, within a few days, the Arrival of Monsieur *Gaultier*, and that he is to bring with him a Plan of the General Peace which was form'd at *Utrecht*. We hope his Most Christian Majesty will explain himself on that Subject, after such a manner, as the Queen may make the necessary Declarations to secure the Success of our Negotiations. I'll tell you, as a Man who most sincerely wishes for Peace, that the Condescensions that may be expected from the Queen, depend on the Resolution which will be taken concerning the Grand Article of the Union of the two Monarchies. I am, *&c.*

Henry St. John.

Number XIX.

Monsieur Torcy *to Mr.* St. John, *April* 26. 1712.

THEY easily agree, Sir, where Intentions are sincere, and Desires equal on both sides to arrive to the same End. I observ'd with a great deal of Satisfaction, by the Letter you honour'd me with of the 6th Instant, O. S. that the Plan I propos'd to you, has clear'd several Difficulties, and dissipated many Objections. I hope likewise, that the Answer you return'd in it, will perfect the Work begun.

According, Sir, to what you writ me, the only Difference there is between the Proposition I made to you by the King's Command, and the Project of the Queen, depends entirely on the Time when the King of *Spain* shall declare the Choice he intends to make, either to maintain his Right to the Crown of *France*, or keep that of *Spain*.

In my Proposition, the making his Choice was refer'd to the Time, when this Prince should become either immediate Successor, or presumptive Heir of the Crown of *France*: and the same Condition was observ'd in respect of his Progeny.

You observe, Sir, that in deferring till then, a Choice so essential to the Tranquillity of *Europe*, it cannot be certain that there will be one made, if ever such an unhappy occasion should happen, that the Guaranty of all the Powers, who shall be concern'd in the Treaty, shall form a sufficient Alliance to declare War to the Prince who should violate the Conditions of the Peace: but the End that ought at present to be propos'd, is, to hinder the renewing of the War, and not to seek Means to support those which should arise upon this occasion.

You then conclude, that to prevent the Reunion of the Monarchies of *France* and *Spain*, it is necessary that the Catholick King should now declare his Choice, without

without waiting the unhappy Event, which we hope will never happen; but that it must, in the mean time, be suppos'd, and Care taken, that this Choice may establish the Order of the Succession, by the Treaty of the General Peace.

Your Observations, Sir, and the Consequences which may be drawn from them, are equally just; the Catholick King must calm the Uneasiness of *Europe*, in declaring at present what Part he will take, if ever the Succession of *France* is open in his Favour. Indeed it will be perhaps some Uneasiness to him, to declare at present to the *Spaniards*, that he would abandon them, and go to *France*, if one of the two Cases, which you suppose, should happen. A Nation, uncertain of the Master she shall have, may prove less faithful to him that actually reigns; but this Inconveniency ought to submit to the General Good. Thus, Sir, the King approving your Proposition, dispatches a Courier to *Spain*, and writes to the King his Grandson, to let him know the necessity of resolving on the Choice he will make, and declare it, to the end it may be inserted in the Treaty of the General Peace, and that it may be made a Condition of it, whereof all *Europe* shall be Guarantee.

I hope, Sir, the King of *Spain* will conform himself to the Council of the King; but if it should happen, what I cannot believe, that he will not submit to it, his Majesty will take all the Measures the Queen of *Great Britain* shall judg proper, to determine of Necessity, and even by Force, the Choice of the King of *Spain*, and to secure to *Europe* the Peace, which at present appears so far advanc'd.

I am confident there will no occasion be given of coming to such an Extremity; but the King is willing I should inform you of his Resolution in this Matter, as being a new Mark of the sincere and true Desire of his Majesty, for the ready Conclusion of a safe and solid Peace. I look upon it at present very much advanc'd, and that the principal Difficulty, which might still render it more acceptable, seems remov'd; but in the mean time, we must expect new Difficulties from those who would willingly break the Conferences. I believe the best way to subvert their Designs, would be for the Queen of *Great Britain* to propose immediately a Suspension of Arms, for they ground their Hopes on the Event of the Campaign. And as I find, by your Letter, that her *Britannick* Majesty is dispos'd to make the necessary Declarations for establishing the Success of the Negotiations, it is my Opinion, that the Proposition of a Suspension might make part of those Declarations.

I have detain'd Mr. *Gaultier* here some days longer than he ought to have staid, in expectation of your Answers, thinking it necessary he should be inform'd of your Sentiments before he sets out for *England*; he will inform you, Sir, of the King's Intentions on the Demands of your Allies. I hope, that as the most difficult Point is now regulated, you will have Respect only to the Justice and Solidity of the Peace; and that the Queen of *Great Britain*, acting by these great Motives, will give the last Marks of the Desire she has to establish with the King a perfect good Correspondence.

I receiv'd, Sir, by the same Courier, the Letter you honour'd me with of the 11th Instant, O. S. I am very sorry for the Indisposition of my Lord Treasurer, and earnestly wish his immediate Recovery. It is very reasonable that those who have had, like you and him, the principal Part in the Management of the Peace, should have the Honour to bring it to perfection. I hope we shall soon see the Success of it, and desire you will believe that, at all times whatsoever, no one shall be with greater Truth than I am, Sir, *&c.*

De Torcy.

Number XX.

Mr. St. John *to Monsieur* De Torcy, *April* 29. 1712.

SIR,

THE Plan you propos'd, in your Letter of the 8th of *April*, appear'd to us to remove many Difficulties, and dissipate divers Causes of Fears; but by reason of having misunderstood the Intentions of the King, and ill explain'd those of the Queen, we now find our selves farther than we had hoped, from agreeing upon the Grand Article of the Peace.

It is very true, that the only Difference there is between the Proposition you made me by the King's Order, in the Sense we comprehended it, and that which I sent

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ſent you by Order of the Queen, relates only to the Time when the Prince in queſtion ſhall make his Choice, either to preſerve his Right to the Crown of *France*, by renouncing that of *Spain*; or to keep that of *Spain*, by renouncing that of *France*. But you do not propoſe therein, Sir, that the Execution ſhall accompany the Choice, which is abſolutely neceſſary to render this Peace definitive.

The Abbot *Gaultier* explains quite otherwiſe the King's Intentions; and I obſerve that you ſay the Prince, who reigns in *Spain*, muſt calm the Inquietude of *Europe*, by declaring now the Part he will take, if the Succeſſion of *France* is ever open'd in his Favour. After this manner our great Work will not be much advanc'd by the laſt Propoſition.

If we had underſtood it according to the Explication that you now give it, you ſee, Sir, that we ſhould have fallen into a very great Abſurdity; ſince in rejecting your Project, we ſhould have drawn up another, againſt which all the Objections we made, and which were found even in *France* juſt and well founded, would have equally taken place. For tho the Prince who reigns in *Spain*, makes his Choice from this time, what greater Security ſhall *Europe* have, if the Execution of this Choice is refer'd to another time? In offering that he ſhall be oblig'd to declare his Choice from this time, you are already agreed that neither the Stipulations of a Treaty, nor the Guarantee of the Powers engag'd in this War, can be capable to ſecure that the Choice ſhall be made; how then can we conclude that they can be capable to ſecure that, when either of the Caſes ſhall happen that we are with Regret oblig'd to foreſee, and to ſuppoſe, he will quit one Crown to hold another, according to the Choice that he ſhall have made, and which ſhall have been inſerted in the Treaty of the General Peace?

The Queen has often declar'd that it would be impoſſible for her to be contented with any Expedient, which was not very ſolid, touching an Article of ſo great Importance as that of the Re-union of the Two Monarchies. To do otherwiſe, would be to loſe the Fruits of all the Blood the Allies have ſpilt in the Courſe of this War; it would be at laſt to betray the Common Cauſe of *Europe*, and to expoſe the preſent Age, as well as thoſe which are to come, to one of the greateſt Dangers that the Imagination can form.

Her Majeſty ſincerely deſires the Peace, She deſires it reaſonable for *France*; but to come to this Iſſue, the Intereſt of *France* muſt not be render'd inconſiſtent with the General Security.

It muſt be done ſo as the time can never happen, in which the ſame Prince ſhall have both the Crown of *Spain* upon his Head, and his Succeſſion open to that of *France*.

If this Prince, of whom we ſpeak, is not contented with *Spain*; or if *France* will not, in paſſing him by, too much weaken their Succeſſion; muſt we for this Reaſon, the Peace being made, take up Arms, and be in a continual Apprehenſion of ſeeing the War renew'd? The Queen can never conſent thereto, and Her Majeſty thinks there is not one of the Allies who will ſubmit to ſo hard a Condition.

To ſhew nevertheleſs that ſhe is ready to contribute all in her Power to ſatisfy his moſt Chriſtian Majeſty, without wounding her Honour, and without ſacrificing her Intereſts and thoſe of her Confederates, the Queen orders me, Sir, to propoſe to you an Expedient, by which King *Philip* may preſerve his Right to the Crown of his Anceſtors, and find a Recompence for *Spain*, which in this caſe he ſhall be oblig'd to abandon.

Her Majeſty therefore propoſes, That this Prince do immediately retire with his Family out of *Spain*; That the Duke of *Savoy* do tranſport himſelf thither at the ſame time with his, and take poſſeſſion of that Monarchy and the *Indies*; That King *Philip* may enjoy the Kingdom of *Sicily*, the Hereditary Countrys of his Royal Highneſs, with the *Montferrat*, *Mantuan*; and in caſe he ſucceeds to the Crown of *France*, That *Sicily* returns under the Obedience of the Houſe of *Auſtria*, but that the other Countrys may remain to him, and be hereafter looked upon as Provinces of *France*. The Queen would deſire that this Propoſition might appear to come from his moſt Chriſtian Majeſty, to be an Effect of his Moderation, and a Sacrifice that he is willing to make, to draw *Europe* out of the Diſorder it is now in, and to re-eſtabliſh the General Tranquillity.

Her Majeſty thinks ſhe has now given all the Facilities in her Power to conclude the Peace, and hath asked nothing but what is neceſſary for accompliſhing that Promiſe which the moſt Chriſtian King made, when he declar'd himſelf ready to take all juſt and reaſonable Meaſures to hinder the Crowns of *France* and *Spain* from being ever re-united upon the Head of one and the ſame Perſon.

The Queen commands me to add, That ſhe hopes the Propoſition I have made by her Order, will be accepted; but however ſhe inſiſts that the Anſwer you ſend me be categorical and final.

The Circumſtances we now find our ſelves in, as well as the Seaſon of the Year, do not admit that we remain any longer in Uncertainty, whether we ſhall have War or Peace.

The Parliament, to whom her Majeſty hath promiſed the Communication of what ſhe would treat on the Subject of Peace, will become impatient, and the Queen cannot excuſe her ſelf from communicating to them the Anſwer ſhe ſhall receive to this Letter. The Armies are in the Field, and the Events of one day's time may entirely change the face of Affairs: how much ſoever diſpoſed the Queen is to facilitate the Negotiation of the Peace, and to ſave the Effuſion of Blood, ſhe cannot however declare for a Suſpenſion of Arms, before ſhe knows the Reſolution of the moſt Chriſtian King upon the Expedient propos'd to prevent the Re-union of the two Monarchies.

If I tell you nothing, Sir, touching the Plan of the General Peace, which the Abbot *Gaultier* alſo brought us, 'tis becauſe the Queen does not look upon the Differences which it contains as too difficult to be adjuſted, provided the Article of the Re-union be once paſſed; and becauſe if we are not happy enough to ſucceed in treating of this Expedient, it would be but a needleſs Trouble to negotiate upon other Points. I am, *&c.*

H. St. John.

Number XXI.

Monſieur de Torcy *to Mr.* St. John, *May* 18. 1712.

SIR,

I Have receiv'd the Letter you did me the favour to write to me of the 10th Inſtant, and am very ſorry to ſee there was ſo great difference, as you tell me, between the Propoſition you made me by order of the Queen, and the Anſwer the King commanded me to make to you: for want of underſtanding one another, we have unhappily loſt a time, of which every moment is precious; and now we muſt have a new Deciſion from the King of *Spain* upon a Plan which had been propoſed to him in a different Senſe to what you underſtood it.

I confeſs, Sir, I ſhould fear that this Explication would produce new Difficultys at the Court of *Madrid*, if the King had not reſolved to ſurmount all the Objections her Majeſty can make upon an Article which is to be the Baſis of the Peace, and likewiſe to ſacrifice the Intereſts of his Houſe for the Re-eſtabliſhment of the publick Tranquillity.

'Tis therefore to remove theſe Difficulties, that the King now makes two Propoſitions to the King his Grandſon: Firſt, To renounce by the Treaty of Peace, for himſelf and his Deſcendants, all his Right to the Crown of *France*, and content himſelf with *Spain* and the *Indies*.

The Second, To preſerve his Right to the Crown of *France*, but at the ſame time to yield *Spain* and the *Indies* to the Duke of *Savoy*, and content himſelf in Exchange with the Countries the Duke of *Savoy* now poſſeſſes; that is to ſay, with the Principality of *Piedmont*, the Dutchies of *Savoy* and *Montferrat*, and County of *Nice*. Laſtly, to keep the Kingdom of *Sicily*, whereof the Catholick King now is Maſter. Provided always that if he ſhould one day come to the Crown of *France*, he ſhould keep only the Countries now belonging to the Duke of *Savoy*, and that in this caſe the Kingdom of *Sicily* ſhall belong to the Houſe of *Auſtria*.

It were to be wiſhed that the King could at preſent know the Intentions of the King his Grandſon, upon one or the other of theſe two Alternatives; but we muſt unavoidably wait for the Return of the Courier that his Majeſty diſpatches to *Madrid*.

He has commanded me nevertheleſs to aſſure you, that the Treaty of Peace ſhall be made upon the Baſis of the one or the other of theſe two Propoſitions; *viz.* Either the King of *Spain* ſhall renounce his Right to the Crown of *France*, to keep

keep only *Spain* and the *Indies*; or that he shall consent to the Exchange of *Spain* and the *Indies* with the Estates of the Duke of *Savoy*, on the Conditions I have now acquainted you with. You are therefore, Sir, to look upon what I write to you by the King's Order, as the final Answer that you desire, and which ought to remove all Uncertainty upon the Peace, or upon the Continuation of the War.

It is probable, Sir, that the Peace would still be more certain, if a Suspension of Arms could be agreed upon on both sides, and might, since at present each side may well expect an happy Conclusion: but it must be left to the Prudence of the Queen to examine what she shall think most agreeable to the general Good, which she desires as much as any Person.

It would be very sad, if any Event should happen during the Campaign to disturb the good Dispositions which are now apparent for establishing the publick Tranquillity. I hope, Sir, you will very soon give the last Hand thereto; and I pray you to believe, that no one can honour you more perfectly, nor be more truly than I am, Sir, *&c.*

De Torcy.

Number XXII.

Memorial from Mr. St. John *to Mr.* de Torcy, *relating to* North America, *Commerce, and the Suspension of Arms,* May 24. 1712. O. S.

TO end all Disputes arisen about *North America*, the Queen proposes:

I.

That his most Christian Majesty should yield to her the Island of *Newfoundland*, with *Placentia*, and all the Fortifications, Artillery, and Ammunitions thereto belonging, the little adjacent Islands, and the nearest the Island of *Newfoundland*; as also *Nova Scotia*, or *Acadie*, according to its antient Limits.

II.

That the Subjects of his most Christian Majesty may continue to fish, and dry their Fish upon that part of *Newfoundland* which is call'd the *Petit Nord*, but on no other part of the said Island.

III.

That his Majesty's Subjects may enjoy, in common with the Queen's, the Island of Cape *Breton*.

IV.

That the Islands in the Gulph of *St. Laurence*, and in the Mouth of the River of that Name, which are at present possessed by the *French*, may remain to his most Christian Majesty; but expressly upon condition that his said Majesty shall engage himself not to raise, or suffer to be raised, any Fortifications in these Islands, or in that of Cape *Breton*. The Queen engages her self likewise not to fortify, or suffer any Fortifications to be rais'd in the adjacent Islands, and those next *Newfoundland*, nor in that of Cape *Breton*.

V.

The Queen insists to have the Cannon and Ammunitions of War, in all the Forts and Places of the Bay and Streights of *Hudson*.

Relating to Commerce.

As some Difficulties are arisen, which hinder our giving the finishing Stroke to the Treaty of Commerce between the two Nations of *Great Britain* and *France*, so soon as could have been wished, by reason of many Prohibitions made, and many excessive Duties established in the said Kingdoms: And as it is necessary for the Subjects of both sides, that the Commerce between the two Nations be open'd, and have its effect as soon as possible; the Queen would have many Propositions to make his most Christian Majesty thereupon. But as these Points would require a longer time to be discuss'd than the present Crisis does permit, the Queen being more inclin'd to confirm the general Tranquillity, than private Advantages, contents her self with making two Demands, which she believes can meet with no difficulty.

I. That

I.

That in case we do not agree upon the Points in dispute, relating to Commerce, Commissaries be named on each side, who shall meet at *London* to examine and regulate the Duties and Impositions that shall be paid in each Kingdom; and that they be adjusted in such a manner, that by it the Commerce between the two Nations be encouraged and enlarged.

II.

That no Privilege or Advantage in regard to the *French* Trade, shall be granted to any foreign Nation, which shall not be granted at the same time to the Queen of *Great Britain*'s Subjects. In like manner, no Privilege or Advantage relating to the Trade of *Great Britain*, shall be granted any foreign Nation, that shall not at the same time be granted to the Subjects of his most Christian Majesty.

Relating to the Suspension of Arms.

The Queen will consent to a Suspension of Arms for the Term of two Months, upon condition,

I.

That in the said Term, the Article which relates to the Reunion of the two Monarchys shall be punctually and entirely executed. That is to say, Either that King *Philip* shall renounce in that Term, for himself and his Descendants, his Rights to the Crown of *France*; and shall consent that his Renunciation be inserted in the Treaty for a future Peace: or that in this Term he shall leave *Spain* with his Family, yielding up that Kingdom and the *Indies* to the Duke of *Savoy*, on the Conditions mention'd in my Letter of the 29th of *April*, O. S. and accepted by that from M. *de Torcy* of the 18th of this Month, N. S.

II.

That the *French* Garison shall go out of the Town, Citadel, and Forts of *Dunkirk*; and that the Queen's Troops shall enter it the day the Suspension of Arms shall begin: and that that Place shall remain in the Queen's hands till the States-General shall have consented to give his most Christian Majesty an Equivalent for the demolishing of it, with which he shall be contented. It being understood, that in this case his most Christian Majesty shall be oblig'd to demolish all the Fortifications of that Place, to fill up the Harbour, and destroy the Sluices, in the manner the Queen's Plenipotentiaries have required.

III.

In case the States-General do consent to a Suspension of Arms at the same time with the Queen, it seems reasonable to grant them the liberty of putting a Garison in *Cambray*, on the Day the said Suspension shall have its effect.

H. St. John.

Number XXIII.

Marly, *June* 10. 1712. *The Answers of the King to the Memorial sent from* London, *June* 5. 1712. N. S.

ARTICLE I.

HIS Majesty consents to yield to the Queen of *Great Britain* the Isle of *Newfoundland*, with the City of *Placentia*, as now fortify'd; but the Artillery and Ammunition with which that Place is provided, shall be taken from thence, and shall not be comprehended in the Cession which shall be made of that Place, and of the Island, for they are not to be esteem'd as belonging either to the one or the other: and to use a common Comparison, one may look upon the Artillery and Ammunition of a Place as Movables of an House, that a private Man carries away with him when he yields that same House by a voluntary Contract.

The Isles adjacent to that of *Newfoundland* were neither demanded nor promised by the Articles sign'd at *London* in the Month of *October* last: As these Articles have serv'd as a Rule in the Beginning and in the Progress of the present Negotiation, the King's Intention is to follow exactly the same Rule, as the most sure one to come to the Conclusion of the Treaty; and his Majesty is persuaded that the Queen of *Great Britain*, faithful to her Word, will not insist upon a new Demand, and which does not appear in the Convention sign'd in the Name of that Princess.

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The King is willing to add to that Convention the Cession of *Acadie* according to its antient Limits, as it is demanded by the Queen of *Great Britain*.

II.

The Articles sign'd at *London* reserve to the Subjects of the King the Power of Fishing and Drying of Cod-Fish upon the Isle of *Newfoundland*. A Disposition made and agreed to, can neither be restrain'd, nor receive any Alterations but those which are reciprocally judg'd to be conformable to the common Advantage.

Upon this Foundation the King offers to leave to *England* the Artillery and Ammunition of *Placentia*, the Isles adjacent to that of *Newfoundland*; to forbid the *French* the Liberty of Fishing or Drying of Cod-Fish upon the Coast of that Isle, likewise upon that part call'd the *Petit-Nord*; to add to these Conditions the Cession of the of Isles *St. Martin* and *St. Bartholomew* adjoining to that of *St. Christopher*: if for this new Offer the Queen of *Great Britain* consents to restore *Acadie*, of which the River of *St. George* shall hereafter make the Boundaries, as the *English* heretofore pretended to it.

It is therefore at the Choice of the Queen of *Great Britain*, either to keep to the Articles sign'd at *London*, or to accept the Exchange that his Majesty proposes. In this last Case his Majesty will endeavour to facilitate all that shall depend on him, to conclude the Affair of the Ransom of the Island of *Nevis* to the satisfaction of *England*.

III.

As the perfect good Understanding that the King proposes to establish between his Subjects and those of the Queen of *Great Britain*, will, if it please God, be one of the principal Advantages of the Peace, we must remove all Propositions capable of disturbing this happy Union: Experience has made it too visible, that it was impossible to preserve it in the Places possess'd in common by the *French* and *English* Nations; so this Reason alone will suffice to hinder his Majesty from consenting to the Proposition of leaving the *English* to possess the Isle of Cape *Breton* in common with the *French*. But there is still a stronger Reason against this Proposition; as 'tis but too often seen that the most amicable Nations many times become Enemies, it is Prudence in the King to reserve to himself the Possession of the only Isle which will hereafter open an Entrance into the River of *St. Laurence*; it would be absolutely shut to the Ships of his Majesty, if the *English*, Masters of *Acadie* and *Newfoundland*, still possess'd the Isle of Cape *Breton* in common with the *French*, and *Canady* would be lost to *France* as soon as the War should be renew'd between the Two Nations, which God forbid; but the most secure means to prevent it, is often to think that it may come to pass.

IV.

It will not be dissembled, but 'tis for the same Reason that the King is willing to reserve to himself the natural and common Liberty as all Sovereigns have, to erect in the Isles of the Gulph, and in the Mouth of the River of *St. Laurence*, as well as in the Isle of Cape *Breton*, such Fortifications as his Majesty shall judge necessary: These Works made only for the Security of the Country can never be of any Detriment to the neighbouring Isles and Provinces.

It is just that the Queen of *Great Britain* should have the same Liberty to erect what Fortifications she shall think necessary, whether in *Acadie*, or in the Isle of *Newfoundland*: and upon this Article the King does not pretend to exact any thing contrary to the Rights which the Propriety and Possession naturally give to that Princess.

V.

The King is willing, thro a particular Consideration of the Queen of *Great Britain*, to leave to her the Cannon and Ammunition which shall be found in the Forts and Places of the Bay and Streights of *Hudson*, notwithstanding the strong Reasons that his Majesty may have to take them from thence, and transport them elsewhere.

Article of Commerce.

As the King sincerely desires that all Cause of Division between his Majesty and the Queen of *Great Britain* should cease as soon as may be, it would be very agreeable to him to see all Disputes relating to Commerce settled at *Utrecht* between his Plenipotentiaries and those of *England*: But if it is impossible to remove the Difficulties about this Matter before the Conclusion of the Peace, rather than to delay it, his Majesty consents to the two Demands made in the Name of that Princess.

I.

To name Commissaries, who shall meet at *London* to examine and regulate the Duties and Impositions to be paid in each Kingdom.

II.

That *France* and *England* do reciprocally engage to give to the Subjects of both Crowns the same Privileges and Advantages, with which any Nation whatsoever shall be favour'd.

Article of a Suspension of Arms.

So short a Term as two Months will still leave, to the Enemies of Peace, Hopes of being able to disturb the Negotiation before the end of the Campaign. The King, persuaded of the good Intentions of the Queen of *Great Britain*, thinks it for the Common Good, to extend this Term to four Months.

I.

It ought to be sufficient to compleat the surmounting all the Difficulties of the Treaty, the principal being already remov'd, by the firm Resolution that the King of *Spain* hath taken, to renounce for himself and his Descendants, the Crown of *France*, and to keep *Spain* and the *Indies*; and this Renunciation shall be inserted in the Treaty of Peace.

II.

After having establish'd the Beginning and the Course of the Negotiation upon a good Faith and mutual Confidence, of which the happy Effects are already felt, we must banish all Distrust, and even the Appearance of Suspicion, when each Party comes, in their Proposal, near the End that both Sides propose to themselves. The King leaves it to the Equity of the Queen of *England* to judge, whether the Demand of putting an *English* Garison into *Dunkirk*, during the Suspension of Arms, has nothing in it disobliging to him, and if the Publick would not look upon it as a Doubting his Majesty's Exactness to satisfy his Promises. He knows that the Queen of *England* is very far from harbouring such a Thought, having receiv'd too many Proofs to the contrary. The King also having for a long time look'd upon the Queen as a Friend, notwithstanding the Continuation of the War, is persuaded that she will desist from such a Demand, not only as being useless, but capable of producing an Effect, contrary to the Intentions of that Princess.

For it is certain the Aim her Majesty has, is only to oblige the *Dutch* readily to give to the King an Equivalent for the Fortifications of *Dunkirk*, which his Majesty promises shall be demolish'd.

We must then overcome their Stubbornness, and let them see, that if they persist, the Damage thereof shall fall upon themselves; but it is not threatning them, to declare to them that the *English* Troops shall keep the City, the Citadel, and the Forts of *Dunkirk*, till the States-General shall have given to the King an Equivalent, wherewith his Majesty shall be satisfy'd. The King alone would suffer by the new Obstacles they will raise against the Peace; and it is by contrary ways that that Republick must be constrain'd to become more flexible.

As 'tis the King's true Intention to press the Demolition of all the Fortifications of *Dunkirk* in general, his Majesty proposes, that immediately after the signing of the Treaty of Peace with the Queen of *Great Britain*, a Body of *English* Troops shall encamp under *Dunkirk*; and that those Troops, the Number whereof shall be fix'd, may jointly work with his, in razing all the Fortifications.

The Condition of filling up the Port, and ruining the Sluices, depends, as the King has explain'd himself, upon the Restitution that his Majesty has demanded of *Tournay* and its District. He renews again the same Engagement. The Ruin of the Sluices will occasion the Ruin of the Country adjacent to *Dunkirk*; Friends and Enemies will equally suffer thereby. The King could wish to save this needless Destruction, which the Queen of *Great Britain* has not perhaps enough consider'd. His Majesty is willing that this be again offer'd to the Queen's Consideration, tho he is resolv'd to do, upon this Article, what shall be most agreeable to that Princess, for the Restitution of *Tournay* and its District.

III.

The Peace is necessary to all *Europe*, the King desires it as a General Good, and his Majesty looks upon the Suspension of Arms as a Means almost necessary to attain it; but he would refuse all Suspension, would break likewise the Negotiation of Peace, if either the Suspension or Peace depended upon the admitting a *Dutch* Garison into *Cambray*, during any Space of Time that may be. He will never consent to a Proposition so contrary to his Honour, to his Interest, and to the Good of his Kingdom. Given at *Marly*, the 10th of *June*, 1712.

De Torcy.

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Number XXIV.

Articles proposed by the Queen of Great Britain *for a Cessation of Arms.*

ARTICLE I.

THE Queen will consent to a Cessation of Arms for the space of two Months, which may be prolong'd to three or four Months.

ART. II.

During the time of this Cessation, Endeavours will be used for concluding the Treaty of the General Peace: at least, the Article relating to the Union of the two Monarchys shall be punctually executed; that is to say, King *Philip* shall renounce, during that space of time, in due form, for himself and his Issue, to the Crown of *France*. This Renunciation shall likewise be accepted by the most Christian King, and ratify'd in the most solemn manner, by the States of the Kingdom of *France*.

The Succession to the said Crown shall be declared and adjudged, after the Dauphin and his Issue, and successively to the other Princes of the House of *Bourbon*, to the absolute Exclusion of King *Philip* and his Issue.

The Duke of *Berry* and the Duke of *Orleans* shall renounce for themselves and their Children, to any Right to the Crown of *Spain*.

The States of this Kingdom shall accept and agree to this Renunciation in a proper manner.

All the Parties before-mention'd shall agree by authentick Acts to acknowledg as Successor to the Crown of *Spain*, after K. *Philip* and his Issue, the Prince that shall be agreed on in the future Treaty of Peace.

ART. III.

The *French* Garison shall march out of the Town and Citadel of *Dunkirk*, and the Forts thereto belonging; and the Queen's Troops shall come into the same from the Day the Cessation of Arms begins: and this Place shall remain in the

His Majesty's Answers.

ARTICLE I.

THE King agrees to the same.

ART. II.

During the time of this Cessation, Endeavours will be used for concluding the Treaty of the General Peace: at least, the Article relating to the Reunion of the two Monarchys shall be punctually executed; that is to say, the King of *Spain* shall renounce, during that space of time, in due form, for himself and his Issue, to the Crown of *France*. This Renunciation shall be accepted by the most Christian King, publish'd, and register'd in all the Parliaments of the Kingdom of *France*, in the most solemn manner. The Letters Patents granted by his most Christian Majesty to the King of *Spain* his Grandson, in the Month of *December*, 1700. for preserving his Rights to the Crown of *France*, notwithstanding his Absence out of the Kingdom, and then register'd in the Parliament of *Paris*, shall be taken out of the Registers of the said Parliament, and with the Consent of that Prince shall be repealed and annulled.

The King agrees to the same.

The King agrees to the same.

The King agrees thereto.

The King agrees thereto.

ART. III.

The King agrees thereto.

the hands of the Queen, until the States-General have agreed to give to his most Christian Majesty such an Equivalent for the Demolition of that Place, as he may be satisfy'd with. Provided, that in this case his most Christian Majesty shall be obliged to demolish all the Fortifications of that Place, to fill up the Port, and destroy the Sluices in such manner as the Queen's Commissioners have desir'd it.

ART. IV.

As the Queen, in her Demands, has no other View than to have some kind of a Pawn for securing the Execution of the Article relating to the Reunion of the two Monarchys; her Majesty does not pretend any way to concern her self with disturbing the Civil Government of the Town of *Dunkirk*: but on the contrary, she orders me to give Assurances on her part, that she will give the necessary Orders, that all things may remain and continue on the same foot they are actually in: That it shall be lawful for the King's Ships, and those of private Persons, to go out and come into Port as often as shall be necessary, without being hinder'd under any pretence whatsoever: And that all the King's Ships, as well as others belonging to private Persons, and all their Effects shall be as much in safety as they are now. Given at *Whitehall* the 6th of *June*, O. S. 1712.

H. St. John.

ART. IV.

As the Queen, in her Demands, has no other View than to have some kind of Pawn for securing the Execution of the Article relating to the Reunion of the two Monarchys; her Majesty does not pretend any way to concern her self with disturbing the Civil Government of the Town of *Dunkirk*: but on the contrary she orders me to promise on her part, that she will give the necessary Orders that all things may remain and continue on the same foot they are actually in: That it shall be lawful for the King's Ships, and those of private Persons, to go out and come into Port as often as shall be necessary, without being hinder'd under any pretence whatsoever: And that all the King's Ships, as well as others belonging to private Persons, and all their Effects, shall be as much in safety as they are now. And that his Majesty's Officers who have the care of the Magazines belonging to the Sea or Land, shall stay in the said Town of *Dunkirk*; where they shall continue to exercise their Callings during the stay of the *English* Troops. Given at *Marli*, the 22d of *June*, 1712.

De Torcy

Number XXV.

A. R.

Instructions for our Right Trusty, and Right entirely Beloved Cousin and Counsellor, James *Duke of* Ormonde, *Captain General and Commander in Chief of our Forces, acting in Conjunction with those of our Allies in the* Low-Countries.

YOU are with all possible Diligence to repair to the *Hague*, and to acquaint the Pensionary, That, having appointed you to command our Army in the *Netherlands*, we have given you Orders to see him before you go to put your self at the Head of the Troops. You are to express to him the Resolution we are in of pressing the War with all possible Vigour, until the Enemy shall agree to such Terms of Peace, as may be safe and honourable for us, and for our Allies.

You are farther to say to this Minister, That you are prepar'd to live in a perfect good Correspondence with all the Generals of the Allies, and particularly with those of the *States*; and that you hope, you shall find the same Inclination on their part, to which his (the Pensionary's) good Offices will extremely contribute. You are, after this Introduction, to desire the Pensionary to inform you what Plan has been agreed upon for the Operations of the Campaign.

As soon as you arrive at the Frontier, you are to meet with the Prince *Eugene*, and such others of the Generals as shall be in the Secret, and with them to concert the proper Measures for entring on Action.

You

You are to take the first, and every Opportunity, of reviewing all such Regiments as are paid either in the whole, or in part, by Us, and to certify to Us the Numbers and Condition of the several Regiments of Horse, Foot, and Dragoons.

You are likewise from time to time to correspond with one of our Principal Secretaries of State, and to transmit constant Accounts of your Proceedings, and of all Occurrences which may happen.

Given at our Court at *St. James's*, the Seventh Day of *April* 1712. in the Eleventh Year of our Reign.

A. R.

Number XXVI.

Letter from the States-*Deputies to the Duke of* Ormonde, *June* 4. 1712.

My Lord,

THE States-General, our Masters, have order'd us to represent to you, That it is with the greatest Surprize in the World they have receiv'd from us the News of the Declaration you have made, That you could not undertake any thing before you had receiv'd Letters from *England*, and the Refusal you have made to concur to a Siege, or to a Battel. They have directed us to acquaint you, That it appears to them incomprehensible and unanswerable, that by this means Hold is not taken of the Advantage one has over the Enemy, both with respect to the Quality and Number of the Troops, and with regard to the Situation of the Armies; and that an apparent Opportunity is neglected of obtaining, with the Blessing of God, a great Advantage over the common Enemy: That this Occasion being once miss'd, will perhaps never offer it self any more; whereby the common Cause will suffer a Loss which can never be repair'd.

Their High and Mightinesses cannot in the least comprehend, That the Order sent you can be so general, as to bind you, on so fair an Opportunity as this is, from annoying the Enemy; but that it appears to them, That such Orders must be understood in a good Sense, to temporize a little, in case the common Cause does not thereby suffer a considerable Disadvantage; but not at all to sit idle in a Situation wherein Inaction takes away all hopes from undertaking any thing hereafter, and whereby consequently the Damage becomes irretrievable to the common Cause, since the Army remaining some time without doing any thing, the Forage is consum'd, and the Operations afterwards become not only very difficult, but even impracticable: besides, that time is left thereby to the Enemy to intrench themselves, and to fortify their Country as much as they please.

It is for all these Reasons, my Lord, that our Masters have enjoin'd us to persuade you not to do so great a Wrong and Prejudice to the common Cause of all the High Allies, as it would be, if you should persist not to concur any way to the Operations of the Campaign, as the Reason of War, and the present Situation of the Armies seem to require it. They have directed us to support the aforesaid Reasons, particularly with this, That the Army which you command, does not only consist of the National Troops of the Queen of *Great Britain*, but likewise for the most part of the Troops in the joint Pay of her Majesty and the *States*, over which it is true, that the Command, as first and chief General, belongs to you; but as they are engag'd by both Powers together, to make War, and to act against the Enemy, they cannot be withdrawn from so doing by you alone, without communicating the same to their High and Mightinesses, and without their Approbation, unless one will act contrary to the Treaties, and to the Ends for which they are engag'd. They have likewise order'd us to represent to you, my Lord, that not only the Treaty of the Grand Alliance amongst the High Allies, but also particular Treaties made between the Queen of *Great Britain* and their High and Mightinesses, oblige her Majesty to carry on the War with Vigour; but that the Declaration you have made, That you cannot undertake any thing till further Order, at a time that, with your Communication and Approbation, the Army march'd in sight of the Enemy, and wherein all Circumstances seem'd favourable to undertake something, with probable Hopes of Success: Such a Declaration, we say, cannot be reconcil'd with the said Treaties, nor with the repeated Assurances the Queen of *Great Britain* was pleas'd to give their High and Mightinesses, as well by her Letters, as by the Mouth of the Earl of *Strafford*, her Ambassador Extraordinary; whereby she declar'd, That her Troops should act with as much Vigour as should be requisite for continuing the War.

That

This your self, my Lord, being sent to that end hither, gave their High and Mightinesses the same Assurance of, during your stay at the *Hague*.

And that therefore they order us, to Summon you on the good Faith of Treaties and Alliances, and upon the aforesaid Assurances, to push on the Operations of War, and to annoy the Enemy as much as Possible.

But in Case you persist unhappily in the Design not to Order Her Majesty's Troops to Act Offensively; our Masters Order us to ask you, my Lord, if you would make any difficulty to Employ the said Troops to cover a Siege that might be undertaken: Provided also, you promise Positively to cause them to Act against the Enemy, if they should come to Attempt any thing.

In Case my Lord, of an unexpected Refusal, they have Charg'd us, to Protest in the most Effectual Manner, and in the strongest Terms (as we do Solemnly by this) against the irretrievable Damage the State and their High Allies suffer thereby, and against the prejudice the Common Cause undergoes by such Conduct.

And that they may know how to Proceed, we must ask you Positively, my Lord, wherein your Orders strictly consist not to Act, how far they reach, and how much one may depend upon the Troops of *Great-Britain*.

Finally, We require on their parts that no hindrance be given to the Troops in joint Pay, to Act according to the Reason of War, in pursuance of the Treaties and solemn Engagements.

This, my Lord, our Masters have Order'd us, to represent to you by word of Mouth, and in Writing, that all the World, and even Posterity may see, That their High and Mightinesses, far from being guilty of so great Detriment to the Common Cause, as is the Inaction of this Day, have done all that lay in their Power to prevent the ill Consequences thereof, and that it must belong to others to Answer for the unhappy Events that might arise therefrom. We desire you, my Lord, that you will please to give an Answer in Writing thereupon, as Satisfactory and Speedy, as the Importance of the Affair and the Interest of all the High Allies require it: Written at the Camp at *Avesne de Secq*.

June the 4*th*, 1712.

W. Hooft. *P. F. Vegilin.*
W. V. Haersolte. *Van Claerbergen.*

Whitehall, June the 20*th*, 1712. Mr. *Secretary* St. *John* to Monsieur *de Torcy*.

SIR, N°. 27.

I Received the 14*th* of this Month, *O. S.* by *la Vigne* your Dispatches of 22*d* of the same Month, *N. S.* and I only waited for the Duke of *Ormond*'s Letters to send you my Answer. These Letters are Arriv'd this Morning, and at the same time your Courier put into my Hands that which you did me the Honour to write to me the 27*th* of this Month.

The Particulars which the Duke of *Ormond* gives of what has pass'd, are intirely Conformable to what you observ'd to me; and I have not fail'd reading all the Dispatches to the Queen. Her Majesty, Sir, commands me to tell you, that 'tis with the most sensible Displeasure, she sees that the Enemies to Peace find still the means to retard its Conclusion, in exposing the Negociation (which must lead us to it) to new Difficulties and new Dangers. But as Her Majesty has taken a firm and immoveable Resolution, not to give way in any manner to the Obstacles which shall be raised, and on the contrary, to continue to labour jointly with the King to Re-establish the general Tranquillity, she doubts not but we shall be in a Condition to make abortive this last Effort of those, who would buy their Advantages, or satisfy their particular Resentments, at the cost of prolonging the Miseries of the War. I believe when you shall have read over my Letter, you will be convinc'd of this Truth.

I have this moment been speaking by the Queen's Order to all the Ministers who are now here, whose Princes Troops are in the sole Pay of her Majesty, or in her joint Pay with the States. I have declared to them in the Name of the Queen, that she will look upon the Conduct of their Masters Generals, at this juncture, as a Declaration of those Princes either for or against her. Since nothing need be done to secure a Peace, but to follow the Plan which the Queen has made, or to follow that which the Emperor and the States General have formed to break the Negociations. That her Majesty could not perswade her self, that if they would once more Reflect on it,

 their

their Generals would stick a Moment to obey the Orders of the Duke of *Ormond*. But I declared to them that if they did, her Majesty would furnish no more Pay to the Troops.

I have given them to understand that the Courier which I dispatch this Night to the Army, will carry the Letters which they shall think Proper to write to their General Officers, upon what I just then told them, and that 'twas time they came to a Resolution, since by the same Courier the Duke of *Ormond* would receive the Queen's Orders not only to make the same Declarations; but in Case they should Refuse to obey him, to put these Declarations in Execution.

The Queen, Sir, perswades her self that this proceeding will hardly fail of having its Effect. But she commands me at the same time to Communicate to you the Resolution she has taken in Case some of the Foreign Troops persist to remain with Prince *Eugene*'s Army. In this Case the Duke of *Ormond* will retire with the *English* Forces, and all those that will march off with him, which will not be, I suppose, the least Part, and will declare that the Queen will not Act any more against *France*, nor Pay those that shall. And her Majesty who till now has kept measures with her Allies, driven by them to such Extremity as this, will think herself justified before God and Men, in continuing the Negociations either at *Utrecht* or elsewhere, without troubling herself if they concur with it or not. Thus, Sir, you may Assure your self, and I have Order to promise you in the Name of her Majesty, that if the most Christian King puts the Town, Cittadel, and Forts of *Dunkirk* into the Queen's Hands, notwithstanding all the Foreign Troops or part of them Refuse to obey the Duke of *Ormond*'s Orders, and to retire with him, her Majesty will stick no longer to Conclude her own particular Peace, but leave to the other Powers a sett time to submit to the Conditions of the Plan which shall be agreed on by the Queen and his most Christian Majesty.

See here, Sir, the Peace is in the Hands of the King; if the Duke of *Ormond*'s whole Army consents to the Suspension of Arms, our first Project, on which we are agreed, has its Effect; if they do not Consent, the *English* Troops will draw themselves off from those of the Allies, and the Foreign Troops may address themselves to the States General for their Subsistence, who very far from being able to supply New Charges, are not capable to bear those they have already upon their Hands. In a word, *Great-Britain* retires from the Stage of the War, leaving there none but Powers in a weak Condition to make Head against *France*, and the Peace between these two Kingdoms may be concluded in very few Weeks. These are, Sir, the Proposals which the Queen has commanded me to make you: And she believes that his most Christian Majesty will have his end, as much in the last as in the first Plan. If the King accepts these Propositions, the Queen thinks it Convenient for the Interest of both Nations, to labour incessantly for a general Suspension as well by Sea as Land, between *Great-Britain* and *France*, to follow that which shall be establish'd in the Low-Countries.

I shall wait with Impatience the return of this Courier, for, Sir, I must agree with you that the Moments are precious in a Conjuncture like this. You'll dispatch at the same time, if you please, an Express to the Duke of *Ormond* that he may know what to Depend on, and how to behave himself. If you Signify to him that the King has given Orders to the Officer that Commands in *Dunkirk* to suffer the Troops of the Queen of *Great-Britain* to enter the Place, the Duke of *Ormond* will immediately do what I have been telling you. And in this Case her Majesty will send from hence some Regiments to take Possession of the Place, by which means we shall avoid many Obstacles that might be formed, if this should be done by a Detachment from the Duke of *Ormond*'s Army, as we had design'd it should.

Since I have wrote this Letter, her Majesty has taken a Resolution to send the Earl of *Strafford* directly to the Army, and he will set out to morrow in the Evening, or *Sunday* Morning at farthest.

I am &c.

H. St. John.

Marly, July the 5th, 1712. Monsieur *De Torcy* to Mr. St. *John*.

No. 28.

I Receive by *la Vigne* the Letter you honoured me with of the 20*th June*, *O. S.* and as you impatiently expect his Return, knowing how precious every hour is in the present Conjuncture, the King Commands me not to loose a Moment in sending him back to you. You will not be sorry to see him return'd, since he carries for you his Majesty's General Approbation of the Queen's Demands you explained to me by your last Letter.

You take Notice, Sir, of the Orders her Majesty has given to the Duke of *Ormond*, the Declarations he is to make, and the part he shall take to retire with the *English* Troops and all those that will march with him, if so be the King puts into her Majesty's Hands the City, Cittadel and Forts of *Dunkirk*, when even all the Foreign Troops actually in her Pay (either separately, or jointly with those of the States General) or a part of these Troops separate from the *English* to continue under the Command of Prince *Eugene*. My last Letter, Sir, contained the just Reasons the King had to Expect that all Foreign Troops in *English* Pay should follow the Orders and Motions of the Duke of *Ormond*, as a necessary Condition for the performance of the Promise his Majesty made the Queen of committing *Dunkirk* to her Custody; but as it appears by your Letter that her Britannick Majesty in case of a Refusal on the part of her Allies, will no longer observe Measures with them, that she thinks herself justified before God and Man, not to scruple any longer the Conclusion of a particular Peace, leaving to the other Powers interested in the War, a Term to submit to the Conditions of the Plan she shall agree upon with the King, that this Peace may receive its Conclusion in a very few Weeks, and that *Great-Britain* enjoying a glorious Peace, will leave the whole Weight of the War to such Powers whom Animosity shall engage to Act against *France*, but who at the same time will be in too poor Condition to make Head against her. All these Reasons so fully explained in your Letter, being agreeable to the Sentiments of his Majesty, have determined him to give his Orders for permitting the Queen's Troops to enter into *Dunkirk*. The Messenger charged with these Orders is going to carry them to Marshal *Villars* as at the same time I return *la Vigne* to you; and you may be Certain the Duke of *Ormond* will receive Advice of them to morrow the 6th of this Instant. I hope the Earl of *Strafford* will be with him at that time, and that the Conclusion of a good Peace, at least between *France* and *Great-Britain*, will immediately follow his Arrival at *Utrecht*. I beg leave, Sir, to make my Compliments to you on this Occasion, and do it with the greater Assurance in finding by your Letter that all Difficulties are surmounted.

The King, Sir, very well approves of your Proposition in agreeing immediately upon a general Cessation of all Hostilities between the two Nations, as well by Sea as Land. Those People who have suffer'd so many Years the Burthen and Misfortunes of the War, cannot too soon taste the Sweetness of the Peace. 'Tis my Opinion this Agreement ought to be signed at *Utrecht*, and I Suppose you will send her Majesty's Orders to her Plenipotentiaries, unless you think some other Method may sooner terminate this Affair.

'Tis with greater Satisfaction than ever, that I assure you no one can be with greater Truth, than I am, *&c.*

De Torcy.

The Treaty for a Suspension of Arms between *Great-Britain* and *France*.

No. 29.

ANNE by the Grace of God, Queen of *Great-Britain*, *France*, and *Ireland*, Defender of the Faith, *&c.* To all who shall see these Presents, Greeting. Whereas our Right Trusty, and Well-beloved Cousin, *Henry* Viscount *Bolingbroke*, Lord St. *John*, Baron of *Lidiard Tregoze*, of our Privy Council, and one of our Principal Secretary's of State, by Virtue of the full Power which we have granted him; and *John Baptist Colbert*, Knt. Marquis of

Torcy

Torcy Creissy, Sable, *Bois-Dauphin* and other places, Councellour of our most Dear Brother the most Christian King, Minister and Secretary of State, Commander, Chancellor, and Keeper of the Seals of the Knights of his Order, Post-Master General of *France*, by Virtue also of the full Power given him, have signed a Treaty of Suspension of Arms, the 8th of this instant *August*, *O. S.* 1712, in the following Words.

As there is Reason to expect a happy Success of the Conferences held at *Utrecht*, by the Care of their Britannick and most Christian Majesties, for the re-establishing a general Peace, and as they thought it necessary to prevent all the Events of War which may disturb the present State of the Negociations, their said Majesty's earnestly desiring the Happiness of Christendom, have agreed upon a Suspension of Arms, as the most certain means to Obtain that General Good which they Propose to themselves; and altho' her Britannick Majesty has not hitherto been able to perswade her Allies to enter into the same Sentiments, the Refusal they make to follow them not being a sufficient Reason for hindering his most Christian Majesty, to shew by effectual proofs the desire he has to Re-establish as soon as possible, a perfect Friendship and sincere Correspondence between the Queen of *Great-Britain* and himself, and the Kingdoms, Dominions and Subjects of their Majesties, his said most Christian Majesty after having trusted the *English* Troops with the keeping of the Town, Cittadel and Forts of *Dunkirk* as a Pledge of his sincerity, Consents and Promises, as the Queen of *Great-Britain* Promises also on her part,

1. That there shall be a general Cessation of all Undertakings and military Actions, and generally of all Hostilities between the Armies, Troops, Fleets, Squadrons, and Ships of their Britannick and most Christian Majesties, during the time of four Months, to Commence from the 22d of this instant *August*, to the 22d of *December* next.

2. The same Suspension shall be established between the Garrisons and Troops, which their Majesties have for the Defence and keeping of their Towns in all the places where their Arms are Acting or may Act, whether it be by Land or by Sea, or other Waters, in such a manner as if it should happen, that during the time of the Suspension, the same should be violated by any of the Parties, by the taking of one or several places either by attack, Surprize or private Intelligence in any part of the World whatsoever, that Prisoners should be made, or any other Acts of Hostility committed by some unexpected Accident, such as those which cannot be prevented, contrary to the present Cessation of Arms: This Contravention shall be faithfully made upon either side without Delay or Difficulty, restoring without the least Dissimulation what shall have been taken, and setting at Liberty the Prisoners without asking any thing for their Ransom or for their Expence.

3. To prevent likewise all causes of Complaints and Disputes which might arise upon account of the Ships, Goods or other Effects, which shall be taken at Sea, during the time of the Suspension, it is respectively agreed, that the said Ships, Goods and Effects which shall be taken in the Channel and in the Northern Seas after the space of twelve, Days to reckon from the signing of the said Suspension, shall reciprocally be restored on both Sides. That the time shall be of six Weeks for the Prizes taken from the Channel, the British and Northern Seas to the Cape St. *Vincent*. And likewise of six Weeks from and beyond that Cape to the Line, either in the Ocean or in the Mediterranean.

Finally of six Months beyond the Line, and in all the other parts of the World, without any Exception or other more particular Distinction of time or place.

4. As the same Supension shall be observed between the Kingdoms of *Great-Britain* and *Spain*, her Britannick Majesty Promises, that none of her Men of War, or Merchants Ships, Sloops or other Vessels belonging to her Britannick Majesty or to her Subjects, shall be hereafter employed to Transport or Convoy into *Portugal*, *Catalonia*, or any of the places where they make War at present, any Troops, Horses, Arms, Cloaths, and in general any Provisions and Ammunition.

5. However her Britannick Majesty shall be at liberty to cause Troops, Ammunitions, Provisions and other Necessaries to be transported to the places of *Gibraltar* and Port *Mahon* of which she is actually in Possession, and which she is to keep by the Treaty of Peace to be made; as also to withdraw from *Spain* the *English* Troops, and generally all the Effects belonging to her in that Kingdom, either to Transport them to the Island of *Minorca*, or to bring them into *Great-Britain*, without the said Transports being thought contrary to the Suspension.

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6. The Queen of *Great Britain* may also without violating the Suspension, lend Her Ships to transport into *Portugal*, the Troops of that Nation which are at present in *Catalonia*, and to transport to *Italy* the *German* Troops, which are likewise in the same Province.

7. Immediately after that this present Treaty of Suspension shall have been declared in *Spain*, the King engages himself to have the Blockade of *Gibraltar* raised, and that the *English* Garrison as well as the Merchants who shall be in that place, may freely Live, Act, and Trade with the *Spaniards*.

The Ratifications of the present Treaty shall be exchanged on both sides within the time of a Fortnight or sooner, if possible.

In Testimony whereof, and by Virtue of the Orders and Powers which we underwritten have received from the Queen of *Great Britain* and His most Christian Majesty, our Mistress and Master, have Sign'd these Presents, and have caused the Seals of our Arms to be affixed thereto.

Given at Paris *the* 19*th of* August, 1712.

LS. *Bolingbroke.* LS. *Colbert de Torcy.*

We have seen and considered the Treaty abovewritten, 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, promising and engaging our Royal Word, that we will faithfully and inviolably perform and observe all things contained therein, and that we will never directly or indirectly violate the same; 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 Sign'd with our Royal Hand.

Given in Our Castle at Windsor, *the* 18*th Day of* August, 1712. *In the Eleventh Year of Our Reign.*

ANNE R.

Lords Plenipotentiaries to Lord *Bolingbroke*, *September* 2*d*, 1712.

Nº. 30.

IN our last of the 30th past, We gave your Lordship an Account of the Disposition things were in here to renew the General Conferences, and that the next Day we were to know of the *French* when we were to begin; we have since spoke with them twice, the last time this Morning, but without coming to any Conclusion, they thinking it necessary to return such an answer to our Proposal, as appears to us to be contrary to the Honour of Her Majesty's Speech: The Case is this,

In Her Majesty's Speech it is expressed, That the *Dutch* are to have the entire Barrier as demanded in 1709, except two or three Places at most.

The *French* Ministers insist, that they must have *Lisle*, as an Equivalent for *Dunkirk*, and that the same is not to be understood as one of the three Places mentioned in the Speech, and consequently that they must in all have four of the Places mentioned in the Demands of 1709.

This to us appears to be altogether inconsistent with what Her Majesty has declared, and we accordingly think it contrary to our Duty to bring on a Conference in which such an Explication is to be made.

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The *French* Miniſters on the other Hand have ſhew'd us their Orders, which poſitively require them to inſiſt upon the Reſtitution of *Tournay* as well as *Liſle*, and that they by no means conſent to the Ceſſion of *Maubeuge* or *Condé*.

We have in vain preſſed them to ſpeak at firſt in Terms, as general as our Propoſal is conceived in; they think it neceſſary to be particular and expreſs in that Point above all others, becauſe they ſhall otherwiſe have ty'd themſelves up, and given the *Dutch* an Advantage; the Reſult of a very long Debate was, that we reſolved not to proceed to a Conference 'till this Point be determined, and as the *French* Miniſters profeſs their Orders are ſo plain, that they neither need nor can admit any Explication: We alſo think the matter as plain on our ſide, nor can conceive from whence the Expedient ſhall come.

We humbly hope our Zeal for Her Majeſty's Honour will be graciouſly approved, and that we ſhall be directed what further we are to do in this matter, which we apprehend may be of a deciſive conſequence; for we find thoſe among the *Dutch* who appear to be more cordially diſpoſed to ſuch a Peace, as may Reeſtabliſh a good Harmony between Her Majeſty and the States, which they take to be abſolutely neceſſary for our mutual Preſervation; we find them fully reſolved either to retain *Tournay* and have *Condé* yielded to them, (though we think, if Neceſſity require, they may be perſwaded to let fall the latter,) or to take one of theſe two Courſes; namely, either to come into any Terms that *France* pleaſes, or continue the War at all Hazards; the former may in our Opinion, be more probable than the latter, the points of Commerce being ſo very eaſy to be accommodated, and other Equivalents not ſo very difficult. And if they ſhould by ſuch a motive of Deſpair get the ſtart of us, it may happen to leſſen the conſideration *France* now ſhews for Her Majeſty's Friendſhip.

We had wrote thus far when the *French* Plenipotentiaries deſired to come to us, and being come, acquainted us, that they had juſt receiv'd Orders by a Courier about the Affront done to Monſieur *Meſnager* by Count *Rechteren*, which directed them to deſire us to let the *States General* know, that His moſt Chriſtian Majeſty expects the States ſhall in a publick manner diſavow the ſaid Count, and then remove him from the Congreſs; they added, that this Satisfaction is to precede any further Negotiation.

Lord *Bolingbroke* to the Lords Plenipotentiaries, *September* 10*th*, 1712.

N°. 31.

SINCE I wrote what is above, I have been obliged to defer diſpatching my Letter, which has given me an Opportunity of ſeeing my Lord *Lexington*, who is reſolved to be ſetting out for *Spain* by the end of this Week; ſo that I hope, his Lordſhip will get to *Madrid* in good time to be there at the Aſſembling of the Cortes. Your Lordſhips will, I preſume, think fit to correſpond with him upon all Matters relating to your joint Negociation, and I believe the beſt way will be to have your Correſpondence paſs through the Hands of Mr. *Prior*. I have given his Lordſhip a Copy of the Cypher which was made for the Uſe of the Foreign Miniſters in any Province to write to another. Mr. *Prior* has likewiſe a Copy of the ſame, ſo that your Lordſhips may by that means more conveniently carry on the Correſpondence. I am now to ſpeak to your Lordſhips concerning the diſpute mention'd to be ariſen in yours of the Second of *September*, between your Lordſhips and the Miniſters of *France*; it is certain, that at the time when the Queen communicated from the Throne a General Sketch of the Project of Peace, the *French* would have been glad, having *Liſle* as an equivalent for *Dunkirk*, to have ſav'd *Conde* and *Maubenge*, and to have departed from *Tournay*; this your Lordſhips have Reaſon to be ſenſible of as well as I; and you cannot but obſerve, that in the Plan brought hither by the Abbot *Gaultier*, the King of *France* begs for

for *Tournay*, rather than inſiſts upon it; but amongſt many other ill conſequences, which the unaccountable Obſtinacy of the *Dutch* has produced, and will I fear continue to produce, this is one, that the *French* are encouraged to refuſe what they only endeavoured to ſave. The Plan above-mentioned was underſtood to be nothing more than the *Ultimatum* of the Offers of *France*, and almoſt every Article in it might have been improved and built upon, if the Allies had then unanimouſly resumed the Conferences; but *France* has now gathered Strength by our Diviſions, and is grown Sanguine enough to Re-eſtabliſh the ſame Plan as the *Ultimatum* of Her Conceſſions. I ſay thus much to your Lordſhips, upon a Subject which is trite enough, only to introduce this Propoſition, that the *Dutch* have no Body to blame but themſelves, as I believe your Lordſhips once very juſtly told them, if their Terms of Peace ſhould fall ſhort even of thoſe contained in Her Majeſty's Speech. Her Majeſty, my Lords, is ſenſible of the concern which you expreſs for Her Honour, and will not, you may be ſure, ſuffer Her ſelf to be a Party to any thing which may appear contradictory to what ſhe has once advanced; but there is more in the preſent Caſe, and although perhaps the yielding of *Tournay* might be reconciled to the Terms of Her Speech, yet ſhould the Queen conſent to this Expoſition of it, ſuch conſent would be almoſt a formal Acquieſcence to the Reſtoration of this place to *France*, and this, my Lords, is what Her Majeſty will avoid; ſhe will by no means ſide with *France*, to tye down Her Allies in any Inſtance, and it is with the utmoſt Regret that ſhe ſees them perſevere in a Conduct, which muſt neceſſarily give the Enemy an Advantage over them; on the other hand, the Queen thinks that whilſt they continue to refuſe to come into Her Meaſures, ſhe is under no Obligation of entering very far into Contention for them. I hope, the Solution of this Difficulty will come from *France*, and that when they have ſo many other Quarrels to decide, that Court will go back from a Meaſure, which muſt involve them in a diſpute with the Queen. I had almoſt forgot to ſay, that I have Reaſon to think, that if the *Dutch* were come to ſome Conſiſtency amongſt themſelves, and it was certain what would bring them into the Peace, the *French* would be leſs Stiff on their Score.

Lord *Bolingbroke* to Mr. *Prior*, *September* 10*th*, 1712. O. S.

N°. 32.

I Was equally ſurprized and vexed to find, that by the uncouth way of explaining the Queen's Senſe, you had been led to imagine, that it was intended my Lord *Lexington* ſhould make any Difficulty of Seeing and Complimenting the King of *Spain* as ſuch.

We ſpent above three Hours in penning Minutes yeſterday upon this Head, which was long ago adjuſted. I ſuppoſe the Inſtructions will be at laſt clear, but my Lord *Lexington* having been preſent at the Debate, his underſtanding of the matter will make amends for any dark ambiguous Article which may be in them.

Dartmouth is to communicate the Queen's Orders herein to you, that ſo you may be able to ſatisfy the *French* Miniſters, and they to prepare the *Spaniſh* Miniſters; however, I will venture to tell you in a few Words what I underſtand is to be the meaſure of Lord *Lexington*'s Conduct. As ſoon as he arrives at *Madrid*, he will notify his Arrival to the Secretary of State, he will when he ſees this Miniſter let him know, that the Queen has ſent him thither to Compliment the King in her Name, to be a Witneſs of the ſeveral Renunciations, and other Acts requiſite to compleat the Execution of the Article agreed upon as neceſſary to prevent the Union of the two Monarchies; that after this, he is to proceed to ſettle ſuch matters of Commerce, and other Affairs as are for the mutual Intereſt of both Nations, and ſo take the Character of Ambaſſadour upon him; my Lord will at the ſame time produce his Credentials, and give the Secretary a Copy of them

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if he desires it. In this Conference he will further take Notice of the several Cessions made by the King of *France*, in behalf of his Grandson to the Queen, and will speak of them as Points which he looks upon to be concluded. He will likewise give a Memorial of them in Writing, sign'd by himself, to the Secretary, and expect from him an Assent in the King's Name in Writing also, and Sign'd by the Secretary.

This seems natural, civil, and unexceptionable; but any other Scheme is absurd and inconsistent with all the rest of our Proceedings.

For God sake, Dear *Matt.* hide the Nakedness of thy Country, and give the best turn thy fertile Brain will furnish thee with to the Blunders of thy Country Men, who are not much better Politicians than the *French* are Poets.

I have writ in great haste a prodigious long Letter to Monsieur *de Torcy*, which, I believe, he will shew you; but for fear he should not, I enclose in this an Extract of part of it, which relates to a matter that has given Lord Treasurer and your humble Servant no small Trouble in Cabinet. The Copy of the Plenipotentiaries dispatch of the 2d of *September*, which I likewise send you, will shew you how a dispute now on Foot at *Utrecht* begun; you will observe that their Lordships are very warm in it, and I can assure you we have those who are not a jot cooler.

The Solution of this Difficulty must come from you, it is matter of Management and Appearance, more than of Substance; and the Court of *France* must be less Politick than I think them at any time, and more unreasonable than I think them at this time, not to come into a Temperament upon a matter unnecessarily started. You must begin by making Monsieur *de Torcy* not only to understand, but own he understands the Proposition which I am sure he remembers, I more than once repeated to him when I was in *France*, upon various Occasions, and which I have again stated as clearly as I am able. The Queen can never do any thing, which shall look like a direct Restraint on Her Allies from demanding what they judge necessary; but as long as they act the part, which they now do, she can very justly be Passive and Neuter as to their Interests, and if Her Peace be made before theirs, which she will not delay for them, she can with the same Justice leave them to make their own Bargain. This is Advantage enough for *France*, and such an one, fairly speaking, as a Year ago they would have given more than *Tournay* to have been sure of; they must not therefore press us to go further than this, nor do any thing which may seem contradictory to what the Queen delivered from the Throne. That Speech they have always owned as the Plan they submitted to, and it varies but little from that brought hither by *Gaultier*.

In a word, the use which the *French* will make of the unaccountable Obstinacy of the *Dutch* and other Allies, may in several Respects, and particularly for ought I know in this Instance of *Tournay*, give them an opportunity of saving and gaining more than they could have hoped for, and the Queen may in the present Circumstances contribute passively to this End, but actively she never can in any Circumstances.

I think in my own Opinion, and I believe speak the Queen's upon this Occasion, that it were better the *French* should in the Course of the Treaty declare, that whatever they intended to have given the *Dutch*, when the Queen spoke from the Throne, their Conduct has been such, and the Situation of Affairs so alter'd, that the King is resolved to have *Tournay* restored to him; I say, I believe this were better, than to expect that we should consent to an Exposition of the Queen's Words, by which Her Majesty would yield the Town up.

Let the Conferences begin as soon as they can, I dare say, business will not be very speedily dispatched in them; in the mean time we shall go on to ripen every thing for a Conclusion between Us and *Savoy*, *France*, and *Spain*, and this is the true point of View which the *French* ought to have before their Eyes.

You will be very shortly particularly and fully instructed to settle the Article of *North America*, and those points of Commerce still undetermined; that done, the Ministers may sign at *Utrecht*, as soon as they can hear from Lord *Lexington*.

My Lord *Dartmouth* writes to you concerning a Clamour which our Merchants have raised, as if under pretence of not carrying to *Lisbon* or *Barcelona des Provisions de Guerre ou de Bouche*, they shall be debarred from their usual Traffick of Corn and Fish, which at those Places there are great Demands for in time of Peace as well as in War, and without any consideration of the Armies; the Difficulty as to *Lisbon* seems to be removed by the *Portugueze*,

Portuguese submitting to come into the Suspension of Arms, and he proposes to you an Expedient as to *Barcelona*; but in truth that War must be ended of course now, since the Queen supports it no longer, and the *Dutch* are recalling their Fleet from the Streights. The Duke of *Argyle* is going immediately now away, and the moment he comes to *Minorca* he draws to him every thing belonging to the Queen out of *Catalonia*; the Imperial Troops must in my opinion that moment submit, and compound for Transportation, and when the War is at an End, I think there can be no pretence of quarrelling with us for carrying our Goods to the People of the Countrey.

It is now three a Clock in the Morning, I have been hard at Work all day, and am not yet enough recovered to bear much Fatigue; excuse therefore the confusedness of this Scroll, which is only from *Harry* to *Matt.* and not from the Secretary to the Minister.

Your Credentials of Minister Plenipotentiary will be sent you, together with your full powers by the next Boat, and before Duke *Hamilton* goes I will move to have you removed to *Utrecht*, which there will be a natural handle for, as soon as you shall settle the points of Commerce, and in doing that, have given the last stroke to the finishing the Treaty with *France*.

Make my Compliments to Madam *Teriol*, and let her know that I have, I hope, put her Affair into a way of being finished to her satisfaction. I have spoke very earnestly to *Maffei*, and have used the proper Arguments to Him.

Adieu, My pen is ready to drop out of my Hand, believe that no Man loves you better, or is more faithfully Yours &c.

BOLINGBROKE.

P. S. I had almost forgot to tell you that the Queen is pleased to discharge the Marescal *Tallard*'s Parole, which you may assure him, with my Compliments of and give any signification necessary in form.

N°. 33.

Lord BOLINGBROKE *to Monsieur* de TORCY, *September the* 10th *O. S.*

YOUR Honour and Mine, which are equally dear to me, will be equally preserv'd as long as we keep to that which I have had permission to tell you, concerning the Queens Intentions upon the General Plan of the Peace. You will remember Sir, I represented to you, that the Conduct of Her Majesty in respect to the Interest of Her Allies, was in some measure determined by their behaviour that the violent measures which they have taken to Thwart the Negotiation had the effect of putting the Queen in a condition of making the Peace without waiting for their concurrence, that in this case, Her Majesty wou'd declare to them, that She had Sign'd the Treaty with *France* and *Spain*; and that She would propose to them the Plan brought by the Abbot *Gaultier*, as that upon which they must make the Peace, and that for the future She would have them know, She could act no otherwise than by Her good Offices, as a common Friend to all Parties. You will also remember Sir, that I had the Honour to tell you, that in case the *Dutch* particularly, or the other *Allies* should take care of the part of entring before the conclusion of the Queens Peace, into concert with Her Majesty, we must then keep the more measures with them, the Compassion of the People in *England* would be moved, and the Ministers of the Queen be obliged to make Steps, which in the other case they would absolutely refuse to do.

You see Sir, what I advanc'd in *France* by order of Her Majesty, and what I this day repeat by the same Order, and what you will find punctually performed.

The Plenipotentiaries of the King, seem to require of Us something more, when they insist that the Queens Ministers should propose the holding a Conference which should be open'd by a Proposition, which appears in some measure contrary to what the Queen has said in Her Speech, concerning the Barrier for the States, in the dispute that is arisen between Your Plenipotentiaries and Ours. The Question is

 not

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not to know whether *Tournay* shall be restored to the King or not, for in order to obtain this Place, it is not necessary that you should begin in making this Specifick Declaration.

But the Question is to know whether the Queen should declare formally and from this time that *Tournay* shall be restored to *France*, for that would be declaring a Consent to the Explanation which your Ministers would give to this Article of the Speech. Not to swell a Letter too much, which seems already to become somewhat tedious, I must refer my self to what Mr. *Prior* will have the Honour to tell you upon this Head, and I will content my self with saying, That as it is not difficult to find out an Expedient, I hope we shall avoid every thing that might occasion a Dispute between the Ministers of *Great Britain* and *France*.

The Earl of *Dartmouth* sends twelve Passports for the Ships that are ready to sail for the *West Indies*, which the King of *Spain* desires, and Mr. *Prior* will immediately put them into your Hands.

N° 34.

Offers of France *to* England.	*Demands for* England.	*The King's Answers.*
I. The King promises to consent without Difficulty to all what is contain'd in the 1st, 2d, 3d, 4th and 5th Articles of the Specifick Demands of the Queen of *Great Britain*.		
II. The King will cause all the Fortifications of *Dunkirk* to be demolish'd, as well those of the Town, as of the Citadel, the Rise-banks, and other Ports towards the Sea, in the space of two Months, and those towards the Land in three Months longer, to be reckoned from the day of the Exchange of the Ratifications, the whole at his own Charge, and with Promises not to repair the Whole or any Part.		
III. The King shall yield the Island of St. *Christopher* to *Great Britain*, as likewise *Newfoundland*, on Condition that the Town of *Placentia* shall be demolish'd, that the right of Fishing and drying Cod freely and without Molestation upon the said Island of *Newfoundland*, shall remain to the *French* in the same Places where they used to do it. The little Islands near it, and those nearest to *Newfoundland*, shall	*England* demands, That this Town of *Placentia* shall be yielded to her in the Condition it is in.	His Majesty offers to leave the Fortifications of *Placentia* as they are, when he yields that Place to *England*, to agree to the Demand made of the Guns of *Hudson's Bay*: Moreover, to yield the Islands of St. *Martin* and St. *Bartholomew*, to give up even the right of Fishing and drying Cod upon the Coast of *Newfoundland*, if the *English* will give him back *Acadia*, in consideration of these new Cessions which are

shall also be yielded to *England*, well understood that the Island of *Cape Breton* and others of the Gulph and Mouth of the River of St. *Laurence*, of which *France* is actually in Possession, shall remain to the King.		are proposed as an Equivalent. In this case his Majesty would consent that the River of St. *George* should be the Limit of *Acadia*, as *England* has desired. If the Plenipotentiaries of the Crown do refuse to admit of any Expedient for the Restitution of *Acadia*, the King rather than break off the Negotiation, will agree to their Demands, that is to say, to leave *Placentia* fortified, and restore the Guns of *Hudson's Bay*, well understood that the Offer of yielding of the Islands of St. *Martin*, and of St. *Bartholomew*, and that of desisting from the right of Fishing and drying Cod upon the Coast of *Newfoundland* shall be null, and look'd upon as if they had not been made.
IV. The King will yield the Province of *Acadia* with the Town of *Port Royal*, and its Dependencies to *Great Britain*, as also the streights of *Hudson's Bay*.		
V. The *French* who shall leave the Countries which are yielded above to *Great Britain* in the North Part of *America*, shall have leave to withdraw their Effects from thence: Likewise the King shall have leave to withdraw from thence the Guns and all the stores of War.		
VI. After the Conclusion of the Peace there shall be Commissioners named on both sides, as well for regulating in the space of a Year the limits betwixt *Canada* or *New France* on one side, and *Acadia* and the Lands of *Hudson's Bay* on the other, as likewise to agree amicably of all the Reparations which are just and reasonable, claimed by the one side or the other for the Wrongs received contrary to the right of Peace and War.		
VII. The Limits being once fixed, it shall be forbidden to the Subjects of both Crowns to pass the said Limits to go by Land or by Sea the one to the other, as likewise to disturb the Trade of either Nation amongst themselves, and to disturb the *Indian* Nations who are Allies, or have made their Submission to either Crown.		
VIII. The King will give leave to the House of *Hamilton*, Colonel	That the Duke of *Richmond* may inherit from his Mother.	The Duke of *Richmond* having obtained Letters of Natu-

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Colonel *Charles Douglasse*, and others, to lay before him after the Peace their Rights and particular Pretensions, and will do them Justice.

That the 4th Article of the Treaty of *Riswick* be abolished, and that the King shall not hinder that the Affairs of Religion in the Empire be regulated on the Foot of the Treaty of *Munster*.

Naturalization from the King, shall enjoy, when the Peace shall be concluded, the Priviledge annex'd to the Favour which His Majesty has granted him.

The King is willing in regard to *England*, that this Affair should be regulated with the Empire, His Majesty not intending to derogate from the Treaties of *Westphalia* as to matters of Religion.

IX.

The King promises, in the Name of the King of *Spain* his Grandson, that *Gibraltar* and *Port Mahon* shall remain in the Hands of the *English*.

That there shall be yielded to *England* an extent of Ground, of two Cannon Shot round *Gibraltar*, and all the Island of *Minorca*.

It is with a great deal of Trouble that the King has made the King of *Spain* consent to give *Gibraltar* to the *English*, the Intention of that Prince being, as he has declared himself several times, not to give an Inch of Ground in *Spain*. It will yet be more difficult to obtain from him the least Favour upon a point which is so tender at present, they pressing him to renounce his Rights to the Crown of *France*, and that they will have him look upon *Spain* as the only Patrimony that he can leave to his Posterity.

So that this new demand will certainly be refused, and the Power which His Majesty has received from the Catholick King is directly contrary to this Pretension.

As he has not explain'd himself upon the entire Cession of the Island of *Minorca*, the King is willing to imploy his good Offices to obtain it as a sort of an Equivalent for the Ground which the *English* now ask about *Gibraltar*; and from this time His Majesty promises, that on this Account the whole Island of *Minorca* shall be yielded to them.

X.

After the Peace shall be concluded, the *English* shall have the Treaty for *Negroes*, otherways the Agreement of *Assiento* for *Negroes*, on the same Conditions

That the *French* may not withdraw their Effects belonging to the *Assiento*, but upon *English* or *Spanish* Ships.

The concerned in the Company of the *Assiento* shall be strictly bound to the Terms of their Agreement: of Consequence they cannot Trade directly to the

tions that this Agreement was made by the King of *Spain* to the *French*, so that the Company which shall be established in *England* for this Purpose, shall have the Prerogative to set on Shoar, Sell, and Vent their *Negroes* in all the Places and Ports of *America* upon the North Sea, in that of *Buenos Ayres*, and generally in all the Places and Ports where the Ships of the Company formed in *France* under the Name of the *Assiento*, had leave to enter.

the *Indies* under pretence of withdrawing their Effects, they shall absolutely loose them, if they should be obliged to imploy other Ships to load them than those belonging to their Company.

The Design of the Peace being to procure the Mutual Advantage of the *French* and of the *English*, it would not be just that one of the first Advantages which it should procure for *England*, should be to the prejudice of the *French* Nation. If the *English* will Treat about the Effects of the *French* Company, they will remove by this Expedient the inconvenience they apprehend.

They know in *England* the Demands which were made of the King upon this Head. His Majesty has obtained them with a great deal of Trouble from the King his Grandson, he cannot ask nor suffer in his Name new Additions to what has been already yielded in Favour of the Peace; if the *English* believe they ought to insist to obtain new Advantages, they must Treat directly with the Plenipotentiaries of *Spain*, and to this end let them have immediately the necessary Passports to come to *Utrecht*.

XI.

The said Agreement shall be for the Term of Thirty Years, and there shall be appointed for the *English* Company of the *Assiento* an extent of Ground on the River *Dela Plata*, upon which they may not only refresh their *Negroes*, but keep them safe till they are sold, according to the Conditions which shall be stipulated by the Agreement which is to be made for the *Assiento*, and to hinder that this Licence may not be made an ill use of, the King of *Spain* shall name an Officer to hinder it, to whose inspection the concerned in the said Company, as likewise all those whom they shall imploy, shall be Subject.

That this Ground shall be chose by the *English*, and that the *Spanish* Inspector shall be suppressed.

XII.

All the Advantages, Rights and Priviledges, which are already granted, or may hereafter be granted by *Spain* to the Subjects of *France*, or to any other Nation whatever, shall likewise be allowed to the Subjects of *Great Britain*.

XIII.

His Majesty promises likewise that all the Merchandizes of the growth and fabrick of *Great Britain*, which from the Ports of *Spain*,

Spain, where the Ships for the *Spanish West Indies* shall be cleared, shall be sent to the *Indies*, shall be exempted from all Customs, as well those of going in, or coming out of *Spain*, as those of going into the *Indies*.

XIV.

All the Articles above mentioned shall be extended in the Treaty of Peace, in the most ample Manner, and the most convenient, and there shall be added all the Clauses of the Cessations from Hostilities, and other reciprocal Pledges, according to what has been done in former Treaties, which shall be recited to have their former Force and Vigour, excepting those things which this has derogated from, and this Clause shall be put at the end of each Instrument.

Offers of France *to the Duke of* Savoy.	*Demands for the Duke of* Savoy.	*The King's Answers.*
I. His Right, and his Rank, to the Succession of *Spain* shall be declared and acknowledged conformable to the Will of *Charles* the Second.	It is demanded that this Article be put in these Terms. The Rank of the Duke of *Savoy* to the Succession of *Spain*, shall be reserved to his Royal Highness, according to his Right.	The King is willing on account of *England*, to pass this Article as it is demanded by her, notwithstanding the interest which his Majesty may have, to recite and mention on this occasion the Will of *Charles* the Second.
II. The King shall restore to him *Savoy* and the County of *Nice* with their Dependencies.		
III. The King will moreover yield to him *Exilles* and *Fenestrelles* with the Valley of *Pragelas*.	His Royal Highness asks that besides the Vallies on the other side of *Mount Geneva*, in which are comprehended that of *Chateau Dauphin*, *Fort Barraux*, and the Territory which extends from that Fort to the Frontier of *Savoy*, as it is mentioned in the 4th Article of his Specifick Demands, the Villages on the other side of the *Rhone* on the side of *Savoy*, the right of Garrisoning *Monaca*, and the direct Demesn of *Manton* and of *Roquebrun*.	The King cannot believe that *England* desiring the conclusion of a firm and solid Peace, will give rise to new Wars, in giving the Gates of *France* to the Duke of *Savoy*. He has neither right nor even an apparent pretext for to ask as he does a part of *Dauphiny*, he cannot support upon any just and reasonable Foundation, the pretensions which he makes upon the Estate of a third Person, as is the Prince of *Monaco*; so that his Majesty thinks that he does very much in leaving out of regard to *England*, *Exelles*, *Fenestrelles*, and the Valley of *Pragelas* in the Hands of the Duke of *Savoy*. He had even reason to think from the first Proposals, that they knew in *England* that this Prince ought to content himself with the Restitution of *Savoy*, and of the County of *Nice*, without making a further demand of these two Places, which cannot belong to him by any Title but by that of War, and that they are convenient for him.
IV. The Cessions in the *Milaneze* and others made by the Emperor *Leopold* to his Royal Highness, shall be confirmed.		
V. His Royal Highness may make such Fortifications as he shall think fit in the places acquired by the foregoing Treaties, tho' without derogating from that of *Turin* in 1696.	That he shall have power of fortifying all the places he shall think fit, notwithstanding the Treaty of *Turin*.	The intention of the Duke of *Savoy* is probably to fortifie *Pignerol*; the interest of *France* has not changed since the Treaty made at *Turin*, in 1696, it is not of less importance, than it then was to hinder the Duke of *Savoy* from fortifying that Town: one may even say that the danger would be greater, this Prince acquiring besides, *Exelles* and *Fenestrelles*, and his Strength being increased on the side of *Italy*. *England* becoming a Friend to *France*, ought not to be less concern'd for its quiet, and the Tranquillity of its Provinces, than for the unnecessary Aggrandizing of the Duke of *Savoy*.

VI.

The Trade from *France* into *Piedmont*, and from *Piedmont* into *France*, shall be on the Foot of the Treaty of *Turin*.

VII.

His Royal Highness may have liberty to sell the Barony of *Essarts*, and other Estates and Effects that he may have in *France*.

VIII.

The King consents that his Royal Highness may increase his Dominions in *Italy*, as much as he shall think fit.

Offers of France *for* Prussia.

I.

The King of *Prussia* shall be acknowledg'd by *France*.

II.

The King shall let him peaceably injoy the Sovereignty of *Neufchatel* and *Valengin*, with promise never to disturb him in this possession, nor to give any sort of Assistance to those who would dispute it with him.

III.

The Subjects of the Crown of *Prussia* shall enjoy as to their Trade in *France*, the same advantages which shall be granted to the Subjects of Her Britannick Majesty, and those of the States General; on condition it shall be reciprocal.

IV.

The King shall favour with all his Power the Pretensions of *Prussia* on the Cantoon of *Gelder*, the Town and the Country of *Ercklens*, of which she makes a Demand, on condition that it costs *France* nothing to indemnifie those who would dispute this Possession with *Prussia*.

Demands for Prussia.

That the Counties of *Neufchatel* and *Valengin*, be acknowledged as Members of the Helvetick Body, by the consent of his Majesty.

The King's Answers.

This Novelty does not depend on the Consent of the King, all the Helvetick Body is concerned in this Proposition, it will not be unanimously received by all the Members who compose it; it will be the interest of several to oppose it, and perhaps even all the Protestant Cantons won't be of the same mind.

The Counties of *Neufchatel* and *Valengin* are Allies of the *Swiss*, the King will promise to acknowledge them and treat them on that Foot.

V.

The King will give as far as Twelve hundred thousand Livres, *French* Money, to this Prince, to buy his Right to the Principality of *Orange*.

That it shall be in his Choice, to take the Money which is offered, or the Frontier which he demands in *Franche Comté*. He offers only to leave the King the Castle of *Toux*, in Consideration of an Equivalent. Moreover, that the Lands of the House of *Chalons* shall be adjudged to him, and that all the Edicts and Decrees which have been given against the Protestants of *Orange* shall be revoked.

The King thinks he does much, and that he gives a particular Mark of his Consideration for *England*, to give Twelve hundred thousand Livres to this Prince, under pretence of buying his Rights, which his Majesty knows he cannot make use of lawfully against those who have Pretensions to the Principality of *Orange*.

There is then no Choice betwixt this Offer, and a Pretension so ill grounded as this of the pretended Frontier, which the Ministers of *Prussia* have made a Demand of in *Franche Comté*.

The Sum of Twelve hundred thousand Livres, which is offered to their Master, is a Present which the King is willing to make him, for the good of the Peace, and to colour it only with a pretext of buying his Rights to the Principality of *Orange*; for otherwise the King would have no other Answer to make, than to give Assurances, that he would leave those who have Pretensions to the Principality of *Orange*, the liberty to follow them, before the Tribunals who ought to judge of them.

This Answer is the only one he can make on the Subject of the Lands of the House of *Chalons*, of which not any one has the appearance of Sovereignty, and of consequence no pretence to withdraw themselves from the Jurisdiction of the common Judges.

His Majesty is accountable to no one for the Edicts and Decrees he gives for the Domestick Order of his Kingdom.

VI.

If this Prince accepts the Conditions above-mention'd, the King will give him the Title of Majesty.

VII.

The King consents, and demands himself, that the Thirteen Cantons should be included in the General Peace.

Offers of France *for* Portugal.	*Demands for* Portugal.	*The King's Answers.*
I.		
THE King will turn into a Final Treaty the Provisional Treaty concluded between *France* and *Portugal* in 1700, reserving to himself the Free Navigation of the River of *Amazons*, which is to be in common between the two Nations.	THAT the Advantages which have been promised to him by the House of *Austria*, as well in *Spain* as in the *Indies*, be granted to him, *viz.* The Towns of *Badajoz*, *Alcantara*, *Albuquerque*, and *Valencia* in *Estramadura*; those of *Bayona*, *Vigo*, *Tuy*, and *Guardia* in *Galicia*. That all what is betwixt the River *de la Plata* and the *Braziles* be yielded to him, so that this River may serve for Limits to the two Countries. That King *Philip* the Vth yield to him for a Barrier *Coria*, *Ciudad Rodrigo*, *Puebla de Canabria*, and *Montery*, with their Dependancies. Moreover, that *Spain* pay what is due to the Ancient *Portugal* Company of the *Assiento*; of which *England* and the *States General* are Guarantees. Lastly, That *France* yield to him the Lands of *Cape de Nord* in South *America*, notwithstanding any Provisional or Final Treaty.	IF the King of *Portugal* had conquered *Spain*, or contributed by mighty Armies to bring it under the Obedience of the Archduke, he would not make larger Demands than those contain'd in this Article. The Catholick King will give nothing to the *Portugueze* in *Spain*. It is not probable that He will be more easy as to the Demands they make in the *Indies*. This is an Article to be discuss'd between the Plenipotentiaries of *Spain* and *Portugal*, as also the Accounts which are to be adjusted of what is due to the Ancient *Portugal* Company of the *Assiento*. One must only take notice, That if the Pretensions of the *Portugueze* were listen'd to, the Catholick King would have only the Name of King of *Spain*; but that in reality his Kingdom would be shared with a powerful Enemy; that for to buy an uncertain and dangerous Estate, they will oblige him to renounce his Rights and those of his Posterity to the Monarchy of *France*. The King does a great deal for the *Portugueze*, by his agreeing that the Provisional Treaty concluded at *Lisbon* in 1700, should be turned to a Final Treaty; it is all what his Majesty can grant them; they ask'd for no more when they signed the Treaty of an Offensive Alliance with him and the King of *Spain*.

Offers

Offers of France *for the House of* Austria *and the Empire.*	*Demands of the House of* Austria, *and of the Empire.*	*The King's Answers.*
I.		
THE *Rhine* shall be the Boundary betwixt *France* and the Empire; so that the King will return *Brisac* and Fort *de Kell* in the Condition they are in, will yield *Landau* in the Condition it is in, will demolish all the Forts he is in Possession of on the other side of the *Rhine*, and in the *Rhine*, Fort *Lewis* to be comprehended amongst them, as also that of *la Pile* near *Strasburg*; on Condition, and not otherwise, that the King shall retain all what he is in Possession of on this side of the River, agreeable to the Treaty of *Ryswick*.	THAT *Strasburg* be returned, *Honingen* and new *Brisac* be demolished. That *Alsace* do not remain in the Hands of *France*; but according to the Interpretation which the Empire and the House of *Austria* do give to the literal meaning of the Treaty of *Munster*.	THE King will keep *Strasburgh*, which was yielded to his Majesty, not alone as a Consequence of the Rights which the Cession of the *Alsace* gave him to that Town, but likewise for an Exchange for *Fribourg*, *Brisac*, and of the Right of Garisoning of *Philipsburgh*, which his Majesty acquired by the Treaties of *Westphalia* and *Nimeguen*. The Fortifications of *New Brisac* shall subsist, this Place being necessary for a Barrier for *France*, when she returns *Old Brisac* to the House of *Austria*. There is no other Interpretation to be given to the Treaty of *Munster*, as to the Possession of *Alsace*, than the Meaning which was understood by the Ambassadors and Ministers who Sign'd the Treaties of *Nimiguen* and *Ryswick*.
II.		
The King shall acknowledge the Elector of *Hanover*.		
III.		
The Elector of *Treves* shall be re-instated in the Possession of his Town of *Treves*, and generally in all what belongs to him.	He demands his Re-establishment as Grand Prior of *Castile*, and the Restitution of the Fruits, which he pretends have only been sequestred.	The King promises to obtain from the King of *Spain*, that the Grand Priorship of *Castile* shall be returned to the Elector of *Treves*. As to the Restitution of the Fruits, his Majesty promises his Offices to procure it, not knowing the Custom of *Spain* in such Cases; and this is another Point to be discuss'd with the Plenipotentiaries of that Crown.

IV. The

IV.

The King consents, if the Empire thinks fit, that the Landgrave of *Hesse-Cassel* be put in possession of *Rhinfelt*, *St. Gour*, and *Kalz*, on condition that Matters of Religion are kept on the same Foot they now are.

It is demanded that the Article of Religion be decided by the Empire.

As the Matter relates particularly to the Empire, the King consents it should be referr'd to its Decision.

V.

As to what relates to the House of *Austria* in particular, the King promises, that the King of *Spain* shall yield to them the Kingdoms of *Naples* and *Sardinia*, the four Places in *Tuscany*; and as to the Dutchy of *Milan*, that of it which shall not be yielded to the Duke of *Savoy*.

The *Spanish Netherlands*, excepting the Town and Territory of *Gueldre*, which are to be kept by *Prussia*, as it is explain'd above.

Sicily is demanded for the House of *Austria*.

The King and the King of *Spain* not only engaged to the Elector of *Bavaria* to re-establish him in his Dominions, but also to make him an Amends for the Losses he has sustained during the Course of this present War.

It is on this Account that the Catholick King has yielded to him the *Spanish Netherlands*; if it must be that the Elector must desist from them for the Good of the Peace, the King and the King of *Spain* are obliged to make him some other Amends; the Kingdom of *Sicily* is the only State which *Spain* can give to this Prince, and to satisfie the Engagements entred into with him.

It is the more necessary to stipulate this Condition, being it appears that the Empire oppose his being re-established in his Rank of First Elector; and that it is demanded that the *Upper Palatinate* should be kept by the Elector Palatine, and after him by Prince *Charles* of *Neubourg*, his Brother; not to return to the Elector of *Bavaria* or his Children, but after the Death of these Princes.

VI.

The Whole on Condition that the Electors of *Cologne* and *Bavaria* be reestablished in their Dominions Dignities, Goods, and Moveables, *&c.*

They will not be against the Dutchy of *Bavaria*'s being returned to the Elector of that Name, and that he shall be the ninth and last Elector, on Condition that he shall give up his Pretensions to the *Upper*

Tho' this Condition be prejudicial to the Elector of *Bavaria*, the King is willing to consent to it, allowing the Amends of the Kingdom of *Sicily*, because the Title of King will wipe off what is shocking, in being the

Palatinate, and the Dignity of First Elector, without Hopes of enjoying it, but after the Death of the Elector Palatine, and of Prince *Charles* of *Neubourg*, his Brother.

And as to the Elector of *Cologne*, when he shall be reinstated in his Dominions, it shall be in the choice of the Allies whether they will Garison the Town of *Bonn* or not.

the last Elector, which they will give him instead of the first Place he had in the Electoral College.

His Majesty proposes, that the Fortifications of *Bonn* should be demolish'd, and this Expedient seems more suitable to him, than to put a Garison in that Place, which does not depend on the Elector of *Cologne*.

VII.

A General Pardon shall be granted reciprocally to the Subjects of all the Parts of the *Spanish* Monarchy, who shall have followed different Parties in this War, with Restitution of their Honours and Estates.

Offers of France *for the* States-General.	*Demands for the* States-General.	*The King's Answers.*

I.

THE Catholick *Low-Countries*, except what part the King is to keep, and the Exception above-mentioned of *Gelder*, shall belong in Property to the House of *Austria*.

II.

The Barrier shall be formed out of the *Spanish Netherlands*, as they are now possess'd by the Allies, to which *Luxemburg* shall be added, reserving the Principality of Thirty thousand Crowns *per Ann.* given by the King of *Spain* to Madam the Princess *des Ursini*, *Namur*, *Charleroy*, *Newport*, *Ypres* and its Chatelane, *Furnes* and *Furnambac*, *Knocque*, *Menin* and its District; on Condition that *Lille*, in the state it now is in, with its Dependencies, shall be return'd to *France*, as an Equivalent for the Demolition of *Dunkirk*, and *Tournay* with

Besides the Places offer'd for the Barrier, the Cession of *Tournay*, and the District of *Tournay* is demanded; as likewise *Conde*, the Guns, and Stores of War, which are in the Places which are to be yielded.

Moreover, a Renunciation for ever, for all the Kings, Princes, and Princesses of the Blood-Royal of *France*, to all Rights present or to come, or which possibly may, to all what shall compose the Barrier in whole or in part.

It is refused to agree about the Principality granted or reserved for the Princess *des Ursini*.

The King insists upon the Restitution of *Tournay*, and the District of *Tournay*, as being essential to secure the Barrier which *France* has occasion for on the side of the *Low-Countries*.

This Barrier is the more important, being the Strength of the House of *Austria* becomes formidable, by the re-uniting so many considerable Dominions in the Person of the same Prince. Every thing is to be fear'd from so dangerous a Neighbour, who applies himself more to his Affairs than any of his Predecessors; who glories

the Diſtrict of *Tournay*, *Douay*, *Bethune*, *Aire*, *St. Venant*, and *Bouchain*, in the Condition they are in, with what belongs to them, as likewiſe all the Guns and Stores of War, which ſhall be found in them, in Exchange for the Places which *France* adds to fortifie the Barrier, and thoſe which will be yielded by the Elector of *Bavaria*, who is actually in Poſſeſſion of them.

in following the Steps of *Charles* the Vth. and does not conceal the Deſign he has to aggrandize himſelf. It cannot be doubted neither, but that he will be powerfully aſſiſted by the Republick of *Holland*, Experience having ſhewn, that far from being afraid of the Power of the Houſe of *Auſtria*, this Republick makes its Glory and Safety conſiſt in multiplying the Number of the Dominions of this powerful Houſe.

The ſame Reaſon of Securing the Frontier of his Kingdom, requires that the King ſhould keep the Town of *Condé*; and his Majeſty will not relax any thing upon this Article.

Being he knows all the Conſequences of it, he will be very ſenſible of the Pleaſure which *England* will give him, in contributing that *Tournay* and its Diſtrict may be reſtored, and cauſing all Demands about *Condé* to be laid aſide: And to give real Tokens of it to that Crown, his Majeſty will oblige himſelf, that if *Tournay* and its Diſtrict are return'd to him, that all Demands about *Condé* be laid aſide, and that he keeps that Place by the Peace. In this caſe he will conſent, purely out of Regard to *England*, to fill up the Port of *Dunkirk*; tho' his Majeſty being ſenſible of the Damage that this Article, ſo ſtrenuouſly demanded by the *Engliſh*, will be to him, has always refuſed to agree to it.

He will moreover conſent to demoliſh the Fortifications of Burgh *St. Dinox*, with Fort *François* which belongs to it; and even, if it is neceſſary, to yield this demoliſhed Town to the Prince to whom the *Netherlands* ſhall belong.

He will likewiſe conſent to leave the Cannon and the Stores of War which ſhall be found in the Places he will yield, on Condition that the Cannon and Stores of War do likewiſe remain in the Places which ſhall be yielded to him, and belong to his Majeſty.

The Agreement ought to be reciprocal; either to leave all the Artillery, and what belongs to it, in the Places which are to be yielded, as well on the King's ſide, as on that of his Enemies; or to regulate the Quantity which ſhall be left in each of the Places.

The Renunciation which is demanded of the King, is a Clauſe taken out of the Preliminaries of 1709. There would be many Reaſons to refuſe it, as unneceſſary, and even as abſurd; but his Majeſty is willing to agree to it.

Being the Principality reſerv'd of the Princeſs *des Urſini* has no relation to the Publick Affairs, the King deſires the Difficulty on this Head may be ſurmounted.

III. As

III.

As to the Trade of *Spain* and the *Indies*, it ſhall be on the ſame Foot as it was in the Reign of *Charles* II. And as to that of *France*, it ſhall be as it is ſtipulated by the Treaty of *Ryſwick*; and the Tariff of 1664 ſhall be followed, excepting the four Species of Merchandize, on the Conditions which ſhall be agreed upon.

It is reſerv'd to treat concerning the four Species of Merchandize.

The King agrees to it.

N° 35.

Inſtructions for our Right Truſty and Well-beloved Couſin and Councellor Henry *Viſcount* Bolingbroke, *whom We have appointed to go to the Court of* France.

ANNE R.

YOU are immediately to repair to the Court of *France*; and being arriv'd there, to demand an Audience of his moſt Chriſtian Majeſty.

You are to preſent to this Prince our Letter which is herewith delivered to you, and to acquaint him that We obſerve, with great Concern, that new Difficulties have ariſen, and new Delays have been created in the Negotiation, which we thought on the Point of being concluded: That we have ſent you over fully inſtructed in all Our Intentions, and fully authorized to treat and ſettle every Thing neceſſary to remove the Obſtructions which hinder the General Suſpenſion of Arms from taking place: That you are likewiſe empower'd to concert with his Miniſters the moſt proper Means of preventing ſuch other Differences as can be now foreſeen, and of ſettling the Treaty of Peace in ſuch a Courſe as may bring it to a happy and ſpeedy Concluſion.

You are to add the Aſſurances of Our earneſt Deſire to ſee a perfect good Underſtanding between the Two Nations reſtored; and to uſe all other Terms of Civility, which may be proper, in Our Name.

When you proceed to treat with the Miniſters at this Court, you will begin, by acquainting them, that We have directed and empower'd you to conclude and execute the Convention for a General Suſpenſion of Arms by Sea and Land, between Us and *France* and *Spain*: And We do hereby Authorize you accordingly to agree to the ſame for two, for three, or four Months, or to continue it till the Concluſion of the Peace.

But whereas We have not yet receiv'd Satisfaction in thoſe Demands which We have thought fit to make in the behalf of the Duke of *Savoy*: And whereas the Settlement of the Term for the Suſpenſion of Arms muſt in great meaſure be govern'd by the time, which the compleat Execution of the Article for preventing the Union of of the Two Monarchies of *France* and *Spain*, will require; you are therefore, before you ſign the Convention aforeſaid, to expect poſitive Aſſurances that the Terms which we demand of *France* and *Spain* ſhall be made good to his Royal Highneſs, and as far forth as poſſible to adjuſt and determine the Forms of the ſeveral Renunciations and Settlements.

As to the Barrier which his Royal Highneſs demands and judges neceſſary for his Security on the ſide of *France*, you are not required to inſiſt to have thoſe Articles immediately granted which have been hitherto peremptorily refus'd by his moſt Chriſtian Majeſty; nor, on the other hand, are you to agree to any thing which may foreclose the Duke of *Savoy* from Negociating for himſelf. This Point We chuſe to leave to be ſettled between

tween the Two Powers concern'd. But you will not fail to recommend to the *French* Ministers to hasten the Conclusion of it, insinuating to them, that tho' you can agree to the Suspension of Arms without waiting to have this Barrier entirely settled; yet that you do not imagine there will be any possibility of prevailing on Us to sign the Peace with *France* and *Spain*, unless full Satisfaction be given to his Royal Highness, and unless We can take him along with Us in the doing thereof.

There seems to be little or no difference between what has been propos'd from hence, and what is agreed to on the part of *France*, concerning the Right to be establish'd in the Duke of *Savoy* and his Children, immediately after *Philip* and his Children, to the Succession to the Crown of *Spain* and the *West Indies*.

You are therefore to have this Article again explain'd, and to bring it as near as possible to the Terms made use of in the Memorial drawn by the Count *de Maffei* upon this Subject.

Concerning the Cession of *Sicily*, you are to insist that it be made in the manner demanded by Us; and that this Act as well as those necessary on the precedent Head, be finished at the same time as the Renunciations and Settlements of the Crowns of *France* and *Spain* shall be made.

You are to refuse to consent to defer the actual Surrender of this Island to his Royal Highness till the General Peace: But you are at liberty to agree that he shall not take Possession thereof, until his and Our Peace be made with *France* and *Spain*. In other respects, you will bring this Article likewise as near as possible to the Terms made use of by the Count *de Maffei* in his Memorial.

It seems too indifferent to either side, whether a formal Suspension of Arms be agreed to between *France* and *Savoy*, or not to have this Matter much insisted on; and there may be some Reasons why in Prudence the Duke of *Savoy*'s Accommodation should be yet a while conceal'd. You will therefore have the less regard to this Point, and treat for his Royal Highness, upon the Supposition and Condition of his coming into the Peace when We shall do so. And whereas it has been surmized that his Royal Highness might think of exchanging *Sicily* for some other Territories contiguous to his own, which would by no means be agreeable to Our Design, or to the Interests of Our Kingdoms; you may therefore consent to an Article to prevent the Exchange or Alienation of this Kingdom from the House of *Savoy*.

As to the second Point which you are to adjust, as far forth as is possible, We have directed what has been prepar'd by the Civilians upon this Subject, to be put into your Hands; of which you will make the best use you are able, and you will endeavour to agree the several Forms in such manner, and to concert such Measures for the dispatch of them, that when the Persons whom We shall think fit to appoint to be Witnesses of these Renunciations and Settlements, shall arrive in *France* and *Spain*, there may be as little room as possible left for Dispute or Delay.

The most Christian King being very earnest to obtain some Advantageous Conditions for the late Elector of *Bavaria*; you are to inform the *French* Ministers, that We shall readily agree to have this Prince restor'd to all which he enjoy'd in the Empire, except his Rank of First Elector, and except the *Upper Palatinate*, both which are to remain and belong to the Elector *Palatine*. We think this a sufficient Concession on our part in favour of the Prince abovemention'd, who being in Possession of *Namur*, *Luxemburg*, *Charleroy*, and *Newport*, use may be made thereof in the General Treaty of Peace; and he may have an Opportunity there, in Exchange for these Places and Countries, to obtain something farther for himself.

You may however, if you shall find it for Our Service, consent on Our part, that he have the Kingdom of *Sardinia* yielded to him; for the obtaining whereof, the Possession just now mention'd seems to be an adequate Security.

In treating of the several Matters entrusted to your Management, you are to have especial Care to avoid entangling Us in any new Engagements; and for that Purpose, you are to say and to repeat, that We shall willingly enter into the Common Guaranty for supporting that Settlement of *Europe* which shall be establish'd by the General Peace; but that We will not be tied down to any Stipulation which may oblige Us to make War, and especially with Our old Allies, in order to procure this Settlement. It is Advantage enough to *France* that the Conduct of Our Allies has made it reasonable, just, and even necessary for us to withdraw Our selves out of the present War.

After you shall have receiv'd sufficient Satisfaction in all the Points before mention'd, you may proceed to speak to such Articles as relate particularly to the Interests of *Great Britain*, and endeavour to have such of them, as there may appear to be any doubt concerning, explain'd in the most Advantageous manner.

You

You will likewise do your best to discover upon the several parts of the General Plan of Peace, what the Real *Ultimatum* of *France* may be, and upon this Head you are to say, that when we shall conclude our Treaty, it may be expedient to fix a time for the Allies to come in. During which, our good Offices shall be employ'd to reconcile the Disputes which may arise, and to render the Peace General. But we shall not do any thing like imposing the Scheme offer'd by *France* upon our Allies, or debarring them from the liberty of endeavouring to obtain still better Terms for themselves.

When you shall have concluded the Convention for the suspension of Arms, you may dispatch to Our Trusty and Well-beloved Sir *John Jennings* Knight, Our Admiral, and Commander in Chief of Our Fleet in the *Mediterranean*, to Our Trusty and Well-beloved *William Chetwynd* Esquire, Our Envoy Extraordinary to the Republick of *Genoa*, and to the Commander in Chief of Our Troops in *Catalonia*, Our Orders which are herewith put into your Hands; and at the same time you are to Concert with the Ministers of *France*, not only the safe Retreat of the Emperor's Forces out of *Catalonia*, if his Imperial Majesty shall think fit to withdraw them, but also the March of the *Portuguese* Troops, which are now serving there, back into their own Country.

We have likewise Ordered fifty Passes Sign'd by Us in Blank, to be put into your Hands, which you will exchange against the like Number, as soon as the Suspension shall be agreed: And you may acquaint the French Ministers that more will be sent from hence by every Opportunity.

Given at our Court at Windsor-Castle, *the 31st Day of* July, 1712. *in the Eleventh Year of Our Reign.*

A. R.

Hague, June *the 5th.* 1712. *N. S.*

N°. 36.

MADAM,

AFter all the Proofs which Your Majesty has given during the course of Your Glorious Reign, of Your great Zeal for the Publick Good, and of Your Adherence to the Common Cause of the High Allies; after so many Marks You have had the goodness to give us of Your tender Affection, and of Your Friendship to our Republick; and after the repeated Assurances You have given us, and that very lately too, of Your Intentions, that your Troops should act against the Common Enemy, until the War was concluded by a General Peace; it is impossible we should not be Suprized and Afflicted by two Declarations we have lately received one after another, in the Name of Your Majesty; the first by the Duke of *Ormond*, Your General, That he could undertake nothing without new Orders from you; The other by the Bishop of *Bristol*, your Plenipotentiary to the Congress at *Utrecht*; That Your Majesty perceiving that We did not answer as we ought, the Proposal which you had made us, and that We would not act in Concert with your Ministers, on the Subject of Peace, you would take your Measures apart; and that you did not look upon your self to be now under any Obligation whatever with Respect to Us.

As soon as We had Notice of those Declarations, We sent Orders to Our Minister, who has the Honour to reside at your Majesty's Court, to represent to you the Reasons of our Surprize, and the Consequences of those Declarations, and to request you with that Respect which we always had, and which we shall for ever entertain for your Royal Person, That you would give other Orders to the Duke of *Ormond*, that he may Act with all possible Vigour, according to the exigency of the War; And that your Majesty would have the goodness to entertain other Sentiments of Us, than those which the Bishop of *Bristol* has declar'd to our Plenipotentiaries at *Utrecht*.

But the more we consider those Declarations, the more important we find them, and the more we apprehend the Consequences: Therefore we could not forbear applying our selves by this Letter directly to your Majesty, hoping that you will consider it, as we promise our selves you will, both from your great Prudence and Wisdom, and from your so much fam'd Zeal for the Publick Welfare; particularly from your usual Friendship and Affection for us and our Republick.

We

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We proteſt before all things, That as we ever had a true Friendſhip, as well as the higheſt Reſpect for your Majeſty, and a ſincere Affection to all your Intereſts, with an earneſt deſire to live in a perfect good Underſtanding and Union with you, We have ſtill the ſame Sentiments, and ſhall always preſerve them, wiſhing for nothing more, than to be able to give your Majeſty the moſt convincing Proofs of it.

After this, we pray your Majeſty to conſider, according to your great Penetration, whether we have not juſt ground to be Surprized, when we ſee a ſtop put, by an Order in your Majeſty's Name, without our Knowledge, to the Operations of the Confederate Army, the Fineſt and Strongeſt which perhaps has been in the Field during the whole courſe of the War, and provided with all Neceſſaries to Act with Vigour; and this after they had March'd according to the Reſolution taken in Concert with your Majeſty's General, almoſt up to the Enemy, with a great Superiority both as to the Number and Goodneſs of Troops, and animated with a noble Courage and Zeal to acquit themſelves bravely; ſo that in all Human Appearance, and with the Divine Aſſiſtance, which we have experienc'd ſo viſibly on ſo many other Occaſions, we ſhould have been able, either by Battle or Sieges, to gain great Advantages over the Enemy, to have better'd the Affairs of the Allies, and to facilitate the Negotiations of Peace.

We flatter our ſelves indeed with the Hopes which the Duke of *Ormond* has given us, That in a few Days he expects other Orders; But in the mean time We are ſorry to ſee one of the fineſt Opportunities loſt, being uncertain whether we ſhall have another ſo favourable, ſince the Enemy have time given them to Fortify themſelves, and take their Precautions, while the Army of the Allies lies ſtill without Action, and conſuming the Forage all round, deprive themſelves of the means of ſubſiſting for time to come, in thoſe Places, where by Concert, the Operations of the Campaign were deſign'd; which may make ſuch Enterprizes impoſſible hereafter, as were practicable now, and conſequently render the whole Campaign unſucceſsful, to the ineſtimable Prejudice of the Common Cauſe of the High Allies.

Certainly when we conſider the Army, as it really is, compos'd of the Troops of your Majeſties and the other Allies, join'd together by Common Concert, to act for the greateſt Advantage and furtherance of the Common Cauſe, and the Aſſurances which your Majeſty had given us by your Letters, by your Miniſters, and laſt of all, by your General the Duke of *Ormond*, of your Intentions, that your Troops ſhould be ordered to act with their uſual Vigour, as well as the Engagements into which your Majeſty is enter'd, not only with reſpect to us, but alſo ſeparately and jointly with us, in reſpect to the other Allies, it's very difficult for us to conjecture and conceive, how an Order ſo prejudicial to the Common Cauſe, given ſo ſuddenly without our Knowledge, and undoubtedly too without the Knowledge of the other Allies, can agree and conſiſt with the Nature of an Alliance, and with thoſe Aſſurances and Engagements juſt now mention'd. For tho' according to the Declaration of the Biſhop of *Briſtol*, your Majeſty holds your ſelf to be diſengag'd from every Obligation with regard to Us, 'tis plain that the Matter now in Queſtion, is not our particular Intereſt or Advantage, but that of all the Allies, who will ſuffer by the prejudice which an Order, ſo little expected, muſt needs bring to the Common Cauſe.

But, *Madam*, We cannot forbear telling your Majeſty, That the Declaration made by the Biſhop of *Briſtol* at *Utrecht*, has no leſs Surpriz'd us, than that of the Duke of *Ormond* in the Army. It appears to Us ſo extraordinary, that we know not how to reconcile it with the great Goodneſs and Kindneſs which your Majeſty has always honour'd us with; and not being able conceive how ſuch a ſudden Change could happen with reſpect to us; We are not only Surpriz'd, but Afflicted at it. We have carefully examin'd our Conduct, and find nothing in it that can have given Ground to that Diſſatisfaction which your Majeſty expreſſes with us by this Declaration.

From the very firſt Day that your Majeſty aſcended the Throne, we teſtified all the Deference that you could deſire from a State in Friendſhip and Alliance with you. We carefully ſought after your Amity and Affection, and conſidering the happy Effects, which a good Intelligence, Harmony and Union, betwixt your Majeſty and us, and the two Nations, might produce, and have really produc'd, and the Advantage which reſulted from thence to both, as well as to the Common Cauſe of all the Allies, we made it our Buſineſs heartily to Cultivate 'em, and more and more to gain your Majeſty's Confidence, and conform our ſelves to your Sentiments as much as poſſibly we could.

We

We think that we gave a ſignal Proof of this, particularly with regard to the Negotiations of Peace, ſince not only after we were inform'd of the Conferences formerly held in *England* upon this Subject, we did expect that your Majeſty would give us an Account of them, having this firm Confidence in your Friendſhip for our Republick, and in your Zeal for the Good of the common Cauſe, that nothing would be done to prejudice us nor the other Allies; but alſo when your Majeſty communicated to us the preliminary Articles ſign'd by M. *Meſnager* in *England*, and when you propos'd to us the calling and holding a Congreſs for a general Peace, and requir'd of us to grant for this End neceſſary Paſsports for the Enemy's Miniſters, we conſented to it, tho' we had many Reaſons, which to us ſeem'd very well grounded, not to enter into ſuch a Treaty without a better Foundation, or at leaſt without the Concurrence of the other Allies; but we preferred your Majeſty's Sentiments to our own, in order to give you a new Proof of our Deference.

We did no leſs with reſpect to the Difficulties which were ſtarted on the Subject of the Treaty of mutual Guaranty for the Succeſſion of the Proteſtant Line to your Majeſty's Kingdoms, and for our Barrier; a Treaty of ſuch Importance to the Two Nations, that we look upon it as the ſtrongeſt Tie that could be thought on, to unite for ever the Hearts and Intereſts of both, concluded after the mature ſt Deliberation, and ratified on both ſides in the moſt authentick Form; for tho' we might have ſtood to the Treaty as it was, yet we enter'd into a —— Negotiation upon thoſe Difficulties, and particularly on the Point of the *Aſſiento*, concerning which we gave our Plenipotentiaries ſuch Inſtructions, that we no longer doubted but all the Difficulties would have been adjuſted to mutual Content, and that we ſhould thereby have entirely regain'd your Majeſty's Confidence; and the rather, becauſe in the firſt place, when the meeting of a Congreſs for a general Peace was in hand, your Majeſty declar'd to us by your Ambaſſador, that you deſir'd no more than our Concurrence in that ſingle Point, and this only Mark of our Confidence, and that then you would give us ſtrong and real Proofs of your Affection towards us, and of your upright Intentions with reſpect to the common Cauſe of all the Allies; and that afterwards, when the Difficulties about the Succeſſion and the Barrier were rais'd, your Majeſty did likewiſe aſſure us, that if we would remit ſomething upon the moſt eſſential Points, and particularly about the Affair of the *Aſſiento*, it would be the true way to re-eſtabliſh a mutual Confidence, which being once reſtor'd, your Majeſty would take particularly to Heart the Intereſts of this State, and act in Conjunction with us in the whole Negotiation to obtain an honourable, good, and ſure Peace.

But we find our ſelves very much out in our Expectation, ſince at the very ſame time, when we made the greateſt Advances towards your Majeſty, and that we did verily believe we ſhould come to an Agreement about the Points in Difference, we ſee the Earl of *Strafford* gone without finiſhing that Affair, we ſee the Army ſtopt in the beginning of its Career, and we hear a Declaration, by which your Majeſty looks upon your ſelf to be diſengag'd from all Obligations with us; for which the Reaſons alledg'd are, That we have not anſwer'd as we ought the Advances your Majeſty made towards us, and that we would not act in Concert with your Miniſters about the Peace.

If your Majeſty will be pleas'd to look with a favourable and equitable Eye upon our Conduct, we flatter our ſelves, and have a firm Confidence that you will find nothing in it, which can give you ſuch diſadvantageous Idea's and Thoughts of us; but that you will rather find that we have perform'd, and do ſtill perform all that we are bound to, as good and faithful Allies, and particularly to your Majeſty.

What we have ſaid already might perhaps be ſufficient to perſuade you of it, but we muſt add, that having always eſteem'd your Majeſty's Affection, and a good Harmony betwixt the Two Nations, as one of the ſtrongeſt Supports of our State, and of the Proteſtant Religion, and as one of the moſt effectual Methods to maintain and advance our common Intereſts, and thoſe of the whole Confederacy, and this ſincere Opinion being firmly imprinted on our Hearts, we were never backward to communicate and conſult in all Confidence with your Majeſty and your Miniſters upon the Affairs of the Peace, according to the Foundations laid down in the Grand Alliance and other Treaties; we declare that we have always been inclinable and ready to do it, and are ſo ſtill, as far as we can, without Prejudice to the other Allies, and without departing from or acting againſt the Engagements, Treaties and Alliances which we have enter'd into.

But, Madam, all the Propoſals hitherto made to us upon that Subject, were couch'd in very general Terms, without communicating to us the Reſult of the

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Negotiations betwixt your Majesty's Ministers and those of *France*, nor even your Majesty's Thoughts about the Subject, which we ought to have concerted together; 'tis true that in some of the last Conferences your Majesty's Ministers demanded to know whether ours were furnish'd with a full Power, and authoriz'd to draw up a Plan for the Peace; but it had been just, before such a thing was demanded of us, that they should have communicated the Result of the Negotiations, so long treated of betwixt your Majesty's Ministers and those of the Enemy's, or at least they should have told us your Majesty's Thoughts.

Had that Plan related only to your Majesty's Interests and ours, we should perhaps have been in the wrong not to have forthwith come into it, tho' even in that Case the Affair would not have been without its Difficulties, since the least Notice of it which should have come to the Enemy must have been very prejudicial: But as the Plan in question concern'd the Interest of all the Allies, and almost all *Europe*, we had very strong Apprehensions, that as the particular Negotiations betwixt your Majesty's Ministers and those of *France*, and the Readiness with which we consented to the Congress at *Utrecht*, and to the giving of Passports to the Enemy's Ministers, had already occasion'd abundance of Suspicions and much Uneasiness to his Imperial Majesty and the other Allies; we say, we apprehend that his Imperial Majesty and the other Allies coming to know (which would have been very difficult to conceal from them) the Concert betwixt your Majesty's Ministers and ours for a Plan of Peace, and that before the Ministers of *France* had given a specifick Answer to the Demands of the Allies, their Suspicions and Uneasiness would have increas'd, and that way of proceeding might have given them Ground to entertain prejudicial Thoughts, as if it had been the Intention of your Majesty and us to abandon the Grand Alliance and the common Cause, or at least that we alone took upon us to determine the Fate of all the other Allies, by which his Imperial Majesty and the other Confederates might have been push'd on to separate Measures, and to take such Steps as would be no ways agreeable to your Majesty's Interest nor ours.

We thought these Reasons strong enough to justify our Conduct to your Majesty on this Head, and if we did not enter with all the Readiness which you might have wish'd for into the Concert propos'd, we hope that at most your Majesty will look upon our Backwardness only as an Excess of Prudence or of Scruple, and not in the least as a want of Confidence in your Majesty, while the Allies might have consider'd it as a departing from the Treaties, and particularly from the Eighth Article of the Grand Alliance; we also hope that your Majesty (for the Reasons here alledg'd) will lay aside those hard Thoughts of us, as if we had not answer'd as we ought the Advances which your Majesty made towards us, and that we would not act in Concert with your Ministers upon the Subject of the Peace. But, Madam, tho' your Majesty should not acquiesce in our Reasons (of which however we cannot doubt) we pray your Majesty to consider whether that be sufficient for your Majesty to think that you are disengag'd from all Obligations with respect to us.

Had we acted against and contraven'd the Engagements and Treaties which we had the Honour to conclude with your Majesty, we might have expected from your Goodness and Justice that you would have represented those Contraventions to us, and not have look'd upon your self to be disengag'd, till such time as we had refus'd to give all necessary Redress; but as we did no ways engage to enter with your Majesty into a Concert to draw up a Plan of Peace without the Participation of the other Members of the Grand Alliance, the Backwardness we have shewn upon that Head cannot be look'd upon as a Contravention of our Engagements, and therefore cannot serve to disengage your Majesty from yours, with respect to us, since we are verily persuaded that we have fully answer'd all our Treaties, and all our Alliances, both with your Majesty and with the High Allies in general, and that we have done more in this present War than could in Justice and Equity have been expected from us; all the Difference betwixt your Majesty and us in this Point is no more, if rightly consider'd, than a Disparity of Sentiments.

In Truth, Madam, if for such a Cause betwixt Potentates allied and united together by the strongest and strictest Ties of Alliance, Interest and Religion, any one of those Potentates could quit all their Engagements, and disengage themselves from all their Obligations, there's no Tie so strong which may not be broke at any time, and we know of no Engagements that could be relied on in Time to come.

We assure our selves that, when your Majesty considers the Consequences, you will not persist in the Declaration which the Bishop of *Bristol* has made, we beseech you with all the Respect, and all the Earnestness of which we are capable, that you

you would not; and also that you would be pleas'd to revoke the Order given to the Duke of *Ormond*, if it be not revok'd already, and that you would authorize him to act according to Occurrences, and as the Exigency of the War and the Advancement of the common Cause shall require.

We also request you, Madam, to communicate to us the Result of the Conferences betwixt your Ministers and those of the Enemy, or at least your Thoughts upon the Peace, and we will endeavour to give your Majesty all imaginable Proofs of our Deference for your Sentiments, and of our sincere Desire to preserve your valuable Friendship as much as we can, without acting contrary to the Faith of the Engagements into which we have enter'd by Treaties and Alliances with your Majesty and other Potentates.

We are firmly persuaded, that it is not your Majesty's Intention in any manner to break them, since you have always been of the same Opinion with us and the other Allies, that a good Union betwixt the Allies, not only during the present War, but also after the Peace shall be concluded, is, and always will be the most solid, and even the only Method to preserve the Liberty and Independency of all together, and of every one in particular, against the great Power of *France*.

We expect also, that after having given such great and signal Proofs of your Wisdom, of your Firmness, and of your Zeal for the Support of the common Cause, your Majesty will not now take such Resolutions as may be prejudicial to us and the other Allies, but that, in order to obtain an honourable, sure, and general Peace, you will pursue the same Methods and keep to the same Maxims which you formerly held, and which Almighty God hath bless'd in so remarkable a manner by Victories and great Events, which will render the Glory of your Majesty's Reign immortal.

We again renew to your Majesty the Assurances of our high and perfect Esteem for your Person and Friendship, as also of our Intentions and sincere Desires to entertain with your Majesty the same good Correspondence, Harmony and Union as before, and to cultivate the same betwixt the Two Nations, as far as it shall lye in our Power; and we pray your Majesty to preserve likewise for us and our Republick your former Affection. We refer for the rest to what the Sieur *Van Borsele*, our Envoy Extraordinary, has further to say to your Majesty on this Subject. And pray the Almighty, *&c.*

N°. 37.

Fontainbleau, Aug. 21. *N. S.* 1712.

My LORD,

I Left *Calais* on *Monday*, according to what I writ to your Lordship from that Place, and proceeded on my Journey to *Paris*, where I arriv'd about 6 a Clock *Wednesday* in the Evening. On the Road I took all possible Precautions to conceal my Name, and to avoid all sort of Ceremony, by stopping to refresh my self as little as possible, and when I did stop, by chusing to do it out of the great Towns. My Care was however in a great measure fruitless, and they did their utmost in the Places thro' which I pass'd to shew their Respects to the Queen, so that I arriv'd at least as much fatigu'd with Compliment as tir'd with my Journey.

Soon after I got out of my Chaise, a Gentleman came to me from *Madame de Croissy*, brought her Coach, invited me to Supper, and told me that Monsieur *de Torcy* was coming Post from *Fontainbleau* to meet me. In effect I had not been long at the *Hotel de Croissi* before he arriv'd. There was no resisting his Importunities, as well as his Mother's, and I was forc'd to continue with them during my Stay at *Paris*. In these Two Days I lost no Time, but pursu'd her Majesty's Instructions with all the Application I am Master of, and I humbly hope that I have been so happy as to answer the Purposes for which she sent me hither.

We began with the Interests of the Duke of *Savoy*, from whence the principal Obstacle to the Conclusion of the Suspension of Arms by Sea and Land arose, and after some Contestation have adjusted them in this manner.

The Right of this Prince and of his Family to the Crown of *Spain* and the *Indies*, after *Philip* and his Descendents, is to be substituted in the same Acts and at the same Time as the several Renunciations and Settlements are made, declar'd, and confirm'd, which are necessary to accomplish the Article for preventing the Union of the Two Monarchies.

Monsieur *de Torcy* endeavour'd to leave this Point more loose, and either to defer securing the Succession of the House of *Savoy*, or at least not to establish it in the same Acts as are to pass on the other Occasion; But as I judg'd this to be the safest and most authentick manner, I insisted, and he yielded.

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On the Cession of *Sicily* he would have adher'd to the Terms of his last Dispatch, and urg'd the Absurdity of giving this Kingdom away till they were sure of making Peace with *Savoy*. It was not difficult to shew that he had already departed from this Argument, and that there could be no reasonable Objection to *Philip*'s making a Cession of *Sicily* to the Duke of *Savoy*, at the same time as he consented to secure to him the Succession of *Spain* and the *Indies*; that if a Peace did not follow, every thing which had been done would of Course be void and that if it did follow, the Consideration for which this Island was yielded would be obtain'd. This Point being over, there was little Dispute about the Time when his Royal Highness shall be put into the actual Possession of this Kingdom; we have settled it to be on the Ratification of a general Peace, or of a Peace between the Queen, *France*, *Spain*, and *Savoy*.

The Count *de Maffei* may not perhaps be satisfied with this Agreement, and I remember in his Memorial he desired his Master might be at Liberty at any time to take Possession; but the Duke of *Savoy* ought to look upon it as a very good Bargain, and to be contented to have the Advantages which are to accrue to him put into his Hands, when those which her Majesty stipulates for herself are put into hers.

I wish I could have prevail'd on the Head of the Barrier as far as I did on the other Two, but it was impossible, at least it was so for me. Monsieur *de Torcy* represented that *Exilles*, *Fenestrelles*, and the Valley of *Pragelas*, besides the Restitution of all which *France* is in Possession of, was the utmost which the King would ever consent or had ever consented to give: That when the Ministers of *Savoy* made in *Holland* the same ulterior Demands which they now make, the Pensionary laugh'd at them, and even at that time did not push him to comply with them: That, under Pretence of Security, his Highness really sought an Aggrandisement at the Expence of *France*, and out of the ancient Domaine of this Crown: That tho' a King of *France* was a more powerful Prince than a Duke of *Savoy*, yet that the latter, back'd by a Confederacy, which is the only Case wherein he will attempt any thing, is a dreadful Enemy to the former: That they have here a Minority to expect, and therefore ought to be the more careful not to leave the Frontiers of their Kingdom expos'd: In short, that *Sicily* was an ample Recompense to his Royal Highness for all the Services he has done the Queen, and that if her Majesty was easy, he was sure the Duke of *Savoy* would submit: He concluded, by repeating very earnestly, that the King never would grant him a larger Barrier, and that his Majesty insisted to put this Negative now, since he was resolv'd to do it at last, least the Duke should, by continuing in Hopes, spin out the Treaty, and delay concluding his Peace, for which reason he likewise insisted that the Queen should concur in this Negative.

It is needless to lengthen my Dispatch by telling your Lordship what Answers I made to these Representations: I replied in the best manner I was able, and ended as I am instructed, by letting this Minister know that the Queen would consent to nothing which should foreclose his Royal Highness from obtaining what, for ought she knew, might be necessary; that this Point therefore must not be now look'd upon as determin'd, but must be left open for the Ministers of *Savoy* to debate; that I did not understand her Majesty's Intentions to be to enlarge the Duke of *Savoy*'s Dominions out of those of *France*, but that I was sure she would not sign a Peace, unless this Prince's Security was really and effectually provided for, which *France* having promis'd in general Terms to all the Allies, could not refuse in any Particular to the Duke of *Savoy*.

The next Head to which we proceeded, was that of the Renunciations and Settlements necessary to prevent the Union of the Two Crowns, and in treating of this I cannot say that I met with any Difficulty; I gave no Hopes that any Expedient would be accepted to sign the Peace before this Article was entirely accomplish'd, tho' Monsieur *de Torcy* proposed that the Peace should not be delay'd for it, but the Ratifications should. He has since consulted Monsieur *Bergheyk*, and they are of Opinion that a Month's, or at fartherst Six Weeks Time, will suffice to pass all the Forms, so that I am desired to recommend the Dispatch of my Lord *Lexington*, or whoever else the Queen shall think fit to send into *Spain*; and I crave Leave to say, that it would be extremely out of Course if in *France* and *Spain* they should be ready to finish this important Article, and we should on our parts not be ready to witness the Execution of it, especially when we push the concluding of the Peace, and refuse to sign until all these Forms are perfected.

The Draught of *Philip*'s Act of Renunciation, and the Minutes taken by Monsieur *de Torcy* and me, both which I transmit to your Lordship, will, I suppose, be a sufficient Ground-work of Instructions to those whom her Majesty shall chuse to send hither and to *Madrid*. The

The last Point, and that on which we had the warmest Debates, was concerning the Elector of *Bavaria*. As soon as I arriv'd at *Paris* I heard that he was come to *Chaillot* in the Neighbourhood, and Monsieur *de Torcy* either was, or affected to be, under some Uneasiness at the Reproaches which this Prince would, he said, with reason give them, unless they provided better for him than the Queen had hitherto seem'd inclin'd to allow.

He turn'd this Matter several ways, and made variety of Propositions, which it was plain enough were not *extempore*, tho' he appear'd desirous I should look upon them as sudden Thoughts which occur'd to him in treating. At last he rested on this, that the Queen should engage to procure for the Elector the Dutchy and Electorate of *Bavaria*, exclusive of the Upper Palatinate, and the Rank in the Electoral College, which I had from the first peremptorily rejected; and that she should further promise to maintain him in the Possession of the Dutchies and Towns of *Luxemburg* and *Namur*, and in the Possession of *Charleroy* and *Nieuport*, until such an Equivalent for these Countries and Places was given him as he should be satisfied with. This Proposition I positively refus'd to assent to, and told Monsieur *de Torcy* very plainly, that leaving these Towns and Places in the Elector's Possession till he had such an Equivalent as he should be satisfied with, was really giving them absolutely to him, which I knew her Majesty neither could or would admit; further, that her Majesty would enter into no Engagements to procure any thing for the Elector, or even to use her Offices in his Behalf; that the Towns and Places which this Prince is in Possession of, would very probably be an Inducement to the Allies to give him something in Lieu of them; that her Majesty would not oppose his having *Sardinia*, which Equivalent had been propos'd first from hence. This I let him know was the Sum of all he was to expect from the Queen, and your Lordship will find the Minutes drawn accordingly.

Having on precedent Occasions as well as this, perceiv'd, that Monsieur *de Torcy* affected to hint every Expression in such manner as to engage the Queen joyntly with the King his Master, I thought proper, very explicitly, and in the strongest Terms I could use, to say that the Queen would enter readily into the common Guarantry for supporting that Settlement of *Europe*, which should by the Peace be made; but that She would on no account whatsoever be concerned in any Stipulation to procure this Settlement; That it would be Advantage sufficient for *France*, if the Conduct of Her Majesty's Allies made it just and necessary for her to withdraw her self out of the War before them; and that afterwards her good Offices would be employ'd as became the common Friend of all Parties.

I take occasion frequently to repeat this to the *French* Ministers; and I believe they will look upon it as the Rule which her Majesty has laid down, and which they shall not be able to prevail on her to depart from.

On *Saturday* in the Evening I came to *Fontainebleau*, where an Apartment was provided for me, and my reception was particularly Civil. On *Sunday* at Nine in the Morning I had Audience of the King, to whom I presented her Majesty's Letter.

He receiv'd me in a very Gracious manner, he talk'd a considerable time with me, and the Substance of what he said, as near as I can remember, for his Speech was extremely quick, was, That he ever had the highest Esteem for the Queen: That she had proceeded in such a manner as to turn that Esteem into the sincerest Friendship; that he hop'd she was satisfied he had done every thing on his part which might facilitate the Peace: That he was pleas'd to find we were so near concluding: that there were some who us'd all endeavours to obstruct it, but that God be prais'd, they would not be long able to do so: That God would hinder them from giving the Law which they pretended to: That the success of his Arms should make no Alteration in him: And that he would make good all he had offer'd.

Fontainbleau, Aug. 22*d*. *N. S.* 1712.

AFTER I had had my Audience Yesterday of the KING, I return'd with Monsieur *de TORCY*, to view the Minutes we had taken, and the Draught of the Convention for the Suspension of Arms, which we Sign'd in the Evening: Your Lordship will observe, that it is dated on *Friday* last, at which time the first Brouillon was prepar'd, and I thought that every Day which the Commencement of it was put backward, was some degree of Advantage to us; the Term is of four Months, which Monsieur *de Torcy* desir'd, as more likely to have its Effect on the *Dutch* than a shorter Term, which might have suffer'd them to entertain Hopes still of breaking our Measures, and bringing the Queen into Action again. I did not much weigh the force of this Argument, tho' I think it has somewhat determin'd me to agree to four Months, according to the Lati-

Latitude left in my Instructions, was first what I remember'd to have been the Sense of several Merchants whom I spoke with before I left *London*, who all seem'd desirous of the longest Term, and thought that two Months would not encourage many People to venture upon some Voyages. Secondly, that a Term of two Months would as effectually cut off all prospect of Acting by Land this Campaign, as a Term of four, and that therefore the Sea-Service would be chiefly affected by this Suspension, where we have more to apprehend than to hope.

Monsieur *de Torcy* had inserted in the Draught these Words,— *les Mers qui entourent les Isles Britanniques*, and cited the Teaty of *Breda* as a Precedent. I shew'd him, that before that Treaty, the expression had always run *Maribus Britannicis*, particularly in the Treaty with *Cromwell*; and that the Error committed in that of *Breda*, had been rectified in that of *Ryswick*. He insisted more than I expected on retaining his Words, and entred a little into the dispute of Dominion. This made me the more tenacious, and your Lordship will find these Words, *les Mers qui entourent les Isles* raz'd out; so that it stands now as it ought to do.

The Suspension being now Sign'd, I shall, pursuant to my Instructions, dispatch Her Majesty's Orders to Sir *John Jennings*, to Mr. *Chetwynd*, and to the Officer who Commands the Queen's Troops in *Catalonia*.

Monsieur *de Torcy* is likewise very earnest that the Duke of *Argyll* be Dispatched, judging his Presence necessary upon this new turn of Affairs for the Common Interest; I cannot help thinking it is so, particularly for Her Majesty's Service.

Just now the Duke of *Orleans* told me, that the King had this Morning, at his *Levee*, declar'd, that the Suspension of Arms was Sign'd; and Monsieur de *Torcy* informs me, that they intend to Morrow to Publish it at *Paris*. I will therefore loose no time in dispatching this Courier, as soon as I receive, (which I expect every Moment) the Copy of the Act of Renunciation, which has been prepar'd in *Spain*, and wherein the *Spaniards* seem to have neglected no Expression which could add to the Strength, and no Form which could add to the Validity of it; *Philip*'s consent to the Cancelling the Entry of 1700, mention'd in the Convention for the Suspension of Arms in *Flanders*, and the Inserting the Substitution of the Duke of *Savoy*, will be the Subjects of additional Clauses. I shall be extremely concern'd, if the Queen does not receive this Account before the News comes any other way; but I lose no time, and I hope the Messenger will lose none.

The fifty Passes In Blank I have not yet receiv'd, but hope to have them time enough to accompany this Dispatch.

The *Chevalier* has fix'd his Departure on the first of next Month *N. S.* They propose that he shall retire to *Bar*; and they intend to write to the Duke of *Lorrain*, to ask of the Emperor, and other Princes, a Security for his Person during his residence in that Place.

I must not conclude this Letter without asking your Lordship's Pardon for a piece of false News, which I sent you from *Calais*, concerning an Action at *Pont a Rache*; the Story was told us with so many Circumstances, that I made no doubt of the Truth of it, especially when the Mayor of the Place quoted a Letter which he said he receiv'd from his Son-in-law, who was at that time in the Army.

I enclose the Convention for the Armistice in the *Netherlands*, which your Lordship will have occasion for, and which, with the Act of Renunciation, and the Minutes transmitted to you, will afford sufficient Materials for my Lord *Lexington*'s Instructions.

As I intend to leave this Place on *Wednesday* at furthest, it will be proper to lose no time in dispatching a Letter of Credence to Mr. *Prior*, to whom your Lordship will likewise please, as soon as possible, to send the Queen's Ratfication.

This Letter is already swol'n to so great a Bulk, that I believe your Lordship is very willing I should refer to another Opportunity such further Accounts as I have to give of my Proceedings. I am, *My LORD*,

Your Lordship's most Humble and Obedient Servant, Bolingbroke.

SInce I clos'd my Letter, Monsieur de *Torcy* sent we word, a Courier is arriv'd from *Turin* in his way to *England*, and desir'd to know if I would have him go on, which I did not think proper to hinder. I suppose this Courier is dispatch'd to the Count de *Maffei*, upon the Impatience which the Duke of *Savoy* is under, upon not hearing from hence, according to what he was made to expect by his Minister's Letters, which went by way of *Holland* some time ago.

I am only to observe to your Lordship, that the sooner you take an opportunity of speaking to the Count de *Maffei*, the better.

Besides the Papers mention'd in my Letter, I send your Lordship a Form of Publication of the Suspension, and a Memoire which I receiv'd from M. de *Torcy* concerning some Articles of Trade: General *Stanhope* is arriv'd here in his way to *Britain*.

BOLINGBROKE.

N° 38.

Letter from the French *King to the Queen of* Great-Britain.

Versailles 28*th* October 1712.

Madam, My Sister,

YOU Having acquainted Me, that You have an intire Confidence in Mr *Prior*, I thought he would be more capable than any Body, to inform you of the new Proofs that I am ready to give You, of the particular Regard I have for You, as also of my Desire to terminate without any Delay, in Concert with You, the Negotiations of Peace. He goes into *England* to give you an Account of the further Advances that I am willing to make, to facillitate an intire Conclusion of this Work. I wou'd have you therefore Regard what I do in this decisive Conjuncture, as new and certain Marks of my Friendship for You; and do Me that Pleasure to acknowledge them, by Interesting Your self with Me in Favour of the Elector of *Bavaria*. I do not remind you of the Ties of Blood which unite Him as well to You as to Me, nor of any other Reasons which ought to render you sensible of his Condition: It is sufficient for me that you are sensible of the Concern that I have in what Regards him; and I am persuaded that this will be the principal Motive, that will press you to Act in his Favour. I expect with Impatience the Return of Mr *Prior*, whose Conduct is very agreeable to Me: And as he will assure you of what my Sentiments are, I will only add that he cannot sufficiently express the perfect Esteem and sincere Friendship I have for You.

I am,

Madam, My Sister,

Your Good Brother,

LOUIS.

N° 39.

The Queen's Letter to the French *King.*

Windsor, November 14*th*, 1712.

Monsieur, My Brother,

I Have receiv'd with a very sincere Pleasure the agreeable Letter which Mr *Prior* brought Me from You. As your Consummate Wisdom hath taken the Resolution that is most proper to fix the Terms of the Peace, You'll be persuaded, that I will not on my Part lose a Moment to hasten the Conclusion of it. I assure You, that the great Facility that you are willing to lend towards it out of a Regard to Me, shall be made no other Use of, than to be employ'd without any delay to Re-establish the publick Tranquillity, according to the Wishes of Us both. By the Orders that I give to My Ministers at *Utrecht*, it will appear that I do all that is in My Power at the present Conjuncture, in Favour of a Prince whose Interest is supported by your Generosity.

I don't at all doubt, but he himself is fully convinc'd of it, and that all the World agrees in it; I again Repeat, *Monsieur*, my Brother, that the Consideration of your Friendship will be a very prevailing Motive to engage me a-new in his Interest, and in the Interest of his Family, as Occasion shall offer, for the Future: As to the rest, I send back Mr *Prior* to *Versailles*, who in continuing to conduct himself in the Manner that shall be entirely agreeable to You, does no more than Execute to a Title the Orders which I have given him; and amongst all the Proofs of his Duty and Zeal for my Service, I expect in a very particular Manner that he should take all possible Occasions to repeat to you the Esteem and perfect Regard that I have for You, and my earnest Desire to live with You in a sincere and perpetual Friendship.

N° 40.

26th September 1712.

Lord Bolingbroke *to Lords Plenipotentiaries.*

Declaration to be made by the French Plenipotentiaries.

EXTRACT.

THE Plenipotentiaries of the King at *Utrecht* shall Declare to those of *Great-Britain*, That his Majesty Consents to treat of the Peace according to the Plan propos'd by Her Britannick Majesty in her last Speech to her Parliament; but they shall at the same time also declare, That the *Dutch* having refus'd to conform to the Sentiments of this Princess, rejected the Suspension of Arms, and given Occasion to the Change of Affairs, it is but Justice that his Majesty receive Restitution of the Expences he has been oblig'd to be at during the Course of this Campaign: His Majesty therefore agrees that the Plan sent by him to *London* last *April* be exactly follow'd. And this is the precise Declaration which his Majesty's Plenipotentiaries shall make to those of the Queen of *Great-Britain*.

But upon the forementionʼd Grounds the King orders his Plenipotentiaries not to Sign the Peace, but upon Condition that the City of *Tournay* be restor'd to him, besides the Restitution of the other Places he Demands, and which he has reason to believe Her Britannick Majesty intended to Comprehend in Her Speech.

The King will continue to use all imaginable Care in pressing, as soon as possible, the Conclusion of the Peace between his Majesty and the King of *Spain* on one Side, and the Queen of *Great-Britain*, King of *Portugal*, and the Duke of *Savoy* on the other, leaving to the *Dutch* the Liberty of doing what they shall judge most proper.

N° 41.

22d March 17$\frac{14}{15}$.

Consul Pouldon's *Letter to Mr* Methuen.

SInce the Cessation of Arms, the British Subjects in the *Canaries* have been under continual Vexations. By an Order from the Bishop of *Gironda* in the King's Name, the British Ships paid only the Ordinary Customs, without any other Demands; But upon the present General's Arrival he explain'd that Order, so as to exclude all Goods that were not as they said, properly *English* Manufactures, tho' imported by *English* Men in *English* Bottoms, whereby of late his Majesty's Subjects have paid above 3000 *l.*

N° 42.

6th of May 1715.

Mr Hern's *Letter to Mr Secretary* Stanhope.

BY an Order from Court published by the Governour of *Valencia*, all Strangers must pay in Place of *Alcavalos* and *Miltones*, a Duty they call *Quartals*, which amounts to 14 *l. per Cent.* and this to be Computed from the beginning of the Year 1714, for the Goods they had paid Customs for at the Rate of 15 *l. per Cent.* so that in all they pay 29 *l. per Cent.* on all sorts of Merchandize entred; which besides the Exorbitances of the Duty, has this great Inconveniency with it, that the Factors had stated their Accounts with the Merchants at 15 *l. per Cent.* They are also exposd

pos'd to the Quartering of Soldiers at so much a day, if they refuse, till this Duty is paid: Such Demands were never known to be made before of the British Subjects; the Duties they paid in the Reign of King *Charles* II. not exceeding 7 $\frac{1}{2}$ *per Cent.*

N° 43.

12th May 1715.

Sir Martin Westcomb's *and* Consul Russel's *Letter to Mr* Methuen.

THE not allowing the Customs in the Form as in King *Charles* the 2d's. time, has put a stop to Trade, and must necessarily ruin all Commerce: *Don Juan Antonio Zavalos* having published an Order, that all the *Gratias* in Favour of the Merchants which they had ever enjoy'd, should cease: And that for the Future all Goods imported and exported shall pay to the full according to the Valuation in the Book of Rates, which on some Goods is 25 *l. per Cent.* and on others 28 *l.*

N° 44.

Mr Methuen's *Memorial to the King of* Spain, *April* 22d. N. S. 1715.

THe Underwritten Minister of the King of *Great Britain* most humbly represents to his Catholick Majesty, that he finds himself obliged by the Commands and Instructions he has received from the King His Master, to Demand in his Majesty's Name,

That all the Privileges and Concessions the Kings of *Spain* have ever Granted to the British Merchants by their Royal Schedulas or Ordinances, and by the Articles of the Treaty of Peace and Friendship made at *Madrid* in the Year 1667, may be fully confirmed, as they are in effect by the eighth Article of the Treaty of Peace, and Friendship concluded at *Utrecht*, the 13th day of *July* N. S. 1713, between the Crowns of *Great Britain* and *Spain*. That the Trade of the British Merchants in all the Ports of the Kingdom of *Spain*, may be established and remain upon the same Foot as it stood in the time of King *Charles* the Second, and before the Declaration of the last War.

That the British Merchants may not for the present or future be obliged to Pay any other Duties and Customs on the Goods they import into the several Ports of this Kingdom, or export out of them, than those which they paid on the same Goods in the Reign of King *Charles* the Second.

That the same Method as was then practised in the Manner of Collecting those Customs, may be now and for the time to come observed, and that in the Payment of them, the British Merchants may be Allowed the same Gratias, Favours, Abatements, and Deductions, as were allow'd them at any time during the Reign of King *Charles* the Second, by the Farmers of the Customs or the Administrators of the King. And his Britannick Majesty hopes that his Catholick Majesty will make no Difficulty in granting to His Subjects the same Liberties, Indulgences, and Favours in their Trade to His Dominions, as they formerly enjoyed; since His Majesty desires nothing herein that can be any Detriment or Prejudice to His Catholick Majesty or the Interest of his own Subjects; but on the contrary, what has been allowed by the Kings His Predecessors, and practised as well by their Administrators of the Customs, as by the Farmers of them.

That

That all the Articles contained in the Treaty of Navigation and Commerce concluded at *Utrecht*, between the Crowns of *Great Britain* and *Spain*, on the 9th day of *December* N. S. 1713, so far as they are detrimental and derogatory to the Privileges and Concessions of the Royal Schedulas and Ordinances, granted at any time by the Kings of *Spain* to the British Merchants, and to the Articles of the Treaty at *Madrid*, in the Year 1667, may be declared null and void.

And particularly the three separate Articles called *the Three Explanatory Articles*, contained only in the Ratification of the said Treaty of Navigation and Commerce, concluded at *Utrecht*, as having been inserted and obtained in a very extraordinary manner, without having been first settled or signed by any of the Ministers of both Crowns, that were impowered to conclude the said Treaty.

That His Catholick Majesty will be pleased to Grant to the British Merchants, that they may have the Privilege of having a Judge Conservator in all the Parts of *Spain*, where the Judges Conservators have been formerly allow'd, till the Death of King *Charles* the Second: And that the said Judges Conservators may be Vested with the same Power and Authority for the defense and Protection of His Britannick Majestie's Subjects, and their Exemptions in Trade, as was formerly granted them, and constantly enjoyed by Virtue of the Royal Schedulas or Ordinances Dated the 19th day of *March*, the 26th of *June*, and 9th of *November*, in the Year 1645, and confirmed by the Ninth Article of the Treaty made at *Madrid* in the Year 1667.

As to the first Point contained in this Memorial, which is, That the Trade of the British Merchants in *Spain* may be established upon the same Foot as it was in the time of King *Charles* the Second, the Minister of the King of *Great Britain* hopes it will appear to his Catholick Majesty to be founded on Justice and Reason, when His Majesty will be pleased to consider,

That the French Nation, which drives a considerable Trade to this Kingdom, has always Traded, and does now continue to do so wholly upon the same Foot; there being no other Treaties of Commerce between the Crowns of *Spain* and *France*, subsisting, but those which have been made either before the time of King *Charles* the Second, or during the Reign of that Prince.

As also in the 17th Article of the Treaty of Peace and Commerce concluded at *Utrecht* the 26th of *June* 1714, between His Catholick Majesty and the States General, it is stipulated in Favour of the States, That their Subjects shall enjoy the same Privileges, Franchises, and Exemptions in their Navigation and Commerce, without any Exception or Reserve, as they did enjoy before the late War.

From whence it follows, that the King of *Great Britain*'s Subjects having by all the Treaties between both Crowns an undoubted Right to all the Privileges, Liberties, and Immunities in Trade, which have been, or may be granted to any other Nation whatsoever, they cannot be with Justice refused the same Privileges and Exemptions in their Trade, as are granted or continued to other Nations, and were enjoyed by them before the late War, during the Reign of King *Charles* the Second.

As to the last Point, which relates to the Judges Conservators, besides the just Right the Sujects of the King of *Great Britain* have to that Privilege, the same which is now Demanded for them, being already granted in express Words to those of the States General, by the 29th Article of the above-mentioned Treaty, between His Catholick Majesty and the States; The Minister of the King of *Great Britain* hopes His Majesty will make no Difficulty in granting it also to the Subjects of the King His Master.

And it is certain that if these Judges Conservators had been established, as they should have been, immediately after the Cessation of Arms and Conclusion of the Peace, it would have hinder'd most of the Disputes which have happen'd between the King's Officers, and the Subjects of the King of *Great Britain*, since those Differences might have been ended in the Places where they begun; which would have prevented the many Oppressions the King of *Great Britain*'s Subjects have laboured under, the great Number of Law-Suits now depending before the Council of War at *Madrid*, and the entire Ruin of several poor People and their Families for ever, some of which have been here near two Years soliciting for Justice, without having been yet able to obtain any Decision of their Causes.

Given at *Madrid* the 22d day of *April* N. S. 1715.

N° 45.

N° 45.

Instructions to Mitford Crow *Esq; Given at Our Court at St.* James's, *March 7th.* 1705, *in the third Year of Our Reign.*

EXTRACT.

ANNE *R.*

BEing informed that the People of *Catalonia* are inclined to cast off the Yoke imposed upon them by the *French*, and by withdrawing themselves from the Power of the Duke of *Anjou*, to return to the Obedience of the House of *Austria*: We desiring to maintain and improve that good Disposition in them, and to induce them to put the same speedily in Execution; and reposing special Confidence in Your Fidelity and Prudence, as also for the Knowledge you have of those Countries and People, have made choice of You to carry on so great a Work for the Advantage of Our Service, and the Good of the Common Cause, as is the making the Treaty with the *Catalans*, or any other People of *Spain*, to the Purposes aforesaid. You are therefore upon Receipt of these our Instructions, and other Your Dispatches, to repair as soon as conveniently you can, to *Genoa*, *Leghorne*, or such other Neuter Country or Place as You shall judge most proper for carrying on Our Service in this Particular: And being arrived there, You are to treat with the said *Catalans*, or any other People of *Spain*, about their coming into the Interest of *Charles* 3d. King of *Spain*, and joyning with Us, and Our Allies. To which Purpose, You shall inform your self what Number of Ships and Land Forces, what Quantity of Arms and Ammunition they may expect; and likewise what Number of Land Forces may be thought requisite for supporting them, and for facilitating this Design; and on the other Side, what Force of Horse and Foot they will be obliged to raise, and in what Time: What Provisions of all Sorts they can Supply for Our Fleet and Army; and at what Time they will expect the Assistance of Our Troops, and where the Forces shall meet, and in what Manner they may best cooperate. You shall, as often as conveniently You can, give an Account to the Earl of *Gallway* of the Progress you make in this Negotiation, in Order to the better concerting the Operations, and the Manner of rendring what is done on the *Portugal* Side most beneficial towards carrying on and promoting what shall be undertaken by the *Catalans*, as well as for rendring any Undertakings on the Side of *Catalonia* by way of Diversion or otherwise, most advantageous for promoting such Designs as may be undertaken in *Portugal*, or any Part of the Coast of *Spain*. And it is chiefly to be considered in what place and Manner Our Fleet and Land-Men on Board, and that accompany it, may be employed to the best Advantage.

You are not only to correspond with the Earl of *Gallway*, but also with the Prince of *Hesse*, and with the Admiral of our Fleet, and Commander in Chief of our Forces, when, and as often as you shall see Occasion for the Good of our Service; and likewise with *Richard Hill* Esq; or other Our Envoy Extraordinary with the Duke of *Savoy*. And in Case of any emergent Occasion, You may send an Express to Our said Envoy, desiring him to send to you without Delay, such of Our Frigates now in the *Mediterranean* under his Direction, as can most conveniently be had, and to obey such Orders as You shall give: Whereupon You are hereby empowered to dispatch such Frigat to *Lisbon*, to Our Fleet or *Gibraltar*, as Our Service may require for the better promoting this Undertaking.

You shall give the *Catalans*, or other *Spaniards*, Assurances of Our Utmost Endeavours to procure the Establishment of all such Rights and Immunities as they have formerly enjoyed under the House of *Austria*, and the Confirmation of such Titles as may have been conferr'd on any of them by the Duke of *Anjou*; and that We have for their further Satisfaction, sent to King *Charles* 3d. for Powers for confirming the same to them, which We do not doubt the Success of: And that We are willing, if they insist on it, to give Our Guaranty that it shall be done.

You may give them an Account of the Forces We intend to employ on the Coast of *Spain* this Year; which are intended to consist of 64 Ships of the Line, with Frigats, Tenders, and Transports, with 8000 *English* and *Dutch* Land-Men, to be employed as shall be judged best for the Service: But you are to make Use of this upon Occasion, to excite them to make the greater Provision on their Part; not acquainting them with the whole Strength at the first, but raising it by Degrees, so as to get the better Terms.

In Case any of the Nobility shall insist to have any Sum of Money to be advanced to them, upon Condition of Services to be performed by them, You are to give an Account thereof to Us; and in the mean Time You are to assure them that you do not doubt, but you shall be empowered to remit to them, whatsoever is necessary and reasonable for their Support as soon as they are actually in the Field. But you are always to remember to put a just Value on the Extraordinary Expence Her Majesty is at upon Account of this Expedition for the Common Benefit.

N° 46.

Mr. Crow's *Commission to treat with the* Catalans.

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 it highly concerns Us, as well as our Allies, that the *Spaniards* Shaking off the heavy Yoke of the Dominion of *France*, should return to the Obedience of the most August House of *Austria*, which that Nation has, for several Ages, found to be mild, and being informed that the most Noble Principality of *Catalonia* are desirous so to do; in Order to promote so good a Design, and even with our Succours of Money, and the Help of our Arms, to bring it as soon as possible to an happy End: We think fit to enter into a Treaty with the said Principality, or any other Province of *Spain*, upon condition they acknowledge and receive *Charles* the 3d, as lawful King of *Spain*, and utterly abdicate the House of *Bourbon*, and that to this End they join their Strength and Troops with Ours to attack the Duke of *Anjou*, and his Adherents. Know ye therefore, that We have fully empower'd Our Trusty and Well-beloved *Mitford Crowe* Esq; (who is acquainted with those Countries) to make an Alliance between Us, and the said Principality, or any other Province of *Spain*; and have ordered him, as We by virtue of these Presents empower and order him, to confer, agree upon, and do and conclude every thing with the Deputies of the said Principality, or any other Province, also fully empowered, that may conduce to the finishing so good a Work: And We do promise, that whatever he shall transact and conclude in our Name, in the said Treaty of Alliance between Us and the said Principality, or any other Province, We will accept and ratify the same. In witness whereof We have Signed these Presents, and caused Our Seal to be affixed to the same. Given at Our Court at St *James's* the 7th of *March* 1705, in the third Year of Our Reign.

N° 47.

Mr Crow's *Credentials to the* Catalans *&c.*

ANNE, by the Grace of God, Queen of *Great Britain*, *France*, and *Ireland*, Defender of the Faith, &c. To the most Illustrious, most Noble and most Excellent Lords, the Dukes, Marquesses, Counts, Barons, Nobles, Gentlemen, Magistrates of Towns, and Governours of Places, or any their Officers both Military and Civil, of the Principality of *Catalonia*, or any others whosoever of any Province in *Spain*, to whom these Presents shall come Greeting. Whereas We have taken up Arms to vindicate the Liberties of *Europe* against the exorbitant Power of *France*, and to this end We make Our Efforts to prevent the Neighbouring Nations from becoming its Slaves; and being also informed that you have always had a fervent Zeal for Liberty, and that you seem to disdain the Yoke of the Dominion of *France* which is laid on your Necks, and that You design, as becomes brave Men, to Shake off the same: We have therefore thought fit to send Our Trusty and Well-beloved *Mitford Crowe* Esq; towards you, long since known to some amongst you, not only to know your Thoughts upon this Subject, and to confirm You in so brave a Design, but we have also fully empower'd him to treat with You, and to do every thing that may conduce to the finishing this good Work. We hope

hope therefore that his coming will be acceptable unto you, and We desire you for the same Reason, that you will hear him favourably, and give an intire Faith to every thing he shall tell you in our Name. Given at Our Palace at St *James's* the 7th of *March* 1705, in the third Year of Our Reign.

N° 48.

St. James *May 1st.* 1715.

Instructions to the Earl of Peterborough *and Sir* Cloudesly Shovel.

EXTRACT.

WHereas nothing can be of more Importance to the common Cause, or prove more conducing to the Establishment of King *Charles* III. on the Throne of *Spain*, than the Possession of *Barcelona* and *Cadiz*: We therefore command you to concur to the utmost of your Power, with all such Measures as may be propos'd to you, for the reduction of those important Places. But since there is reason to believe, that the Attempts on *Cadiz* will be more practicable in your return, you are therefore without loss of Time to proceed to the Coast of *Catalonia*, leaving the Execution of the Attempt on *Cadiz* to a more proper Season when they less expect you, and when you may probably have some Assistance from the Army in *Portugal*, and the Garrison of *Gibraltar*. And being arriv'd on the Coast of *Catalonia*, We require and command you to do the best you can to induce the *Catalans* to cooperate with you for the reduction of *Spain*, to the Obedience of King *Charles* III. And you are to encourage those People whom we think well affected to the House of *Austria*, to shake off the Yoke of *France*: And to animate them to prosecute their Liberty with more Vigour, you are hereby empower'd to assure them, that they shall not want our Support; and you may promise them in our Name, that we will secure them a Confirmation of their Rights and Liberties, from the King of *Spain*, that they may be settled on a lasting Foundation to them and their Posterities; and you must use your best Endeavours, that the Declarations to be issued by His Catholick Majesty be suitable and agreeing with those published by our Order. But in case you find no suitable returns from the *Catalans* and *Spainards* to our kind Offers, and that they are not to be prevailed on by fair Means to espouse the Interests of the House of *Austria*, then you are to take proper Measures for annoying the Towns on the Coast of *Spain*, and reduce them by Force: In this, and all other Services governing yourselves as before directed by Council of War.

You are to correspond with *Mitford Crowe* Esq; who is now at *Genoa* by Our Command, in order to send Advices of the Dispositions of the *Catalans*.

N° 49.

Earl of Peterborough's *Manifesto* in *Spain.*

To all the Loyal Subjects of the Monarchy of Spain, *of what Rank or Quality soever, Church-men or Lay-men, within the Dominions of the Crown of* Spain, *Greeting.*

OUR Sovereign Lady, *Anne*, by the Grace of God, Queen of *Great-Britain*, *France* and *Ireland*, &c. having thought fit to constitute and nominate us, General of the Troops which Her Majesty has join'd with those of the Lords the States General, and which are employed to maintain the just Right of the most August House of *Austria* to the Monarchy of *Spain*, and to assist their other Allies: We have judg'd it necessary and convenient to declare, before we proceed to open Force, that we are not come into these parts to take Possession of any Place in the Name of Her *Britannick Majesty*, or of the Lords the States General, or to bring into these Countries the Ordinary Devastations and usual Calamities of War; but to defend and protect the good

good and Loyal Subjects of the said Monarchy, and to free them from the insupportable Yoke of a Government of Foreigners, and from the Slavery to which they have been reduced and sold to *France*, by ill-designing Persons. The Intention therefore of Her said Majesty, and of the Lords the States General, being to maintain the just Right of the House of *Austria*, and the Liberty and Priviledges of the Subjects of his Catholic Majesty: We declare and promise by these Presents, that all Loyal and true *Spainards*, who shall not oppose our Forces, but give Demonstrations of their Loyal and due Obedience to their King *Charles* the 2*d*. shall be protected and maintain'd in their Religion, Persons, Estates, Offices and Priviledges, without any Molestation. But if (contrary to our Hopes) the Inhabitants and People of these Countries shall not concur with us in the Execution of the good Intentions of her said Majesty and of the Lords the States General: We take God to Witness, that they wilfully draw upon themselves all the Hostilities which may be committed by the Forces under our Command; and that the Blame will lye at the Door of such *Spainards*, who when so fair an Opportunity is offered them, to give Proofs of their Loyalty, and follow the Motives of their Duty and Interest, shall let slip so favourable a Conjuncture.

N° 50.

Extract of Lord Lexington's *Instruction when he went Ambassador to* Spain. *Dated at* Windsor *the* 1*st. day of* Sept. 1712.

AS soon as you receive these our Instructions and your other Dispatches, You shall repair with all diligence to *Madrid*, or where-ever else you are informed the Court is. Upon your Arrival you shall immediately give notice thereof to the Secretary of State, and acquaint him that you are come thither upon the Assurances we have had from the most Christian King, that you shall be kindly treated, and that you shall be permitted to be present in Person at the Solemnity of the Renunciation that is to made to the Crown of *France*. You shall at the same time let him know that we have fully Authoriz'd you, to take upon you the Character of our Ambassador Extraordinary, and to acknowledge the King of *Spain* and the *Indies* as soon as he shall have made his Renunciation in the Form agreed on, and shall acknowledge the Succession to the Imperial Crown of these Realms, in the Protestant Line in the House of *Hanover*, in the same manner the *French* King has done, and shall have signified to You his Resolutions to execute whatever has been Stipulated by the Most Christian King in his Behalf.

You are to represent to his Majesty, or his Ministers, that it is no less for his Interest than for Our Honour, that a General Amnesty be granted without Exception to all *Spaniards*, who have adhered to the House of *Austria*, and in a particular Manner to the *Catalans*, with regard to their Persons, Estates, Dignities, and Priviledges.

N° 51

Extract of the Demands made by Lord Lexington *to the Court of* Madrid, *on the Part of the Queen of* Great Britain, *October* 1712.

ART. 11th, The Queen of *Great Britain* prays his Majesty to grant a General Amnesty without Exception to all *Spaniards*, who have adhered to the House of *Austria*, and particularly the *Catalans*, the Queen thinking it as necessary to the Interests of his Catholick Majesty, as for her Honour.

N° 52. *Lord* Dartmouth *to the Marquis de* Monteleone, Jan. 14*th*, 17$\frac{12}{13}$.

SIR,

THE QUEEN having understood by the Duke of *Shrewsbury*'s last Letters, that the Catholick King did not intend that the Amnesty he granted to the *Catalans*, should extend to the Preservation of their Priviledges; I cannot express to you, Sir, how much Surprize Her Majesty show'd upon it; for to speak plainly to you, 'twas never thought His Catholick Majesty design'd to take away the Lives of the Inhabitants of a whole Province, so there was no Occasion to provide for it by a Treaty. The sole Thing then intended in stipulating a General Amnesty, could be no other, than that this Province should be permitted to enjoy the same Priviledges, and be upon the same Foot in every Respect, as it was at the Death of the late King of *Spain*, *Charles* the IId. The Queen, Sir, has order'd me to represent this to your Excellency in a most earnest manner, as a Matter in which Her Majesty's Honour is very much concern'd, That She looks upon it as an Article already stipulated in all its Forms, and which She thinks Herself oblig'd by Motives of Conscience not to depart from.

N°. 53. *Translation of Lord* Lexington's *Letter to Mr.* Orry, Aug. 16*th*, 1713.

I Set out to Morrow for the Escurial, to enjoy the only Moment of Leisure I have had since my Arrival at *Madrid*. I beg I may have an Answer to my last Memorial touching *St. Sacrament*, at my Return to send it away by the next Post: Also I entreat you, Sir, to consider well your own Interests, if you will not do it in Regard to the Instances of the Queen my Mistress; your Suspension of Arms on that Side, which ends in less than two Months; the Necessity you are under to withdraw your Troops from *Andalousia*, to put an End to the Rebellion of the *Catalans*; and if it would not for these Reasons be very much for your Convenience, to make Peace with *Portugal* in the present Conjuncture. I ask you a Thousand Pardons for concerning my self in your Affairs.

N°. 54. *Extract of the King of* Spain's *Answer to my Lord* Lexington's *Memorial, the* 15*th of* Dec. 1712.

AS to the Amnesty which is propos'd and desir'd in the Sixth Point for the *Catalans*, tho' his Majesty might refuse it, as well on Account of the little those People have deserv'd from him, as of the Condition to which they are now reduc'd in the little Ground they are possess'd of in that Principality, being without the Assistance of Her Majesty of *Great-Britain*'s Troops, and those of *Portugal*, which are withdrawn, and his Majesty's Troops and those of the King his Grandfather, being ready to enter in this very Month of *December*, by three several Ways into their Country; notwithstanding all these Reasons, his Majesty, more out of Complaisance to Her British Majesty, and to give Her Satisfaction, than for any of the Arguments that have been offer'd, is willing to grant his Pardon to all the *Catalans*, who acknowledging the King's Clemency, and repenting them of their Error, shall submit to His Dominion and Vassalage, within the Time that shall be prefix'd for that Purpose.

N°. 55. *Extract of the Convention for evacuating* Catalonia, *&c.* March 14*th*, 1713.

Art. 1°. ALL the Troops of the Emperour and of the Allies shall be sent away out of the Principality of *Catalonia*, and the Islands of *Majorca* and *Ivica*.

8°. Moreover a General Amnesty and a perpetual Oblivion, *&c.* shall be granted, and shall be publish'd immediately, in due form, from the time that the Evacuation begins, for all the Subjects and Inhabitants of *Catalonia*, and of the said Islands, as well Secular as Ecclesiastical.

9°. But whereas the Plenipotentiaries of his Imperial Majesty, have still insisted upon the Enjoyment of the Privileges of the *Catalans*, and of the Subjects and Inhabitants of *Majorca* and *Ivica*, before the Evacuation; but on the Part of *France*, and of her Allies, whatever relates to this Affair, is referr'd to the conclusion of the future Peace, Her Royal Majesty of *Great-Britain* has again declared, that she will interpose her good Offices in the most effectual manner, whenever there shall be occasion, that for the future, the Inhabitants of *Catalonia*, *Majorca* and *Ivica*, may enjoy their Privileges, in which the said Imperial Plenipotentiary Ministers did at last acquiesce, since the most Christian King himself had ordered it to be declared by his Plenipotentiary Ministers, that he wou'd also joyn his Endeavours for that Purpose.

N°. 56. *Extract of a Letter from Lord* Lexington *to the Lord* Dartmouth, August 7*th*, 1713.

MOnsieur *Orry* spoke to me from the King last week, saying that His Majesty desired, that the Queen would be pleas'd to lend him six or more Ships to block up *Barcelona*, and this Morning the Princess pressed me extremely upon the same Subject. I answer'd to both, that I could say nothing to it, but that I was afraid it would meet with this difficulty, that Her Majesty would be very unwilling to lend Her Ships to exterminate a People, that had taken up Arms in a great Measure at the Instigation of her Ministers, and that she would think she had done enough to gratify the King of *Spain*, in not insisting upon the preserving for them their Antient Liberties, without helping to destroy them, and that if his Majesty could have been prevailed upon to have been less rigid upon that head, all this had been avoided, and the *Catalans* perhaps in as great Tranquillity, and as Obedient Subjects as any in *Spain* at this Day.

N°. 57. *Translation of the Lord* Lexington's *Letter to the Deputies of* Barcelona, November 28*th*, 1713.

Gentlemen,

I Wish I could have seen, before my departure for *England*, the Desires of the Queen my Mistress accomplished, but it is so long since I have received Her Majesty's Orders to return, that I cannot defer the same any longer, and I set out this Day from *Madrid*, in order to go and embark at *Lisbon*, where one of our Men of War stays for me, so that the best I thought I could do for you, was to employ the last Moments of my Stay, in Supplicating anew the King your Master, to receive your Obedience in the Words of the Treaty of *Utrecht*, and to pardon your Refusal of the Amnesty which was offer'd you by his Catholick Majesty. I charge the Consul at *Alicant* to convey this Letter to you, under any pretext whatsoever, and that it may be deliver'd safe to you, that it may induce you, for your own good, to take the resolution of having recourse to the King's Clemency. There are advices here which assure us, that you have applied to the Queen my Mistress, for using her good Offices with the Catholick King, for obtaining this favour in your behalf; relying upon those Advices, I venture writing to you upon this Subject, having always been desirous to contribute to every thing most favourable that might be demanded for you at this Juncture, which is such, that I must repeat to you, I cannot give you a better Advice, than that of accepting the Amnesty in the Manner it was offer'd you, since God has not permitted that any thing more could be obtain'd in your Favour. I leave my Secretary at *Madrid*, to whom the Consul will transmit your Answer, which may come to my hands at *Lisbon*, before I embark; in case you take your Resolutions without any delay, and soon enough for that purpose, I could write from thence in such manner as you should desire, having always been full of good Will for you, and ready to lay hold of all opportunities of shewing you how much I am, *&c.*

N°. 58. *Extract of a Letter from Lord* Lexington *to Monsieur* Orry, 30*th* Nov. 1715.

SIR,

I Send you the Letter for the Gentlemen of *Barcelona*, as we have concerted it, and approv'd by his Majesty; a Letter for the Count of *Lecheraine*, and another for our Consul at *Alicant*; it is necessary that the Count of *Lecheraine* should be made privy to this Matter, for otherwise it willbe very difficult to perswade any one to undertake such an Affair, which leads directly to the Gallows. You must either Secure the Person by a Passport, that will undertake it, or give him a good reward; otherwise you will find no Body to do it.

I desire you Sir to be perfectly perswaded, that where-ever I am, you have a faithful Servant, sensible of all the Obligations you have laid upon me. I desire you to lay me at the Feet of the King and of the Queen, to whose Service I shall be devoted all my life. I go away deeply affected with all the Favours and Civilities their Majesties have shewn me on all Occasions. I shall have an Eternal gratitude for all the marks of goodness of Madam the Princess, and will not fail to acquaint the Queen with the Zeal she has always shew'd for her Majesty's Service.

N°. 59. *Extract of a Letter from Mr.* Burch *to Mr.* Tilson, Dec. 4*th*, 1713. *N. S.*

HIS Lordship orders me to send you likewise the Letter, mentioned therein to the Gentlemen of the Deputation of *Barcelona*, which his Excellency has been perswaded to write, at the repeated desire of this Court.

That about a fortnight ago this was propos'd to his Excellency by the *French* Ambassador, who at the same time read a Paragraph out of a Letter from Monsieur *Torcy*, wherein he says, that the Queen had desir'd his Master to joyn with her, in order to induce this Court to accommodate that Affair; to which his Lordship answered, that he could say nothing to it, since he had received no Orders to that purpose.

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That the ſame was afterwards propos'd by the Princeſs, and in a very preſſing manner the morning before his Lordſhip left this Court, and at the ſame time told him, that the King deſired he would come to him that Evening, which his Lordſhip accordingly did, when his Majeſty was pleaſed to tell him, that he had receiv'd a Letter from his Grandfather to the ſame purpoſe with what the *French* Ambaſſador had before told him, and that therefore he deſired his Lordſhip would write ſuch a Letter; upon which his Excellency told his Majeſty much the ſame as what you will find marked in his Letter to Mr. *Orry*; however he thought he could not refuſe to comply with his Majeſty's repeated deſire upon this occaſion, eſpecially ſince there is nothing contain'd in the ſaid Letter, but what has been agreed upon at *Utrecht*, and his Lordſhip was the more inclined thereto for this reaſon, that if they had a Mind to accommodate, the Queen would have the Meditation; and if they had not, that then this Court would ſee, that her Majeſty would be always ready to ſerve them, and how neceſſary She might be to them upon all occaſions, which his Lordſhip hoped, would very much haſten the Concluſion of the Peace.

N° 60. *Extract of Sir* Patrick Lawleſs's *Repreſentation to the Lord* Bolingbroke, Sept. *9th*, 1713.

WHEREAS the Treaty for the Evacuating of *Catalonia* has not been effectuated on the Part of his Imperial Majeſty, and that the Inhabitants of *Barcelona* and *Majorca* do ſtill refuſe to put themſelves under the King of *Spain*'s Subjection, live in an hoſtile Manner, committing great Depredations at Sea, and interrupting all Commerce and Correſpondence in the *Mediterranean*, in which it is apprehended they will be aſſiſted by the *Algerines* and other *Moors*, to the univerſal Detriment of all the Trading Nations of *Europe*, unleſs ſome ſpeedy means be found to prevent the ſame by a Naval Strength: It is ſubmitted to the Conſideration of Her Majeſty, not only as Guarantee of the aforeſaid Treaty of Evacuation, but as it ſo materially concerns the Intereſt of *Great Britain*; and therefore his Catholick Majeſty hopes, that Her Majeſty will Order a Squadron of Her Ships of War, for the purpoſe of ſuppreſſing thoſe evil Practices, reducing his Catholick Majeſty's Subjects to their Obedience, and thereby compleat the Tranquillity of *Spain*, and of the Mediterranean Commerce.

N° 61. *Extract of the Inſtructions for Sir* James Wiſhart, February 28*th*, 1713.

WHEREAS frequent Complaints have been made to Us, that the Trade of our Subjects has been interrupted in thoſe Seas in an unuſual and extraordinary Manner by Ships and Veſſels belonging to *Catalonia*, *Majorca*, *Sardinia*, *Naples*, and other Places; You are therefore upon all ſuch Complaints which you ſhall receive from hence, or which ſhall be brought there by Our Subjects claiming your Protection, to apply in the moſt proper Method you can for Reſtitution to be made, and Satisfaction to be given; and you are to let the Perſons concerned know, that in caſe of refuſal, you are directed to make Repriſals, and accordingly when you judge it neceſſary, you are to make Repriſals upon ſuch as refuſe to do Juſtice to Our Subjects; We being determined to do all that in Us lies towards reſtoring the free and peaceable Navigation of thoſe Seas, and ſecuring the quiet and unmoleſted Commerce of all fair and lawful Traders.

You will have herewith put into your Hands an Authentick Copy atteſted by *Theophilus Blyke*, late Commiſſary of our Stores at *Barcelona*, of the Receipt given

given there, for ſuch Part of the ſaid Stores as were taken forcibly from him in the Month of *Auguſt* laſt, notwithſtanding his procuring an Article of his Inſtructions, by which he was forbid to deliver out any Stores unleſs by Direction from our Captain-General, or Commander in Chief of our Forces; You will have likewiſe a Copy of a Letter from the Deputation at *Barcelona* to Our High-Treaſurer of *Great Britain*, and an Eſtimate of the Value of the aforeſaid Stores atteſted by the ſaid *Theophilus Blyke*. Upon theſe Foundations, when you come before the ſaid City of *Barcelona*, You will in Our Name demand the immediate Payment of the Value of the ſaid Stores according to the Eſtimate aforementioned, or a ſufficient Security for the Payment thereof in ſome reaſonable Time; and you will further repreſent to the Deputation of *Barcelona* on this Occaſion, that they have great Reaſon to think themſelves very tenderly us'd, if We only demand the Value of the Stores which were taken in ſo unjuſtifiable a Manner, to be paid Us; Whereas we might with ſo much Equity, and on ſo good Grounds likewiſe inſiſt upon a full Reparation for the Affront offer'd to Us, in violently Seizing our Stores, and confining the Perſon of our Officer.

We have alſo directed that a Copy of the Convention made at *Utrecht*, for the Evacuation of *Catalonia*, and for preſerving the Neutrality of *Italy*, ſhould be put into your Hands. We eaſily foreſee that many Complaints will be made, and that many Diſputes will ariſe concerning the Performance or Infraction of that Convention, whereof We made our Selves Contractor and Guarantee in ſo very particular a Manner. Wherefore We think fit to require and Command you to Endeavour upon all Occaſions to redreſs any thing that may be done contrary to it, and to enforce a ſtrict Obſervance of it in all its Parts.

Upon your repairing to *Barcelona*, you are likewiſe to give Notice of your Arrival to Our Right, *&c. Robert* Lord *Bingley*, whom we have appointed to be Our Ambaſſador Extraordinary at the Court of *Spain*, and to ſend him an Account of your Proceedings; and in this and all other Matters relating to Our Service, you will take Care to Correſpond with our ſaid Ambaſſador; particularly in Order to the putting an End to the Diſorders and Confuſions which now reign in thoſe Parts. And when you ſhall be informed by our ſaid Ambaſſador of the Negociations he has adjuſted concerning the Inhabitants of *Catalonia*, and towards procuring the Quiet and Settlement of that Province, and of the Iſland of *Majorca*, you ſhall upon ſuch Informations and Advices take the neceſſary Meaſures purſuant to Our Intentions, and the general Inſtructions We have given you in that behalf, and according to ſuch other Inſtructions as you may from Time to Time receive relating thereunto.

N° 62. *Extract of additional Inſtructions for Sir* James Wiſhart, *the* 18*th of* March, 17$\frac{13}{14}$.

WHEREAS by Our Inſtructions to you bearing Date the 28th Day of *February* laſt, you are directed to give Notice of your Arrival at *Barcelona* to Our Right, *&c. Robert* Lord *Bingley*, who is going as our Ambaſſadour Extraordinary to the Court at *Madrid*, and to purſue ſuch Meaſures as are therein mentioned: Our Will and Pleaſure is, that you ſhould take Care to time your Arrival before the ſaid City of *Barcelona*, according to the Advices which you ſhall receive from our ſaid Ambaſſador. And whereas he will be Inſtructed to uſe his utmoſt Endeavours to obtain for the People of *Catalonia* (notwithſtanding their refuſal upon the Evacuation of that Country by the Troops of his Imperial Majeſty, to Submit to Our good Brother the Catholick King) all the Security and Advantages that are poſſible, you ſhall therefore upon receiving from our ſaid Ambaſſador an Account of what he has been able to obtain from the Court at *Madrid* in their Behalf, endeavour by the ſtrongeſt Repreſentations you can make, to induce the Government of that Principality to accept of the Terms ſo obtained, and no longer to continue a War, the Event of which muſt, ſooner or later, be fatal to them.

And

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And whereas by Our Instructions afore-mentioned, We did likewise direct you to demand Satisfaction from the Inhabitants of the Island of *Majorca* and others, for the Piratical Depredations which have been and may be exercised on any of our Subjects Trading in those Seas; Our further Will and Pleasure is, that you should in the first Place take all proper Methods of Persuasion to induce the Inhabitants of the said Island to submit to the Terms which Our Ambassador at *Madrid* aforesaid shall inform you to be offer'd to them; and in case they do persist in their Refusal to comply with such Terms, then you are to employ the Squadron under your Command in countenancing and assisting all Attempts which may be made for the reducing of the said Island of *Majorca* to a due Obedience, that so the same having been yielded up by his Imperial Majesty, may become Subject to some Government or other, and no longer remain in the State it is at present, a Harbour for Pirates and Robbers.

You are to take the first Opportunity you have, when you are on the Spot, and joining with the Spaniards in their Undertakings, to settle with the Officers of the Court of *Madrid*, the several Species of Provision, and other Necessaries which our Island of *Minorca* shall have Occasion to draw for their Subsistance from that of *Majorca*, and to adjust as far as possible the particular Rates and Prices at which the said Provisions, and other Necessaries shall from Time to Time be furnished.

You shall likewise take the best Care you can that it may be understood, that Our Subjects of the Island of *Minorca* may have free leave to fetch what Quantity of Wood they shall want for the Island of *Ivica*; and if you find the *Spaniards* to take Umbrage at this Practice, or to make a Difficulty of allowing this Liberty, then you are to insist, in consideration of the Friendship between Us and the Catholick King, and of the Obligations which he has to Us, that some Agreements or Convention be made for settling that Matter on the best Terms that can be obtained, and as shall be reasonable.

N° 63. *Extract of Monsieur de* Torcy's *Letter to Mr.* Prior, Marly *Nov.* 13*th*, 1713.

YOU receiv'd, *Sir*, sometime since, Orders from the Queen of *Great-Britain* to use Her good Offices with the King in Favour of the *Catalans*, who have rebell'd against the King of *Spain*, and of the Inhabitants of *Barcelona*. You acquainted me, that Her *Britannick* Majesty was sure they would submit to the King their Master, if that Prince would grant them a general Amnesty, the Restitution and Enjoyment of all their Estates, and in short the same Conditions which he had caused to be offer'd them, and which they did not accept, without mentioning their ancient Privileges any more.

The Answer which the King just now receives from the Catholick King upon this Article, is, that he is still willing to grant the same Conditions to the Rebellious *Catalans*, notwithstanding they render'd themselves unworthy of his Favours, by slighting them, and altho' he is now in a Condition to reduce them by Force: He desires the King to impart his Answer to the Queen of *Great-Britain*, my Lord *Lexington* having had no Orders to speak about this Affair.

N°. 64. *Extract of my Lord* Bolingbroke's *Letter to Mr.* Prior, Sept. 25*th*, 1713.

THERE is a Person here, of whom we have never taken the least Notice as a publick Man, but who however, is an Agent from the *Catalans*. By what we observe in him it is pretty plain, that a reasonable Accommodation might

might be made with that turbulent People. What is the Sense of the *French* Court on this Matter? How far will they concur with the Queen in advising *Philip* to make an End of that War?

N° 65. *Extract of Sir* James Wishart's *Letter to my Lord* Bingley, *from* Alicant-Road, *the* 19*th of* May, 1714. *O. S.*

I Take leave to acquaint your Excellency, that upon my Arrival here, I received a very civil Letter from Monsieur *Grimaldo*, his Catholick Majesty's Principal Secretary of State, in Answer to that I wrote to him from *Cadiz*, together with the King's Order for our being exempted from paying the Duties of such Wine, Oil, and other Provisions as we should have Occasion for in his Ports; but the Prices of them are so very High, that though we have now that Priviledge, we must think of being supplied elsewhere in the *Mediterranean*, if we don't find them cheaper in some other Ports of *Spain*.

My Lord, Whereas it has been usual, That the Grant of Exemption from the said Duties, has been made to the Admiral and Commander in Chief of Her Majesty's Ships when on these Coasts: I desire your Excellency may be pleased to move, that the said Grant be made to myself, if you think Convenient; but as this is but a Trifle, I submit it to your better Judgment, whether the Granting of it may not be a means to prevent any thing that might be intended from the Court of *Madrid* more to my Advantage, and do leave it intirely to your Consideration what may be most for my Interest at that Place. And I hope by your Lordship's Friendship to find some Marks of Favour from thence in regard of the very great Expence I am at in this Expedition, which is so much intended for their Service, and for which I have no Allowance from Home but my Pay, which won't defray half my Charges.

N° 66. *Extract of Sir* James Wishart's *Letter to my Lord* Bingley, *from* Alicant-Road, May *the* 21*st*, 1714. *O. S.*

MY Lord, in my Letter of the 19*th* instant, I desir'd the Favour of your Excellency to move the King of *Spain*, that the Grant of Exemption of the Duties of Wine, Oil, *&c.* should be to my self, in regard that those who have been Admirals of Her Majesty's Fleet formerly in the *Mediterranean*, have had the same Benefit; but upon a further Consideration of this Matter, which is but of small Moment, and that it may appear much greater than it really is, both at the Court of *Spain* and *England*, I desire your Excellency may not take any Notice of it, but let the Grant stand as it does.

My Lord, on any other Occasion that the Court of *Madrid* might take, to express their good Will to me, I humbly beg your Excellency's Countenance and Assistance, leaving it entirely to you to do therein as you shall think fit.

N° 67.

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N° 67. *Copy of a Letter from Sir* James Wishart *to the Government of* Barcelona, *from on Board the* Rippon *at Sea*, July 8*th*, 1714. O. S.

Gentlemen,

WHEREAS many Complaints have been made from time to time, of the frequent Disturbances given to the Commerce of the Subjects of the Queen of *Great-Britain*, by Ships and Vessels carrying your Commission, which have insolently presum'd to take, carry up, and plunder their Ships, and to use the Men belonging to them in a barbarous manner; I have thought fit to send to you Captain *Gordon*, who commands Her Majesty's Ships of War, the *Moor* and *Launceston*, to represent to you those unwarrantable and presumptuous Proceedings: And by Command of the Queen my Mistress, I do demand Satisfaction for the same, expecting that it be immediately given, by your making Restitution to the several Parties injured, compensating to them their Losses and Damages, and punishing the Commanders and Officers of your Ships and Vessels, which have committed those Depredations, with the utmost Severity as the Nature of those Crimes deserves, understanding that some of those Ships and Vessels commission'd by you, do belong to *Majorca* and *Ivica*; I have also demanded from the Marquis de *Rubi*, that he do on his Part in procuring the Satisfaction aforesaid, which he has promised me to do: And if what is so justly demanded of you be not punctually complied with, I leave to your selves to judge what the Consequences may be. I am, *&c.*

N° 68. *Translation of the Letter from the City of* Barcelona, *to Sir* James Wishart, July 23*d*, 1714. N. S.

SIR,

YOUR Excellency's Letter of the 8*th* instant O. S. which was deliver'd to us by Captain *Thomas Gordon* and Captain *John Pulley*, Commanders of the *Moor* and *Launceston*, contains your Complaints against us, that our Privateers have detain'd the *English* Ships, having plunder'd and abus'd them, and depriv'd them of the Freedom of Trade; for which reason your Excellency demands Satisfaction for Damages; and to inform us of this Fact, Captain *Gordon* has communicated to us, a Memorial which we answer'd immediately; and we have the Honour to acquaint your Excellency, that only one of these Vessels mention'd in the said Memorial, laden with Salt, was brought into this Harbour by our Privateers; and that after having taken out her Lading, and entirely paid the Captain for the same, he would Sail out of the Port with all his Sails, and a strong Wind, the Pilot having no regard to the shallowness of the Water, nor to the Intimation that was given him of the Danger to which he expos'd himself, as he experienc'd it, for he run a-ground at the entrance of the Harbour, and got off with much Difficulty, by the speedy Assistance that was given him. Nevertheless we do not think we ought to pay for the Damages occasion'd by the Ill Conduct of the Pilot.

As to the other Ships mention'd in Captain *Gordon*'s Memorial, as we have not had the least knowledge of it, we suppose there must be some mistake; it may be also that at *Majorca* or *Ivica* they may know something of it. However, we can give an account of some other Ships that came into this Port to sell the Provisions they had on board: they were well used, and sold freely their Goods at a higher Price than they could have got any where else, having paid them with our best sort of Mony to their intire satisfaction, having thus supply'd us with what we wanted, being besieg'd; in which condition, according to the Law of Nations, we are persuaded we have not acted against Justice or Reason, as your Excellency will see by the enclosed Copys of Letters, which we writ to the Governour of *Port-Mahon*, and Commadore *George Camock*, and by the Answer of the former to this City; whereby we doubt not but your Excellency will be convinced of the Justice of our Proceedings, and be made sensible, that the News spread in *Europe* that we lived like Pirates, is a mere Invention of our Enemys, to render us odious to Mankind, and hinder them from trading with us, thereby to deprive us of all Necessarys for our Subsistence, in order to reduce us the sooner. And to convince your Excellency how much we value a good Correspondence and Union with the *English* Nation, an Order was publish'd this day in this City, forbidding our Privateers, upon pain of Death, not to take, detain, or abuse any *English* Ship under any pretence whatsoever, altho they should even carry Provisions to the Enemy. We hope your Excellency will be so just as to approve our Conduct, which is conformable to the Rights of People that are besieg'd; assuring you, that when we shall know of any of our Ships, either with Commission, or without, that shall have caused the least damage to any *English* Ship, we will not only punish them rigorously, but shall likewise be ready to make good all Damages, as we told Capt. *Gordon* more at large: for we desire always to continue in that good Correspondence, which we have maintain'd hitherto with your Noble and Generous Nation, and to shew our most profound Respect towards the Queen of *Great Britain*; as also to obey your Excellency's Orders, which we earnestly desire you will please to honour us with, being with great Truth and Respect, *&c.*

Number LXIX.

Letter from the Town of Barcelona *to Sir* James Wishart, 23 July, 1714.

YOUR Excellency very well knows, that the Engagement *Catalonia* enter'd into, to receive *Charles* the Third for their King, was founded on the Protection of the High Allies, but most particularly of *England*; without which we were not capable of coming into so great an Undertaking. It was carry'd on seven Years, during which time we have always seen most Valiant *English* Troops, that have distinguished themselves not only in the Sieges of Places, but also in their Defence; particularly in that of *Cardona*, which as it was the last Action, so it is fresher in our Memory. In all this time *Catalonia* endeavour'd to serve the *English* Nation to the utmost of their power, by contributing Troops, and considerable Sums of Mony without Interest. And tho we had pleased our selves with the thoughts of the Happiness to be always Subjects of *Charles* the Third, seeing him so powerfully supported; yet by the ordinary Change to which human Affairs are liable, we now see the Troops of the Duke of *Anjou*, assisted by the *French*, Masters of all the Principality, except *Barcelona* and *Cardona*: committing through the whole, the most execrable Hostilities, Burnings, and Plunderings, without sparing the Effusion of innocent Blood, and without distinction of Age or Sex. The Enemy have for a Year oppress'd this Town by Sea and Land, and we continually suffer the Calamitys of so long a Blockade; during which time above fourteen thousand Bombs have been thrown into the Town, which have ruin'd the greatest part of the Houses. They are now endeavouring to attack us in form, and we fear that in twenty four Hours the Town will be batter'd in Breach.

We cannot expreſs to your Excellency with how much grief we ſee the Danger the Inhabitants are expos'd to, of becoming the Victims of that Cruelty with which they are threatned by the Enemy; and having no other Comfort left, but to fly to the Queen of *Great Britain*, we implore her Protection by the incloſed Letter to Don *Pablo Ignacio Dalmaſes*, our Envoy at *London*. In the mean time, till an Anſwer can come, we beſeech your Excellency from our Souls to mediate with the *French* Troops, who oppreſs us, for a Suſpenſion of Arms: ſince at the Congreſs of *Baden*, where Endeavours are uſing to conclude a General Peace, this Affair may ſtill be determined. We doubt not but your Excellency's Mediation will be powerful enough to procure us this Relief, your Excellency being Commander in the *Mediterranean*, and your Squadron being ſuperiour to that of the Enemy. We ſee no other Remedy but this, in Nature, to our Misfortunes; and therefore we hope your Excellency will not refuſe us: in this, our Relief conſiſts. And if *Catalonia* has merited any thing by its Services, and by its Conjunction with the *Engliſh* Nation, this is now the time to receive the Fruits of it, being worthy, by the means of your Excellency, of this Benefit; for which, all the Principality, and this Town, will ever be oblig'd to the whole Nation, and particularly to your Excellency: deſiring nothing more than to compenſate, by our Services, this Favour, which we hope from your Excellency's Goodneſs. It is worthy of your Excellency to comfort the Afflicted, and not to deny us this Favour in our great Neceſſity. And your Excellency may be aſſured of our perpetual Gratitude; deſiring your Excellency to honour us with your Orders, and that God grant you a long Life, *&c.*

Number LXX.

Extract of Sir James Wiſhart's *Letter to Lord* Bingley, *from* Alicant-*Road*, Auguſt 7. 1714. O. S.

I Am to acquaint your Excellency, that having received a Letter on the third of laſt Month, from Monſieur *de Grimaldo*, Secretary of State to the King of *Spain*, ſignifying to me from his Majeſty, That the Flota from *New Spain* was daily expected at *Cadiz*, and that all his Ships of War being now employ'd before *Barcelona*, he could not ſend any of them to meet the ſaid Flota as uſual, to give them Aſſiſtance in caſe of their being diſabled, or otherwiſe in want thereof; and therefore deſiring that three of her Majeſty's Ships under my Command, of the fourth Rate, might cruize off Cape *St. Vincent*, to look out for the ſaid Flota: I thought it proper to comply with the King's Deſire therein, and did accordingly order three Ships of that Rate to proceed on that Service, and continue thereon till the middle of this Month. I have acquainted my Lord *Bolingbroke* with it, and hope to meet with her Majeſty's Approbation of the ſame.

Number LXXI.

Hampton-Court, *29th of October* 1711.

Mr. St. John *to Monſieur* Torcy.

SIR,

I Had anſwer'd your Letter of the 21ſt of *October*, N. S. when that of the 2d of *November* was deliver'd to me. I ſhall no more repeat to you the Aſſurances of a perfect Sincerity, ſince Words become uſeleſs, when there are Opportunities of ſhewing it by Deeds.

Mr. *Gaultier*, who will have the Honour to give you this Letter, will at the ſame time give you a Deſcription of the preſent Situation of the Affairs of Peace.

It

It is eaſy for thoſe who find their Intereſt in the War, (I make uſe of your own Expreſſions) to raiſe and keep up Miſunderſtandings: This is what ill-meaning People endeavour at, as well with us as elſewhere. I am nevertheleſs in no great pain, ſince it does but depend on the moſt Chriſtian King to render their Efforts of no uſe: The Explications you promiſe me will diſſipate all theſe Clouds; and you may believe we will make uſe thereof with great Reſerve, when I aſſure you, That if the King would but offer, as he has heretofore done, a Plan of Specifick Preliminaries, the Queen would never communicate it to her Allies.

I ſhall conclude in aſſuring you, That provided the Sieur *Gaultier* returns with theſe Marks of Confidence, of which I make no doubt, you will ſee our Parliament, which is going to meet, as much inclinable to Peace as ever it was to War. I am, *&c.*

H. St. John.

JOHN DRUMMOND Eſq; 13000 *l.* by Tallies on Tynn, for Special Services of the War.

ANNE R.

OUR Will and Pleaſure is, That by virtue of our General Letters of Privy Seal, bearing Date the 13th day of *March*, in the firſt Year of our Reign, you iſſue and pay, or cauſe to be iſſued and paid, out of any Money that is or ſhall be lent to us at the Receipt of our Exchequer, upon Credit of Repayment out of the Moneys ariſing by Sale of our Tynn, unto our Truſty and Well-beloved *John Drummond* Eſq; or his Aſſigns, the Sum of 13000 *l.* without Account, Impreſt, or other Charge; the ſame being for ſuch Special Services relating to the War, as we have directed. And for ſo doing this ſhall be your Warrant. Given at our Court at *Windſor-Caſtle*, the 15th Day of *October* 1711. in the Tenth Year of our Reign.

To *Robert* Earl of *Oxford*, Lord High Treaſurer.

By Her Majeſty's Command,

OXFORD.

Memorandum,
A Warrant ſign'd by Lord Treaſurer on the aforegoing Sign Manual, the 24th of *November* 1711.

JOHN DRUMMOND Eſq;

Out of Loans to be made on Credit of the Sale of Tynn.

ORDER, *&c.* 22d of *November* 1711. By virtue of her Majeſty's Letters of Privy Seal, bearing Date the 13th of *March* 1701. and in purſuance of a Warrant under her Majeſty's Royal Sign Manual, bearing Date the 15th of *October* 1711. That you deliver and pay of ſuch her Majeſty's Treaſure as remains in your Charge, unto *John Drummond* Eſq; or his Aſſigns, the Sum of 13000 *l.* without Account, Impreſt, or other Charge; the ſame being for ſuch Special Services relating to the War, as her Majeſty hath directed. And theſe, *&c.*

OXFORD.
R. BENSON.

ANNE

JOHN DRUMMOND Esq; 1200 *l.* in Satisfaction of so much expended by him for Special Service of the War.

ANNE R.

OUR Will and Pleasure is, That by virtue of General Letters of Privy Seal, bearing Date the 13th of *March* 1701. you issue and pay, or cause to be issued and paid, out of any our Treasure or Revenue, in the Receipt of our Exchequer, applicable to the Uses of our Civil Government, unto our Trusty and Well-beloved *John Drummond* Esq; or to his Assigns, the Sum of 1237 *l.* 10 *s.* without Account; that is to say, 1200 *l.* part thereof in Satisfaction of so much by him expended by our Command for Special Services relating to the War; and the remaining Sum of 37 *l.* 10 *s.* is to satisfy the Fees and Charges on receiving the said 1200 *l.* And for so doing, this shall be your Warrant. Given at our Court at *St. James's*, the 4th Day of *April* 1712. in the Eleventh Year of our Reign.

To *Robert* Earl of *Oxford*, and Earl *Mortimer*, our High Treasurer.

By Her Majesty's Command,

OXFORD.

Memorandum,
A Warrant sign'd by Lord Treasurer on the aforegoing Sign Manual, the 7th of *April* 1712.

JOHN DRUMMOND Esq; ORDER, *&c.* this 9th Day of *April* 1712. by virtue of her Majesty's Letters of Privy Seal, bearing Date the 13th of *March* 1701. and Warrant under her Majesty's Royal Sign Manual, dated the 4th Instant, That you deliver and pay of such her Majesty's Treasure as remains in your Charge, unto *John Drummond* Esq; or his Assigns, the Sum of 1237 *l.* 10 *s.* without Account: *viz.* 1200 *l.* part thereof in Satisfaction of so much by him expended by her Majesty's Command for Special Services relating to the War, and the remaining 37 *l.* 10 *s.* is to satisfy the Fees and Charges on receiving the said 1200 *l.* And these, *&c.*

OXFORD.
R. BENSON.

These are true Copies from the Entries in the Treasury-Books,

M. Frecker,
R. Burnbury.

Memo-

Loans on Sale of Tinn with Interest.

Nº of the Order.	When lent.	By whom.	Sum.	To whom assign'd.	When paid off at the *Exchequer*.
1965	*Decemb.* 11, 1711.	*John Drummond*, Esq;	300	To *Robert* E. of *Oxford*, &c	*Febr.* 26, 1714.
6		Ditto	300	Ditto	*Ditto*
7		Ditto	300	Ditto	*Ditto*
8		Ditto	300	Ditto	*Ditto*
9		Ditto	300	Ditto	*Ditto*
1970		Ditto	300	Ditto	*Ditto*
1		Ditto	300	Ditto	*Ditto*
2		Ditto	300	Ditto	*Ditto*
3		Ditto	300	Ditto	*Ditto*
4		Ditto	300	Ditto	*Ditto*
5		Ditto	300	Ditto	*Ditto*
6		Ditto	300	Ditto	*Ditto*
7		Ditto	300	Ditto	*Ditto*
8		Ditto	300	Ditto	*Ditto*
9		Ditto	300	Ditto	*Ditto*
1980		Ditto	300	Ditto	*Ditto*
1		Ditto	300	Ditto	*Ditto*
2		Ditto	300	Ditto	*Ditto*
3		Ditto	300	Ditto	*Ditto*
4		Ditto	300	Ditto	*Ditto*
5		Ditto	200	Ditto	*Ditto*
6		Ditto	200	Ditto	*Ditto*
7		Ditto	200	Ditto	*Ditto*
8		Ditto	200	Ditto	*Ditto*
9		Ditto	200	Ditto	*Ditto*
1990		Ditto	200	Ditto	*Ditto*
1		Ditto	200	Ditto	*Ditto*
2		Ditto	200	Ditto	*Ditto*
3		Ditto	200	Ditto	*Ditto*
4		Ditto	200	Ditto	*Ditto*
5		Ditto	200	Ditto	*Ditto*
6		Ditto	200	Ditto	*Ditto*
7		Ditto	200	Ditto	*Ditto*
8		Ditto	200	Ditto	*Ditto*
9		Ditto	200	Ditto	*March* 4, 1714.
2000		Ditto	200	Ditto	*Ditto*
1		Ditto	200	Ditto	*Ditto*
2		Ditto	200	Ditto	*Ditto*
3		Ditto	200	Ditto	*Ditto*
4		Ditto	200	Ditto	*Ditto*
5		Ditto	100	Ditto	*Ditto*
6		Ditto	100	Ditto	*March* 12, 1714.
7		Ditto	100	Ditto	*Ditto*
8		Ditto	100	Ditto	*Ditto*
9		Ditto	100	Ditto	*Ditto*
2010		Ditto	100	Ditto	*Ditto*
11		Ditto	100	Ditto	*Ditto*
12		Ditto	100	Ditto	*Ditto*
13		Ditto	100	Ditto	*Ditto*
14		Ditto	100	Ditto	*Ditto*
			11000		

2015

No. of Order	When lent.	By whom.	Sum.	To whom assign'd.	When paid off at the *Exchequer*.
			11000		
2015	*Decemb.* 11, 1711.	*John Drummond*, Esq;	100	To *Robert* E. of *Oxford*, &c	*March* 12, 1714.
16	Ditto	Ditto	100	Ditto	Ditto
17		Ditto	100	Ditto	Ditto
18		Ditto	100	Ditto	Ditto
19		Ditto	100	Ditto	Ditto
2020		Ditto	100	Ditto	Ditto
1		Ditto	100	Ditto	Ditto
2		Ditto	100	Ditto	Ditto
3		Ditto	100	Ditto	Ditto
4		Ditto	100	Ditto	Ditto
			12000		
		Ditto	100	To *William Fish*, Esq;	Ditto
6		Ditto	100	Ditto	Ditto
7		Ditto	100	Ditto	Ditto
8		Ditto	100	Ditto	Ditto
9		Ditto	100	Ditto	Ditto
2030		Ditto	100	Ditto	*March* 21, 1714.
1		Ditto	100	Ditto	Ditto
2		Ditto	100	Ditto	Ditto
3		Ditto	100	To *John Hibbert*, *Thomas Dixon*, and *Philip Bodham*.	Ditto
4		Ditto	100	To *James Burgess*.	Ditto
			13000		

Memorandum, The Orders assigned by *John Drummond*, Esq; to *Robert* Earl of *Oxford*, &c. for the Sum of 12000 *l.* were assigned by his Lordship to the Persons following, *viz.*

	l.
To *Stephen de la Creuze* and *Elias Peltier* from *No.* 1965 inclusive to *No.* 1984 inclusive.	6000
To *Elias Peltier* from *No.* 1985 inclusive, to *No.* 2004 inclusive.	4000
To *Elizabeth Lortie* from *No.* 2005 to *No.* 2024 inclusive.	2000
Total	12000

June *the* 8*th* 1715. *This is a true Copy taken from the Register of the Loans upon the Sale of Tinn.*

William Clayton.

F I N I S.