

THE
ARTICLES
OF THE
Treaty of Peace,

Sign'd and Seal'd at

MUNSTER, in WESTPHALIA;

October the 24th, 1648.

By the Ambassadors Plenipotentiarys of their Sacred, Imperial, and Most Christian Majestys, and the Extraordinary Deputys, Electors, Princes, and States of the Sacred *Roman* Empire.

I*N 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, Sclavonia*, Arch-Duke of *Austria*, Duke of *Burgundy, Brabant, Styria, Carinthia, Carniola*, Marquifs of *Moravia*, Duke of *Luxemburgh*, the Higher and Lower *Silesia*, of *Wirtemberg* and *Teck*, Prince of *Suabia*, Count of *Hapsburg, Tirol, Kyburg* and *Goritia*, Marquifs of the Sacred *Roman Empire*, Lord of *Burgovia*, of the Higher and Lower *Luface*, of the Marquifate of *Sclavonia*, of *Port Naon* and *Salines*, with his Allies and Adherents on one fide; and the moft Serene, and the moft Puiffant Prince, *Lewis* the Thirteenth, moft Christian King of *France* and *Navarre*, with his Allies and Adherents on the other fide. And after their Deceafe, between the moft Serene and Puiffant Prince and Lord, *Ferdinand* the Third, elected *Roman Emperor*, always *Auguft*, King of *Germany, Hungary, Bohemia, Dalmatia, Croatia, Sclavonia*, Arch-Duke of *Austria*, Duke of *Burgundy, Brabant, Styria, Carinthia, Carniola*, Marquifs of *Moravia*, Duke of *Luxemburg*, of the Higher and Lower *Silesia*, of *Wirtemberg* and *Teck*, Prince of *Suabia*, Count of *Hapsburg, Tirol, Kyburg* and *Goritia*, Marquifs of the Sacred *Roman Empire*, *Burgovia*, the Higher and Lower *Luface*, Lord of the Marquifate of *Sclavonia*, of *Port Naon* and *Salines*, with his Allies and Adherents on the one fide; and the moft Serene and moft Puiffant Prince and Lord, *Lewis* the Fourteenth, moft Christian King of *France* and *Navarre*, with his Allies and Adherents on the other fide: from whence enfu'd great Effufion of Christian Blood, and the Defolation of feveral Provinces. It has at laft happen'd, by the effect of Divine Goodnefs, feconded by the Endeavours of the moft Serene Republick of *Venice*, who in this fad time, when all *Chriftendom* is imbroil'd, has not ceas'd to contribute its Counfels for the publick Welfare and Tranquillity; fo that on the one fide, and the other, they have form'd Thoughts of an univerfal Peace. And for this purpofe, 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 Affembly of Plenipotentiary Ambaffadors, who fhould render themfelves at *Munfter* and *Osnabrug* in *Westphalia* the 11th of *July*, N. S. or the 1ft of the faid month O. S. in the year 1643. The Plenipotentiary Ambaffadors on the one fide, and the other, duly eftablifh'd, appearing at the prefixt time, and on the behalf of his Imperial Ma-

jesty, 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 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 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 *Neuschafel*, 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 of *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.

Article I. **T**HAT 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 Hostilities have been practis'd, in such a manner, that no body, under any pretext whatsoever, shall practise 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, Hostilities, 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 Archbishoprick, and of the Moiety of the Lordship of *St. John*, belonging to *John Reinhard* of *Soc-teren*, which is contrary to the Concordats 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 imbezeld, 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 *Ehenbrestein* and *Hamestein*, 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 Garison 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 dull.

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 Mony, 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.

XVIII. 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 *Fuliers* 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 Im-

perial 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 discharge 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 their 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-beeren*, on *Nicholas George Reygersberg*, Chancellor of *Mayence*, and on *Henry Brombser*; Baron of *Rudesheim*; Item, on the Elector of *Bavaria*, on Baron *John Adolph Wolff*, call'd *Metternichs*, 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 *Ausburg*, 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 *Ausburg*, 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 *Onolzbach*, 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 Garrisons, the Towns and Forts of *Hohenwiel*, *Schorendorff*, *Tubingen*, and all other places, without reserve, where he keeps Garrisons 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* Marquis of *Baden* 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*, *Badenweiler*, and *Sausenberg*, notwithstanding, and annulling all the Changes made to the contrary. After which shall be restor'd to Marquis *Frederick*, the Jurisdictions of *Stein* and *Renchingen*, without being charg'd with Debts, which the Marquis *William* has contracted during that time, by Reason of the Revenues, Interests and Charges, put down in the Transaction pass'd at *Estlingen* in the Year 1629. and transfer'd 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 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 Assemblys 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 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 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, Transactions, 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 Parties against this special Agreement. The Paragraphs, The Duke of *Croy*, &c. As for the Controversy of *Nassau-Siegen*, &c. To the Counts of *Nassau*, *Sarrepont*, &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 *Isenburg*, &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 *Ortingen*, &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 Instrument, or 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 Proceses 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 *bonâ 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, Reputation, 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 Conquest 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 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 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 *Juli-ers*, 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 insert'd 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, *Tandem omnes, &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 *Hirsfield*, with all its Dependencys, 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 Jurisdiction 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 Arch-bishopricks 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-bishopricks 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 Garison &

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 Sums, 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 prater ea est*, &c. IT HAS BEEN FURTHER AGREED, &c. 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 insert'd 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 *monieur William*, Landgrave of *Hesse*, and *Messieurs Christian* and *Wolrad*, Counts of *Waldeck*, made the 11th of *April*,

1635. and ratify'd by 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 *Basse*, 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 *Basse*, 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 or 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 Assemblys 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 Deputys 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 at 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, Libertys, 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 meantime 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 all this without prejudice to the Constitution of *Hollstein*.

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, Detentions ; *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 Territories, 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 *Viferg*, 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 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 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 *Mayenwick*, 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 Jurisdctions, 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*, *Scletstadt*, *Weisemburg*, *Landau*, *Oberenheim*, *Rosheim*, *Munster* in the Valley of *St. Gregory*, *Keyserberg*, *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 Privileges and Libertys 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 Dependencys.

LXXVI. *Item*, All the Vassals, Subjects, People, Towns, Boroughs, Castles, Houses, Fortresses, 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 of *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 Em-

pire 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 Garrison 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 group'd,

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: in so much 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 above-nam'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 *Benfeldt*, 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 Garison.

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 *Ensfheim* 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 *Ensfheim*, 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. *Rheinfelden*, *Seckingen*, *Lauffenberg* and *Waltstutum*, 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*, *Endingen*, *Kenzingen*, *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 *Offenburg*, *Gengenbach*, *Cellaham* and *Harmorspach*, sofar 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* shall 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 unwanted Tolls, Customs, Taxes, Imposts, and other like

Exactions ; but the one and the other Party shall be 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 *Basse*, 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 *Alsacia*, immediately depending upon the *Roman* Empire ; the Abbots of *Andlavion*, the Monastery of *St. Bennet* in the Valley of *St. George*, the Palatines of *Luzelstein*, the Counts and Barons of *Hanaw*, *Fleckenstein*, *Oberstein*, and all the nobility of *Lower Alsacia* ; 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 *Baste* 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 authentick 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 soever, 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 *Montferrat*, and terminated by the Emperor *Ferdinand* and *Lewis XIII.* Fathers to their Majestys, shou'd revive some time or other to the damage of 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 *Montferrat*, 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 *Montferrat*.

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 the 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 *Montferrat*, 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 Monfort*, 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, re-instated: 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 comprehend'd 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 *Man-
tua*, reserving to himself nevertheless the Right of Six Thou-
sand 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 Hostili-
tys 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 Cou-
riers 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; so 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 tergiver-
sation, 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 confor-
mity to those Conventions, when the same are demanded.
This Clause is to be insert'd also in the Edicts, That
whereas the Directors of the Circles, or the Governors of
the Militia of the Circles, in matters that concern them-
selves, 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 Party's 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 exprefs 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 Souldiery 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 be 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 the 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 Allies and Adherents of the one and the other Party, shall be reciprocally and *bonâ 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 Am-

nessy, 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 exchange'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 the 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 Con-

cordats 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.

CXXV. 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 others 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 whose Countrys 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 *Menz*) 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 Carpovius*, 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 Lampodius*, 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. C. 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 the said Deputys have made.

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