

TREATY OF WESTPHALIA

Munster, October 24, 1648

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 every one whom it may concern, or to whom in any manner it may belong, That for many Years past, Discords and Civil Divisions being stir'd up in the Roman Empire, which increas'd to such a degree, that not only all Germany, but also the neighbouring Kingdoms, and France particularly, have been involv'd 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, Arch-Duke of Austria, Duke of Burgundy, Brabant, Styria, Carinthia, Carniola, Marquiss of Moravia, Duke of Luxemburgh, the Higher and Lower Silesia, of Wirtemburg and Teck, Prince of Suabia, Count of Hapsburg, Tirol, Kyburg and Goritia, Marquiss of the Sacred Roman Empire, Lord of Burgovia, of the Higher and Lower Lusace, of the Marquisate of Slavonia, of Port Naon 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, Arch-Duke of Austria, Duke of Burgundy, Brabant, Styria, Carinthia, Carniola, Marquiss of Moravia, Duke of Luxemburg, of the Higher and Lower Silesia, of Wirtemburg and Teck, Prince of Suabia, Count of Hapsburg, Tirol, Kyburg and Goritia, Marquiss of the Sacred Roman Empire, Burgovia, the Higher and Lower Lusace, 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 ensu'd great Effusion of Christian Blood, and the Desolation of several Provinces. It has at last happen'd, by the effect of Divine Goodness, seconded by the Endeavours of the most Serene Republick of Venice, who in this sad time, when all Christendom is imbroil'd, has not ceas'd to contribute its Counsels for the publick Welfare and Tranquillity; so that on the side, and the other, they have form'd Thoughts of an universal Peace. And for this purpose, by a mutual Agreement and Covenant of both Partys, in the year of our Lord 1641. the 25th of December, N.S. or the 15th O.S. it was resolv'd at Hamburgh, to hold an Assebly of Plenipotentiary Ambassadors, who should render themselves at Munster and

Osnabrug in Westphalia the 11th of July, N.S. or the 1st of the said month O.S. in the year 1643. The Plenipotentiary Ambassadors on the one side, and the other, duly establish'd, appearing at the prefixt 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 Sacred Majesty, and Steward of his Houshold; 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 Arch-Duke 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 Neuschaftel, Count of Dunois and Tancerville, Hereditary Constable of Normandy, Governor and Lieutenant-General of the same Province, Captain of the Cent Hommes d'Arms, and Knight of the King's Orders, &c. 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 the Finances, and Minister of the Kingdom of France &c. and Abel Servien, Count la Roche of 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 a Spirit intirely impartial, has been inclin'd to be a Mediator in these Affairs. After having implor'd the Divine Assistance, and receiv'd a reciprocal Communication of Letters, Commissions, and full Powers, the Copyes of which are inserted at the end of this Treaty, in the presence and with the consent of the Electors of the Sacred 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 Sacred 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 Swedeland, the Electors respectively, the Princes and States of the Empire, on the other part. That this Peace and Amity be observ'd 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 Hostilitys have been practis'd, in such a manner, that no body, 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 Securitys, 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 pass'd on the one side, and the other, as well before as during the War, in Words, Writings, and Outrageous Actions, in Violences, Hostilitys, Damages and Expences, without any respect to Persons or Things, shall be entirely abolish'd in such a manner that all that might be demanded of, or pretended to, by each other on that behalf, shall be bury'd in eternal Oblivion.

## III.

And that a reciprocal Amity between the Emperor, and the Most Christian King, the Electors, Princes and States of the Empire, may be maintain'd so much the more firm and sincere (to say nothing at present of the Article of Security, which will be mention'd hereafter) the one shall never assist the present or future Enemys 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 Enemys Troops to retire thro' 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 (comprehended in this Treaty) shall be terminated. That nevertheless, neither the Emperor, nor any of the States of the Empire, shall meddle with the Wars which are now on foot between them. That if for the future any Dispute arises between these two Kingdoms, the abovesaid reciprocal Obligation of not aiding each others Enemys, 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 Lorain shall be refer'd 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 the force of Arms.

## VI.

According to this foundation of reciprocal Amity, and a general Amnesty, all and every one of the Electors of the sacred Roman Empire, the Princes and States (therein comprehending the Nobility, which depend immediately on the Empire) their Vassals, Subjects, Citizens, 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, Allodations, as in their Dignitys, Immunitys, Rights and Privileges) shall be fully re-establish'd on the one side and the other, in the Ecclesiastick or Laick State, which they enjoy'd, 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 restor'd, think they have lawful Exceptions, yet it shall not hinder the Restitution; which done, their Reasons and Exceptions may be examin'd before competent Judges, who are to determine the same.

## VIII.

And tho by the precedent general Rule it may be easily judg'd 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 nam'd, are not to be taken as if they were excluded or forgot.

## IX.

Since the Arrest the Emperor has formerly caus'd to be made in the Provincial Assembly, against the moveable Effects of the Prince Elector of Treves, which were transported into the Dutchy of Luxemburg, tho releas'd and abolish'd, yet at the instance of some has been renew'd; to which has been added a Sequestration, which the said Assembly has made of the Jurisdiction of Burch, belonging to the Archbischoprick, and of the Moiety of the Lordship of St. John, belonging to John Reinbard of Soeteren, which is contrary to the Concordat's drawn up at Ausburg in the year 1548 by the publick interposition of the Empire, between the Elector of Treves, and the Dutchy of Burgundy: It has been agreed, that the abovesaid Arrest and Sequestration shall be taken away with all speed from the Assembly of Luxemburg, that the said Jurisdiction, Lordship, and Electoral and Patrimonial Effects, with the sequestred Revenues, shall be

releas'd and restor'd to the Elector; and if by accident some things should be Imbezel'd, they shall be fully restor'd to him; the Petitioners being refer'd, for the obtaining 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 Garisons to be withdrawn in the time and manner limited hereafter in the Article of Execution, and shall restore those Castles to the Elector of Treves, 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 Munster and Osnabrug having brought the Palatinate 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 Regales, Offices, Precedencys, 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, Regales and Rights, in the possession of the Lord Maximilian, Count Palatine of the Rhine, Duke of Bavaria, and of his children, and all the Willielmine 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 Millions, 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 obtain'd 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 publick Tranquillity, consent, that by virtue of this present Agreement, there be establish'd 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 the Ecclesiastical and Secular Lands, Rights and Appurtenances, which the Electors and Princes Palatine enjoy'd before the Troubles of Bohemia, shall be fully restor'd 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 Catholick King, nor any other who possess any thing thereof, shall any ways oppose this Restitution.

#### XVI.

Forasmuch-as that certain Jurisdictions of the Bergstraet, belonging antiently to the Elector of Mayence, were in the year 1463 mortgag'd 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 Restor'd to the present Elector of Mayence, and his Successors in the Archbishoprick of Mayence, 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 Treves, as well in the Quality of Bishop of Spires as Bishop of Worms, to sue before competent Judges for the Rights he pretends to certain Ecclesiastical Lands, situated in the Territorys of the Lower Palatinate, if so be those Princes make not a friendly Agreement among themselves.

#### VIII.

That if it should happen that the Male Branch of William should be intirely 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 the Investiture: but then the eighth Electorate shall be intirely suppress'd. 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, touching the Succession to the Electorate, confirm'd by former Emperors; as also all the Rights of the Rudolphine Branch, forasmuch as they are not contrary to this Disposition, shall be conserv'd and maintain'd entire.

## XX.

Moreover, if any Fiefs in Juliers 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 forty thousand Rixdollars shall be paid to the said Brothers, in the four ensuing Years; the first commencing with the Year 1649. The Payment to be made of ten thousand Rixdollars yearly, with five per Cent Interest.

## XXII.

Further, that all the Palatinate House, with all and each of them, who are, or have in any manner adher'd to it; and above all, the Ministers who have serv'd in this Assembly, or have formerly serv'd this House; as also all those who are banish'd out of the Palatinate, shall enjoy the general Amnesty here above promis'd, 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 Sacred Imperial Majesty (according to the Affection he has for the Palatinate House) has promis'd to the said Dowager, for her Maintenance and Subsistence, to pay once for all twenty thousand Rixdollars; and to each of the Sisters of the said Lord Charles Lewis, when they shall marry, ten thousand Rixdollars, the said Prince Charles Lewis being bound to disburse the Overplus.

## 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 obtain'd many Ages ago, and confirm'd 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 confer'd by the Emperor on the Baron Gerrard of Waldenburg, call'd Schenck-heeren, on Nicholas George Reygersberg, Chancellor of Mayence, and on Henry Brombser, Baron of Rudeheim; Item, on the Elector of Bavaria, on Baron John Adolph Wolff, call'd Meternicht, 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 publick 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, &c. Prince Frederick, &c. and Prince Leopold Lewis, &c. be understood as here inserted, after the same manner they are contain'd in the Instrument, or Treaty of the Empire with Swedeland.

#### XXX.

That the Dispute depending between the Bishops of Bamberg and Wirtzberg on the one, and the Marquiss of Brandenburg, Culmbach, and Onalzbach, on the other side, touching the Castle, Town, Jurisdiction, and Monastery of Kitzingen in Franconia, on the Main, shall be amicably compos'd; or, in a judicial manner, within two years time, upon pain of the Person's losing his Pretensions, that shall delay it: and that, in the mean time, the Fort of Wirtzberg shall be surrender'd to the said Lords Marquisses, in

the same state it was taken, according as it has been agreed and stipulated.

### XXXI.

That the Agreement made, touching the Entertainment of the Lord Christian William, Marquiss 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 Swedeland.

### XXXII.

The Most Christian King shall restore to the Duke of Wirtemberg, after the manner hereafter related, where we shall mention the withdrawing of Garisons, the Towns and Forts of Hohenwiel, Schorendorff, Turbingen, and all other places, without reserve, where he keeps Garisons in the Dutchy of Wirtemberg. As for the rest, the Paragraph, THE HOUSE OF WIRTEMBERG, &c. shall be understood as inserted in this Place, after the same manner it's contain'd in the Treaty of the Empire, and of Swedeland.

### XXXIII.

That the Princes of Wirtemberg, of the Branches of Montbeillard, shall be re-establish'd in all their Domains in Alsace, and wheresoever they be situated, but particularly in the three Fiefs of Burgundy, Clerval, and Passavant: and both Partys shall re-establish them in the State, Rights and Prerogatives they enjoy'd before the Beginning of these Wars.

### XXXIV.

That Frederick, Marquiss of Baden, and of Hachberg, and his Sons and Heirs, with all those who have serv'd them in any manner whatsoever, and who serve them still, of what degree they may be, shall enjoy the Amnesty above-mention'd, in the second and third Article, with all its Clauses and Benefices; and by virtue thereof, they shall be fully re-establish'd in the State Ecclesiastical or Secular, in the same manner as the Lord George Frederick Marquiss of Beden and of Hachberg, possess'd, before the beginning of the Troubles of Bohemia, whatever concern'd the lower Marquisate of Baden, call'd vulgarly Baden Durlach, as also what concern'd 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 restor'd to Marquiss Frederick, the Jurisdictions of Stein and Renchingen, without being charg'd with Debts, which the Marquiss William has contracted during that time, by Reason of the Revenues, Interests and Charges, put down in the Transaction pass'd at Etlingen in the Year 1629. and transfer'd to the said William Marquiss of Baden, with all the Rights, Documents, Writings, and other things appertaining; so that all the Plea concerning the Charges and Revenues, as well receiv'd as to receive, with their Damages and Interests, to reckon from the time of the first Possession, shall be

intirely taken away and abolish'd.

#### 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 intirely 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 Precedency 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 Precedency shall remain in the Marquiss 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 authentick Documents, Restitution shall be made her, according to the Rights and Contents of the said Documents, as soon as Sentence shall be pronounc'd. 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 alledg'd by any of the Partys against this special Agreement. The Paragraphs, the Duke of Croy, &c. As for the Controversy of Naussau-Siegen, &c. To the Counts of Naussau, Sarrepon, &c. The House of Hanau, &c. John Albert Count of Solms, &c. as also, Shall be re-establish'd the House of Solms, Hohensolms, &c. The Counts of Isemburg, &c. The Rhinegraves, &c. The Widow of Count Ernest of Sainen, &c. The Castle and the County of Flackenstein, &c. Let also the House of Waldeck be re-establish'd, &c. Joachim Ernest Count of Ottingen, &c. Item, The House of Hohenlo, &c. Frederick Lewis, &c. The Widow and Heirs of the Count of Brandenstein, &c. The Baron Paul Kevenhuller, &c. shall be understood to be inserted in this place word by word, as they are put down in the Instruor Treaty between the Empire and Swedeland.

#### XXXVII.

That the Contracts, Exchanges, Transactions, Obligations, Treatys, made by Constraint or Threats, and extorted illegally from States or Subjects (as in particular, those of Spiers complain, and those of Weisenburg on the Rhine, those of Landau, Reitlingen, Hailbron, and others) shall be so annull'd and abolish'd, 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 restor'd, but not with prejudice to their Rights.

#### XXXIX.

That the Debts either by Purchase, Sale, Revenues, or by what other name they may be call'd, if they have been violently extorted by one of the Partys in War, and if the Debtors alledge and offer to prove there has been a real Payment, they shall be no more prosecuted, before these Exceptions be first adjusted. That the Debtors shall be oblig'd to produce their Exceptions within the term of two years after the Publication of the Peace, upon pain of being afterwards condemn'd to perpetual Silence.

#### XL.

That Processes which have been hitherto enter'd on this Account, together with the Transactions and Promises made for the Restitution of Debts, shall be look'd 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 pronounc'd during the War about Matters purely Secular, if the Defect in the Proceedings be not fully manifest, or cannot be immediately demonstrated, shall not be esteem'd wholly void; but that the Effect shall be suspended until the Acts of Justice (if one of the Partys demand the space of six months after the Publication of the Peace, for the reviewing of his Process) be review'd and weigh'd in a proper Court, and according to the ordinary or extraordinary Forms us'd in the Empire: to the end that the former Judgments may be confirm'd, amended, or quite eras'd, in case of Nullity.

#### XLII.

In the like manner, if any Royal, or particular Fiefs, have not been renew'd since the Year 1618. nor Homage paid to whom it belongs; the same shall bring no prejudice, and the Investiture shall be renew'd the day the Peace shall be concluded.

#### XLIII.

Finally, That all and each of the Officers, as well Military Men as Counsellors and Gownmen, and Ecclesiasticks of what degree they may be, who have serv'd 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 restor'd by all Partys in the State of Life, Honour, Renown, Liberty of Conscience, Rights and Privileges, which they enjoy'd before the abovesaid Disorders; that no prejudice shall be done to their Effects and Persons, that no Action or accusation shall be enter'd 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, Honours: and they may return with Safety to their former Country; but they shall be oblig'd 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 otherways, before they took the part of the Crown of France, or of Swedeland, notwithstanding the Plenipotentiarys of Swedeland have made long instances, they may be also restor'd. 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 continu'd: 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 Swedeland, against the Emperor and the House of Austria, they shall be restor'd 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 administer'd in Bohemia, and in all the other Hereditary Provinces of the Emperor, without any respect; as to the Catholicks, 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 restor'd, as Things movable and moving, Fruits gather'd, Things alienated by the Authority of the Chiefs of the Party, Things destroy'd, ruin'd, and converted to other uses for the publick Security, as publick and particular Buildings, whether sacred or profane, publick or private Gages, which have been, by surprize of the Enemys, pillag'd, confiscated,

lawfully sold, or voluntarily bestow'd.

#### XLVIII.

And as to the Affair of the Succession of Juliers, those concern'd, if a course be not taken about it, may one day cause great Troubles in the Empire about it; 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 ways.

#### XLIX.

And since for the greater Tranquillity of the Empire, in its general Assemblys 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 Plenipotentiarys of the Queen and Crown of Swedeland, 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 Swedeland; also with those call'd the Reformed, in the same manner, as if the words of the abovesaid Instrument were reported here verbatim.

#### L.

Touching the Affair of Hesse Cassel, it has been agreed as follows:  
In the first place, The House of Hesse Cassel, and all its Princes,  
chiefly Madam Emelie 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  
as well from Neutrals, as from those who were in Arms, annull'd by the  
General Amnesty here before establish'd, 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, Tandemomnes, &c.) 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, &c.

#### LI.

In the second place, the House of Hesse Cassel, and its Successors, shall  
retain, and for this purpose shall demand at any time, and when it shall  
be expir'd, the Investiture of his Imperial Majesty, and shall take the  
Oath of Fidelity for the Abby of Hitsfield, with all its Dependency's, as

well Secular as Ecclesiastical, situated within or without his Territorys  
(as the Deanery of Gellingen) saving nevertheless the Rights possess'd by  
the House of Saxony, time out of mind.

## LII.

In the third place, the Right of a direct Signiory over the Jurisdictions  
and Bayliwick of Schaumburg, Buckenburg, Saxenhagen, and Stattenhagen,  
given heretofore and adjudged to the Bishoprick of 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 possess'd  
during this War, and for the Indemnity of Madam, the Landgravine of  
Hesse, who is the Guardian, the Sum of Six Hundred Thousand Rixdollars  
shall be given to her and her Son, or his Successors Princes of Hesse, to  
be had from the Archbischopricks of Mayence and Cologne, from the  
Bishopricks of Paderborn and Munster, and the Abby of Fulden; which Sum  
shall be paid at Cassel in 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 promis'd 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  
assur'd of the Payment, she shall retain on the Conditions following,  
Nuys, Cuesfeldt, and Newhaus, and shall keep Garisons in those Places  
which shall depend on her alone; but with this Limitation, That besides  
the Officers and other necessary Persons in the Garisons, those of the  
three above-nam'd Places shall not exceed the number of Twelve Hundred  
Foot, and a Hundred Horse; leaving to Madam, the Landgravine, the  
Disposition of the number of Horse and Foot she shall be pleas'd to put  
in each of these Places, and whom she will constitute Governor.

## LV.

The Garisons shall be maintain'd according to the Order, which has been  
hitherto usually practis'd, for the Maintenance of the Hessian Soldiers  
and Officers; and the things necessary for the keeping of the Forts shall  
be furnish'd by the Arch-bischopricks and Bishopricks, in which the said  
Fortresses are situated, without any Diminution of the Sum

above-mention'd. It shall be allow'd the Garisons, 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, as well Ecclesiastical as Secular, and the Revenues of the said Castles and Towns, shall remain in the Arch-bishop of Cologne.

## LVI.

As soon as after the Ratification of Peace, Three Hundred Thousand Rixdollars 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; and the Garisons of Cuesfeldt 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 Cuesfeldt and Newhaus shall remain in her Hands till the full Payment, but also for the remainder, she shall be paid Interest at Five per Cent. and the Treasurers and Collectors of the Bayliwicks appertaining to the abovesaid Arch-bishopricks, Bishopricks and Abby, 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 receiv'd the full Sum, with all the Interest, she shall surrender the said Places which she retain'd 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 Bayliwicks, the Revenues of which shall be assign'd 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 Bishopricks, as also all their Citys, Bayliwicks, Boroughs, Fortresses, Forts; and in one word, all immoveable Goods, and all Rights seiz'd by her during this War. So, nevertheless, that as well in the three Places she shall retain as Cautionary, as the others to be restor'd, the said Lady Landgravine not only shall cause to be convey'd away all the Provisions and Ammunitions of War she has put therein (for as to those she has not sent thither, and what was found there at the taking of them,

and are there still, they shall continue;) but also the Fortifications and Ramparts, rais'd during the Possession of the Places, shall be destroy'd and demolish'd as much as possible, without exposing the Towns, Boroughs, Castles and Fortresses, to Invasions and Robberys.

#### LIX.

And tho Madam the Landgravine has only demanded Restitution and Reparation of the Arch-bishopricks of Mayence, Cologne, Paderborn, Munster, and the Abby of Fulden; and has not insisted that any besides should contribute any thing for this Purpose: nevertheless the Assembly have thought fit, according to the Equity and Circumstances of Affairs, that without prejudice to the Contents of the preceding Paragraph, which begins, Conventum præterea est, &c. IT HAS BEEN FURTHER AGREED, the other States also on this and the other side 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 Arch-bishopricks, Bishopricks and Abby above-named, and forward the Payments of the Garisons of the Cautionary Towns. If any has suffer'd 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 Cassel, and of Darmstadt, touching the Succession of Marburg; since they have been adjusted at Cassel, the 14th of April, the preceding Year, by the mutual Consent of the Interested Partys, it has been thought good, that that Transaction, with all its Clauses, as concluded and sign'd at Cassel by both Partys, 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 infring'd by the Partys, nor any other whatsoever, under any pretence, either by Contract, Oath, or otherways, but ought to be most exactly kept by all, tho perhaps some of the Partys concern'd may refuse to confirm it.

#### LXI.

As also the Transaction between the Deceas'd monsieur William, Landgrave of Hesse, and Messieurs Christian and Wolrad, Counts of Waldeck, made the 11th of April, 1635. and ratify'd 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 Birth-right introduc'd in the House of Hesse Cassel, and in that of Darmstadt, and confirm'd 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 Plenipotentiarys 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 the 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 Politick State, all and every one of the Electors, Princes and States of the Roman Empire, are so establish'd and confirm'd in their antient Rights, Prerogatives, Libertys, Privileges, free exercise of Territorial Right, as well Ecclesiastick, as Politick Lordships, 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, imposing of Taxes, levying or quartering of Soldiers, erecting new Fortifications in the Territorys of the States, or reinforcing the old Garisons; as also when a Peace of 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 Publick Peace, and this Treaty, and without prejudice to the Oath by which every one 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 the Publick Utility, or Necessity requires. That in the first Diet the Defects of precedent Assemblies be chiefly remedy'd; and that then also be treated and settled by common Consent of the States, the Form and Election of the Kings of the Romans, by a Form, and certain Imperial Resolution; the Manner and Order which is to be observ'd for declaring one or more States, to be within the Territorys of the Empire, besides the Manner otherways describ'd in the Constitutions of the Empire; that they consider also of re-establishing the Circles, the renewing the Matricular-Book, the re-establishing suppress'd States, the 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 instructing of ordinary Deputies for the Advantage of the Publick, the true Office of Directors in the Colleges of the Empire, and such other Business as could not be here expedited.

## LXVII.

That as well as general as particular Diets, the free Towns, and other States of the Empire, shall have decisive Votes; they shall, without molestation, keep their Regales, Customs, annual Revenues, Liberties, Privileges to confiscate, to raise Taxes, and other Rights, lawfully obtain'd from the Emperor and Empire, or enjoy'd long before these Commotions, with a full Jurisdiction within the inclosure of their Walls, and their Territorys: 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 they have been done and attempted hitherto by private Authority, or may hereafter without any preceding formality of Right be enterpris'd. As for the rest, all laudable Customs of the sacred Roman Empire, the fundamental Constitutions and Laws, shall for the future be strictly observ'd, all the Confusions which time of War have, or could introduce, being remov'd and laid aside.

## LXVIII.

As for the finding out of equitable and expedient means, whereby the Prosecution of Actions against Debtors, ruin'd by the Calamitys of the War, or charg'd 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 publick 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 alledg'd Reasons and Circumstances of the Partys shall be well weigh'd in Cases brought before the Sovereign Courts of the Empire, or Subordinate ones of States and no

body shall be oppress'd by immoderate Executions; and ail this without prejudice to the Constitution of Holstein.

#### LXIX.

And since it much concerns the Publick, that upon the Conclusion of the Peace, Commerce be re-establish'd, 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, Detensions; Item, The immoderate Expences and Charges of Posts, and other Obstacles to Commerce and Navigation introduc'd to its Prejudice, contrary to the Publick 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 Emperor's and Princes of the Empire's consent, shall be fully remov'd; and the antient Security, Jurisdiction and Custom, such as have been long before these Wars in use, shall be re-establish'd and inviolably maintain'd in the Provinces, Ports and Rivers.

#### LXX.

The Rights and Privileges of Territorys, water'd by Rivers or otherways, as Customs granted by the Emperor, with the Consent of the Electors, and among others, to the Count of Oldenburg on the Viserg, and introduc'd by a 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 Allys, 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 oblig'd 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 publick 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, and all other Rights upon the Bishopricks of Metz, Toul, and Verdun, and on the Citys of that Name and their Diocesses, particularly on Mayenvick, in the same manner they formerly belong'd 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 Treves.

#### LXXII.

That Monsieur Francis, Duke of Lorain, shall be restor'd to the possession of the Bishoprick of Verdun, as being the lawful Bishop thereof; and shall be left in the peaceable Administration of this Bishoprick and its Abbys (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 provided he undertakes nothing against the Good of the State and the Service of his Majesty.

#### LXXIII.

In the second place, the Emperor and Empire resign and transfer to the most Christian King, and his Successors, the Right of direct Lordship and Sovereignty, and all that has belong'd, or might hitherto belong to him, or the sacred Roman Empire, upon Pignerol.

#### LXXIV.

In the third place the Emperor, as well in his own behalf, as the behalf of the whole most Serene House of Austria, as also of the Empire, resigns all Rights, Propertys, Domains, Possessions and Jurisdictions, which have hitherto belong'd either to him, or the Empire, and the Family of Austria, over the City of Brisac, the Landgraveship of Upper and Lower Alsatia, Suntgau, and the Provincial Lordship of ten Imperial Citys situated in Alsatia, viz. Haguenau, Calmer, Sclestadt, Weisemburg, Landau, Oberenheim, Rosheim, Munster in the Valley of St. Gregory, Keyerberg, Turingham, and of all the villages, or other Rights which depend on the said Mayoralty; all and every of them are made over to the most Christian King, and the Kingdom of France; in the same manner as the City of Brisac, with the Villages of Hochstet, Niederrimsing, Hartem and Acharren appertaining to the Commonalty of Brisac, with all the antient Territory and Dependence; without any prejudice, nevertheless, to the Priviliges and Liberties granted the said Town formerly by the House of Austria.

#### LXXV.

Item, The said Landgraveship of the one, and the other Alsatia, and Suntgau, as also the Provincial Mayoralty on the ten Citys nominated, and their Dependencyes.

#### LXXVI.

Item, All the Vassals, Subjects, People, Towns, Boroughs, Castles, Houses, Fortressses, Woods, Coppices, Gold or Silver Mines, Minerals, Rivers, Brooks, Pastures; and in a word, all the Rights, Regales and Appurtenances, without any reserve, shall belong to the most Christian

King, and shall be for ever incorporated with the Kingdom France, with all manner of Jurisdiction and Sovereignty, without any contradiction from the Emperor, the Empire, House of Austria, or any other: so that no Emperor, or any Prince of the House of Austria, shall, or ever ought to usurp, nor so much as pretend any Right and Power over the said Countrys, as well on this, as the other side the Rhine.

#### LXXVII.

The most Christian King shall, nevertheless, be oblig'd to preserve in all and every one of these Countrys the Catholick Religion, as maintain'd under the Princes of Austria, and to abolish all Innovations crept in during the War.

#### LXXVIII.

Fourthly, By the Consent of the Emperor and the whole Empire, the most Christian King and his Successors shall have perpetual Right to keep a Garison in the Castle of Philipsburg, but limited to such a number of Soldiers, as may not be capable to give any Umbrage, or just Suspicion to the Neighbourhood; which Garison shall be maintain'd at the Expences of the Crown of France. The Passage also shall be open for the King into the Empire by Water, when, and as often as he shall send Soldiers, Convoys, and bring necessary things thither.

#### LXXIX.

Nevertheless the King shall pretend to nothing more than the Protection and safe Passage of his Garison into the Castle of Philipsburg: but the Property of the Place, all Jurisdiction, Possession, all its Profits, Revenues, Purchases, Rights, Regales, Servitude, People, Subjects, Vassals, and every thing that of old in the Bishoprick of Spire, and the Churches incorporated therein, had appertain'd to the Chapter of Spire, or might have appertain'd thereto; shall appertain, and be intirely and inviolably preserv'd to the same Chapter, saving the Right of Protection which the King takes upon him.

#### LXXX.

The Emperor, Empire, and Monsieur the Arch Duke of Insprug, Ferdinand Charles, respectively discharge the Communitys, Magistrates, Officers and Subjects of each of the said Lordships and Places, from the Bonds and Oaths which they were hitherto bound by, and ty'd to the House of Austria; and discharge and assign them over to the Subjection, Obedience and Fidelity they are to give to the King and Kingdom of France; and consequently confirm the Crown of France in a full and just Power over all the said Places, renouncing from the present, and for ever, the Rights and Pretensions they had thereunto: Which Cession the Emperor, the said Arch-Duke and his Brother (by reason the said Renunciation concerns them particularly) shall confirm by particular Letters for themselves and their Descendants; and shall so order it also, that the Catholick King of

Spain shall make the same Renunciation in due and authentick form, which shall be done in the name of the whole Empire, the same Day this present Treaty shall be sign'd.

#### LXXXI.

For the greater Validity of the said Cessions and Alienations, the Emperor and Empire, by virtue of this present Treaty, abolish all and every one of the Decrees, Constitutions, Statutes and Customs of their Predecessors, Emperors of the sacred Roman Empire, tho they have been confirm'd by Oath, or shall be confirm'd for the future; particularly this Article of the Imperial Capitulation, by which all or any Alienation of the Appurtenances and Rights of the Empire is prohibited: and by the same means they exclude for ever all Exceptions hereunto, on what Right and Titles soever they may be grounded.

#### LXXXII.

Further it has been agreed, That besides the Ratification promis'd hereafter in the next Diet by the Emperor and the States of the Empire, they shall ratify anew the Alienations of the said Lordships and Rights: insomuch, that if it shou'd be agreed in the Imperial Capitulation, or if there shou'd be a Proposal made for the future, in the Diet, to recover the Lands and Rights of the Empire, the abovenam'd things shall not be comprehended therein, as having been legally transfer'd to another's Dominion, with the common Consent of the States, for the benefit of the publick Tranquillity; for which reason it has been found expedient the said Seigniorys shou'd be ras'd out of the Matricular-Book of the Empire.

#### LXXXIII.

Immediately after the Restitution of Benfield, the Fortifications of that Place shall be ras'd, and of the Fort Rhinau, which is hard by, as also of Tabern in Alsatia, of the Castle of Hohember and of Newburg on the Rhine: and there shall be in none of those Places any Soldiers or Garrison.

#### LXXXIV.

The Magistrates and the Inhabitants of the said City of Tabern shall keep an exact Neutrality, and the King's Troops shall freely pass thro' there as often as desir'd. No Forts shall be erected on the Banks of this side the Rhine, from Basle to Philipsburg; nor shall any Endeavours be made to divert the Course of the River, neither on the one side or the other.

#### LXXXV.

As for what concerns the Debts wherewith the Chamber of Ensisheim is charg'd, the Arch-Duke Ferdinand Charles shall undertake with that part of the Province, which the most Christian King shall restore him, to pay

one third without distinction, whether they be Bonds, or Mortgages; provided they are in authentick form, and that they have a particular Mortgage, either on the Provinces to be restor'd, or on them which are to be transfer'd; or if there be none, provided they be found on the Books of Accounts, agreeing with those of Receipts of the Chamber of Ensisheim, until the Expiration of the year 1632, and have been inserted amongst the Debts of the publick Chamber, and the said Chamber having been oblig'd to pay the Interests: the Arch-Duke making this Payment, shall keep the King exempt from the same.

#### LXXXVI.

And as for those Debts which the Colleges of the States have been charg'd with by the Princes of the House of Austria, pursuant to particular Agreements made in their Provincial Assemblys, or such as the said States have contracted in the name of the Publick, and to which they are liable; a just distribution of the same shall be made between those who are to transfer their Allegiance to the King of France, and them that continue under the Obedience of the House of Austria, that so either Party may know what proportion of the said Debt he is to pay.

#### LXXXVII.

The most Christian King shall restore to the House of Austria, and particularly to the Arch-Duke Ferdinand Charles, eldest Son to Arch-Duke Leopold, four Forest-Towns, viz. Rheinselden, Seckingen, Laussenberg and Waltshutum, with all their Territorys and Bayliwicks, Houses, Villages, Mills, Woods, Forests, Vassals, Subjects, and all Appurtenances on this, or the other side the Rhine.

#### LXXXVIII.

Item, The County of Hawenstein, the Black Forest, the Upper and Lower Brisgaw, and the Towns situate therein, appertaining of Antient Right to the House of Austria, viz. Neuburg, Friburg, Edingen, Renzingen, Waldkirch, Willingen, Bruenlingen, with all their Territorys; as also, the Monasterys, Abbys, Prelacys, Deaconrys, Knight-Fees, Commanderships, with all their Bayliwicks, Baronys, Castles, Fortresses, Countys, Barons, Nobles, Vassals, Men, Subjects, Rivers, Brooks, Forests, Woods, and all the Regales, Rights, Jurisdictions, Fiefs and Patronages, and all other things belonging to the Sovereign Right of Territory, and to the Patrimony of the House of Austria, in all that Country.

#### LXXXIX.

All Ortnaw, with the Imperial Citys of Ossenburg, Gengenbach, Cellaham and Harmospach, forasmuch as the said Lordships depend - on that of Ortnaw, so that no King of France can or ought ever to ; pretend to or usurp any Right or Power over the said Countrys situated on this and the other side the Rhine: nevertheless, in such a manner, that by this

present Restitution, the Princes of Austria shall acquire no new Right; that for the future, the Commerce and Transportation shall be free to the Inhabitants on both sides of the Rhine, and the adjacent Provinces. Above all, the Navigation of the Rhine be free, and none of the partys shall be permitted to hinder Boats going up or coming down, detain, stop, or molest them under any pretence whatsoever, except the Inspection and Search which is usually done to Merchandizes: And it shall not be permitted to impose upon the Rhine new and unwonted Tolls, Customs, Taxes, Imposts, and other like Exactions; but the one and the other Party shall contented with the Tributes, Dutys and Tolls that were paid before these Wars, under the Government of the Princes of Austria.

#### XC.

That all the Vassals, Subjects, Citizens and Inhabitants, as well on this as the other side the Rhine, who were subject to the House of Austria, or who depended immediately on the Empire, or who acknowledg'd for Superiors the other Orders of the Empire, notwithstanding all Confiscations, Transferrings, Donations made by any Captains or Generals of the Swedish Troops, or Confederates, since the taking of the Province, and ratify'd by the most Christian King, or decreed by his own particular Motion; immediately after the Publication of Peace, shall be restor'd to the possession of their Goods, immovable and stable, also to their Farms, Castles, Villages, Lands, and Possessions, without any exception upon the account of Expences and Compensation of Charges, which the modern Possessors may alledge, and without Restitution of Movables or Fruits gather'd in.

#### XCI.

As to Confiscations of Things, which consist in Weight, Number and Measure, Exactions, Concussions and Extortions made during the War; the reclaiming of them is fully annull'd and taken away on the one side and the other, in order to avoid Processes and litigious Strifes.

#### XCII.

That the most Christian King shall be bound to leave not only the Bishops of Strasburg and Basle, with the City of Strasburg, but also the other States or Orders, Abbots of Murbach and Luederen, who are in the one and the other Alsatia, immediately depending upon the Roman Empire; the Abess of Andlavien, the Monastery of St. Bennet in the Valley of St. George, the Palatines of Luzelstain, the Counts and Barons of Hanaw, Fleckenstein, Oberstein, and all the nobility of Lower Alsatia; Item, the said ten Imperial Citys, which depend on the Mayory of Haganoc, in the Liberty and Possession they have enjoy'd hitherto, to arise as immediately dependent upon the Roman Empire; so that he cannot pretend any Royal Superiority over them, but shall rest contented with the Rights which appertain'd to the House of Austria, and which by this present Treaty of Pacification, are yielded to the Crown of France. In such a

manner, nevertheless, that by the present Declaration, nothing is intended that shall derogate from the Sovereign Dominion already hereabove agreed to.

XCIII.

Likewise the most Christian King, in compensation of the things made over to him, shall pay the said Archduke Ferdinand Charles three millions of French Livres, in the next following Years 1649 1650, 1651, on St. John Baptist's Day, paying yearly one third of the said Sum at Basle in good Money to the Deputys of the said Archduke.

XCIV.

Besides the said Sum, the most Christian King shall be oblig'd to take upon him two Thirds of the Debts of the Chamber of Ensisheim without distinction, whether by Bill or Mortgage, provided they be in due and authentic Form, and have a special Mortgage either on the Provinces to be transfer'd, or on them to be restor'd; or if there be none, provided they be found on the Books of Accounts agreeing with those of the Receipts of the Chamber of Ensisheim, until the end of the Year 1632, the said Sums having been inserted among the Debts of the Community, and the Chamber having been oblig'd to pay the Interests: And the King making this Payment, the Archduke shall be exempted for such a proportion. And that the same may be equitably executed, Commissarys shall be deputed on the one side and the other, immediately after the signing of this present Treaty, who before the Payment of the first Sum, shall agree between them what Debts every one has to pay.

XCV.

The most Christian King shall restore to the said Archduke bona fide, and without delay, all Papers, Documents of what nature so-ever, belonging to the Lands which are to be surrender'd to him, even as many as shall be found in the Chancery of the Government and Chamber of Ensisheim, or of Brisac, or in the Records of Officers, Towns, and Castles possess'd by his Arms.

XCVI.

If those Documents be publick, and concern in common and jointly the Lands yielded to the King, the Archduke shall receive authentick Copys of them, at what time and as often as he shall demand them.

XCVII.

Item, For fear the Differences arisen between the Dukes of Savoy and Mantua touching Montserrat, and terminated by the Emperor Ferdinand and Lewis XIII. Fathers to their Majestys, shou'd revive some time or other to the damage or Christianity; it has been agreed, That the Treaty of

Cheras of the 6th of April 1631. with the Execution thereof which ensu'd in the Montserrat, shall continue firm for ever, with all its Articles: Pignerol, and its Appurtenances, being nevertheless excepted, concerning which there has been a decision between his most Christian Majesty and the Duke of Savoy, and which the King of France and his Kingdom have purchas'd by particular Treatys, that shall remain firm and stable, as to what concerns the transferring or resigning of that Place and its Appurtenances. But if the said particular Treatys contain any thing which may trouble the Peace of the Empire, and excite new Commotions in Italy, after the present War, which is now on foot in that Province, shall be at an end, they shall be look'd upon as void and of no effect; the said Cession continuing nevertheless unviolable, as also the other Conditions agreed to, as well in favour of the Duke of Savoy as the most Christian King: For which reason their Imperial and most Christian Majestys promise reciprocally, that in all other things relating to the said Treaty of Cheras, and its Execution, and particularly to Albe, Trin, their Territorys, and the other places, they never shall contravene them either directly or indirectly, by the way of Right or in Fact; and that they neither shall succour nor countenance the Offender, but rather by their common Authority shall endeavour that none violate them under any pretence whatsoever; considering that the most Christian King has declar'd, That he was highly oblig'd to advance the Execution of the said Treaty, and even to maintain it by Arms; that above all things the said Lord, the Duke of Savoy, notwithstanding the Clauses abovemention'd, shall be always maintain'd in the peaceable possession of Trin and Albe, and other places, which have been allow'd and assign'd him by the said Treaty, and by the Investiture which ensu'd thereon of the Dutchy of Montserrat.

#### XCVIII.

And to the end that all Differences be extirpated and rooted out between these same Dukes, his most Christian Majesty shall pay to the said Lord, the Duke of Mantua, four hundred ninety four thousand Crowns, which the late King of blessed Memory, Lewis XIII. had promis'd to pay to him on thu Duke of Savoy's Discount; who by this means shall together with his Heirs and Successors be discharg'd from this Obligation, and secur'd from all Demands which might be made upon him of the said Sum, by the Duke of Mantua, or his Successors; so that for the future neither the Duke of Savoy, nor his Heirs and Successors, shall receive any Vexation or Trouble from the Duke of Mantua, his Heirs and Successors, upon this subject, or under this pretence.

#### XCIX.

Who hereafter, with the Authority and Consent of their Imperial and most Christian Majestys, by virtue of this solemn Treaty of Peace, shall have no Action for this account against the Duke of Savoy, or his Heirs and Successors.

### C.

His Imperial Majesty, at the modest Request of the Duke of Savoy, shall together with the Investiture of the antient Fiefs and States, which the late Ferdinand II. of blessed memory granted to the Duke of Savoy, Victor Amadeus, also grant him the Investiture of the Places, Lordships, States, and all other Rights of Montserrat, with their Appurtenances, which have been surrender'd to him by virtue of the abovesaid Treaty of Cheras, and the Execution thereof which ensu'd; as also, of the Fiefs of New Monsort, of Sine, Monchery, and Castelles, with their Appurtenances, according to the Treaty of Acquisition made by the said Duke Victor Amadeus, the 13th of October 1634. and conformable to the Concessions or Permissions, and Approbation of his Imperial Majesty; with a Confirmation also of all the Privileges which have been hitherto granted to the Dukes of Savoy, when and as often as the Duke of Savoy shall request and demand it.

### CI.

Item, It has been agreed, That the Duke of Savoy, his Heirs and Successors, shall no ways be troubled or call'd to an account by his Imperial Majesty, upon account of the Right of Sovereignty they have over the Fiefs of Rocheveran, Olme, and Casoles, and their Appurtenances, which do not in the least depend on the Roman Empire, and that all Donations and Investitures of the said Fiefs being revok'd and annul'd, the Duke shall be maintain'd in his Possession as rightful Lord; and if need be, reinstated: for the same reason his Vassal the Count de Verrue shall be re-instated in the same Fiefs of Olme and Casoles, and in the Possession of the fourth part of Rocheveran, and in all his Revenues.

### CII.

Item, It is Agreed, That his Imperial Majesty shall restore to the Counts Clement and John Sons of Count Charles Cacheran, and to his Grandsons by his Son Octavian, the whole Fief of la Roche d'Arazy, with its Appurtenances and Dependencys, without any Obstacle whatever.

### CIII.

The Emperor shall likewise declare, That within the Investiture of the Dutchy of Mantua are comprehended the Castles of Reygioli and Luzzare, with their Territorys and Dependencys, the Possession whereof the Duke of Guastalla shall be oblig'd to render to the Duke of Mantua, reserving to himself nevertheless, the Right of Six Thousand Crowns annual Pension, which he pretends to, for which he may sue the Duke before his Imperial Majesty.

### CIV.

As soon as the Treaty of Peace shall be sign'd and seal'd by the Plenipotentiarys and Ambassadors, all Hostility shall cease, and all

Partys shall study immediately to put in execution what has been agreed to; and that the same may be the better and quicker accomplish'd, the Peace shall be solemnly publish'd the day after the signing thereof in the usual form at the Cross of the Citys of Munster and of Osnabrug. That when it shall be known that the signing has been made in these two Places, divers Couriers shall presently be sent to the Generals of the Armys, to acquaint them that the Peace is concluded, and take care that the Generals chuse a Day, on which shall be made on all sides a Cessation of Arms and Hostilitys for the publishing of the Peace in the Army; and that command be given to all and each of the chief Officers Military and Civil, and to the Governors of Fortresses, to abstain for the future from all Acts of Hostility: and if it happen that any thing be attempted, or actually innovated after the said Publication, the same shall be forthwith repair'd and restor'd to its former State.

#### CV.

The Plenipotentiarys on all sides shall agree among themselves, between the Conclusion and the Ratification of the Peace, upon the Ways, Time, and Securitys which are to be taken for the Restitution of Places, and for the Disbanding of Troops; of that both Partys may be assur'd, that all things agreed to shall be sincerely accomplish'd.

#### CVI.

The Emperor above all things shall publish an Edict thro'out the Empire, and strictly enjoin all, who by these Articles of Pacification are oblig'd to restore or do any thing else, to obey it promptly and without tergi-versation, between the signing and the ratifying of this present Treaty; commanding as well the Directors as Governors of the Militia of the Circles, to hasten and finish the Restitution to be made to every one, in conformity to those Conventions, when the same are demanded. This Clause is to be inserted also in the Edicts, That whereas the Directors of the Circles, or the Governors of the Militia of the Circles, in matters that concern themselves, are esteem'd less capable of executing this Affair in this or the like case and likewise if the Directors and Governors of the Militia of the Circles refuse this Commission, the Directors of the neighbouring Circle, or the Governors of the Militia of the Circles shall exercise the Function, and officiate in the execution of these Restitutions in the other Circles, at the instance of the Partys concern'd.

#### CVII.

If any of those who are to have something restor'd to them, suppose that the Emperor's Commissarys are necessary to be present at the Execution of some Restitution (which is left to their Choice) they shall have them. In which case, that the effect of the things agreed on may be the less hinder'd, it shall be permitted as well to those who restore, as to those to whom Restitution is to be made, to nominate two or three Commissarys

immediately after the signing of the Peace, of whom his Imperial Majesty shall chuse two, one of each Religion, and one of each Party, whom he shall injoin to accomplish without delay all that which ought to be done by virtue of this present Treaty. If the Restorers have neglected to nominate Commissioners, his Imperial Majesty shall chuse one or two as he shall think fit (observing, nevertheless, in all cases the difference of Religion, that an equal number be put on each side) from among those whom the Party, to which somewhat is to be restor'd, shall have nominated, to whom he shall commit the Commission of executing it, notwithstanding all Exceptions made to the contrary; and for those who pretend to Restitutions, they are to intimate to the Restorers the Tenour of these Articles immediately after the Conclusion of the Peace.

#### CVIII.

Finally, That all and every one either States, Commonaltys, or private Men, either Ecclesiastical or Secular, who by virtue of this Transaction and its general Articles, or by the express and special Disposition of any of them, are oblig'd to restore, transfer, give, do, or execute any thing, shall be bound forthwith after the Publication of the Emperor's Edicts, and after Notification given, to restore, transfer, give, do, or execute the same, without any Delay or Exception, or evading Clause either general or particular, contain'd in the precedent Amnesty, and without any Exception and Fraud as to what they are oblig'd unto.

#### CIX.

That none, either Officer or Soldier in Garisons, or any other whatsoever, shall oppose the Execution of the Directors and Governors of the Militia of the Circles or Commissarys, but they shall rather promote the Execution; and the said Executors shall be permitted to use Force against such as shall endeavour to obstruct the Execution in what manner soever.

#### CX.

Moreover, all Prisoners on the one side and the other, without any distinction of the Gown or the Sword, shall be releas'd after the manner it has been covenanted, or shall be agreed between the Generals of the Armys, with his Imperial Majesty's Approbation.

#### CXI.

The Restitution being made pursuant to the Articles of Amnesty and Grievances, the Prisoners being releas'd, all the Soldiery of the Garisons, as well the Emperor's and his Allys, as the most Christian King's, and of the Landgrave of Hesse, and their Allys and Adherents, or by whom they may have been put in, shall be drawn out at the same time, without any Damage, Exception, or Delay, of the Citys of the Empire, and all other Places which are to be restor'd.

## CXII.

That the very Places, Citys, Towns, Boroughs, Villages, Castles, Fortresses and Forts which have been possess'd and retain'd, as well in the Kingdom of Bohemia, and other Countrys of the Empire and Hereditary Dominions of the House of Austria, as in the other Circles of the Empire, by one or the other Army, or have been surrender'd by Composition; shall be restor'd without delay to their former and lawful Possessors and Lords, whether they be mediately or immediately States of the Empire, Ecclesiastical or Secular, comprehending therein also the free Nobility of the Empire: and they shall be left at their own free disposal, either according to Right and Custom, or according to the Force this present Treaty ought to have, notwithstanding all Donations, Infeoffments, Concessions (except they have been made by the free-will of some State) Bonds for redeeming of Prisoners, or to prevent Burnings and Pillages, or such other like Titles acquir'd to the prejudice of the former and lawful Masters and Possessors. Let also all Contracts and Bargains, and all Exceptions contrary to the said Restitution cease, all which are to be esteem'd void; saving nevertheless such things as have been otherwise agreed on in the precedent Articles touching the Satisfaction to made to his most Christian Majesty, as also some Concessions and equivalent Compensations granted to the Electors and Princes of the Empire. That neither the Mention of the Catholick King, nor Quality of the Duke of Lorain given to Duke Charles in the Treaty between the Emperor and Swedeland, and much less the Title of Landgrave of Alsace, given to the Emperor, shall be any prejudice to the most Christian King. That also which has been agreed touching the Satisfaction to be made to the Swedish Troops, shall have no effect in respect to his Majesty.

## CXIII.

And that this Restitution of possess'd Places, as well by his Imperial Majesty as the most Christian King, and the Allys and Adherents of the one and the other Party, shall be reciprocally and bona fide executed.

## CXIV.

That the Records, Writings and Documents, and other Moveables, be also restor'd; as likewise the Cannon found at the taking of the Places, and which are still in being. But they shall be allow'd to carry off with them, and cause to be carry'd off, such as have been brought thither from other parts after the taking of the Places, or have been taken in Battels, with all the Carriages of War, and what belongs thereunto.

## CXV.

That the Inhabitants of each Place shall be oblig'd, when the Soldiers and Garisons draw out, to furnish them without Money the necessary Waggons, Horses, Boats and Provisions, to carry off all things to the

appointed Places in the Empire; which Waggons, Horses and Boats, the Governors of the Garisons and the Captains of the withdrawing Soldiers shall restore without any Fraud or Deceit. The Inhabitants of the States shall free and relieve each other of this trouble of carrying the things from one Territory to the other, until they arrive at the appointed Place in the Empire; and the Governors or other Officers shall not be allow'd to bring with him or them the lent Waggons, Horses and Boats, nor any other thing they are accommodated with, out of the limits they belong unto, much less out of those of the Empire.

#### CXVI.

That the Places which have been restor'd, as, well Maritime as Frontiers, or in the heart of the Country shall from henceforth and for ever be exempted from all Garisons, introduc'd during the Wars, and left (without prejudice in other things to every one's Right) at the full liberty and disposal of their Masters.

#### CXVII.

That it shall not for the future, or at present, prove to the damage and prejudice of any Town, that has been taken and kept by the one or other Party; but that all and every one of them, with their Citizens and Inhabitants, shall enjoy as well the general Benefit of the Amnesty, as the rest of this Pacification. And for the Remainder of their Rights and Privileges, Ecclesiastical and Secular, which they enjoy'd before these Troubles, they shall be maintain'd therein; save, nevertheless the Rights of Sovereignty, and what depends thereon, for the Lords to whom they belong.

#### CXVIII.

Finally, that the Troops and Armys of all those who are making War in the Empire, shall be disbanded and discharg'd; only each Party shall send to and keep up as many Men in his own Dominion, as he shall judge necessary for his Security.

#### CXIX.

The Ambassadors and Plenipotentiarys of the Emperor, of the King, and the States of the Empire, promise respectively and the one to the other, to cause the Emperor, the most Christian King, the Electors of the Sacred Roman Empire, the Princes and States, to agree and ratify the Peace which has been concluded in this manner, and by general Consent; and so infallibly to order it, that the solemn Acts of Ratification be presented at Munster, and mutually and in good form exchang'd in the term of eight weeks, to reckon from the day of signing.

#### CXX.

For the greater Firmness of all and every one of these Articles, this present Transaction shall serve for a perpetual Law and establish'd Sanction of the Empire, to be inserted like other fundamental Laws and Constitutions of the Empire in the Acts of the next Diet of the Empire, and the Imperial Capitulation; binding no less the absent than the present, the Ecclesiasticks than Seculars, whether they be States of the Empire or not: insomuch as that it shall be a prescrib'd Rule, perpetually to be follow'd, as well by the Imperial Counsellors and Officers, as those of other Lords, and all Judges and Officers of Courts of Justice.

#### CXXI.

That it never shall be alledg'd, allow'd, or admitted, that any Canonical or Civil Law, any general or particular Decrees of Councils, any Privileges, any Indulgences, any Edicts, any Commissions, Inhibitions, Mandates, Decrees, Rescripts, Suspensions of Law, Judgments pronounc'd at any time, Adjudications, Capitulations of the Emperor, and other Rules and Exceptions of Religious Orders, past or future Protestations, Contradictions, Appeals, Investitures, Transactions, Oaths, Renunciations, Contracts, and much less the Edict of 1629. or the Transaction of Prague, with its Appendixes, or the Concordates with the Popes, or the Interims of the Year 1548. or any other politick Statutes, or Ecclesiastical Decrees, Dispensations, Absolutions, or any other Exceptions, under what pretence or colour they can be invented; shall take place against this Convention, or any of its Clauses and Articles neither shall any inhibitory or other Processes or Commissions be ever allow'd to the Plaintiff or Defendant.

#### CXXII.

That he who by his Assistance or Counsel shall contravene this Transaction or Publick Peace, or shall oppose its Execution and the abovesaid Restitution, or who shall have endeavour'd, after the Restitution has been lawfully made, and without exceeding the manner agreed on before, without a lawful Cognizance of the Cause, and without the ordinary Course of Justice, to molest those that have been restor'd, whether Ecclesiasticks or Laymen; he shall incur the Punishment of being an Infringer of the publick Peace, and Sentence given against him according to the Constitutions of the Empire, so that the Restitution and Reparation may have its full effect.

#### CXXIII.

That nevertheless the concluded Peace shall remain in force, and all Partys in this Transaction shall be oblig'd to defend and protect all and every Article of this Peace against any one, without distinction of Religion; and if it happens any point shall be violated, the Offended shall before all things exhort the Offender not to come to any Hostility, submitting the Cause to a friendly Composition, or the ordinary

Proceedings of Justice.

CXXIV.

Nevertheless, if for the space of three years the Difference cannot be terminated by any of those means, all and every one of those concern'd in this Transaction shall be oblig'd to join the injur'd Party, and assist him with Counsel and Force to repel the Injury, being first advertis'd by the injur'd that gentle Means and Justice prevail'd nothing; but without prejudice, nevertheless, to every one's Jurisdiction, and the Administration of Justice conformable to the Laws of each Prince and State: and it shall not be permitted to any State of the Empire to pursue his Right by Force and Arms; but if any difference has happen'd or happens for the future, every one shall try the means of ordinary Justice, and the Contravener shall be regarded as an Infringer of the Peace. That which has been determin'd by Sentence of the Judge, shall be put in execution, without distinction of Condition, as the Laws of the Empire enjoin touching the Execution of Arrests and Sentences.

CCXXV.

And that the publick Peace may be so much the better preserv'd intire, the Circles shall be renew'd; and as soon as any Beginnings of Troubles are perceiv'd, that which has been concluded in the Constitutions, of the Empire, touching the Execution and Preservation of the Publick Peace, shall be observ'd.

CXXVI.

And as often as any would march Troops thro' the other Territorys, this Passage shall be done at the charge of him whom the Troops belong to, and that without burdening or doing any harm or damage to those whole Country's they march thro'. In a word, all that the Imperial Constitutions determine and ordain touching the Preservation of the publick Peace, shall be strictly observ'd.

CXXVII.

In this present Treaty of Peace are comprehended such, who before the Exchange of the Ratification or in six months after, shall be nominated by general Consent, by the one or the other Party; mean time by a common Agreement, the Republick of Venice is therein compriz'd as Mediatrix of this Treaty. It shall also be of no prejudice to the Dukes of Savoy and Modena, or to what they shall act, or are now acting in Italy by Arms for the most Christian King.

CXXVIII .

In Testimony of all and each of these things, and for their greater Validity, the Ambassadors of their Imperial and most Christian Majestys,

and the Deputys, in the name of all the Electors, Princes, and States of the Empire, sent particularly for this end (by virtue of what has been concluded the 13th of October, in the Year hereafter mention'd, and has been deliver'd to the Ambassador of France the very day of signing under the Seal of the Chancellor of MENTZ) viz. For the Elector of Mayence, Monsieur Nicolas George de Reigersberg, Knight and Chancellor; for the Elector of Bavaria, Monsieur John Adolph Krebs, Privy Counsellor; for the Elector of Brandenburg, Monsieur John Count of Sain and Witgenstein, Lord of Homburg and Vallendar, Privy Counsellor.

In the Name of the House of Austria, M. George Verie, Count of Wolkenstein, Counsellor of the Emperor's Court; M. Corneille Gobelius, Counsellor of the Bishop of Bamberg; M. Sebastian William Meel, Privy Counsellor to the Bishop of Wirtzburg; M. John Earnest, Counsellor of the Duke of Bavaria's Court; M. Wolff Conrad of Thumbshirn, and Augustus Carpzovius, both Counsellors of the Court of Saxe-Altenburg and Coburg; M. John Fromhold, Privy Counsellor of the House of Brandenburg-Culmbac, and Onolzbac; M. Henry Laugenbeck, J.C. to the House of Brunswick-Lunenburg; James Limpodius, J.C. Counsellor of State to the Branch of Calemburg, and Vice-Chancellor of Lunenburg.

In the Name of the Counts of the Bench of Wetteraw, M. Matthews Wesembecius, J. D. and Counsellor.

In the Name of the one and the other Bench, M. Marc Ottoh of Strasburg, M. John James Wolff of Ratisbon, M. David Gloxinius of Lubeck, and M. Lewis Christopher Kres of Kressenstein, all Syndick Senators, Counsellors and Advocates of the Republick of Noremberg; who with their proper Hands and Seals have sign'd and seal'd this present Treaty of Peace, and which said Deputys of the several Orders have engag'd to procure the Ratifications of their Superiors in the prefix'd time, and in the manner it has been covenanted, leaving the liberty to the other Plenipotentiarys of States to sign it, if they think it convenient, and send for the Ratifications of their Superiors: And that on condition that by the Subscription of the abovesaid Ambassadors and Deputys, all and every one of the other States who shall abstain from signing and ratifying the present Treaty, shall be no less oblig'd to maintain and observe what is contain d in this present Treaty of Pacification, than if they had subscrib'd and ratify'd it; and no Protestation or Contradiction of the Council of Direction in the Roman Empire shall be valid, or receiv'd in respect to the Subscription and said Deputys have made.

Done, pass'd and concluded at Munster in Westphalia, the 24th Day of October, 1648.

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Translation: British Foreign Office