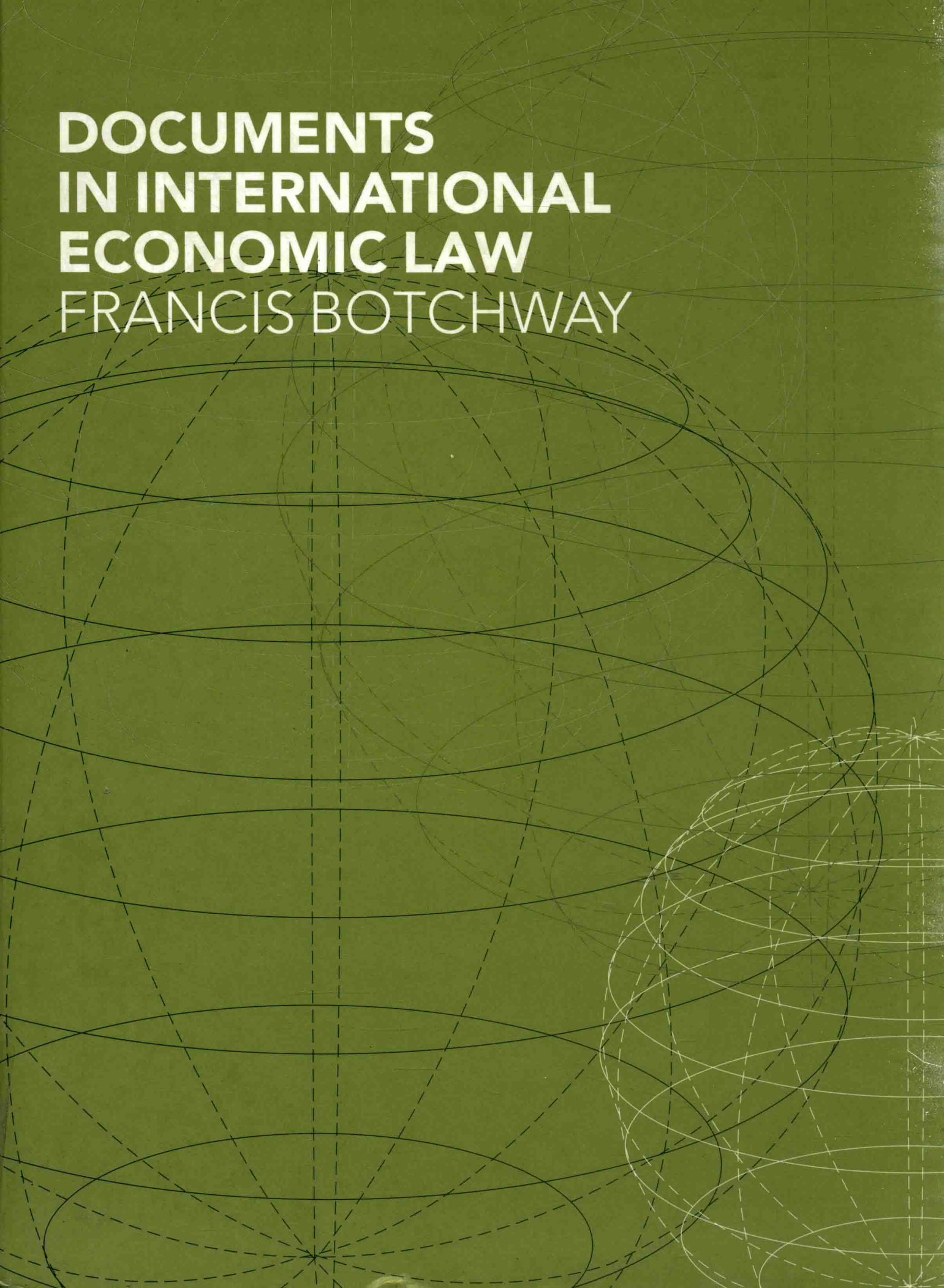


**DOCUMENTS
IN INTERNATIONAL
ECONOMIC LAW**
FRANCIS BOTCHWAY



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PREFACE

That the world economy is globalised cannot be gainsaid. There is hardly any discussion of economics or international relations that is distanced from consideration of their transnational implications. When difficulties are encountered or differences emerge, the normal recourse would be to international law, but national laws are still referred to where appropriate. Historically, perceptions of classical or public international law and the wider understanding of human rights dominated international discourse in the period up to the end of the Cold War. Since the 1990s the economy, and to some extent the environment, have come to the fore more forcefully. This was clearly typified by the conclusion of the Uruguay Round of trade negotiations in 1994, which had revolutionary and far-reaching imperatives. It not only dealt with subjects like Trade-related Intellectual Property Rights, Trade-related Investment Measures, and Public Procurement, but also dispute resolution instruments were made efficacious for the first time.

To be sure, international economy had not been a neglected area in the history of international relations and law. On the contrary, it was an integral part of the efforts at formulating the rules of international engagement. For example, the participants of the conference in 1688 who produced the Treaty of Westphalia made provisions for reparations, settlement, treatment of aliens, navigation and trade. Interestingly, the Finance Ministers of the relevant states also participated. If the treaty laid the foundation for the contemporary conception of international law, it follows then that it also laid the basis for the economic architecture that came after the political and peace map. The occasional disturbance of the peace dividend from Westphalia, and the desire to avert such, motivated the numerous Friendship, Commerce and Navigation (FCN) treaties that were entered into by various countries from the eighteenth century. The FCN treaties also contributed to the removal of the economic causes of conflicts between various sovereigns in Europe. It is from these treaties that principles such as Most Favoured Nation and Nationality emerged. Today, these principles serve as the pillars of international trade and investment.

The desire to remove the causes of conflicts was also responsible for the settlement of the possessions of European countries in Africa in 1884, as well as the agreements on instruments that were to become the cornerstone of the European Union and other regional blocs. These regional organisations have taken on distinctly economic outlooks that make their political foundations pale into comparative insignificance. It is not entirely possible to get away from the politics of economic treaties, as they are negotiated by politicians and agreed to at the political level. But there are treaties that are purely economic in motivation and provi-

sion. The treaties on Aviation, Monetary Policy, Taxation and specific infrastructure agreements like the European and Arab Maghreb Railway agreements are instructive on this. There are also those treaties which were a direct reaction to political developments, but which are economic in content and outlook. The Covenant on Economic and Social Rights, and The Convention on the Suppression of the Financing of Terrorism are examples.

The objective of this work is to provide a comprehensive 'one-stop-shop' for the location of any international agreement or instrument relating to economic activity. The documents cover issues ranging from development plans, such as the Marshall Plan to rebuild post-war Europe, to the management of commodities and products. Some of the documents are primarily of historical import. The Treaty of Westphalia, the Berlin Act on Africa and the Marshall Plan fall into that category. However, apart from having economic relevance in themselves, they are also important in adumbrating our understanding of contemporary and future international economic relations. Others such as the African Union, the European Union, MERCOSUR and NAFTA are much more important regionally, but it is often the regional institutions that develop into major players on the global stage, paving the way for various of their initiatives to be replicated at the international level.

In some cases the commonalities evoked by treaties between countries on regional matters, or on specific sectors or issues, coalesce to form the basis or evidence of customary international law. The regional or sectoral then becomes the global law or policy. This is one justification for the collection of Bilateral Investment Treaties and other bilateral agreements such as those on Competition or Antitrust. Even where a national measure of external importance is not objected to, but rather applied with tacit understanding of its implications by other relevant countries, that national measure could be the initiation of customary law. The Australian-led Generalised System of Preferences, the US-Africa Growth and Opportunity Act, the Helms-Burton, or Cuban LIBERTAD Act, and the Foreign Corrupt Practices Act, are pointers to this position.

There have been various attempts to provide the researcher, the practitioner and all who are interested in international economic issues with a collection of ready primary material. Most of these efforts were limited to basic materials, or were tied to textbooks as supplements. Their selection is therefore significantly influenced by the exigencies of the authors. Most of the existing collections do not place sufficient emphasis on history, and are further limited in terms of their geographical breadth and contemporariness. It is this lacuna that motivates *Documents in International*

Economic Law. The goal is to be the first port of call to aid anyone searching for international economic instruments.

Each chapter within Section One opens with a commentary for the document (or very occasionally documents) which follows. Section Two consists of an extensive series of tables recording the history of

membership, ratification and accession for each treaty. For ease of reference, in Section Three, the work is indexed in three different ways: chronologically, by economic sector and geographically. Whilst the law is as stated at 31 March 2005, it is intended that there should be regular updates to this edition to maintain the currency of material.

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Depositary countries and organizations responsible for the texts of the documents appearing in this work

were approached for permission and advice on their reproduction, and to them we offer grateful thanks. Individual acknowledgements relevant to the various documents are to be found in an accompanying note at the foot of the commencing page of each.

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SECTION ONE

Documents

Peace of Westphalia

Münster, 24 October 1648

INTRODUCTION

This Peace, consisting of separate treaties, is acclaimed as the founding accord of international law. It was agreed principally to end internecine wars and other conflicts that had afflicted most of Europe, particularly in the Germanic Holy Roman Empire. It also set precedent in post-war restitution and restoration, by providing for compensation for material damage, the restoration of movable and immovable property and contributions for rebuilding specific parts of the region. The agreement also addressed issues such as the treatment and exchange of prisoners and the neutrality of the Swiss cantons. Most of the developments in international law in these areas have departed little from these founding principles.

Although the political imperatives of the war and how they were to be dealt with continue to receive widespread attention from publicists and others, the Treaty was substantially economic. First, it ended the internecine wars that sapped energies otherwise needed for economic development. It then provided the secured conditions necessary for economic activity. The conference leading to the promulgation of the Treaty was attended by, among others, 'Superintendents of Finance', to help deal with the financial implications of the settlement.

In more specific terms, Upper Austria was allowed to repudiate a debt of 13m. rix-dollars owed to the Elector of Bavaria. Pension payable by the Lower Marquisate of Baden to the Upper Marquisate, based on an age-old custom, was stopped. Contracts, exchange, obligations and other transactions entered into on pain of violence or extortion, especially those from Weisenburg (Weissenberg) on the Rhine, Landau and Hailbron (Heilbronn), were annulled and pursuit of them was prohibited. Debtors who exacted bonds by force from their creditors were asked to restore the same, albeit with due regard to their rights. If debtors averred and proved that they made full payment of the debts, the creditors were to refrain from further prosecution of the debt. The exception to these stoppages of debt collection and money transactions was

money collected in good faith as contributions to forestall further mayhem.

Apart from financial settlements, the Treaty stressed that, 'since it much concerns the public that upon the conclusion of the Peace commerce be re-established', and 'for that end it has been agreed that the tolls, customs' and 'the abuses of the Bull of Brabant, and the reprisals and arrests which proceeded from thence, together with foreign certifications, exactions, detentions' and 'the immoderate expenses and charges of posts, and other obstacles to commerce and navigation introduced to its prejudice, contrary to the public benefit, here and there in the Empire on occasion of the war. . . shall be fully removed' (article LXIX). Full liberty of commerce, with secure passage by sea or land, was guaranteed. No less important was the provision for the equal treatment of traders foreign to a particular jurisdiction, using the treatment of national traders as standard. Herein lies the genesis of the contemporary principles of national treatment and, by extension, most favoured nation status in international economic relations.

The Peace of Westphalia was actually a series of treaties, produced in 1648 and concluding the Thirty Years War. In January, in the city of Münster, Spain and the Netherlands signed a treaty that recognized Dutch independence. In October the final texts providing for peace in Germany were signed, between the Empire and Sweden in another city of Westphalia, Osnabrück, and between the Empire and France in Münster. The traditional English translation (from the original Latin) of the last agreement is what is generally known in the English-speaking world as the Treaty of Westphalia. A version of that text (with some of the archaisms removed) is reproduced below, for reference, but even the original translation was in no way an official document—there were some errors and some significant divergences from the Latin, including article numbering—nor is it a complete one, as it does not include the accord with Sweden. However, its significance in the development of international economic law is still clear.

PEACE TREATY BETWEEN THE HOLY ROMAN EMPEROR AND THE KING OF FRANCE AND THEIR RESPECTIVE ALLIES

IN THE NAME OF THE MOST HOLY AND INDIVIDUAL TRINITY:

Be it known to all, and to everyone whom it may concern, or to whom in any manner it may belong,

That for many years past, discords and civil divisions being stirred up in the Roman Empire, which increased to such a degree, that not only all Germany, but also the neighbouring Kingdoms, and France particularly, have been involved in the disorders of a long and cruel war:

And in the first place, between the most Serene and most Puissant Prince and Lord, Ferdinand the Second, of famous Memory, elected Roman Emperor, always August, King of Germany, Hungary, Bohemia, Dalmatia, Croatia, Slavonia, Archduke of Austria, Duke of Burgundy, Brabant, Styria, Carinthia, Carniola, Marquis of Moravia, Duke of Luxembourg, Upper and Lower Silesia, of Wirtemberg [Württemberg] and Teck, Prince of Swabia, Count of Habsburg, Tyrol, Kyburg and Goritia [Görz—now Gorizia, Italy], Marquis of the Holy Roman Empire, Lord of Burgovia [Burgau], of Upper and Lower Lusatia [Lusace], of the Marquisate of Slavonia, of Port Naon [Portenau] and Salines, with his allies and adherents on one side; and the most Serene and the most Puissant Prince, Lewis the Thirteenth, most Christian King of France and Navarre, with his allies and adherents on the other side.

And after their Decease, between the most Serene and Puissant Prince and Lord, Ferdinand the Third, elected Roman Emperor, always August, King of Germany, Hungary, Bohemia, Dalmatia, Croatia, Slavonia, Archduke of Austria, Duke of Burgundy, Brabant, Styria, Carinthia, Carniola, Marquis of Moravia, Duke of Luxembourg, of Upper and Lower Silesia, of Wirtemberg and Teck, Prince of Swabia, Count of Habsburg, Tyrol, Kyburg and Goritia, Marquis of the Holy Roman Empire, Burgovia, Upper and Lower Lusatia, Lord of the Marquisate of Slavonia, of Port Naon and Salines, with his allies and adherents on the one side; and the most Serene and most Puissant Prince and Lord, Lewis the Fourteenth, most Christian King of France and Navarre, with his allies and adherents on the other side: From whence ensued great effusion of Christian blood, and the desolation of several provinces.

It has at last happened, by the effect of Divine Goodness, seconded by the endeavours of the most Serene Republic of Venice, who in this sad time, when all Christendom is embroiled, has not ceased to contribute its counsels for public welfare and tranquillity; so that on the one side, and the other, they have formed thoughts of a universal Peace.

And for this purpose, by a mutual agreement and covenant of both parties, in the year of Our Lord 1641, the 25th of December NS [New Style—Gregorian calendar], or the 15th OS [Old Style—Julian calendar], it was resolved at Hamburg, to hold an Assembly of Plenipotentiary Ambassadors, who should render themselves at Münster and Osnabrück in Westphalia on the 11th of July NS, or the 1st of the said month OS, in the year 1643.

The Plenipotentiary Ambassadors on the one side, and the other, duly established, appearing at the prefixed time, and on the behalf of his Imperial Majesty, the most illustrious and most excellent Lord, Maximilian Count of Trautmansdorf and Weinsberg, Baron of Gleichenberg, Neustadt, Negan, Burgau, and Torzenbach, Lord of Teinitz, Knight of the Golden Fleece, Privy Counsellor and Chamberlain to his Imperial Holy Majesty, and Steward of his Household; the Lord John Lewis, Count of Nassau, Catzenellebogen, Vianden, and Dietz, Lord of Bilstein, Privy Counsellor to the Emperor, and Knight of the Golden Fleece; Monsieur Isaac Volmamarus, Doctor of Law, Counsellor, and President in the Chamber of the most Serene Lord Archduke Ferdinand Charles.

And on the behalf of the most Christian King, the most eminent Prince and Lord, Henry of Orleans, Duke of Longueville, and Estouteville, Prince and Sovereign Count of Neuchâtel, Count of Dunois and Tancerville, Hereditary Constable of Normandy, Governor and Lieutenant-General of the same Province, Captain of the Hundred Men-at-Arms, and Knight of the King's Orders, etc., as also the most illustrious and most excellent Lords, Claude de Mesmes, Count d'Avaux, Commander of the said King's Orders, one of the Superintendents of Finances, and Minister of the Kingdom of France,

etc., and Abel Servien, Count la Roche de Aubiers, also one of the Ministers of the Kingdom of France.

And by the Mediation and Interposition of the most illustrious and most excellent Ambassador and Senator of Venice, Aloysius Contarini, Knight, who for the space of five years, or thereabouts, with great diligence, and an entirely impartial spirit, has been inclined to be a mediator in these affairs.

After having implored Divine Assistance, and received a reciprocal communication of Letters, Commissions and full Powers, the copies of which are inserted at the end of this Treaty [but not reproduced here], in the presence and with the consent of the Electors of the Holy Roman Empire, the other Princes and States, to the Glory of God and the benefit of the Christian world, the following Articles have been agreed on and consented to, and the same run thus:

I

That there shall be a Christian and universal Peace, and a perpetual, true and sincere amity, between his Holy Imperial Majesty and his most Christian Majesty; as also between all and each of the Allies and Adherents of his said Imperial Majesty, the House of Austria, and its heirs and successors; but chiefly between the Electors, Princes and States of the Empire, on the one side; and all and each of the Allies of his said Christian Majesty, and all their heirs and successors, chiefly between the most Serene Queen and Kingdom of Sweden, the Electors respectively, the Princes and States of the Empire, on the other part. That this Peace and amity be observed and cultivated with such a sincerity and zeal, that each Party shall endeavour to procure the benefit, honour and advantage of the other; that thus on all sides they may see this Peace and friendship in the Roman Empire and the Kingdom of France flourish, by entertaining a good and faithful neighbourhood.

II

That there shall be on the one side and the other a perpetual oblivion, amnesty or pardon of all that has been committed since the beginning of these troubles, in what place or what manner soever the hostilities have been practised, in such a manner that nobody, under any pretext whatsoever, shall practice any acts of hostility, entertain any enmity or cause any trouble to each other; neither as to persons, effects and securities, neither of themselves or by others, neither privately nor openly, neither directly nor indirectly, neither under the colour of right, nor by the way of deed, either within or without the extent of the Empire, notwithstanding all covenants made before to the contrary: That they shall not act, or permit to be acted, any wrong or injury to any whatsoever; but that all that has passed on the one side, and the other, as well before as during the war, in words, writings and outrageous actions, in violence, hostilities, damages and expenses, without any respect to persons or things, shall be entirely abolished in such a manner that all that might be demanded of, or pretended to, by each other on that behalf, shall be buried in eternal oblivion.

III

And that a reciprocal amity between the Emperor and the most Christian King, and the Electors, Princes and States of the Empire, may be maintained so much the more firm and sincere (to say nothing at present of the Article of Security, which will be mentioned hereafter) the one shall never assist the present or future enemies of the other under any title or pretence whatsoever, either with arms, money, soldiers or any sort of ammunition; nor no one, who is a member of this pacification, shall suffer any enemy troops to retire through or sojourn in his country.

IV

That the Circle of Burgundy shall be and continue a Member of the Empire, after the disputes between France and Spain shall be terminated and Spain comprehended in this Treaty. That, nevertheless, neither the Emperor nor any of the States of the Empire shall meddle with the wars which are now afoot between them. That if for the future any dispute arises between these two Kingdoms, the above-said reciprocal obligation of not aiding each other's enemies shall

always continue firm between the Empire and the Kingdom of France, but yet so as that it shall be free for the States to succour; without the bounds of the Empire, such or such Kingdoms, but still according to the Constitutions of the Empire.

V

That the controversy touching Lorraine [Lothringen] shall be referred to Arbitrators nominated by both sides, or it shall be terminated by a Treaty between France and Spain, or by some other friendly means; and it shall be free as well for the Emperor, as Electors, Princes and States of the Empire, to aid and advance this agreement by an amicable interposition, and other offices of pacification, without using force of arms.

VI

According to this foundation of reciprocal amity, and a General Amnesty, all and every one of the Electors of the Holy Roman Empire, the Princes and States (therein comprehending the nobility, which depend immediately on the Empire), their vassals, subjects, citizens and inhabitants (to whom on the account of the Bohemian or German troubles or alliances, contracted here and there, might have been done by the one Party or the other, any prejudice or damage in any manner, or under what pretence soever, as well in their Lordships, their fiefs, underfiefs and allodia, as in their dignities, immunities, rights and privileges) shall be fully re-established on the one side and the other, in the Ecclesiastical or Laic State, which they enjoyed, or could lawfully enjoy, notwithstanding any alterations which have been made in the mean time to the contrary.

VII

If the possessors of estates which are to be restored think they have lawful exceptions, yet it shall not hinder the restitution; which done, their reasons and exceptions may be examined before competent judges, who are to determine the same.

VIII

And though by the precedent general rule it may be easily judged who those are, and how far the restitution extends; nevertheless, it has been thought fit to make a particular mention of the following cases of importance, but yet so that those which are not in express terms named, are not to be taken as if they were excluded or forgot.

IX

Since the arrest the Emperor has formerly caused to be made in the Provincial Assembly, against the moveable effects of the Prince Elector of Trier [Treves], which were transported into the Duchy of Luxembourg, though released and abolished, yet at the instance of some has been renewed; to which has been added a sequestration, which the said Assembly has made of the Jurisdiction of Burch, belonging to the Archbishopric, and of the Moiety of the Lordship of St John, belonging to John Reinbard of Soeteren, which is contrary to the Concordats drawn up at Augsburg in the year 1548 by the public interposition of the Empire, between the Elector of Trier, and the Duchy of Burgundy: It has been agreed, that the abovesaid arrest and sequestration shall be taken away with all speed from the Assembly of Luxembourg, that the said jurisdiction, lordship, and electoral and patrimonial effects, with the sequestered revenues, shall be released and restored to the Elector; and if by accident some things should be embezzled, they shall be fully restored to him; the petitioners being referred, for the obtaining of a determination of their rights, to the judge of the Prince Elector, who is competent in the Empire.

X

As for what concerns the Castles of Ehrenbreitstein and Homestein, the Emperor shall withdraw, or cause the Garrisons to be withdrawn in the time and manner limited hereafter in the Article of Execution, and shall restore those Castles to the Elector of Trier, and to his Metropolitan Chapter, to be in the protection of the Empire, and the Electorate; for which end the Captain and the new Garrison which shall be put therein by the Elector, shall also take the Oaths of Fidelity to him and his Chapter.

XI

The Congress of Münster and Osnabrück having brought the Palatine cause to that pass, that the dispute which has lasted for so long time, has been at length terminated; the terms are these:

XII

In the first place, as to what concerns the House of Bavaria, the Electoral Dignity which the Electors Palatine have hitherto had, with all their regalia, offices, precedence, arms and rights, whatever they be, belonging to this dignity, without excepting any, as also all the Upper Palatinate and the County of Cham, shall remain, as for the time past, so also for the future, with all their appurtenances, regalia and rights, in the possession of the Lord Maximilian, Count Palatine of the Rhine, Duke of Bavaria, and of his children and all the Wilhelmine Line, whilst there shall be any male children in being.

XIII

Reciprocally the Elector of Bavaria renounces entirely for himself and his heirs and successors the debt of thirteen million, as also all his pretensions in Upper Austria; and shall deliver to his Imperial Majesty immediately after the publication of the Peace, all acts and arrests obtained for that end, in order to be made void and null.

XIV

As for what regards the House of Palatine, the Emperor and the Empire, for the benefit of the public tranquillity, consent, that by virtue of this present agreement, there be established an eighth Electorate; which the Lord Charles Lewis, Count Palatine of the Rhine, shall enjoy for the future, and his heirs, and the descendants of the Rudolphine Line, pursuant to the Order of Succession, set forth in the Golden Bull; and that by this investiture, neither the Lord Charles Lewis nor his successors shall have any right to that which has been given with the Electoral Dignity to the Elector of Bavaria, and all the Branch of William.

XV

Secondly, that all the Lower Palatinate, with all and every ecclesiastical and secular lands, rights and appurtenances, which the Electors and Princes Palatine enjoyed before the troubles of Bohemia, shall be fully restored to him; as also all the documents, registers and papers belonging thereto; annulling all that hath been done to the contrary. And the Emperor engages that neither the Catholic King nor any other who possess anything thereof shall in any way oppose this restitution.

XVI

Forasmuch as that certain jurisdictions of the Bergstraet, belonging anciently to the Elector of Mainz [Mayence], were in the year 1463 mortgaged to the House Palatine for a certain sum of money: Upon condition of perpetual redemption, it has been agreed that the same jurisdictions shall be restored to the present Elector of Mainz, and his successors in the Archbishopric of Mainz, provided the mortgage be paid in ready money, within the time limited by the Peace to be concluded; and that he satisfies the other conditions, which he is bound to by the tenor of the mortgage deeds.

XVII

It shall also be free for the Elector of Trier, as well in the quality of Bishop of Speyer [Spire] as Bishop of Worms, to sue before competent judges for the rights he pretends to certain ecclesiastical lands situated in the territories of the Lower Palatinate, if it be so that those Princes make not a friendly agreement among themselves.

XVIII

That if it should happen that the male Branch of William should be entirely extinct, and the Palatine Branch still subsist, not only the Upper Palatinate, but also the Electoral Dignity of the Dukes of Bavaria, shall revert to the said surviving Palatine, who in the mean time enjoys investiture: But then the eighth Electorate shall be entirely suppressed. Yet in such case, nevertheless, of the return of the Upper Palatinate to the surviving Palatines, the heirs of any allodian lands of the Bavarian Electors shall remain in possession of the rights and benefices which may lawfully appertain to them.

XIX

That the Family Contracts made between the Electoral House of Heidelberg and that of Nieuburg [Nieuwburg] touching the succession to the Electorate, confirmed by former Emperors; as also all the rights of the Rudolphine Branch, forasmuch as they are not contrary to this disposition, shall be conserved and maintained entire.

XX

Moreover, if any fiefs in Juliers [Jülich] shall be found open by lawful process, the question shall be decided in favour of the House Palatine.

XXI

Further, to ease the Lord Charles Lewis in some measure of the trouble of providing his brothers with appenages, his Imperial Majesty will give order that four hundred thousand Rix-dollars shall be paid to the said brothers in the four ensuing years, the first commencing with the year 1649. Payment is to be made of one hundred thousand Rix-dollars yearly, with five percent interest.

XXII

Further, that all the Palatine House, with all and each of them, who are, or have in any manner adhered to it, and above all, the Ministers who have served in this Assembly or have formerly served this House, as also all those who are banished out of the Palatinate, shall enjoy the General Amnesty here above promised, with the same rights as those who are comprehended therein, or of whom a more particular and ampler mention has been made in the Article of Grievance.

XXIII

Reciprocally the Lord Charles Lewis and his brothers shall render obedience and be faithful to his Imperial Majesty, like the other Electors and Princes of the Empire; and shall renounce their pretensions to the Upper Palatinate, as well for themselves as their heirs, whilst any Male and lawful heir of the Branch of William shall continue alive.

XXIV

And upon the mention which has been made, to give a dowry and a pension to the Mother Dowager of the said Prince, and to his sisters; his Holy Imperial Majesty (according to the affection he has for the Palatine House) has promised to the said Dowager, for her maintenance and subsistence, to pay once for all twenty thousand Rix-dollars; and to each of the Sisters of the said Lord Charles Lewis, when they shall marry, ten thousand Rix-dollars, the said Prince Charles Lewis being bound to disburse the surplus.

XXV

That the said Lord Charles Lewis shall give no trouble to the Counts of Leiningen and of Daxburg, nor to their successors in the Lower Palatinate; but he shall let them peaceably enjoy the rights obtained many ages ago and confirmed by the Emperors.

XXVI

That he shall inviolably leave the Free Nobility of the Empire, which are in Franconia, Swabia, and all along the Rhine, and the districts thereof, in the state they are at present.

XXVII

That the fiefs conferred by the Emperor on the Baron Gerard of Waldenburg, called Schenck-Heeren, on Nicholas George Reygersberg, Chancellor of Mainz, and on Henry Brombsen, Baron of Rudeheim, item, by the Elector of Bavaria on Baron John Adolph Wolff, called Metternich, shall remain firm and stable: That nevertheless these vassals shall be bound to take an oath of fidelity to the Lord Charles Lewis, and to his successors, as their direct Lords, and to demand of him the renewing of their fiefs.

XXVIII

That those of the Confession of Augsburg, and particularly the inhabitants of Oppenheim, shall be put in possession again of their churches, and ecclesiastical estates, as they were in the year 1624, as also that all others of the said Confession of Augsburg who shall demand it shall have the free exercise of their religion, as well in public churches at the appointed hours, as in private in their own houses, or in others chosen for this purpose by their ministers or by those of their neighbours preaching the Word of God.

XXIX

That the Paragraphs, PRINCE LEWIS PHILIP, ETC., PRINCE FREDERICK, ETC., and PRINCE LEOPOLD LEWIS, ETC., be understood as here inserted, after the same manner they are contained in the Instrument, or Treaty of the Empire, with Sweden.

XXX

That the dispute depending between the Bishops of Bamberg and Wirtzberg [Würzburg] on the one, and the Marquis of Brandenburg, Kulmbach and Onalzbach, on the other side, touching the castle, town, jurisdiction and monastery of Kitzingen in Franconia, on the Main, shall be amicably composed; or, in a judicial manner, within two years time, upon pain of the person losing his pretensions, that shall delay it: And that, in the mean time, the Fort of Wirtzberg shall be surrendered to the said Lords Marquises, in the same state it was taken, according to how it has been agreed and stipulated.

XXXI

That the agreement made, touching the entertainment of the Lord Christian William, Marquis of Brandenburg, shall be kept as if recited in this place, as it is put down in the Fourteenth Article of the Treaty between the Empire and Sweden.

XXXII

The most Christian King shall restore to the Duke of Wirtemberg [Württemberg], after the manner hereafter related, where we shall mention the withdrawing of garrisons, the towns and forts of Hohenwiel, Schorendorff, Turbingen and all other places, without reserve, where he keeps garrisons in the Duchy of Wirtemberg. As for the rest, the Paragraph, the HOUSE OF WIRTEMBERG, ETC., shall be understood as inserted in this place, after the same manner it is contained in the Treaty between the Empire and Sweden.

XXXIII

That the Princes of Wirtemberg, of the Branches of Montbeillard, shall be re-established in all their domains in Alsace [Alsatia], and wheresoever they be situated, but particularly in the three Fiefs of Burgundy, Clerval, and Passavant: And both Parties shall re-establish them in the state, rights and prerogatives that they enjoyed before the beginning of these wars.

XXXIV

That Frederick, Marquis of Baden and of Hachberg, and his sons and heirs, with all those who have served them in any manner whatsoever, and who serve them still, of what degree they may be, shall enjoy the Amnesty mentioned above in the Second and Third Articles, with all Clauses and Benefices; and by virtue thereof, they shall be fully re-established in the state ecclesiastical or secular, in the same manner as the Lord George Frederick, Marquis of Baden and of Hachberg, possessed, before the beginning of the troubles of Bohemia; whatever concerned the Lower Marquisate of Baden, called vulgarly Baden Durlach, as also what concerned the Marquisate of Hachberg and the Lordships of Rottelen, Badenweiller, and Sausenberg, notwithstanding, and annulling, all the changes made to the contrary. After which shall be restored to Marquis Frederick, the jurisdictions of Stein and Renchingen, without being charged with debts which the Marquis William has contracted during that time, by reason of the revenues, interests and charges, put down in the Transaction passed at Etlingen in the year 1629, and transferred to the said William, Marquis of Baden, with all the rights, documents, writings and other things appertaining; so that all the plea concerning the charges and revenues, as well received as to receive, with their damages and interests, to reckon from the time of the first possession, shall be entirely taken away and abolished.

XXXV

That the annual pension of the Lower Marquisate, payable to the Upper Marquisate, according to former custom, shall by virtue of the present Treaty be entirely taken away and annihilated; and that for the future nothing shall be pretended or demanded on that account, either for the time past or to come.

XXXVI

That for the future, the Precedence and Session, in the States and Circle of Swabia, or other general or particular Assemblies of the Empire, and any others whatsoever, shall be alternative in the two Branches of Baden; viz. in that of the Upper and that of the Lower Marquisate of Baden: But nevertheless this Precedence shall remain in the Marquis Frederick during his life. It has been agreed, touching the Barony of Hohengerolt Zegk that if Madam, the Princess of Baden, verifies the rights of her pretension upon the said Barony by authentic documents, restitution shall be made her, according to the rights and contents of the said documents, as soon as sentence shall be pronounced. That the cognizance of this cause shall be terminated

within two years after the publication of the Peace: And lastly, no actions, transaction or exceptions, either general or particular, nor Clauses comprehended in this Treaty of Peace, and whereby they would derogate from the vigour of this Article, shall be at any time alleged by any of the Parties against this special agreement. The Paragraphs, the DUKE OF CROY, ETC., as for the CONTROVERSY OF NASSAU-SIEGEN, ETC., as for the COUNTS OF NASSAU, SARREPONT, ETC., the HOUSE OF HANAU, ETC., JOHN ALBERT COUNT OF SOLMS, ETC., as also, SHALL BE RE-ESTABLISHED THE HOUSE OF SOLMS, HOHENSOLMS, etc., the COUNTS OF ISEMBURG, ETC., the RHINEGRAVES, ETC., the WIDOW OF COUNT ERNEST OF SAINEN, ETC., the CASTLE AND THE COUNTY OF FLACKENSTEIN, ETC., LET ALSO THE HOUSE OF WALDECK BE RE-ESTABLISHED, ETC., JOACHIM ERNEST COUNT OF OTTINGEN, ETC., Item, the HOUSE OF HOHENLO, ETC., FREDERICK LEWIS, ETC., the WIDOW AND HEIRS OF THE COUNT OF BRANDENSTEIN, ETC., the BARON PAUL KEVENHULLER, ETC., shall be understood to be inserted in this place, word by word, as they are put down in the Instrument or Treaty between the Empire and Sweden.

XXXVII

That the contracts, exchanges, transactions, obligations and treaties made by constraint or threats, and extorted illegally from states or subjects (as in particular, those of Speyer complain, and those of Weisenburg [Weissenberg] on the Rhine, those of Landau, Reitlingen, Hailbron [Heilbronn], and others), shall be so annulled and abolished, that no more enquiry shall be made after them.

XXXVIII

That if debtors have by force got some bonds from their creditors, the same shall be restored, but not with prejudice to their rights.

XXXIX

That the debts either by purchase, sale, revenues or by what other name they may be called, if they have been violently extorted by one of the parties in war, and if the debtors allege and prove that there has been real violence against them and a real payment, they shall be no more prosecuted before these exceptions be first adjusted. That the debtors shall be obliged to produce their exceptions within the term of two years after the publication of the Peace, upon pain of being afterwards condemned to perpetual silence.

XL

That processes which have been hitherto entered on this account, together with the transactions and promises made for the restitution of debts, shall be looked upon as void; and yet the sums of money, which during the war have been exacted bona fide and with a good intent, by way of contributions, to prevent greater evils by the contributors, are not comprehended herein.

XLI

That sentences pronounced during the war about purely secular matters, if the defect in the proceedings be not fully manifest, or cannot be immediately demonstrated, shall not be esteemed wholly void; but that the effect shall be suspended until the acts of justice (if one of the parties demand the space of six months after the publication of the Peace, for the reviewing of his process) be reviewed and weighed in a proper court, and according to the ordinary or extraordinary forms used in the Empire: To the end that the former judgments may be confirmed, amended or quite erased, in case of nullity.

XLII

In the like manner, if any royal or particular fiefs have not been renewed since the year 1618, nor homage paid to whom it belongs; the same shall bring no prejudice, and the investiture shall be renewed the day the Peace shall be concluded.

XLIII

Finally, that all and each of the officials, military men as well as counsellors, and gownmen and ecclesiastics of what degree they may be, who have served the one or other Party among the Allies, or among their Adherents, let it be in the gown or with the sword, from the highest to the lowest, without any distinction or exception, with their wives, children, heirs, successors, servants, as well concerning their lives as estates, shall be restored by all Parties in the state of life, honour, renown, liberty of conscience, rights and privileges which they enjoyed before the abovesaid disorders; that no prejudice shall be done to their effects and persons, that no action or accusation shall

be entered against them; and that further, no punishment be inflicted on them, or they to bear any damage under what pretence soever: And all this shall have its full effect in respect to those who are not subjects or vassals of his Imperial Majesty or of the House of Austria.

XLIV

But for those who are subjects and hereditary vassals of the Emperor and of the House of Austria, they shall really have the benefit of the Amnesty, as for their persons, life, reputation and honours: And they may return with safety to their former country; but they shall be obliged to conform and submit themselves to the laws of the realms or particular provinces they shall belong to.

XLV

As to their estates that have been lost by confiscation or other ways, before they took the part of the Crown of France or of Sweden, notwithstanding the Plenipotentiaries of Sweden have made long instances, they may be also restored. Nevertheless his Imperial Majesty being to receive law from none, and the Imperialists sticking close thereto, it has not been thought convenient by the States of the Empire that for such a subject the war should be continued: And that thus those who have lost their effects as aforesaid, cannot recover them to the prejudice of their last masters and possessors. But the estates which have been taken away by reason of arms taken for France or Sweden against the Emperor and the House of Austria, they shall be restored in the state they are found, and that without any compensation for profit or damage.

XLVI

As for the rest, law and justice shall be administered in Bohemia and in all the other hereditary provinces of the Emperor, without any respect—as to the Catholics, so also to the subjects, creditors, heirs or private persons who shall be of the Confession of Augsburg—if they have any pretensions and enter or prosecute any actions to obtain justice.

XLVII

But from this general restitution shall be exempted things which cannot be restored, as things movable and moving, fruits gathered, things alienated by the authority of the chiefs of the party, things destroyed, ruined and converted to other uses for public security, as public and particular buildings, whether sacred or profane, public or private gages which have been, by surprise of the enemy, pillaged, confiscated, lawfully sold or voluntarily bestowed.

XLVIII

And as to the affair of the succession of Juliers, if a course be not taken, those concerned may one day cause great troubles in the Empire about it; so it has been agreed: That the Peace being concluded it shall be terminated without any Delay, either by ordinary means before his Imperial Majesty, or by a friendly composition or some other lawful way.

XLIX

And since for the greater tranquillity of the Empire, in its general Assemblies of Peace, a certain Agreement has been made between the Emperor, Princes and States of the Empire which has been inserted in the Instrument and Treaty of Peace concluded with the Plenipotentiaries of the Queen and Crown of Sweden, touching the differences about ecclesiastical lands, and the liberty of the exercise of religion; it has been found expedient to confirm and ratify it by this present Treaty, in the same manner as the abovesaid Agreement has been made with the said Crown of Sweden; also with those called the Reformed, in the same manner, as if the words of the abovesaid Instrument were reported here verbatim.

L

Touching the Affair of Hesse-Kassel [Cassel], it has been agreed as follows: In the first place, The House of Hesse-Kassel, and all its Princes, chiefly Madam Amelia Elizabeth, Landgravine of Hesse, and her son, Monsieur William, and his heirs, his ministers, officers, vassals, subjects, soldiers and others who follow his service in any manner soever, without any exception, notwithstanding contracts to the contrary, processes, proscriptions, declarations, sentences, executions and transactions; as also notwithstanding any actions and pretensions for damages and injuries from neutrals, as well as from those who were in arms, annulled by the General Amnesty here before established, and to take place from the beginning of the war in Bohemia, with a full restitution (except the vassals and hereditary

subjects of his Imperial Majesty and the House of Austria, as is laid down in the Paragraph, TANDEM OMNES, ETC. [Article XLIII]) shall partake of all the advantages redounding from this Peace, with the same rights other States enjoy, as is set forth in the Article which commences, UNANIMI, ETC. [XLIV].

LI

In the second place, the House of Hesse-Kassel and its successors shall retain—for this purpose shall demand at any time and when it shall be expired—the investiture of his Imperial Majesty, and shall take the oath of fidelity for the Abbey of Hitsfield, with all its dependencies, secular as well as ecclesiastical, situated within or without his territories (as the Deanery of Gellingen), saving nevertheless the rights possessed by the House of Saxony time out of mind.

LII

In the third place, the right of a direct seigniori over the jurisdictions and Bailiwick of Schaumburg, Buckenburg, Sachsenhagen and Statenhagen, given heretofore and adjudged to the Bishopric of Minden [Mindau], shall for the future belong unto Monsieur William, the present Landgrave of Hesse, and his successors in full possession, and for ever, so as that the said Bishop and no other shall be capable of molesting him; saving nevertheless the Agreement made between Christian Lewis, Duke of Brunswick and Lunenburg, and the Landgravine of Hesse, and Philip, Count of Lippe, as also the Agreement made between the said Landgravine, and the said Count.

LIII

It has been further agreed, That for the restitution of places possessed during this war, and for the indemnity of Madam, the Landgravine of Hesse, who is the Guardian, the sum of six hundred thousand Rix-dollars shall be given to her and her son, or his successor Princes of Hesse, to be had from the Archbishoprics of Mainz and Cologne [Köln], from the Bishoprics of Paderborn and Münster, and the Abbey of Fulden; which sum shall be paid at Kassel within the term of eight months, to reckon from the day of the ratification of the Peace, at the peril and charge of the solvent: And no exception shall be used to evade this promised payment, on any pretence; much less shall any seizure be made of the sum agreed on.

LIV

And to the end that Madam the Landgravine may be so much the more assured of the payment, she shall retain, on the conditions following, Nuys, Cuesfeldt and Newhaus, and shall keep garrisons in those places which shall depend on her alone; but with this limitation, That besides the officers and other necessary persons in the garrisons, those of the three above-named places shall not exceed the number of twelve hundred foot soldiers, and one hundred horsemen; leaving to Madam the Landgravine the disposition of the number of horse and foot she shall be pleased to put in each of these places and whom she will constitute Governor.

LV

The garrisons shall be maintained according to the Order, which has been hitherto usually practised, for the Maintenance of the Hessian Soldiers and Officers; and the things necessary for the keeping of the forts shall be furnished by the Archbishoprics and Bishoprics, in which the said fortresses are situated, without any diminution of the sum above-mentioned. The Garrisons shall be allowed to exact the money of those who shall retard payment too long, or who shall be refractory, but not any more than what is due. The rights of superiority and jurisdiction, ecclesiastical as well as secular, and the revenues of the said castles and towns, shall remain in the Archbishop of Cologne.

LVI

As soon after the ratification of Peace as the three-hundred thousand Rix-dollars shall be paid to Madam the Landgravine, she shall give up Nuys, and shall only retain Cuesfeldt and Newhaus; but yet, so as that the garrison of Nuys shall not be thrown into the other two places nor nothing demanded on that account, the garrisons of Cuesfeldt and Newhaus shall not exceed the number of six hundred foot and fifty horse. That, if within the term of nine months, the whole sum be not paid to Madam the Landgravine, not only shall Cuesfeldt and Newhaus remain in her hands till the full payment, but also, on the remainder, she shall be paid interest at five percent, and the treasurers and collectors of the Bailiwicks appertaining to the

abovesaid Archbishoprics, Bishoprics and Abbey bordering on the Principality of Hesse, shall oblige themselves by oath to Madam the Landgravine that, out of the annual revenues, they shall yearly pay the interest of the remaining sum, notwithstanding the prohibitions of their masters. If the treasurers and collectors delay the payment or alienate the revenues, Madam the Landgravine shall have liberty to constrain them to pay, by all sorts of means, always saving the right of the Lord Proprietor of the territory.

LVII

But as soon as Madam the Landgravine has received the full sum, with all the interest, she shall surrender the said places which she retained for her security; the payments shall cease and the treasurers and collectors, of which mention has been made, shall be freed from their oath: As for the Bailiwicks, the revenues of which shall be assigned for the payment of the sum, that shall be adjusted before the ratification of the Peace; and that convention shall be of no less force than this present Treaty of Peace.

LVIII

Besides the places of surety, which shall be left, as aforesaid, to Madam the Landgravine, which she shall restore after the payment, she shall restore after the ratification of the Peace, all the provinces and bishoprics, as also all their cities, bailiwicks, boroughs, fortresses and forts; simply, all immoveable goods and all rights seized by her during this war. So, nevertheless, that as well in the three places she shall retain as cautionary, as the others to be restored, the said Lady Landgravine not only shall cause to be conveyed away all the provisions and ammunitions of war she has put therein (for as to those she has not sent thither, what was found there at the taking and are there still, they shall continue), but also the fortifications and ramparts raised during the possession of the places shall be destroyed and demolished, as much as possible without exposing the towns, boroughs, castles and fortresses to invasion and robberies.

LIX

And though Madam the Landgravine has only demanded restitution and reparation of the Archbishoprics of Mainz and Cologne, the Bishoprics of Paderborn and Münster, and the Abbey of Fulden; and has not insisted that any besides should contribute anything for this purpose: Nevertheless the Assembly have thought fit, according to the equity and circumstances of affairs (without prejudice to the contents of the preceding Paragraph, which begins, CONVENTUM PRATEREA EST, ETC.): IT HAS BEEN FURTHER AGREED, the other States also on this and the other side of the Rhine, and who, since the first of March of this present year, have paid contributions to the Hessians, shall bear their proportion pro rata of their preceding contributions, to make up the said sum with the Archbishoprics, Bishoprics and Abbey above-named, and forward the payments of the garrisons of the cautionary towns. If any has suffered damage by the delay of others who are to pay their share, the officers or soldiers of his Imperial Majesty, of the most Christian King and of the Landgravine of Hesse shall not hinder the forcing of those who have been tardy; and the Hessian soldiers shall not pretend to except any from this constraint, to the prejudice of this Declaration, but those who have duly paid their proportion shall thereby be freed from all charges.

LX

As to the differences arisen between the Houses of Hesse-Kassel and of Darmstadt, touching the succession of Marburg; since they have been adjusted at Kassel this past 14th of April by the mutual consent of the interested parties, it has been thought good that that Transaction, with all its clauses, as concluded and signed at Kassel by both parties, should be intimated to this Assembly; and that by virtue of this present Treaty it shall be of the same force, as if inserted word by word: And the same shall never be infringed by the parties, nor any other whatsoever, under any pretence, either by contract, oath or otherways, but ought to be most exactly kept by all, though perhaps some of the parties concerned may refuse to confirm it.

LXI

As also the Transaction between the deceased Monsieur William, Landgrave of Hesse, and Messieurs Christian and Wolrad, Counts of Waldeck, made the 11th of April, 1635, and ratified to Monsieur George, Landgrave of Hesse, the 14th of April 1648, shall no less obtain a full and perpetual force by virtue of this Pacification, and

shall no less bind all the Princes of Hesse and all the Counts of Waldeck.

LXII

That the birthright introduced in the House of Hesse-Kassel and in that of Darmstadt, and confirmed by his Imperial Majesty, shall continue and be kept firm and inviolable.

LXIII

And as his Imperial Majesty, upon complaints made in the name of the City of Basle and of all Switzerland, in the presence of their Plenipotentiaries deputed to the present Assembly, touching some procedures and executions proceeding from the Imperial Chamber against the said City and the other united Cantons of the Swiss Country, and their citizens and subjects having demanded the advice of the States of the Empire and their Council; these have, by a Decree of the 14th of May of this last year, declared the said City of Basle and the other Swiss Cantons to be as it were in possession of their full liberty and exemption of the Empire; so that they are no ways subject to the judicatures or judgments of the Empire, and it was thought convenient to insert the same in this Treaty of Peace and confirm it, and thereby to make void and annul all such procedures and arrests given on this account in what form soever.

LXIV

And to prevent for the future any differences arising in the politic state, all and every one of the Electors, Princes and States of the Roman Empire are so established and confirmed in their ancient rights, prerogatives, liberties, privileges, free exercise of territorial right (politic as well as ecclesiastic lordships) and regales, by virtue of this present Transaction: That they never can or ought to be molested therein by any whomsoever upon any manner of pretence.

LXV

They shall enjoy without contradiction the right of suffrage in all deliberations touching the affairs of the Empire; but above all when the business in hand shall be the making or interpreting of laws, the declaring of wars, the imposing of taxes, the levying or quartering of soldiers, the erecting new fortifications in the territories of the States or the reinforcing the old garrisons; as also when a peace and alliance is to be concluded and treated about, or the like; none of these or the like things shall be acted for the future without the suffrage and consent of the free Assembly of all the States of the Empire: Above all, it shall be free perpetually to each of the States of the Empire to make alliances with strangers for their preservation and safety; provided, nevertheless, such alliances be not against the Emperor and the Empire, nor against the public peace and this Treaty, and without prejudice to the oath by which everyone is bound to the Emperor and the Empire.

LXVI

That the Diets of the Empire shall be held within six months after the ratification of the Peace and, after that time, as often as public utility or necessity requires. That, in the first Diet, the defects of precedent Assemblies be chiefly remedied; that then also be treated and settled, by common consent of the States, the form and election of the Kings of the Romans, by what form and certain Imperial Resolution; the manner and order which is to be observed for declaring one or more States to be within the territories of the Empire, besides the manner otherways described in the Constitutions of the Empire; that they also consider: re-establishing the Circles, renewing the Matricular Book, re-establishing suppressed States, moderating and lessening the collects of the Empire, reformation of justice and policy, the taxing of fees in the Chamber of Justice, the due and requisite instruction of ordinary deputies for the advantage of the public, the true office of Directors in the Colleges of the Empire and such other business as could not be expedited here.

LXVII

That as with the general so with the particular Diets, the Free Cities and other States of the Empire shall have decisive votes; they shall, without molestation, keep their regales, customs, annual revenues, liberties, privileges to confiscate and to raise taxes, and other rights—lawfully obtained from the Emperor and Empire or enjoyed long before these commotions—with a full jurisdiction within the enclosure of their walls, and their territories: Making void at the same time, annulling and for the future prohibiting, all things which by reprisals, arrests, stopping of passages and other prejudicial acts,

either during the war, under what pretext soever have been done and attempted hitherto by private authority, or may hereafter without any preceding formality of right be enterprised. As for the rest, all laudable customs of the Holy Roman Empire, the fundamental constitutions and laws, shall for the future be strictly observed, all the confusions which time of war have, or could introduce, being removed and laid aside.

LXVIII

As for the finding out of equitable and expedient means whereby the prosecution of actions against debtors, ruined by the calamities of war or charged with too great interests, and whereby these matters may be terminated with moderation, to obviate greater inconveniences which might arise and to provide for the public tranquillity; his Imperial Majesty shall take care to hearken as well to the advices of his Privy Council, as of the Imperial Chamber and the States which are to be assembled, to the end that certain firm and invariable Constitutions may be made about this matter. And in the mean time the alleged reasons and circumstances of the parties shall be well weighed in cases brought before the sovereign Courts of the Empire, or subordinate ones of States, and nobody shall be oppressed by immoderate executions; and all this without prejudice to the Constitution of Holstein.

LXIX

And since it much concerns the public that upon the conclusion of the Peace commerce be re-established, for that end it has been agreed that the tolls, customs, as also the abuses of the Bull of Brabant, and the reprisals and arrests which proceeded from thence, together with foreign certifications, exactions, detentions; Item, The immoderate expenses and charges of posts, and other obstacles to commerce and navigation introduced to its prejudice, contrary to the public benefit, here and there in the Empire on occasion of the war, and of late by a private authority against its rights and privileges, without the consent of the Emperor and the Princes of the Empire, shall be fully removed; and the ancient security, jurisdiction and custom, such as have been in use long before these wars, shall be re-established and inviolably maintained in the provinces, ports and rivers.

LXX

The rights and privileges of territories watered by rivers or otherways, as customs granted by the Emperor with the consent of the Electors (among others, to the Count of Oldenburg on the Weser [Viserg]) and introduced by long usage, shall remain in their vigour and execution. There shall be a full liberty of commerce, a secure passage by sea and land: And after this manner all and every one of the vassals, subjects, inhabitants and servants of the allies, on the one side and the other, shall have full power to go and come, to trade and return back, by virtue of this present Article, after the same manner as was allowed before the troubles of Germany. The Magistrates, on the one side and on the other, shall be obliged to protect and defend them against all sorts of oppressions, equally with their own subjects, without prejudice to the other Articles of this Convention and the particular laws and rights of each place. And that the said Peace and Amity between the Emperor and the most Christian King may be the more corroborated, and the public safety provided for, it has been agreed with the consent, advice and will of the Electors, Princes and States of the Empire, for the benefit of peace:

LXXI

First, That the chief dominion, right of sovereignty [jura superioritatis] and all other rights upon the Bishoprics of Metz, Toul and Verdun and on the cities of that name and their dioceses, particularly on Mayenwick, in the same manner they formerly belonged to the Emperor, shall for the future appertain to the Crown of France and shall be irrevocably incorporated therewith for ever, saving the right of the metropolitan, which belongs to the Archbishop of Trier.

LXXII

That Monsieur Francis, Duke of Lorraine, shall be restored to the possession of the Bishopric of Verdun, as being the lawful Bishop thereof; and shall be left in the peaceable administration of this Bishopric and its Abbeys (saving the right of the King and of particular persons) and shall enjoy his patrimonial estates and his other rights, wherever they may be situated (and as far as they do not contradict the present resignation) his privileges, revenues and incomes; having previously taken the oath of fidelity to the King and