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Downing Pamphlet.

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A REPLY OF Sir GEORGE DOWNING Knight and Baronet, *Envoy Extraordinary* from His Majesty of *Great-Britain, &c.* TO THE REMARKS OF THE *Deputies* of the *Estates-General*, UPON HIS MEMORIAL Of *December* 20. 1664. *Old Stile.*

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226. f. 64.

A REPLY *of Sir* George Downing, *Knight and Baronet*, Envoy Extraordinary *from His Majesty of* Great Britain, *&c. To the Remarks of the Deputies of the* Estates General, *upon his* Memorial *of the* 20th *of* December, 1664. *Old Stile.*

THE under-written *Envoyée Extraordinary* of His most Sacred Majesty of *Great Britain, &c.* having sent to the King His Master a certain Book printed at the *Hague*, and Entituled, *Succinct Remarks and Deductions made by the Deputies of the* Estates General *of the* United Provinces, *upon his last Memorial*, and approved by the said Estates, and ordered by them to be delivered by their *Agent de Heyde* to the Ministers of several Kings residing here, and to be sent to their Ministers abroad with this Direction and Instruction, pag. 3. *To the End,*

that they continue duly to inform those Kings of the foundation of the Alliance which this State hath with them, and of the true State of Affairs; and to the End that they do cause Their Majesties to comprehend the sincerity of their Intentions and Procedure. And His Majesty having also been informed, That the said Book hath accordingly been sent and delivered, hath commanded him His Minister to say thereupon, by way of *Reply*, as followeth.

And first, as to the bitter Invectives, Reproaches, and foul and railing Language wherewith the said Book is stuffed from the beginning to the End; It is to be remarked, that it is an usual thing here (however strange it may seem elsewhere) to revenge themselves in this kind upon any with whom they have Disputes. How many Resolutions hath he seen of the *Estates General*, wherein the Subjects of other Princes having addressed themselves to the Kings their Masters, upon their just Complaints against the People of this Country, and the said Complaints thereupon brought to them in their Name, and by their Order, they have not contented themselves with the not doing them Justice, but fallen upon their Persons with railing Language, treating them with the Title of Impudent, *&c.* And having had lately a Dispute with the Bishop of *Munster*, a Prince of the Empire, they thought it not enough to take the Sconce or Place in Question, but in their Letter to the Emperor of the 10th of *June* 1664. and which was printed and sold publickly

lickly here at the *Hague*, they treated the ſaid Biſhop with the Titles and Characters of *Unjuſt Uſurper, great Impudence, and that his humour rendred him incompatible, if not to His own Subjects, yet at leaſt to all His Neighbours:* But certainly, 'tis a practice very little to the reputation or advantage of any that uſe it: Such as have a good Cauſe in hand to plead, will not ſpoil it by railing Language, which renders ſuſpect whatever is ſaid, as proceeding from Paſſion, and not from Reaſon; but ſuch as have an ill one, when they cannot anſwer *ad Argumentum*, they turn themſelves *ad Hominem*: And as to himſelf, he is not here as a particular Perſon, but as the Miniſter of the King his Maſter: And he is commanded to ſay, that there was not one word in his ſaid Memorial, that paſſed the bounds and limits either of his Orders, or of Civility, and good Manners: And as whatever Evil Treatment by Word or Deed is done to any publick Miniſter reſiding in any Court in the Execution of his Office and Inſtructions, is done to his Maſter, That His Majeſty takes them all as ſaid againſt his own Royal Perſon, Crown, and Dignity, and looks upon it as a piece of Turciſm, and of the way of thoſe of *Algiers*, where when any Diſpute ariſes between them and any other Prince or State that hath a Miniſter reſiding there, they ſometimes revenge themſelves upon the Miniſter firſt, with reviling Words, and then with blows, and the one is as lawful as the other: Nor is the King Himſelf, His Parliament, and the whole Nation in General, better

treated therein than he; and is this the way to accommodate matters? or is this a proper preparatory and Introduction to that Extraordinary Embassy from *France* to *England* for that End?

And as to the matter of the said Book, page 5th, 6th. The Deputies endeavour to justifie the Procedure of the *Estates General*, in not communicating to him their Resolution, to which his last *Memorial* was an Answer, upon this double ground; First, That if he the said *Envoy Extraordinary* would have had it, or any Copy of it, that he ought to have sent to their *Secretary* for it. Secondly, *That it was not their intention to answer to his* Memorial, *and that he had nothing to do with that* Resolution. As to the first: Every Court hath its Customs; and he doth declare, That to his best remembrance in the many years he hath resided here, he never received any one *Resolution* of the *Estates*, but what was sent to him by their Agent *de Heyde*, or some other Officer of theirs; and that having once for haste sent to their *Secretary* for the Copy of a Paper that did concern him, answer was made, That they could give none till they had order; and that when they had such order it should be sent. As to the Second: Was not the said *Resolution* Entituled, *Extract out of the Register of the Resolutions of the* Estates General, *upon the* Memorial *of Sir* George Downing? And doth it not begin, *Having deliberated by way of Resumption upon the* Memorial *of Sir* George Downing, *&c.* And was not the whole Body thereof, *To make appear the contrary*

trary of what had been by him alleadged in his said Memorial? And how is it then, *That he had nothing to do with it?* Was he not here upon the accompt of the King his Master, to do his business, to maintain his Cause upon the accompt of the Disputes between him and this State? And shall such a *Resolution* be Printed and published, and given to other Ministers by them, and can it be said that he had nothing to do with it? Whereas in truth he was the principal, and concerned in the first place, and other Ministers only Secondarily; and that their Communicating the same to them, and not to him, lookt rather like a Surprisal of them and their Master, then otherwise.

For what is further said, page 6th, of his having distributed his *Memorial*, 'twas not he but the King his Master that sent it to other Kings and Princes: All he did was to give it to some other Ministers: And what is more ordinarily and constantly practis'd, here and in other Courts, then for publick Ministers upon occasion to give one another Copies of their *Memorials* and *Papers*? But this was not done till it had been first given to the *Estates General*; and they in printing and publishing their Answers, without delivering them to him or the King his Master, did thereby break off all further Treaty between him and them; and to be a Minister of the first, second or third ranck makes no difference as to this, they are alike sent to the State, and to deliver their Papers in the first

place

place to them, and they theirs reciprocally to the said Ministers; and when this Correspondence is broken off, it ceaseth to be any further a Negotiation or Treating, and becomes a declaring against each other, and an appeal to others thereupon. And so is this Case.

Page the 6th and 7th. In answer to what he had said of his Majesties having as a perpetual mark of his kindness towards this Country, suffered many antient pretences of his Subjects to be blotted out, the *Deputies* are pleased to say, *Upon which there is to be considered, that if this abolition of all antient pretences be a mark of affection, the pretences of the Subjects of this State, and of the State it self, were much greater in number and quality then those of the* English (*as appears by the LISTS exchanged on both sides*), *they desired that all the Piratories done by* Portugal *Commissions should have been forgotten, and* de facto *your Lordships have testified so much more affection then* [*the King of* England, *for that you have yielded more of your Right then he; for that which ought to be principally considered here is, that it will not be found that even before the conclusion of the said Treaty, any one* English *Ship hath been taken by the Inhabitants of these Provinces, or their Armes, which the* English *could reclaim, as belonging really to them.* Whereas the said LISTS of dammages did not consist of, or intermedle with, or contain in them any thing that was blotted out by the said Treaty, but onely such matters as were reserved by

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the same. And as to any thing pretended to be done by *Portugal* Commissions, those were also all matters that had happened since the year 1654. and so also not mortified, but reserved by the said Treaty. And how then do the Deputies bring these two instances, as Arguments that this State had forgiven more than his Majesty? And as to their third Argument, which they call their main one, *viz. That it will not be found that even before the conclusion of the said Treaty, any one* English *Ship hath been taken by the Inhabitants of these Provinces or their Armes, which the* English *could reclaim as belonging really to them*: and which is again repeated, page 11th and 12th. *For that the* English *cannot complain, that since that time (to wit, the time of the General abolition) and before the conclusion of the said Treaty, the Inhabitants of these Provinces have taken any one Ship Effectually belonging to English.* What may not be said by them that will publish to the World, deliver to foreign Ministers here, and cause to be delivered by their Ministers abroad to Kings and Princes, a Paper with such an Affirmation as this? What, not one Ship taken before the Treaty, that the *English* could reclaim as belonging Effectually to them? Was not the Ship *Experience* built in *England*! and belonging wholly to *English*, Sailed wholly by *English*, taken *Anno* 1660. upon the Coast of *Portugal*, with her lading worth between four and five Tun of Gold, by one *Quaerts*, and others

of

of *Zealand* ? Was not the Ship *Charles*, belonging to Captain *Spragg*, and others his Majesties Subjects, and whereof he was Commander, taken as she was peaceably at an Anchor in the Road of St *Martins* in *France*, under the protection of the Castle, in the Month of *July* 1660, by three Men of War of this State, and then in their Service, Commanded by one Captain *Enno doedeson Starre*, and the men barbarously treated ? And so all that great Roll of Ships specified and set down in the LIST of the Dammages of the *English*, delivered by him unto them, and all taken since the General Abolition, and before the conclusion of the late Treaty, and the Times and Places, and by whom there particularly specified ? And is this (as is said pag. 3.) *To inform duly the Kings their Allies of the true Estate of Affairs between the King His Master, and them* ? And have they not great Reason to expect, That upon such Informations, they should break with the King his Master, to joyn with them ? Nor is it to be wondred, since their Papers contain in them such Informations as these, that they pass by the King His Master, and Him His Minister, and give them no Copies of them, and are so angry, that they take any notice of them.

For what is further said, pag. 7, 8. concerning the *Lists* of *Damages*, *That the* Lists *were exchanged in time convenient* ; *that he the said* Envoyée *had so much less Reason to complain upon this accompt* ; *for that their* Lordships *were sooner ready than he.*

As

As to the first, The Treaty was concluded upon the 4th of *September*, 1662. *St. Vet.* and the *Lists* of *Damages* were not exchanged till the 23d of *August*, 1664. *St. Vet.* which was near two years after; and was that a convenient time to be spent meerly for the giving in of what they had to demand? or did it look like a desire of hastning to a Conclusion, and determining those Matters that had been the Cause of so much rancour between the Nations?

As to the Second, *viz.* their being ready sooner than Him, having several times by word of Mouth earnestly sollicited the Exchange of those LISTS; upon the 11th. of *September*, 1663. Old St. he gave a *Memorial* to the *States General*, wherein he declared, That he was then ready on his part to exchange the said LISTS, and did from time to time after press the Exchange thereof, giving in also some other Memorials to that End; and yet it was near a year after, e're he could obtain the same: And when about fourteen dayes before the Exchange thereof the *Agent de Heyde* came to him to speak to him about the exchanging of them. Which was the first Summons that ever he had about that Matter; He returned for Answer, that it had been so long since he had been ready, that his Papers were neer musty with lying by; that he would look them out, and attend at the day should be appointed for the Exchange of them: And when within a few dayes after, *viz.* upon the 16th. day of *August*, he came to a conference

with the Deputies, theirs was not yet ready, for that they had it only in *Dutch* (whereas it hath been a constant Custom between them, as with other Ministers also, to deliver all Matters in some common Language, or at least a Copy.) And so that meeting lost, and the Exchange not made till the 23d, as above-said.

Pag. 8, 9. The Deputies say, *To pursue from step to step the Text of the Treaty, immediatly after the Exchange of the* LISTS, *and before the speaking of any accommodement, or decision of the Matters therein, two things were to be examined: First, Whether the Pretensions set down therein, were not more ancient than the times limited by the said Treaty? Secondly, Whether they were of such a Nature and Quality as may be thought fit to be referred to such Arbitration? Whereupon, in the Conferences about this Matter, their Deputies made only one Remark upon the* English *LIST, to wit, upon a matter hapned in the* Indies, *and known at* London, *the* 20th. *of* January, 1659. *And it was accordingly exchanged by him the said* Envoy, *and in the preliminary Conferences, only these two things could be considered: Howeven, it pleased the said* Envoy *to proceed otherwise, imploying to no purpose, in the examining matters to the bottom, the time in which the said* LISTS *might have been perfected, whereby it appears, That, if the said* LISTS *have not been perfected, the said* Envoye *is the Cause thereof, and not your* Lordships.

With their favour there is a third thing, which

which by the Text of the 15th Article was alſo to be conſidered in the Preliminary Conferences; and which is the foundation of the other two, *viz.* That they be ſuch matters as the one Party hath ſuffered or can pretend to have ſuffered from the other; nothing was to ſtand in the LISTS, which, ſuppoſing the fact to be true, could not yet be charged upon the other; and the *Engliſh* LIST was ſo carefully and modeſtly penn'd, that the Deputies (as is here confeſſed) made but one only Exception againſt it, though the *Eſtates* had ſent it to all the Provinces, to all the Admiralties, and to the *Eaſt* and *Weſt India* Companies, to be Examined and conſidered. And he the ſaid *Envoy Extraordinary* had proceeded with that Frankneſs and Candour, as to tell the Deputies at the time he delivered the ſaid LIST, that that Article was lyable to Exception; and that he ſhould not have offered it, but that there were ſeveral notable circumſtances that did wholly differ it from others of the like Nature. And when in the next Conference upon the 14th of *October* following *O. St.* the ſaid Deputies did demand to have it Expunged, in the enſuing Conference after, which was upon the 8th of *November* following *O. St.* he conſented thereunto; and withall demanded of them if they had any other Exception to make againſt the *Engliſh* LIST, to which they replyed, No: and then aſked them whether the ſaid LIST was not

then fully agreed by them, to which they replyed, Yes.

And whereas they do impute to him, in relation to the Remarques made by him upon their LIST, that he ſhould have uſeleſſly ſpent the time in Examining matters to the bottom, he went not beyond the three rules above mentioned: but whereas ſuch care had been uſed in the penning of the *Engliſh* LIST, as that but onely one Exception could be made againſt the ſame, as above-ſaid: the truth is, there were very few Articles in theirs that were not lyable to Exception by the ſaid rules. For Example, Article the 2d, 3d, 10th, 17th, 18th, 39th, 44th, 48th, &c. no time mentioned, whereby it could not be diſtinguiſhed, whether they were matters that happen'd within the time limited or not. Moreover, Articles the 2d, 19th, 24th, 28th, 33d, 34th, 35th, 39th, 43d, 44th, 45th, 47th, 48th, 71, 72d, 73d, &c. no perſon named that ſhould have done the injuries there complained of; and ſo it appeared not whether thoſe matters had been done by *Engliſh*, or other Nations; and *de facto* in ſeveral Articles, the perſons named and complained againſt were no *Engliſh*, nor had we any thing to do with them, as Article 16th, 20th, 30th, 68th, &c. and ſo they might as well have inſerted whatever Ships had been taken from them by the *Turks*. And a notorious Pirate call'd *Vryborn*, who had no Commiſſion, and who preyed indifferently upon all Nations, having

having taken a *Dutch* Ship near *Cuba*, and coming therewith by accident to the Island of *Jamaica*, the Governor there immediatly seized him, and clap'd him and his Company in Irons as Pirats, and sent five of them in Irons to *London*, to be tryed for their lives; set the *Dutch* men that he found on board him at liberty, and restored them their Ship, supplyed them freely with necessaries for their Voyage out of his Majesties Stores, and gave the Master of the *Dutch* Vessel money to go to *London* to prosecute him, and provided him with a Passage; and the said Pirate is since hang'd, and yet this is inserted among others to augment the number of their pretences. And for the pretences of the *Dutch East India* Company, he shewed that they were so far from being of such a Nature, as to be fit to be referred to such an Arbitrage by Commissioners and Umpires, &c. or to any Arbitrage, as that in truth the very inserting of them was a plain and downright Mocquery and Derision of the *English*; for Example, Article the 4th. Whereas *Anno* 1661. the *States General*, and the *East India* Company having given their Orders to the *English East India* Company to receive possession of the Island of *Poleron*, (which of right was theirs) and thereupon the said Company put themselves to a great Expence in sending Shipping, Men, and all necessaries for the possessing and planting the same; they content not themselves with the Non-delivery thereof,

and

and their fruſtrating thereby all that Expence, but here demand reparation for their going to receive the ſame. So, Article the 5th, they demand reparation from the *Engliſh*, becauſe their *Eaſt India* Fleets return every year round *Scotland*, and becauſe they every year ſend a Convoy for the ſecuring of them. Whereas what is this to the *Engliſh*? Do not other Ships alſo that return in the Summer from other long Voyages, by reaſon of the largeneſs of thoſe Seas, and the length of the dayes, return that way alſo? And do they not here conſtantly, even in time of peace, grant Convoy to their Shipping for the *Baltick*, for *France*, and for *London* it ſelf? and why do they not by the ſame rule demand ſatisfaction from the *Engliſh* for them alſo, and in the concluſion make them bear their whole Naval Charge? If they think fit to return that way, and to be at the Expence of Convoyes for their Shipping, What is that to the *Engliſh*? So Article the Seventh, They ſay they command all their Ships outward bound for the *Eaſt Indies*, not to enter into any Harbour, or caſt Anchor in any Road of *England*, and demand ſatisfaction for the ſame from the *Engliſh*. They may if they pleaſe give ſuch Orders to all their Shipping, and that as well inward as outward bound, and by the ſame Rule demand ſatisfaction for the ſame. Article the Eighth they ſay, That while they were in War with the King of *Bantam*, and kept ſome Ships

before

before the ſaid place for the blocking of it up, the *Engliſh* notwithſtanding thereof did endeavour to Trade there. Is this a buſineſs to be referr'd to ſuch, or to any Arbitrage? If the *Dutch* be in War with any Country, and have a few Ships Riding before a place, without a Land Force to block up the ſame, Is it not lawfull for *Engliſh* to Trade there? Yea in *Anno* 1659. did not the *Dutch Eaſt India* Company make ſatisfaction to the *Engliſh Eaſt India* Company, for three *Engliſh* Ships that they had then taken upon the accompt of their having Traded at that place? Article the Ninth, They ſay they had a Contract with the Queen of *Achin* for the ſole buying of her Pepper, and ſome other Commodities in certain places; and yet that the *Engliſh* had Traded in the ſaid places for the ſaid Commodities: Whereas the *Engliſh* were no Parties to the ſaid Contract, and ſo not bound up therewith, and conſequently no Action againſt them if they did ſo Trade. Moreover, that there were ſeveral Articles concerning Ships taken for Trading at His Majeſties Plantations contrary to the Laws of His Kingdoms, and in the ſaid Articles it is acknowledged that they did Trade there, and that a great many of the ſaid Articles were concerning matters which in the Articles themſelves they acknowledge to have been ended between the parties themſelves, and thereupon the money paid, yet therein revived,

revived, and payment again demanded for them from the ſame Parties: And theſe, and other Remarks of the like Nature having been made by him in the Conferences laſt mentioned, to this day, he hath never ſince heard from them: And how is it then that they are pleaſed to ſay, That he the ſaid *Envoyée Extraordinary*, and not their *Lordſhips*, hath been the cauſe the ſaid LISTS are not perfected?

Pag. 9, 10, & 11. Concerning *the Hopewell, Leopard, Charles, James, Mary*, &c. The Deputies ſay, *That they were only hindred from trading in certain places that were either formerly beſieged, or blocked up by Sea; that the* Engliſh *can demand no other Satisfaction, but only for the loſs of the profit of their Voyage, and ſo that theſe Pretenſions cannot be very conſiderable; that the* Engliſh *themſelves have done the like in ſeveral rencounters, and that yet this* State *hath offered to His Majeſty to ſatisfie the Perſons intereſſed, and to make a Reglement for the future.* Suppoſe the Caſe as is here ſuggeſted, and as they put it, that the places where thoſe Ships would have traded, had been really, and *bona fide*, blocked up by Sea, without being alſo blocked up by Land (which they do not ſo much as pretend to affirm) how freſh and pregnant are the Inſtances of the practice of this State againſt ſuch a Maxim as that?

When the King of *Spain* had of late years a great Number of Ships of War upon the Coaſt

of

of *Portugal*, and before the Town of *Lisbon*, for the blocking of it up by Sea: and though he had at that time a great Land Army in the Bowels of that Kingdom, yet did they not send their Men of War thither, and that not onely to force their Trade, but also to take those Men of War of the *Spaniards* that had interrupted the same? And when the late King of *Sweden* did formerly besiege the Town of *Dantzick* with a great Fleet of Men of War, and had also at the same time considerable Land Forces in those parts; yet did they not send a Fleet from hence, and by force open their Trade there? whereby they have sufficiently let the World see how little they will endure that Rule to be practised against them which they impose upon others: and let it but be taken for granted that they may thus do, farewel all the Trade in the *East Indies*, or upon the Coast of *Africa*, or upon any of those remote parts, for any other Nation but themselves.

But with their favour, this is not the Case: As to the *Hopewel* and *Leopard*; Hath it not been made out in several Conferences, in the presence of the Directors of the *East India* Company, not only by authentick Copies of the Commissions and Instructions of the Captains of the said Ships, the protests made by them, but under the hand of the Commander in Chief of the *Dutch* Fleet before *Couchin*, that the *Hopewell* was upon her way from *Surat* to *Porca*, and stopped in

the open Sea as she was passing by *Conchin* to go thither, and not suffered to pursue her Voyage: and that whereas the *Leopard*, being one of his Majesties own Ships, according to the Instructions she had to that Effect, came of her own accord in her way to an Anchor before *Conchin*, to acquaint the same Commander with her design for *Porca*, where the *English* had then a setled Factory, to which the said Ships were consigned; and the *Dutch* at neither of those times had either a Land Soldier within the Kingdom of *Porca*, or a Man of War before the Town, nor upon the whole Coast of that Kingdome; that notwithstanding thereof, they were both stopped by him, and not suffered to pursue their Voyages thither. And here (if the said *Envoy Extraordinary* would give himself the liberty) might he not justly retort on them their railing and reviling language, for affirming, as is here affirmed, that they were only hindred from Trading in places blocked up by Sea?

And as to the *Charles*, *James*, and *Mary*, hath it not been made out at several Conferences by Authentick and undeniable proofs, that the places where they were hindred from Trade were not besieged or blocked up by Sea? but only the *Dutch West India* Company kept constantly about *Castle Delmina* three or four Men of War; who assoon as they heard that any Ship belonging to *English*, or any other Nation, was come

come upon that Coaſt for Trade, one or more of them was ſent to ride before ſuch place where they were to Trade, and then they muſt not trade there becauſe it was a place block't up; and if the ſaid Ship weighed Anchor to go to any other place, then the ſaid Men of War weighed Anchor alſo, and followed them to ſuch place, & then they muſt not Trade there neither, becauſe that was a place block't up; and ſo from place to place. This is the truth as to thoſe Ships, and yet they ſhot at, and took their Boats with their ladings, wherever they endeavoured to ſend them on ſhoare, taking alſo the men priſoners; and in like manner ſhot at the Boats or Canoes of the Natives, which endeavoured to come on board them; and this in places where the *Dutch* had neither Fort nor Factorie: and where the *Engliſh* had not onely a conſtant Trade, but ſetled Factories, and at places where other Chriſtian Nations had their Forts, and with whom we were in Amity, and had a free Trade; as namely at *Fredricksburgh* belonging to the *Danes*: and let them ſhew that the *Engliſh* have done the like to them in thoſe parts.

And whereas the Deputies ſay, that the Dammage could not be very great, ſince it was but the hindring of ſome Ships from their Trade, and not the taking of them. Is the defeating of ſo many Ships of *Eaſt India* and *African* Voyages a ſmall matter? Yet this is not the main, but the conſequence hereof, which was no leſs then the utter overthrow of the whole *Engliſh* Trade in thoſe

 parts.

parts. For if the said Companies might upon such pretences as these are, defeat such Ships as were sent thither, of their Voyages, without making good and just satisfaction, who would adventure any more, or to what purpose? And what might then *France* expect of their new *East India* & *West India* Companies, but that their Ships return as these with their Empty Holds, Provision spent, Tackle worn out, Mens wages to pay over and above, and yet the most Christian King must be importun'd by this *State* even to break with his Majesty, because of his opposing these mischievous practises.

And as to what they say that satisfaction was offer'd, 'tis true, that after many Memorials, long and tedious Conferences, and many Months delaies, seeing His Majesty and His Parliament netled and alarm'd in the highest degree with these and other the Insolencies of the Subjects of this State, they do in their Resolutions of the 5th of *June* last, New Stile, promise, that they would so direct matters as that satisfaction should be made; but nothing followed thereupon. And whereas they would impute the cause thereof to the want of some Body to pursue it on the behalf of the persons interessed, did not he the said *Envoy* from day to day with all vehemence and earnestness continue to press them in their Name and on their behalf? and yet what doth their Resolution of the 25th of *September* say more then their former? And whereas the 14th Article of the late Treaty requires expressly, that satisfaction be made within

within 12 months for all matters on this side the *Cape de Bonesperance*, that should have happen'd after the conclusion of the said Treaty, the said 12 Months did expire, and nothing done, Complaint having been made by *Memorial*, concerning the Ships *Charles* and *James*, on the 17th. of *September*, 1663. *Old Stile*, concerning the Ships *Hopewell* and *Leopard* on *November* 7. following, and concerning the Ship *Mary* on *February* 16. of the year 1663. *Old St.* and yet to this day no satisfaction given, whereby the Treaty broke; and in the mean while, daily new Complaints; the *Hope-well* hindred in a second Voyage to *Porca*; the *Samson*, *Hopefull-Adventure*, *Speed-well*, and Captain *Bartwick*'s Ship, and in a word, every *English* Ship that went to trade upon the Coast of *Africa*, that they could master, in like manner defeated in their Voyage, as the *Charles*, *James*, and *Mary*, and not so much as Satisfaction promised for any of those; and which is above all to be remarked, That whereas we had been so long held in Expectation of our mony, now at last instead thereof, it is added in the afore-said Resolution, *That the Case is disputable*; so that we were now further off our payment then in the beginning of the Summer; or, if it had been given us, (which it is not) yet being done in this manner, that is to say, not as of Justice and due, but only as out of particular Courtesie and Complaisance to His Majesty for that time, What would it have avail'd us? The *Dutch East-India*

India Company did in the year 1659. make satisfaction for the *Postilion*, *Frederick*, *Francis*, and *John*, (as above-said) taken upon the accompt of their having traded to *Bantam*, then block't up by Sea by them; and there was added in the Treaty concerning those Matters, *That the two Nations should for the future rencounter one another with all peaceableness and perfect friendship, as well within the* East-Indies *as elsewhere.* Yet so great is the advantage that the said Companies have made by practices of this kind, as notwithstanding the said satisfaction and promise of the State they have continued ever since to do the like (as appears by the many Complaints of this kind of the *English East-India* Company, specified in the *English* LIST of *Damages*) for that by hindring other Nations from trading, they inforce the Natives to compact with them for the whole Product of their Countries; and so though they do make satisfaction for the particular Ships stopped, yet they thereby become infinite Gainers; and then not suffering any Nation to Trade there, because they say, they have agreed for the whole. Nor hath their present Grandeur arisen so much from their Mesnage, or any thing of that kind, as from these violent and indirect Means: And if these things were practised by the said Companies, while disowned and discouraged by the *State*, and promise made that the like should not be done for the future, What was now to be expected from

from them when it was ſaid by the State, that it was diſputable whether they might not do ſo? yea, in the *Dutch Liſt* of *Damages*, as above-mentioned, ſatisfaction demanded from the *Engliſh*, for having traded in Places block'd up by them by Sea (as they call it?) And thus whereas this Diſpute had hitherto been only between the Companies of each ſide, it was now become a Diſpute immediatly between his Majeſty, and this *State*, they patrocinating and maintaining what the ſaid Companies had done: And do not the Deputies ſay in this Book, pag. the 11th, *That theſe Pretenſions are not ſo clear, but that they may be diſputed?* And pag. 18. they ſay, *We do avow, and We do maintain, that it might be done.* And thereby all hopes of any quiet Trade, or good Underſtanding in thoſe Parts for the future utterly cut off; and not only ſo, but what Security nearer home? Do not the Deputies ſay in pag. 17. *That which is juſt in the Indies, cannot be unjuſt in* Europe? And is not that a fair Warning to all the Kings of Chriſtendom, to let them know what they are in time to expect in theſe Parts alſo? that is to ſay, to be handled by thoſe of this Country, as their ſaid Companies now handle the Kings of the *Indies*; to be told, that unleſs they will ſell them the whole product of their Countries, they ſhall ſell them to no body; and to have Fleets plac'd upon their Coaſts for the effecting thereof? And as to what is ſaid of their having proffered a Reglement for the future, he refers to what is ſaid by him concerning this matter in his *Reply* to pag. 17.

And

And as to what is ſaid, pag. 11. concerning the Parliament of *England*, the ſaid *Envoyée Extraordinary* could wiſh, that with what ever Language the Deputies had pleaſed to treat him, that they had been more ſparing as to them. They ſay there, *That the Propoſition which the Parliament made to His Majeſty, was, That He ought to attacque this* State, *and to make War upon them.*

The two Houſes of Parliament (as is known to all that underſtand the Government of that Kingdom) are they to whom the People thereof do ordinarily in great greivances addreſs themſelves, and it is their Natural way for relief; and the ſaid Houſes upon ſuch Complaints, cannot tranſact or treat with any Forraign Prince or State, (that being the Prerogative of the Crown) and ſo humbly applyed to His Majeſty, That he would be pleaſed to interpoſe, for the obtaining ſatisfaction in thoſe numerous and great Complaints; but as to the attacquing of this *State*, or making War with them, that there is not a word of any ſuch matter in the ſaid Propoſition; but it hereby appears, what is in the Deputies ſenſe attacquing of this *State*, *viz.* Let never ſo many Injuries be done by the People of this Country to others, if after never ſo many years patience, and utmoſt Endeavours for obtaining ſatisfaction in an amicable way, ſerious and real Conſideration be at laſt had for obtaining the ſame, This is attacquing them, and becoming an Aggreſſour;

and

and they are pleased to add as to the Reason and Ground thereof, *It must necessarily be believed, that this Proposition proceeded from an insatiable appetite, that they had to ravish the Goods of others, and from a depraved Gusto, that they found in the Taking, Robbing, and Depraedation of the Inhabitants of these Provinces.*

A very uncharitable construction, and such a one as none but the Deputies of this State would ever have made. Suppose never so much to be taken from the People of this *Country*, What Advantage could the Parliament of *England* have thereby, or what could they expect by a *War* as to their own particular Accounts, but only to be Contributors largely with the rest of the Kingdome out of their own Fortunes towards the maintenance thereof, as if one would take the Liberty of Retorting, might it not be said, and with much more Reason, that the *East* and *West-India Companies* of this Country, durst not presume to do as they do, but because so great a part, at least, of the Governours thereof are concerned in them, and that it ariseth from the same ground, that it *is* so difficult, and almost an impossible thing to obtaine Justice and Satisfaction for any Injury done by them, be the Case never so Clear and Evident.

For what is further said, in page 11. *The said Envoy Declares possitively, that he hath Order from the King His Master, to assure this State, that His Majesty will not permit that His Subjects do Attaque or Surprize*

rat Sea the Ships of the Inhabitants of these Provinces. And that the King would do them no hurt till he had Advertised them by a Formal and Preallable Declaration of War.

To this, he doth Reply, that he cannot but wonder that the Deputies do Affirm, that he doth Declare thus much, the words of his Memorial being as followeth; *That the King his Master did the last Spring (to take away from them all Umbrage, which might cause any Extraordinary Equipping at that time) give him Order to Assure them (as he then did in a Publique Conference with their Deputies) That His Majesty would not trouble or hinder their Fleets, which they then expected out of the* Streights, *and the* East-Indies, *nor those then at the Fisheries upon His Coasts.*

And was not all that made good to them to a puncto, and is it not a very ill requital for so franck and seasonable a Declaration as that was at that time, (and which the King His Master was no way obliged to make to them) and which was made good, thus to misrecite his Words?

For the Justification of the Extraordinary Equipage in these Parts the last Summer, the Deputies say, page 11, and 12. *They Take, they Stop in the Havens of* England, *and Confiscate with their Merchandizes the Ships of this Country by Express Order of the King, and yet cry out against their Equipage, though but small, and such as had been heretofore made; So that it was impossible that the said Equipage could give any Umbrage to the* King of Great Brittain,

Brittain, *Especially after they had assured His Majesty by their Letter of the Twenty fourth of* July, *that their Reall Intention and Constant Resolution was to do no hurt to His Subjects, and that it would be fitting not to suffer that the said Fleets should go off their Respective Coasts, and Havens, and that the King said to the Ambassadour of this State, in the Audience He had about this Matter, That His Majesty would let Him know His Mind concerning this Matter in Three Dayes in Writing, which yet he hath not done to this day.*

It is to be Remarked, that they here Alledge the Taking, Stopping, and Confiscating of the Ships and Goods of this Country in these Parts, for a ground to Justifie the late Extraordinary Equipage; Whereas that Equipage was Ordered and Equipped in the beginning of the Summer, and the Taking, and Stopping of the said Ships was not till *November* following, nor any Confiscated till *February* after: And as to what they say that that Equipage was but very small, and that they had formerly made the like; Did they not resolve in the beginning of Summer to Equippe Thirty of their Capital Ships over and above their Fleet under *De Ruyter*, and such as were fitted out for the Convoy of their *East-India* Ships, and what for *Guiny*? And was this a small Equipage? And were not hundreds of Carpenters sent on a suddaine to work thereupon, sparing (as is said in his Memorial) neither Holy Day, nor Work a Day, Moon-light,

nor Sun-light, as if it had been upon the most Pressing and Urgent Necessity that could have fallen out; and this in a time when they had no Dispute with any other Nation that could give any imaginable Occasion or Pretense for the same; Nor had the King His Master, at that time above Seven or Eight Men of Warr in these Seas, nor any further Equipage in hand; And he had Declared in His Answer to His Parliament, which was well known here, that He would yet Endeavour the Accommodating of Matters with this State in an Amicable way, and give Orders to him His Minister to that Effect: And how can it then be here said, *That it was impossible that this Equipage could give any Umbrage to His Majesty.*

On the contrary, how was it possible, but that it should give him the utmost Umbrage, it being very well known that their Lordships are too good *Messmagers* to put themselves to such an Extraordinary Expence *in a Frolick*, and without some proportionable Design, and to be sure such Design could not be with Reflection upon any other then himself.

And as to the Letter to His Majesty above mentioned, they do here Confesse, page 12, and 13. (as was Alledged by him in his said Memorrall) That they had one Fleet Actually out and gone to His Majesties Coasts at the time of the Writing of that Letter, and so would have been out of that Engagement, and it was as

Numerous

Numerous as that of His Majesties, for the keeping whereof within Doors they were so Solicitous. And whereas they say; *That this State had no other Fleet at Sea that was Capable to Act, for that those that they had at Sea were onely Destinated for the Convoy accustomed to be sent every Year for their Fleet out of the East-Indies.*

It is not usual to send every year such a *Fleet* as that for the convoying home of their *East-India* men, and there is not one Word in the said Letter concerning that *Fleet*, much less to assure him of the design and intention thereof, and why they *umbraged* at His Majesties having Sixteen or Seventeen Men of War together in the *Downs*, His own Port, and where he is wont ordinarily, even in times of the greatest Quiet, to have as many for the Honour and Grandeur of His Kingdom; and he in the mean while not *umbraged* at their sending as many upon His Coasts, when they had also at the same time another Considerable *Fleet* in Readiness at Home; And suppose they had assured His Majesty in their said Letter to Him, with all the Fine Words Imaginable, that this *Fleet* had been onely Destinated for the Convoy of their *East-India* Ships, had they not in like manner assured Him when they sent *De Ruyter* into the *Streights*, that he was Destinated only against the Pirates of *Algiers* and those Parts; and yet it was after found that he was capable to Act elsewhere, and upon other accompes; And if it be considered about what time those Orders must have been

been sent to him: It will appear that his going to *Guiny*, must have been in Design and Agitation about the very time of the delivery of this Letter to His Majesty, for that He received them about the beginning of *September, New Stile*. And at the same time they had also in Agitation the Preparing of another *Fleet*, under the Notion of sending thither, which also was out of the Engagement in the said Letter, and yet the Deputies would have it thought that the *States* had Proceeded with such Incomparable and Indisputable Candour and Frankness towards His Majesty in Relation to these Matters; Whereas in Truth, all their Overtures to Him concerning the Dispositions of *Fleets*, had Designs and Catches with them. And on the Contrary, His Majesty to shew His Reall, Peaceable Intentions, had from the beginning of the Reports about these Equipages, Earnestly pressed that the same might not be, and that no Extraordinary Equipage upon either side should be made, for that then to be sure there could not be any thing of ill Ren-counter, Surprize or Jealousie.

And as to what they say, Page the Thirteenth, *That they did pay them off so soon as their East-India Fleet was Arrived.* Was not *Tromp* (Commander of that *Fleet*) and others of them after the Arrival of their *East-India* Ships, Re-victualled and sent to joyn with their Lievtenant Admiral *Obdam* before the *Maes*, and continued with him

a long time after. And as to what is said of His Majesties having promised to give them His Answer in Writing in Three Days, It appears hereby how Exact their Lordships are in taking notice of, and Expecting the Fulfilling of whatsoever is said to them, even to the least Circumstance and Punct̃o, and to take Advantage thereupon. It were well if such Ministers as Reside here, could obtain in many Months, that which often times is promised to be given them in a few days; but if they Please to Examine first the Memorial of the Ambassadour of This *State* to His Majesty of the $\frac{1}{11}$th of *July* last; They will find it therein said, that His Majesty had even then by Word of Mouth given him His Answer as to this point, the VWords being; *That his Majesty had been Pleased to Answer upon the First Point Touching the Keeping of the* Fleet *from going to Sea, that the Numbers which were Fitted and Prepared on His Majesties Side were no way Extraordinary, but onely for Common and Customary use, and without Designe of bringing any Dammage and Inconvenience upon the Inhabitants of the* United Provinces; *and that though they did goe out, that He would give such Order to the Chief Commander thereof, that this* State *should have no cause to apprehend any Sinister Encounters from the same.*

And upon the Fifth day of *August* following, His Majesty gave the said Ambassadour an Answer in VWriting to the like Effect; And how is it then here affirmed, *That His Majesty hath*

not

not to this day made known to their Ambassadour in Writing His intention concerning this Matter.

And may it not Justly be said, that he that was the Penner of this Book, was either very little acquainted with what hath passed between His Majesty and this *State*, or very ill inclined?

For, VVhat follows, Page the Thirteenth, *Hereby may be Judged, the Candour and Sincerity of the* English, *for that before the time of this Equiping (which they would have to be thought the Immediate Cause of the Violences they have done, the King of* England) *had already given Order to Attacque, and take by Force the Places and Forts belonging to this* State, *so that in serving themselves of this Pretext, for the Covering of their manifest Violences, they give themselves insensibly into a Ridiculous Contradiction, producing for an Effect, that which had its being a long time before its Cause.*

As to how farr His Majesty is from being lyable to be Charged or Blamed upon the Accompt of any of these Matters, appears by what follows, where they are Treated of at Large; but as to the Purpose, for which they are here Produced, *viz.* As if they had been made a Foundation, for what had been done afterwards by His Majesty here in *Europe*, If it had been so, it had indeed been very Ridiculous, but all the use that is made by Him in His Memorial of that Extraordinary Equip-

page,

page, was to shew that they did thereby inforce His Majesty to Arme also, the Words being Page the Fifth; *Seeing himself Menaced with these Equipages, which could not be but with regard to the KING Himself, was at last constrained (though very contrary to His Inclinations) to Arme Also.*

So they might also have saved the Labour of saying afterward, Page the Thirteenth and Fourteenth; *It cannot be said these Orders were given because of the Equipage made in this Country, or because of the Voyage of* De Ruyter *to the Coast of* Africa, *seeing they were Executed before the said Equipage was made here, and long before the Voyage of* De Ruyter.

He was not so Ridiculous as to make that which had hapned after, to be the Cause of what had been done several Months before, and when, and where, and by such Persons as could have no manner of Imagination thereof; Nor was ever the said Equipage, or *De Ruyter's* going to *Guiny*, produced for the justifying of what was done by the *English* there; and therefore one would think some more Grounded Occasion at least should have been found out, if they had had a minde to take to themselves the Liberty of falling upon the whole *English* Nation with such Reproachful and Disdainful Language, and which it may be is

not elſwhere to be found, no not upon the Realleſt of Occaſions to have been given by any State to a Nation in General; And to ſay no more, the *Engliſh* have deſerved better from this Country and State, and what if it ſhould be Retorted.

Hereby may one Judge of the Candour and Sincerity of the Hollanders, *&c.*

Page the Fourteenth, Fifteenth, and Sixteen, Concerning the Ship St. *Jacob*, Laden at *Gottenburgh* and bound for *England*, the Deputies are pleaſed to ſay;

First, *The ſaid Envoy hath the Impudence to ſay, that This State are the Aggreſſors in* Europe, *for that they Stopped in their Ports a Certain Ship which came from* Sweden *Laden with Maſts. That which he ſaith is ſo Extravagant, and the Reaſon wherewith he backs it ſo Impertinent, that none but Sir* George Downing *would have affirmed the one or made uſe of the other.*

Secondly, *Seeing the Ship concerning the Stopping whereof he complains was of* Gottenburgh, *what had he the ſaid Envoy to do to Intermeddle therein?*

Thirdly,

Thirdly, *This State had Defended the Transporting out of the Country of all sorts of Commodities serving for the Equipping of Ships, after the Publication of these Defences, this Pretended Ship of* Gottenburgh *happning to be in one of the Havens of this Country, it was necessary that she had a Particular Permission from the States to go out.*

Fourthly, *That Liberty was granted Her to go out, and it depended onely upon them to be gone.*

Fifthly, *That during the being of this Ship in this Country, News came that the* English *Took and Stopped in their Havens, all Ships belonging to the Inhabitants of these Provinces.*

As to the First with your Favour; He is not the onely Person, or the First that Affirmed them to be the First Aggressors in *Europe*; and that among other Reasons upon the Accompt of the Stopping of this Ship; the King His Master had said the same in His Narrative given to His Parliament in the Month of *November*, and therein among other Arguments alleadged the busines of this Ship; So that 'tis His Majesty upon whom these Incivil and Opprobrious Terms of Impudence, &c.

are Cast and do Abutt, nor was the said Narrative unknown here at the time of the Writing of this Book.

As to the Second, The said Ship was Laden upon the Accompt of one Sir *William Warren* an *English* man and Merchant of *London*, and Bound for *England*; and those of the said Ship with whom the said Lading was Intrusted, did apply themselves to him the said Envoy upon her stop for his assistance for the obtaining of her Releasment, as well as to the Minister of *Sweaden* upon the accompt that she came from *Gottenburgh*, and the Master a Burger of that Town; And can it then be doubted, whether he the said Envoy Extraordinary had to do with the Business or not, or did he need Procuration from *Sweden*, or was it Intermedling with the Interests of another Crown, to demand the Releasement of a Ship Laden upon the Accompt of His Majesties Subjects and Bound for *England*?

Concerning the Third, Their Defence was against the Transporting of such kind of Goods if Laden and taken in in this Country, but this Case was quite otherwise, for that this was a Ship which was driven in by much foul weather that she had met withall at Sea, and so not in the least within the Compass or Question of the said defence, nor lyable by the Treaty between

between His Majesty and this State to any molestation or search; There are many sorts of Commodities that are prohibited by the Laws of *England* to be imported into that Kingdome or exported out of the same by the People of this Country; yet such ships as are onely driven in thither by storme, or other necessity, and do not break Bulk, are not, nor cannot be questioned thereupon; and that is this Case, and so that the Defence aforesaid cannot in the least justifie the stopping and detaining this ship.

As to the Fourth, The Master and Others intrusted with the Lading of the said ship, were here solliciting at the time, of the granting the Order for her Releasement, and went immediately away therewith, but coming to their ship, and preparing to set sayle, they were not suffered so to do, but threatned to be shot at, and so were forced to return back to the *Hague* again.

As to the Fifth, Is it not here confessed, that while that Ship was in this Country, they had Advise of the Stopping, and Taking of their Ships in *England*, and so there needs no more then this their own Confession, to prove who first began to stop Ships in *Europe*. And what though they were afterwards set at Liberty? The Rupture was begun, and then there were

other things also to be Remedied as well as that.

And as to what is said, Page the Sixteenth, concerning the Confiscating of their Ships, There was no Ship Confiscated or Condemned in *England*, till the first of *February*, *Old Stile*, which was long after the Newes was Arrived at *London*, of *De Ruyters* having Seized all the *English* Merchants Ships that he had met with all, to a considerable Number and Value, and having actually broken Bulke, and taken out their Ladings, and Appropriated them to the *Dutch West-India Company*.

Concerning the Reglement for the future, the Deputies say, Page Seventeen, *The said Envoy knows that they were alwayes ready to go about the making of a Generall Reglement, and Treaty Marine, but that he did alwayes excuse it, and alwayes Declare, when he was Summoned to Confer about this Matter, that he had no Order concerning the same, but onely to stick to the Termes of his Project.*

To this he doth Reply, that the Discourse concerning this Matter arose in Conferences with the Deputies of this State about several Injuries done to the *English East-India*, and *African* Companies, by the *East* and *west-India* Companies of this Country, that thereupon for Prevention of the like for the Future, His Majesty did Command him to tender to this

State

State a Concept of a Reglement, which accordingly he did; Nor are there wanting instances of particular Tranſactions of that kind before, between *England* and this Country, and many things are proper for thoſe Remote Parts which are not applicable nearer Home; That he did daily preſſe the State for their Anſwer thereupon, both by Word of Mouth, and in ſeverall Memorialls given in by him from time to time to that Effect: But as to what they ſay, that he was Summoned to Conferre about the ſame, he doth utterly deny it, much more that he ſhould have refuſed the coming to Conference about thoſe Matters; nor did he ever Declare that his Orders were to abide onely by the Terms of the ſaid Concept, nor ever any ſuch thing Imagined or Intended, but onely that the ſaid Concept ſhould be a Ground-Work to work upon, and that they might make their Exceptions thereunto, and that there ſhould be added thereto, or taken there-from, as ſhould appear reaſonable and fitting upon debate; but that he could never make the leaſt advance therein, nor ever had (as is ſaid in his Memorial) one word of Anſwer from them concerning this matter.

As to the near Twenty Ships that he had affirmed in his Memoriall to have been taken in few years before the Concluſion of the late Treaty

Treaty upon the Coast of *Africa*, only by the *West-India* Company of this Country, they say in the Seventeenth page, *That they are imaginary, as well as that he saith of the Evil Treatments done to the* English, *Exaggerating them to the Terms of a* Romance, *with which he must have his Fancy Working at the time he Penn'd that Article, he doth wrong to the Truth when he Speaks after that manner*; Very severe censures if Justly Charged. Was not the Ship *Brother-Hood* of *London* taken upon the Coast of *Guiny* in the Moneth of *February*, 1655. by one *Cox*, Commander of a Fregat, called the *Gat*, and one *Tapoone*, Commander of the Ship called the *Kater*, both Commissionated by the *West-India* Company of this Country; And the Ship *Rapahanock*, belonging to one *John Jefferies*, and the Company of *English* Merchants of *London* taken near *Cape Lopez* upon the Coast of *Guiny* about the Eleventh of *September*, 1656. by two Ships of this Country, the one called the *Mary* of *Amsterdam*, and the other the *Unicorn* of *Middleburgh*, Commanded by one *John Schrael* of *Munekedam*. The Ship *Sarah* belonging to one *Anna Lewellin* Administratrix of *Robert Lewellin* Merchant; *Humphrey Beane* and Company of *English* Merchants, whereof *Arthur Perkins* was Commander, taken upon the Coast of *Guiny* in the Moneth of *August*, 1656, by two Ships of this Country, the one called the *Mary* of

Amsterdam

Amsterdam, and the other the *Unicorn* of *Middleburgh*, Commanded by the said *Schrael* of *Munekedam*.

The Ship *Fortune*, belonging to one *Constant Silvester*, and Company of *English* Merchants taken about the moneth of *August*, 1656. near *Cape Lopez* upon the Coast of *Guiny* by the said *Mary* of *Amsterdam* and *Unicorn* of *Middleburgh*, whereof the said *John Schrael* was Commander.

The Ship, Saint *John*, belonging to *Vincent de la Barre* and Company of *English* Merchants, taken in the year, 1658. near the Port of *Calbarine* by a Ship of the said *West-India* Company, and there confiscated.

The Ship *Lion*, *Providence* of *London* belonging to Sir *William Thomson*, and Company of *English* Merchants taken upon the Coast of *Guiny* in the Moneth of *August*, 1656. by two Ships belonging to the said *West-India* Company, the one called the *Mary* of *Amsterdam*, and the other the *Unicorn* of *Middleburgh* whereof the said *John Schrael* was Commander.

The Ship (*Brazil* Fregat) of *London*, belonging to *John Bushel*, and Company of *English* Merchants taken between *Angola* and *Farnambuca* in the Year 1657. by a Ship of *Ulissing*, whereof one *Quaerts* was Commander, called *L'Escluse*.

The Ship the *Leopard*, belonging to *Nicholas Bauchart* of *London*, and Company of *English*

Merchants taken near *Cabo Blanco* in the month of *October*, 1656, and brought up to the Caſtle of *Arangeny* at *Cape Blanco*.

The Ship (*Merchants Delight*) belonging to one *John Young*, and Company of *Engliſh* Merchants taken near *Cabo Corſo* in *Guiny* about the Moneth of *Auguſt*, 1661. by a Ship belonging to the *Weſt-India Company* of this Country, called the *Amſterdam*.

The Ship *Paragon*, belonging to *Bernard Spark*, and Company of *Engliſh* Merchants taken upon the Coaſt of *Guiny*, about the Fifteenth of *October*, 1661. by two Ships belonging to the *Weſt-India Company* of this Country, the one called the *Amſterdam* of *Amſterdam*, whereof *Aaron Couzens* was Maſter, and the other the Armes of *Amſterdam*, whereof *Nicholas Yole* was Commander.

The Ship *Daniel*, belonging to *John Knight*, and Company of *Engliſh* Merchants taken upon the Coaſt of *Guiny*, in the month of *May*, 1661. by a ſhip of *Amſterdam* belonging to the *Weſt-India* Company of this Country called the *Amſterdam*, whereof one *Aaron Couzens* was Commander.

The Ship, *Black Boy*, belonging to one *Arnold Breames*, and Company of *Engliſh* Merchants taken near *Comenda* upon the Coaſt of *Guiny* about the *Thirteenth* of *April*, 1661. by a Ship of this Country, called the *Graffena*, which came from *Caſtel-Delmina*.

The Ship *Ethiopian*, belonging to *John Allen*, and *Company* of *Engliſh Merchants* taken upon the *Coaſt* of *Guiny*.

Guiny in the month of *January*, 1661, by a ship belonging to the *West-India Company* of this *Country*, called the *Post-Horse*, which carried her to *Castel-Delmina*.

The Ship *Charles*, belonging to *James Burkin*, and *Company* of *English Merchants* taken upon the *Coast of Guiny*, in the month of *August* 1661, by a ship belonging to the *West-India Company* of this *Country*: called the *Amsterdam* of *Amsterdam*, whereof *Aaron Couzens* was Commander; besides several others taken by them there and else-where: And how is it then that they say, that those ships were but imaginary, and it appears (by the respective times of their being taken above cited) that these were all matters of a fresh date, and such as are not blotted out, but reserved by the late Treaty. And as to the evil Treatments and Cruelties complained of by him the said *Envoy* to have been done to the *English* in those Parts, they are pleased to say of them also that they are imaginary, and would make the World believe that all that was but *Romances* of his inventing; whereas the Depositions taken and sworn in the *High Court of Admiralty of England*, the 20th. of *August*, 1662. concerning the Ship *Merchants Delight*, say, *That the said Ships whole Company were put into Nasty Holes at* Castel-Delmina, *by* Jaspar Van Huysen (*General for the* West-India Company *of this Country*) *where several of them famished to death, and the rest that were set at Liberty after a cruel Imprisonment, the most of them never since heard of*; *The Company of the Ship* Paragon *after like cruel Im-*

prisonment turn'd to shift for themselves amongst the Wild Beasts.

The Company of the Ship *Brother-Hood*, having been stript and plundred of all, turn'd on shore amongst the *Wild Natives*, about *Cape Lopez*, without any thing of relief or sustenance, where several of them perished for want; and had it not pleased God, that after their having been there in a miserable condition 20 dayes, a certain *English* Ship, called the *Happy Fortune*, whereof one *James Peperel* was Master, came thither accidentally, in which they obtained passage, the rest had perished also, nor had it so much as been known what had become of them.

The Company of the ship *Black-Boy* carried to *Castel-Delmina*, the *English Colours* with scorn and contempt trampled under-foot, the men miserably treated, so as that the Master and six of the said *Company* died (as was verily believed of poison) the rest turn'd on shore to shift for themselves.

The Company of the Ship *Brazil Frigot*, nine of them turn'd upon a shore that was altogether uninhabited, and no victuals to relieve them, very few cloaths to cover them (as appears by the Depositions taken in the said *High Court of Admiralty*, the *16th.* day of *April*, 1663.) and much more of this kind could he instance, done within these few years upon the same Coast, besides what elsewhere, all transmitted to him the said *Envoy Extraordinary*, under the Oaths of many of the persons themselves that felt them, to whom, and the

rest

rest of their Comrades, the said evil treatments, and cruelties, were more then Imaginations and Romances.

And whereas they say further, Page the 17th. *We have never heard of those pretended Cruelties and Barbarisms, nor hath so much as Complaint been ever made, that the* West-India *Company had taken any one Ship that had truly belonged to the* English.

He did acquaint the Deputies for the Affairs of *England* (by whom this Book is Compil'd) with these Cruelties in the Conferences held with them concerning the Lists of Damages, and the said Ships are all particularly mentioned and set down in the *English* List, so long since delivered by him to them; How is it then that they here pretend Ignorance of the one and the other? And whereas, as to the Ships they would Evade under the Notion of the Words, *Truly belonging to the* English.

This is a very Excellent and easy *Evasion*, and upon this accompt their Companies may take what they please from Us, and it is but for them to affirm, *That it did not truly belong to the* English.

Those many Families of His Majesties Subjects at *London* and elsewhere that felt those Losses, and many of which are thereby utterly ruined and Banckrupt are Living and too true Monuments to whom the said Ships did belong. And if they could clear themselves upon so easie a Score, VVhy is it that we have been kept off these

two years and a half since the Conclusion of the Late Treaty? So as that we have not yet been able to come so farr, as to begin to make out either our Propriety therein, or the value of the Damages sustained thereby: And whereas these Suggestions are no doubt brought them from their Companies, it may not be amiss here to put the Deputies in minde with what Confidence it was Affirmed and Maintained by the Directors of the *East-India* Company before them, that the *Hope-well* and *Leopard* were designed for *Couchin*, a place then Beseiged both by Land and Sea, and not to *Porca* which was not Block't up by Land nor Sea; and yet when it came to the Scanning of those Matters, he the said Envoy made out under the very hand of the Commander in chief of those Ships that stopt them in their Voyage, that he stopt them from going to *Porca*.

For what they say further, Page the 17th. *We know not to what purpose the said Envoy speaks of those said near Twenty Ships.* The purpose was very clearly set down in his *Memorial*, *viz.* That whereas all the Complaints that were Mentioned in the Resolution of the Estates-General, to which it was an Answer (as to what out of *Europe*) were only of matters pretended to be done against the *West-India Company*, thereby to shew what great Reason the *English* had to be offended with them, and to be the more sensible of the Injuries done to them since the conclusion of the Late Treaty, considering how they had from time to time been handled

handled by those of that *Company* before the making thereof, having in a few years space (as said) taken near Twenty *English* Ships in those Parts only, and not only no satisfaction given for the said Ships, but new Injuries heaped upon them, and the same Designes carried on, to the utter Ruine of the *English* Trade in those Parts.

And whereas Page the 18th. the Deputies would excuse what had been done by the said Company since the conclusion of the said Treaty; for that say they, First, *He confesseth Ingenuously, that since the Conclusion of the Late Treaty, there hath not been one* English *Ship taken.* Secondly, *That all that hath been done is, that they would not permitt the* English *to enter into Places Assieged by the Armes of this State, or Blocked up by Sea.*

And so that that could not Justifie what had been done by the *English* against Them, especially considering the Resolutions of the Fifth of *June* and Twenty fifth of *September*, wherein they had declared that they would cause Satisfaction to be made to the Persons concerned in the Ships, *Hopewell*, *Leopard*, *Charles*, *James*, and *Mary*. He never said or confessed, that no *English* Ship had been taken since the Conclusion of the Late Treaty, and the contrary is acknowledged Page the Twenty seventh of this very Book; But that which was said in his *Memorial*, was onely that those of the *West-India* Company had not taken any in those Parts of *Africa* since the conclusion of the Late Treaty; And as to their Pretences, that what they had done as to the hindring of our

Ships

Ships from Trading there, was onely in places Besieged, and that they had promised Satisfaction; These Allegations and Excuses have been so Fully answered before, that it were but mispence of time to say any more concerning them, but as to that which was the force of his Argument, they Answer not at all, *viz.* That the Question was not about the *Charles*, *James*, and *Mary* onely, but that what was done to them, was in like manner done to Every *English* Ship that came upon those Coasts by Men of War, kept there on purpose to that End; Whereby it appeared that what was done to them had not been upon some accidental Rencounter, but upon Design, and that this Practice was as certainly Pernicious and Destructive to the Trade of the *English*, as the Taking of their Ships, and more discouraging to the Merchant (as hath been afore-shewen) and so that either some Course must be taken by His Majesty, not onely for the obtaining of satisfaction for those Individuall Ships, but for the Securing in General of the Trade of His Subjects in those Parts, or otherwise that they must give it quite over.

Page the Ninteenth, They say that he should have said in His *Memorial*; - *That one must not doubt of the Truth of all he saith concerning these Pretended Hinderances of the* English *from Trade and Evil Treatments of them; for that the same doth appear by the Complaints he had Order from time to time to make to this State concerning the same.*

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The Deputies deal here with him as in other parts of their Book, misrecite the words of his *Memorial*, and then descant upon them after *their fashion*; the words thereof were not, *For the same doth appear*, &c. nor did it ever enter into his imagination, that his *bare affirmation* should be taken for a juridical proof: but his words are, *As it doth appear by the Complaints*, &c. That is to say, taking them as they were accompanied with Examinations upon Oath of the Masters and other Officers of the said Ships, and which were also by him produced to the said Deputies with other authentick Documents, which were juridical proofs: & so might it not justly be said, that those matters were made appear by him in his Complaints concerning the same? And what occasion given for all those reviling expressions which they are pleased here to make use of? But whereas they say, *If the Complaints of Sir* George Downing *could serve for juridical proofs, the Inhabitants of these Provinces had long ago deserved the treatment which they have received from the* English, *and the hostilities which have been committed against them had been easily justified.* If then by this Reply it shall appear (as it will) that nothing was complained of by him, but what was upon good and real ground; it follows by the Deputies own confession, that his *Majesty* is justified in what hath been done against the people of this Country, and that he hath had sufficient ground and reason for the doing thereof.

Page the 19, Concerning the Remonstrance or Declaration of *Valckenburgh*, they say, *The* 14 *of* August *last, the said* Envoy *presented a* Memorial *concerning*

cerning the same subject, upon which this State *made a very considerable answer the* 8 *of* October *following; so that he is in the wrong to say, that satisfaction hath not been given him. It is therein said, that* Valckenburgh, *Director General for the* West-India *Company upon the coast of* Guiny, *doth not conclude in his Declaration to cause all other Nations to be gone out of all those Quarters.* 'Twas not said by him in his *Memorial*, that they had given him no answer, but, *That a Remonstrance or Declaration had been published as well in the name of the* States General, *as of the said* Company; *wherein was deduced their claim and pretended right to all that whole coast, to the exclusion of all other Nations.* And that, *The said Declaration was not yet disavowed, nor satisfaction given thereupon.*

And hath not such a Declaration been published? And did not he the said *Envoy* give this *State* a Copy thereof at their desire? And can they say, that in the forementioned answer it is disavowed? And could it be call'd, giving us satisfaction, that when we complain that a Remonstrance is issued out by a Governour-General, and that not only in the name of the *West-India* Company, but in the name, and on the behalf of the Estates General themselves, claiming a whole Country wherein we have considerable Forts, Lodges and Factories, and a considerable Trade; and which Remonstrance had been formerly sent and notified by the said *Valckenburgh* to the chief Agent of the *English African-Company* at their principal Fort, to tell us, that he doth not therein conclude to bid the *English* be gone? What though he had not therein bid us be gone out of any

place,

place? is not such a claim, and the notifying thereof, a great injury, and which His *Majesty* had just reason to complain on, and to expect should be disavowed by the *State*, whereby his Subjects might be put out of apprehension of being disturbed in their quiet and peaceable possessions and Trade? But he doth in the said Remonstrance, not only claim the whole, but therein actually commands the *English* to be immediately gone out of *Tacorari* and *Cabo Corso*, two places in which they had not only a constant Trade, but setled Factories, at the very time of the issuing out the said Remonstrance (as is therein confessed) and acknowledged by him the said *Valckenburgh*) and not only commanded them out of them, but upon those very grounds and arguments upon which he therein claimed the whole. And the Deputies will have it thought, that the *State* hath given them satisfaction, when they say in their deduction aforesaid, *That it doth not conclude to cause all other Nations to be gone out of all those Quarters.* So far from disavowing their pretended right to the whole, or the commanding the *English* immediately out of those two Factories and places, as that they will have it to be judged abundant satisfaction to them, that they have time given them to dislodge by degrees, first out of those places, *and not at once* commanded *to be gone out of all those Quarters.*

And it is to be remarked, that the said *Remonstrance* was issued out the 7 of *June*, 1663. and so long after the conclusion of the late Treaty; whereby it appears, that since the conclusion thereof, His *Ma-*

jesties Subjects were not onely disturb'd at Sea, by the Shipping of the *West-India*-Company, under the Command, and by the Orders of the said *Valckenburgh* their General; but also the whole Country claimed from them, and actually commanded to quit immediately two of their setled and principal *Factories*. And for what they say that Captain *Holmes* should have sent to one *Henry Williamson Cop*, *That Captain* Holmes *had sent three persons of condition to one* Henry Williamson Cop *that commanded at* Cape Verd *for the West-India-Company, who said to him from* Holmes, *that he had expres Order from the King his Master to let all know, that the right of Trading upon the coast of* Africa, *from* Cape Verd *to the Cape of* Bona Esperanza, *belonged to him onely, to the exclusion of all other Nations.*

We shew this State a formal *Writing*, and not discourses which may fall, and which may possibly not be well remembred, or mistaken, or stretched beyond the intent and meaning of them that said them. And so was this Case: yet what a mighty business did this *State* make hereof! writing a *Letter* immediately to his *Majestie* expresly about it, and causing their *Ambassadour* to complain highly thereof in an *Audience* demanded for that effect. If we should make such ado about all the high words and threats in those parts, and in the *East-Indies*, and elsewhere, of those employed by the *East* and *West-India*-Companies; we should be able to do little else. Besides, those discourses are here acknowledged to have been upon the 12 of *March* 1661. and so, long before the conclusion of the late *Treaty*, and so upon which,

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the *Deputies* cannot justifie any thing done by them since: whereas this *Remonstrance* of *Valkenburgh* was, as aboveſaid, long after the concluſion of the ſaid *Treaty*, and ſo a new *Breach*: and above all, it is to be remarked, that the *Deputies* do here confeſs, That whatever it was that ſhould have been ſaid by *Holmes*, or his order, that it was immediately upon complaint, as aforeſaid, diſavowed by his *Majeſtie*, as is here acknowledged, page the 20. *Which their Lordſhips having repreſented to the King of* Great Britain, *as well by their Letter of the* 28 *of* July 1662, *as by word of Mouth by their Ambaſſadours Extraordinary which were then at* London; *His Majeſtie diſavowed that Action of* Holmes, *in his Anſwer of the* 24 *of* Auguſt *of the ſame year.* And ſo ſuppoſe ſuch words had been ſpoken, and that ſince the laſt *Treaty*, yet they would have been ſo far from being to be imputed to his *Majeſtie*, or to be made uſe of for the juſtifying of any *Hoſtilities* againſt his Subjects, as that on the contrary, this *State* had all the reaſon in the world to be highly ſatisfied with his *Majeſties* generous and frank proceeding therein; and themſelves thereby ſo much the more condemned, that when ſuch a *Remonſtrance* publiſhed in their Name, and which a freſh breach, being ſince the concluſion of the late *Treaty*; and having been preſſed ſo often, and for ſo long time together concerning the ſame, that yet to this day it is not diſavowed by them: on the contrary, we are told that we ought to take it for ſatisfaction, that what is therein declared, was not executed at once: yea, the *Deputies* will not admit that there was therein ſo much as an offenſive word.

And

And for what is said of *Selwyn's Paper*, page the 21. that could not have caused *Valckenburgh's Remonstrance*, for that it was written after, and in answer thereunto; putting him in minde also of many outragious hostile actions done by him against the *English*, desiring they might quietly continue in their *Trade* and *Factories*, and telling him that they had more reason to bid him quit places he possessed, then he them, for that he did at that very time possess several places which did of Right belong to the *English*, mentioning the same, and particularly *Cabo Corso*; and so that if they must come to dislodging, that the *English* had more reason to expect that the *Dutch* should dislodge, then they the *English*.

Page the 21, 22, 23, 24. concerning the business of the King of *Fantine*, they say, first, *That he the said Envoy hath never produced any proofs.* Secondly, *That he doth not adde any particularities or circumstances that can give the least colour or appearance of truth thereto.* What he gave them, was out of an *Original Examination* taken in the high Court of *Admiralty* at *London*, and sent him by special Order of the *King* his Master, with command to acquaint the *State* therewith; and how is it then they are pleased to say, that he hath given them no proofs, or out of a *meer loose Paper?* Nor was what he gave them (as they are pleas'd to call it, pag. 23.) *The saying of one person onely*, but attested also by one *Dobson*, a principal person in those parts: and what ground then, or occasion for all these most injurious and reproachful terms which they are pleased upon this occasion to lavish out withal, and spend a couple of leaves of

paper

paper upon, such as no man would give to his Foot-man? and might they not be retorted in the highest manner, if one took pleasure in sullying his Mouth or Pen?

And as to the Second: Had there indeed been no circumstances to make good the intention of such a Designe, it might have passed like the Stories written to them by their Officers in the *East-Indies*, of the designes of the *English* to besiege *Batavia*, (which are ridiculous in the very imagination of them.) But could there be more pregnant circumstances then those suggested, *viz.* First, That the *Dutch* did actually pay down to the *Natives* a sum of money for their encouragement? Secondly, That they did furnish them with store of Muskets and Powder from *Aga*; which the *English* having notice of, sent Souldiers to a certain Village thereby, who (*de facto*) did surprise a part of them, and bring them to *Cormantine*. Thirdly, That the *West-India*-Company were to block it up by Sea, while attacqued by the *Natives* by Land, and that accordingly two of their Ships were actually upon their way, and come as far as *Cabo Corso* in order thereunto; but that hearing of the failer of the designe of the *Fantiners*, they immediately returned.

Page the 24, 25, 26, 27. concerning the business of *Cabo Corso*, they say,

First, *That it was attacqued and taken, not by any rencounter that happened in those parts, and which might have provoked Captain* Holmes *to those violences; but by expres Order of the King of* Great Britain, *according to his own Confession and Declaration.* Secondly,

That

That the Englisſh have not pretended that Cabo Corſo *did belong unto them, but ſince that they had carried their Arms thither, and ſince that they have taken it.*

Concerning the firſt, he hath expreſs and poſitive *Orders* from the *King* his Maſter to declare, That his *Majeſtie* did never avow or ſay that he had given Orders to *Holmes* for the taking of that place: That in his Anſwer of the 5th of *Auguſt* laſt given in writing to the *Ambaſſadour* of this *State*, there is this following Clauſe: *Concerning Captain* Holmes, *We have with great ſincerity aſſured the ſaid Ambaſſadour, that he had no Commiſſion to take* Cape Verd, *nor any other place belonging to the Dutch, or to do any act of Hoſtility upon any of the Subjects of the United Provinces, that was not for the defence of Our Subjects, and their Trade in thoſe parts.* That all he ever ſaid to the ſaid Ambaſſadour concerning *Cabo Corſo*, was, that he looked upon the Caſe as to that place, to be very much differing from that of *Cabo Verd*; and ſo much, as that if he had given Order for the taking thereof, very much might have been ſaid for the juſtification thereof. And to the like effect doth he the ſaid *Envoy Extraordinary* ſpeak in his *Memorial:* That ſuppoſe his *Majeſtie* hath permitted his Subjects to endeavour to recover the poſſeſſion thereof, it could not be thought ſtrange, nor could this *State* have had any juſt cauſe of Complaint or Grievance thereat: for the *Engliſh* had not onely a bare liberty of *Trading*, or of having a *Factory* at that place, (as at ſeveral others upon that Coaſt) but one *Thomas Criſpe*, chief Agent for the *Engliſh Guiny*-Company, at the earneſt invitation of the

King

King of *Fetu*, whose Land that was, went thither about the end of the year 1649. and purchased the same of the said King, and paid for it: And after all things were concluded, the Kings Officers summon'd all the Natives thereof by the beat of Drum, both men, women and children, to a very great number; and when they were all come together, publike and solemn *Proclamation* was then and there made, That the King of *Fetu*, with the consent of his *Officers* and *Great Men*, had sold the Land of *Cabo Corso* to him the said *Crispe*. Whereupon the people gave several great shouts, throwing the dust up into the air, and cryed, that that was *Crispe*'s Land. And the said *Crispe* is yet alive, and now at *London*, and hath by special Order of the *King* his Master sent to him the said *Envoy* the Contents hereof under his own Hand, with the Testimony of others that were then in those parts, and know the same to be true. And some time after, a party of the Natives of that Country falling upon the *English* House there, and robbing and plundering the same, and so the *English* retiring for the present, the *Swedes* came thither, demolished what had been there built by them, and built a Fort upon the ground which the *English* had purchased. Afterwards the *Danes* drove out the *Swedes*, during the late War between those Crowns; and then the *Dutch* got the place from the *Danes*. And so the *Dutch* deriving from the *Danes*, can have no better Title then the *Danes*; and the *Danes* deriving from the *Swedes*, can have no better Title then that of the *Swedes*, which was

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onely Possession, and having built upon the Land of another without their consent: and so the Question is singly, Whether the Land should follow the Fort or House, or the House the Land; and whether a Possession of so late a date, can create a Title against a clear and undoubted Purchase.

And whereas they say, page 26, *That they had bought that Fort from the Danes*; It is very well known, That the Ministers of *Denmark* do say and maintain, that the *West-India*-Company of this Country did never buy them out, but onely that during the late Siege of *Copenhagen*, and in the time of the low estate of that Kingdom, that the Governour-General for the Dutch *West-India*-Company, called *Van Huyssen*, did debauch and corrupt one *Samuel Smith*, (who then commanded the said place for the King of *Denmark*) to put the same into his hands for a Bribe of seven or eight thousand *Gilders*: And that this was without the knowledge, permission, or order of the said *King*. And this is their Title to this place, about which they make so much ado. Nor did they content themselves with the said Fort, but (as in all other places) having once got footing, they fell immediately to the utter expelling of the *English* from all share or interest there: And whereas they had re-built themselves a House or *Factory* there, some belonging to the Dutch *West-India*-Company, and in their Service, did on the first of *May* 1659. attacque the same, and burn it, with all the Moveables and Merchandizes. And it being afterwards re-built by the *English*, they

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hired others to set upon it, and burnt it again, with all the Merchandizes therein; nor would so much as permit them to come and trade there with their Shipping. And the said *Deputies* Rule is, page 7, *That one may retake by Arms, that which hath been gained by Arms.* But this Case had been otherwise: for the *Dutch* having got into the said Fort in manner abovesaid, were a little after driven out by one *Jan Claes*, who was General for the Natives; and the said *Claes* having driven them out, and knowing well that the undoubted Right of that place did belong to the *English*, made a tender to their *Agent* in those parts to restore the same to them: but he was neither provided at that time with men, nor other necessaries for the receiving thereof; and before they came to him from *England*, the said *Jan Claes* died. Afterwards, (and while the *Dutch* were still out of the possession thereof) the Government of that Country sent a publike *Minister* to *Cormantine*, to treat with the *English Agent* there, about putting of the said place again into their hands: and a *Treaty* was perfected and compleated between the Governour of *Fetu*, and Commissioners sent thither by the said *Agent*, and a sum of money paid in hand according to the said Conditions. Nor was there so much as any certain knowledge in *England* that the *Dutch* had re-possessed themselves thereof, at the time when *Holmes* his Orders and Instructions were made, nor other News thereof then a report which came about that time out of this Country. And supposing it to be true, yet that could not alter such a *Treaty* made

made while out of their hands: and that Case being thus, if his *Majestie* had given him such Orders, what could they have to say against the same? And whereas it had been said by him in his *Memorial*, that his *Majestie* had been so much the more justifiable in letting his Subjects take possession thereof, because of the little effect that the Instances made here in his Name in other matters had had: The *Deputies* are pleased to mis-recite the clause in his *Memorial*, and then descant thereupon *after their fashion*. The Clause (as recited by them) is, *For seeing that his Majestie hath not been able by all endeavours and instances to get out of their hands one Ship, or the value of a peny of Goods since his return to his Kingdom; what hope was there that such a place should have been restored?* And they are pleased to comment thereupon: *This is a strange confidence of the said* Envoy, *to put in writing, and to publish among forraign Princes and Ministers, and to present to your* Assembly *a thing, of the contrary whereof he hath been so convinced by the Deduction which ye made the 9th of* October *last, upon the King of* Great Britain's *Answer in Writing; where your Lordships have made clearly appear, by the restitution of the Ship* Handmaid, *and of the Shaloup taken by Captain* Banckert, *and by several other particularities, That what the said* Envoy *saith here, is not true: so that he might have spared the giving occasion to have himself contradicted here.* Whereas the words of his *Memorial* are, *And in truth if his Majestie hath not been able, by all his endeavours and instances, to get out of their hands any one Ship, or the value of a*

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peny of Goods since his return to his Kingdoms, which had been taken by violence from his Subjects, concerning which he the said Envoy had made complaint heretofore; what hopes that such a place would have been restored? But their Lordships leave out all the middle thereof, viz. *Which had been taken by violence from his Subjects, concerning which he the said* Envoy *had made complaint heretofore*, whereby the sense is quite changed; and then apply instances thereto, which would no wayes sute therewith, taking the intire sentence together. For as to the Ship *Handmaid*, it is true, that that business did pass his hands, but that Ship had not been *taken by violence from the Subjects of His Majesty*: The *Turks* had taken her from the *English*, and the *Dutch* only rescued her from the *Turks*. And as to the Shaloup taken by *Banckert*, 'twas not a matter whereof *the said* Envoy *had made complaint*, for that it was a business managed at *London* by His *Majesties* Ministers there, though there was scarce another instance of that kinde that passed not his hands; and he doth here again affirm the truth of the said Clause in his said *Memorial*. Whereas in the Letter of the *States*, of the 26 of *January* 1664. to the King his Master, their words are, *That His Majesty had very often caused justice to be done upon their complaints, since the conclusion of the* Treaty *between him and this State*.

But as to the *second*: Did not the Agent *Selwyn*, in his letter above-mentioned to *Valckenburgh*, of the 14 of *June*, 1663. remonstrate the right of the *English* to that place, and protest against the detain-

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ing the same from them? And did not he the said *Envoy* Extraordinary, in a conference held with the Deputies of this *State*, upon the 12 of *Feb.* 1663. *Old stile*, deduce and make out the right of the *English African*-Company to that place? and it was not taken by *Holmes* till the 9 of *May* following (as is here confessed, Page the 24.) And how is it then, that they say here, *That the English did not claim it till they had got the possession of it?*

And whereas Page the 25 they say, *He himself did interpose in the said difference between the* West-India-*Company of this Country, and the* African-*Company of* Denmark, *concerning this place, as he hath often intermedled with several matters, wherein neither He, nor the King his Master, had to do: And in the* Memorial *which he presented concerning this matter, he backs the pretensions of the* Danes, *and speaks not at all of those of the* English; *from whence an infallible argument may be drawn, That the King of* England (*whom he brings in speaking in his* Memorial) *did not at that time think that the Fort of* Cabo Corso *did belong to the* English, *as in truth they did not think it, till they were in possession of it; and that now they judge this their best pretence for the excuse of their hostilities committed there.* The *Memorial* given in by him on the behalf of the *Danes*, which was of the 8 of *February*, 1663. *Old stile*, was only in general terms, *viz.* That whereas the King of *Denmark* had applied himself unto the King his Master, complaining of great injuries, violences and depredations done to his Subjects by the *West-India*-Company in those parts, that his *Majesty* held himself obliged to concern

cern himself therein; nor is there a word therein concerning *Cabo Corso*, or any other matter in particular; and there were at that time a great many differences between the *Danes* and them, *viz.* the taking of their Ships, hindring others from Trade at places of their own (upon which we had no pretence) as *Fredericksburgh*. And how then is *an infallible Argument to be drawn from thence, that the* English *did not think that the Fort of* Cabo Corso *did belong unto them till they were in possession thereof*? And the contrary is before made appear in the Letter of *Selwyn* above mentioned: and the Conference aforesaid, wherein he the said *Envoy* had made out the right of the *English* to the said place, was but within three or four dayes after the date of this *Memorial*. And whereas they say, *That he doth therein back the pretensions of the* Danes, *and speaks not at all of those of English*; Are not the words of the said *Memorial*, *That his Majesty holds himself obliged to intermeddle therein with the same zeal and fervour, and to the same degree, as for the injuries done to himself and his own Subjects in the same parts, and by the same Company*? And whereas they are pleased to say, *As he hath often meddled in several matters, wherein neither He nor the King his Master had to do*; They would thereby insinuate, as if the said *Envoy* Extraordinary had of his own head given in that *Memorial*, whereas it was in pursuance of a Letter from the King his Master to him, expressly commanding him to do it, and of which he knew nothing, till it was put into his hands by *Hanibal Schestedt*, *High Treasurer of Denmark*, who had

had procured the ſame, and brought it out of *England* with him. And to what is there ſaid, *That the King his Maſter hath nothing to do therein*, they know better; and that (as is ſaid in the ſaid *Memorial*) His *Majeſty* is obliged by all the bonds of Honour, Friendſhip, Blood, Gratitude and *Treaty*, to interpoſe himſelf in the concerns of that King.

Page the 27 and 28. Concerning the Iſland of *Polerone*, their *Lordſhips* make no reply to what hath been ſaid in his *Memorial*, *viz.* *That the ſaid place ought to have been reſtored to the* Engliſh, *by vertue of a ſolemn* Treaty *in the year* 1623. *and yet we know not to this day that it is reſtored.* And indeed no anſwer in ſuch a caſe was the beſt anſwer: and it is to be obſerved, that by the ſaid *Treaty* it was ſtipulated, not only that the ſaid Iſland ſhould have been reſtored, but the words thereof are, *That the ſame ſhould be reſtored in the ſame eſtate and condition the* Engliſh *had formerly injoyed it.* Whereas it was not only not reſtored, but thoſe of the *East-India*-Company did cut down, and grub up by the roots all the Nutmeg-trees and Plants in the ſaid Iſland, and have done the like ſeveral times ſince; whereby in caſe it ſhould at any time come to be reſtored, it ſhould be (at leaſt for many years) altogether uſeleſs and unprofitable to them.

Concerning the *Treaty* of 1654. they acknowledge, that the ſaid Iſland was adjudged to be reſtored to the *Engliſh* by the ſentence of the Commiſſioners on both ſides appointed by that *Treaty*; but

but say, that Orders were then accordingly given to the *English* for the receiving the possession thereof, and so that if they had it not, they had none to blame but themselves: but if giving Orders here in *Europe* were enough, we had had it long before. And I pray, had not the *English East-India*-Company again in the year 1660, Orders both from the *Estates General*, and the *Dutch East-India*-Company, both to the *Dutch* Governour-General in the *Indies*, and to the Governour of the *Banda*-Islands (of which that is one) for the delivery of possession thereof to them, and of which he the said *Envoy* Extraordinary hath Copies by him? but yet when the said Company had put themselves to between twenty and thirty thousand pounds *sterling* Charge, in sending Men and Necessaries accordingly for the receiving the same, and the said Orders were tendered to the said Governour-General, together with His *Majesties* Commission to the like effect, he laught at them; nor would give them any Order to the Governour of the *Banda*-Islands for the delivery thereof; notwithstanding to take off all pretence of failer on their part, the *English* continued their Voyage from *Batavia* to *Polerone*, and did there demand the said Island, with their Letters to the Governour and Council over the *Banda*-Islands; but answer was made them, that they should not have it, and Souldiers were drawn up along the shore, and they were let know, that

if they offered to come on shore they would fire at them.

And whereas it is said, page the 28, *That the Revolution which happened in* England *by the Re-establishment of his Majesty, did so change affairs, that what had been only stipulated in the name of* Protector *could not be any further executed; that there must be another Adjustment made with his Majesty, before new Orders could be given for the accomplishment thereof.* And so would upon that accompt excuse the non-rendition thereof, till the conclusion of the *Treaty* in the year 1662. Whereas those Letters were written about seven months after the Return of his *Majesty* to his Kingdoms; and in that of the *Estates General* to the Governour and Council of the *Banda*-Islands, there is express mention and reference made to the aforesaid Award of the Commissioners: The Letter being to this effect: *Whereas the Governours and Directors of the* English East-India-*Company are now intended to go and take possession of the Island of* Polerone, *so we have found it expedient by these presents, to write unto you, that according to the Award given up by the Commissioners on both sides, those who shall come to appear from the aforesaid* English *Company with due Authority and Qualifications in the Islands of* Banda, *ye shall give place, and deliver over the aforesaid Island of* Polerone. *whereupon we relying*, &c. *In the* Hague, *the* 17 *of* December, 1660.

And

And it is to be remarked, that the *Deputies* in reciting (page 27) the clause of his *Memorial* concerning *Polerone*, wholly omit that part thereof relating to these Orders.

Concerning the *Treaty* of 1662. they say, *'Twas he himself that delivered to this State a Letter from the King his Master, of the* 22 *of* January 1663. *in which His Majesty saith expressly, That he was intirely satisfied with their procedure in this matter.*

By the fifteenth *Article* of the said *Treaty*, it was agreed, That immediately after the Ratification thereof, Orders should be given by the *States General*, and the *Dutch East-India*-Company, for the delivery of the Island of *Polerone* to the English *East-India*-Company: whereupon, after the Ratification thereof, His *Majesty* wrote to the *States General*, demanding the said Orders; which being accordingly sent hence for *London*, as His *Majesty* had demanded the same by Letter, so He was pleased by another Letter to acknowledge the receipt thereof, and that with very civil and obliging expressions; well hoping that for the future, all things would have gone after another manner, then before the conclusion of the said *Treaty*. And this is the Letter here mentioned: nor doth it contain any more in relation to this business, nor indeed could it, being written not above fourteen weeks after the conclusion of the said *Treaty*, being dated *Whitehall*

hall the 22 of *January* 1662. Whereas the *Deputies* say in this their Book, That it was dated the 22 of *January* 1663. which is above fifteen months after the conclusion of the *Treaty*; whereby they would have it thought, that this Letter had been written upon some further procedure in relation to this business, and upon some advice out of the *Indies* concerning the same. Nor will the excuse of *New stile* or *Old stile* serve the turn; for if they had meant *New Stile*, then it must have been dated the first of *February* 1663. and not the 22 of *January* 1663. And the King his Master doth by no means understand this manner of proceeding with him.

And now, I pray, doth this Letter contradict or interfere, in the least, with what had been said by him in his *Memorial*? Had he therein said, That they had not given Orders for the delivery thereof, or more then that, *Yet we do not know to this day, that the said place is restored.*

And was not that then true? And what ground or occasion given for them, to say, Page the 28, *The said* Envoy *doth hereby make appear the wrong he doth, in forming Complaints upon a matter, concerning which the King himself had thanked the State?* Had he complained, that this *State* had not given Orders for the restoring that place; or said more then as above-said, That we did not yet know

that

that that place was restored? and can any of them say yet to this day, that it is restored? But if he had thought he should have been taken up so short, he would have added (as he then could) that the said Orders, together with His *Majesties* Commission, under his Great Seal of *England*, had been actually tendred and delivered to the *Dutch* Governour-General at *Batavia*; and that he had made sport therewith, as with the Orders of the year 1660. asking how he could know that piece of Wax from another piece of wax? and how he could know the King's Picture and image thereupon from another? with many vaunting and insolent expressions; though he did acknowledge that he knew of the conclusion of the said *Treaty*, and that thereby the said Island was to be restored, and that the Orders by them presented, as from the *Estates General*, and *East-India* Company, were really their Orders; and that they who tendred them, were the Factors and Servants of the *English East-India* Company, and so that there could be no question, but that it ought to be delivered to them. And so, what though His *Majesties* Commission should not have been kept so perfectly clean, that could raise no question: but it's a signe how exact the *Depaties* informations concerning this matter are, and what credit is to be given thereunto; for that they call it a Paper, Page the 28. *Presenting to them a Paper that was so foul*: whereas it is very well known, that the Broad-Seal of

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England is never put to Paper, but to Parchment only: nor do themselves alleadge, that the Orders of the *Estates General*, or *Dutch East-India*-Company were sullied, or those of the *English East-India*-Company. And when they had spent much time in descanting upon the Commission and Orders, then the said *General* would have them to give an Acquittance, wherein should be inserted such a Clause as was directly repugnant to the Treaty, and no way in their power to signe, and wherein they must in writing give thanks for the restoring of the said Island to them, as if of grace, and not a thing agreed by Treaty to be done, and of due, and which had so many years been unjustly kept from them, and now to be delivered with the trees again utterly wasted and destroyed, whereas at the time of its taking it was well planted; and what other or further Devices may afterwards be made, either there, or by the Governour and Council of the *Banda*-Islands, Time must shew: we have cause to fear the worst; and if it be not delivered, it will appear to have been caused upon such account, and not (as is here suggested) upon the want of Shipping, or other necessaries on the side of the English for the receiving thereof, though they had no great encouragement to be over-forward in providing them, considering what the like Orders had cost them in the year 1660, and to what effect.

And

And whereas they say, That the aforesaid Letter of the 22th of *January* was delivered to this State by him the said Envoy; The Deputies have very much forgot themselves: the said Letter was not delivered by him, nor could be, for that he was at that time in *England*, nor had been in *Holland* some months before, nor returned thither till several months after.

Page the 29 and 30, concerning the business of *New Netherlands*, they argue,

First, from the signification of the word *Octroy*, which, say they, *Is onely an Advantage accorded to some particular Subjects, to the general exclusion of all other Subjects of the same Soveraign, but which doth not at all oblige the Subjects of other Princes and States.*

Secondly: *And though the* Octroy *or Patent which the King of* England *had given to his Subjects, did comprehend* New Netherland, *yet that could not give the* English *any Right to the Places and Lands which the Subjects of this State had possessed peaceably for fourty or fifty years, and which they had occupied whilst it was deserted and uninhabited.*

Thirdly, As to what was alleadged of their endeavouring to usurp still more upon the English, and to impose their Laws and Customs upon them, and to raise Contributions from them: They say, *We judge that this is a production of his Imagination, and dare say that there is nothing of truth therein.*

Fourthly: That if his *Majestie* had thought that his Subjects had any pretence to this place, *would not his Majesties Commissioners, during the whole time that the Ambassadours of this State were in* England, *have spoken one word concerning this matter? however, since they have not done it, it ought to be put among the number of those that are mortified by the said Treaty.*

As to the first, He doth reply, That he did not argue in his *Memorial* from the Grammatical signification of the word *Octroy*, but from the matter and substance of the *Octroys*, Patents or Charters granted by his Majesties Royal Ancestours concerning those parts. The Deputies suppose that they must be after the Model of the *Octroys* of the Dutch *East-India* and *West-India*-Companies, which do not give the Soveraignty of all the Lands within the limits thereof to the said Companies, but onely certain Priviledges therein, to the exclusion of the rest of the Subjects of this State: And some such there are in *England* also, as of the English *East-India*, *Turky*, *African*, *Moscovian* Companies, *&c.* but these are quite of another nature; they do grant the Soveraignty of the Lands within their Limits to the Grantees, under a certain Model and Form of Government, and under certain Powers and Jurisdictions therein set down and prescribed.

And

And as to the second, the *Deputies* doe not deny that this Land called *New Netherlands* is within the *Patents* granted by his *Majesty*, to his *Subjects*, and he the said *Envoy* doth affirme that it is.

And let those of the *West-India Company* produce an antienter *Patent* for the same, but he doth not believe they can produce any at all, other then that generall *Octroy* (which as abovesaid) grants not the *Soveraignty* of all Lands within the Limits thereof: And as to the point of Possession, there is nothing more cleare and certaine then that the *English* did take possession of and inhabit the *Lands* within the Limits of the said *patents*, long before any *Dutch* were there. 'Tis not to say, (nor is it requisite that it should be said) that they did inhabite every *Individuall Spot*, within the Limits of them. It is enough that their *patent* is the first, and that in pursuance thereof, they had taken possession, and did inhabite and dwell within the same, and made considerable *Towns*, *Forts*, and *Plantations* therein before the *Dutch* came to dwell there: Is it to be imagined that the *Dutch East-Indie-Company* have fully Peopled and *cultivated* the *Island* of *Ceylon*, and other their great *Colonies* in the *East-Indies*, and yet if the *English* should upon such pretence, endeavour to settle there without their consent, Would they approve thereof, or suffer the same? or accompt their Title there to be good, or other then *Precarious*; and the setling of the *Dutch* in *New Netherlands* (so called) was upon permission graunted them by the *English* for their *Shipping*, to take in Wood, and Water, there, and other Provisions for their reliefe,

when they should come into those Parts, but the *English* did never grant unto them the *Soveraignty* thereof, but that the said *Company* (as they doe elsewhere) did upon this *precarious* admission and connivance, incroach from time to time upon the *English*.

But whereas they say *Page 29. The said* Envoy *saith, that the* Dutch *ought every year to demand the confirmation of their possessions*, and descant thereupon: *But we have above observed, that there is very little to be built upon what he saith, that it ought not to be believed but upon very good proofe.*

It is very hard measure, that the *Deputies* still take to themselves the Liberty of misreciting the Words, and Clauses of his *Memorial*, and make it speak what it never did, and yet withall fall upon him with reproachfull, and disdainfull Language, for having said and Written that which is no where (that he knows of) to be found but in this Book. The clause in his *Memorial* was; *That those Hollanders which were there, did dwell there simply by permission, and not by any Right that they could pretend to that place, and that that had been declared to them from time, to time, and from year to year.* And is not there a great difference between, *That it had been declared to them from year to year, that they had no right to dwell there*, and *That they ought every year to demand the confirmation of their possessions.* And are not the very next words of his *Memorial, But so as that the* English *were content to have suffered them to dwell there, provided they would have demeaned themselves Peaceably.* So far from having

ing ſaid that the *Engliſh* did expect that they ſhould every year demand a confirmation of their poſſeſſions, as that on the contrary what he ſaid was, that though their poſſeſſion was but *precarious*, yet that the *Engliſh* were contented to let them live there and enjoy the ſame, upon condition of their demeaning themſelves quietly; And was it not ſo that about the year 1654, the *Engliſh* were about granting them certain *Limits*, and the ſame had taken Effect and been *ratified*; if their continued *New Inſolencies* had not diverted the ſame: yet it ſhall be far from him to retort any ſuch unhandſome Expreſſions. And as to the Argument whereby they would prove that they were more then few in Number, for that *It is not probable that a few* Hollanders *ſhould have ſo fallen upon many* Engliſh.

That they were but *few* in compariſon of the *Engliſh* is a fact too known to need proving; but the argument may be thus well Retorted, How great was their preſumption, to have attempted thoſe Inſolencies, which they did from time to time attempt, being ſo few in Number, and how great the patience of the *Engliſh* who are ſo Numerous and ſtrong in thoſe parts, being able to bring many ſcores of thouſands of able fighting men into the field, that they ſhould yet ſo long have ſuffered the ſame. And this lead's me to the third particular, It would have been a boldneſs and a preſumption indeed in him the ſaid *Envoy* to have fained theſe *Allegations*, & endeavoured to have impoſed them upon their Lordſhips and the world, that they had from time to time injur'd the *Engliſh*, and uſurped upon them in thoſe parts if it had not been ſo; But I pray was not One *How*, ſent by His late *Majeſty of Bleſſed*

Memory into those parts about twenty five years agone, and did not the *Dutch* there seize him and his *Company*, and keep them *Prisoners*, and were not great complaints thereof brought to the Court of *England*, and which were highly resented? And did not the *Dutch* about twenty years agone come to an *English* Town called *Stanford*, where none but *English* lived, and summoned them to come under their obedience and pay them contribution, and set up the *Dutch Armes* there, and all along the late times of disorders in *England*, were there not continually high complaints brought over against them? did they not send armed Men to an *English* Town called *Greenwitch*, and force the *English* there to come under them? And was not one *Deyer* sent in *Cromwell's* time to stop their Insolencies, and who did Free the *English* of them in severall places. Moreover did not the last Governour of *New-Amsterdam* (so called) lately come with Armed men to a certain *English* Town called *West-Chester*, within the bounds of the *English* Colonies, and where they had bought the Land of the *Natives* (as is their Custome, not to settle any where in those parts without first contracting with them) and by force compelled them to come under their obedience, and to pay them contributions, or else to quit their dwellings in two Month's time, and Named the place *Oosdorp*. And about three years ago, upon fresh complaints of their *Usurpations* by Land, and moreover that they did stop and hinder the *English* Shipping from their *Trade* in those parts, Was not one *Scot* sent to warn them to live quietly, and not to injure the *English*, or otherwise that some other Course should be taken with them; and yet the

Deputies

Deputies would have it thought that there hath been nothing of this kind, and that what hath of late been done to the *Dutch* in those parts, should have been a surprize without any thing of provocation, or occasion given.

And as to the fourth Particular more needs not be said, then what is in his *Memorial*, viz. That the *English* had by their *Charter Jura Belli* in those parts, without appealing first into *Europe*, but if it can be made good that they have done any injury to the People of this *Country*, His *Majesty* will be alwayes ready to see that right be done. But whereas their Lordships doe in severall places of this Book, say, that His *Majesty* should have confessed, that the taking of *New Netherland*, (so called) should be done by his order. He is commanded to say, that his *Majesty* never said more concerning this, then concerning *Cape Corse*, and that he did never say to the Ambassador of this *State*, that he had given any such Order: Nor did he give it, nor was the said place taken by any Order of his. And if the *Deputies* had pleased to have minded the *Answer* of the *States General* of the ninth of *October* last, given to His *Majesty* by their Ambassador, They would therein have found, that the said *Estates* doe not impute the taking of *New Netherland* to His *Majesty*, but to his *Subjects* in those parts, the words being, *That their Lordships have made complaint, that His* Majesties *Subjects in* New Netherland, *had with Violence driven the Subjects of this State out of their Possession.*

And this was after *De Ruyter* was actually gone for *Guiny*, nor was so much as any thing known in

Europe

Europe concerning the taking of *Cabo Corso*, till about the same time. And how then these matters, and His *Majesty* having said that they were done by his Order throughout this Book, produced to justify the sending him thither.

Pag. 30, and 31. Concerning what had been said by him the said *Envoy Extraordinary*, that the 15th Article doth onely Mortify *matters of Piracy, and the like, and not of Rights and Inheritances of Lands.* They say, *It is hard to say whether the said Envoy doe faign the ignorant or be so in Effect.* And for the disproving of what had been said by him, they produce the instance of the Island of *Polerone*, concerning which they say, *That it being stipulated by the said Articles, that the said place should be restored, that consequently all other matters of that kind must be thereby mortified*; for that *Exceptio firmat Regulam*. And add this harsh expression, *A strange blindness, if it be not willfull*; Whereas that clause of the Treaty run's, that by the restitution of the said *Island*, all actions, and pretensions for losses, injuries, and offences committed upon each other in *India*, and known in these parts, the $\frac{10}{20}$ of *January* $165\frac{5}{9}$ should cease, be extinguished, and annulled: Moreover the *Deputies* offer no answer to the instance given by him in his *Memoriall* concerning the case of Sir *William Lower*, which was a Case depending in their own Courts of Justice, concerning an Inheritance of Land long before the years 1654, or 1659, (which are the respective times of the generall abolition in the said *Article*) and yet since the conclusion of the late *Treaty*, that case hath not been abolished but still proceeded in,

and

and continued as before. And how many other cases and actions are there of the like nature upon disputes concerning the Inheritances of Land depending in the Courts of both sides, as also concerning Morgages, and other reall Engagements, and concerning Wills, and Testaments, Bonds, Obligations, and Merchants accompts of antienter Date then the tearms prescribed in that *Article*. Let but the Deduction of the *States Generall* of the ninth of *November* last be looked upon, and they will find therein enough of this kind; and how strange and monstrous an *Article* would that have been, that should have abolished all Men's actions of these kinds. And further to shew that it was the meaning of those that made the *Treaty*, at the time when they Penn'd it, that that *Article* should not have so vast an extent, but only to reach to matters of *Piracy* and the like. The *Deputies* might have remembred, that during the Negotiation thereof, this very Objection was made by the Ambassadours of this *State*, upon the debate of this matter, *viz.* that it might be of too large and generall extent, and His *Majesties* Commissioners did returne to them for answer as followeth; *Their Excellencies have already seen a Catalogue of the complaint, of divers of His* Majesties *Subjects for injuries done to them by the* Dutch, *so that if they please to call the same to mind, there can be no such incertitude in the Article concerning Commissioners, as their Papers would seem to intimate. Moreover it will appeare, that this Article of Commissioners is not desired for businesses of Lands and Houses, but for matters of Piracies, and Merchandizes taken by force, which we desire*

should

ſhould be ſo Examined and determined, for the avoiding the charge and delay of Juridicall Proceedings. And upon this account His *Majeſtey* did not, nor needed not make mention of this buſineſſe during the Negotiation of that *Treaty*, and upon the ſame account His *Majeſty* did not think fit to inſert in the Liſt of *Dammages* this pretence of His *Subjects* thereto, nor to the Fort of *Cabo Corſo*, though as to the ſpoile and burning of their Goods there, he did cauſe that to be put into it.

Beſides (as hath been ſhewen above) there were very many and great provocations done in thoſe parts call'd *New Netherlands* to the *Engliſh* ſince the concluſion of the late *Treaty*, and ſo though the *Treaty* were to be conſtrued as they would have it, yet it doth not help them concerning the buſineſſe of *Guiana*. They ſay *Pag.* the 31. *The Digreſſion which the ſaid* Envoy *makes as to the buſineß of Guiana is from the purpoſe*, for that ſay they, he hath nothing to doe to trouble himſelf how this *State* will make off this matter with *France*; he did not mention that buſineſs as intermedling betwen the *French* and them, but if at this time they have ſent a *Miniſter* into *France*, to decry the King his Maſter, and his Affairs, and to ſtirre up that Crown againſt him, and particularly upon the account of his having (as they pretended) given Orders for the taking *Cabo Corſo*, and *New Netherlands* (to which His *Majeſties Subjects* have ſo clear and undoubted a Title) Was it *from the purpoſe* for him to ſay, that ſuppoſe His *Majeſty* hath given ſuch Orders, can any *Prince* think it ſtrange, or be ſurpriſed thereat, *much leſſe the moſt Chriſtian King* (as the words of his *Memorial*)

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seeing it hath pleased the same King that very year to Order or suffer his Subjects to repossesse themselves in the same manner by Armes and force, of a certain place called Guiana, *which they pretend to have been unjustly possessed and detained from them by the said West-India-Company.* And if that were a Digression, the *Deputies* must give him leave to make another of the like kind, and to put them in mind of the late *Edict*, whereby all the *Shipping* of this *Country* in the *Havens* of that *Kingdom*, were arrested and seized, upon the single account of the having seized in this *Country*, two *Ships* belonging to the *French East-India-Company*, and though the said *Ships* were built here and but newly bought, and that the pretence of seizing them, was the Service of the *State* and payment proffered, and that the dispute about them had been but of a few weeks standing. *Pag.* 32, 33. concerning the business of *Cabo verd*, and the Ships of the *West-India-Company* taken by Captain *Holmes* on the Coast of *Guiny*, Whereas he the said *Envoy* had said thereto, First, that His *Majesty* had not only disavowed his having given him any Order for the doing thereof, but also disowned the *Acts* themselves; Secondly, that by the 14th *Article* of the late *Treaty*, 12 Months time is given for the doing of *Justice* upon what should happen either by Sea or Land upon that Coast since the conclusion of the late *Treaty*.

To the First, the Deputies say, that His *Majesty* had in like manner before disavowed the taking the Fort St *Andre* by the said *Holmes*, but yet that nothing followed thereupon. This is fully answered before, and thereby made appear that it is to themselves, and not His *Majesty*, to whom it is to be imputed, that no further Progress had been made in that matter;

Yet it may not be amiss (since the Deputies do so often make mention of this business, and make so great Outcry concerning the same) to add how little the Concern of this State is therein, or in what had been done concerning it; For that that Fort did not belong to the *West-India* Company of this Country, but to the Duke of *Courland*, and that they had but lately shufled themselves into it, (as they do into the Possessions of every one under one pretence or other) Nor were they in it upon their own account but His, and under pretence to keep it for him, and so that the cause of complaint was not properly by them, but the said Duke, and though all possible Endeavours have been since used by them to draw him to their Party, they have not been able to prevail therein, but the said Duke hath applyed himself to the King his Master, and His *Majesty* and He, are come to an Agreement, concerning the same, and the said Agreement concluded and sealed, and so neither the *West-India* Company, nor the *State*, have any thing to do therein. And whereas they say, that His *Majesties answer* was onely in *Generall Terms*, but that he doth not positively promise restitution and reparation: could more be said by him upon the first complaint; yea (as is said in his *Memoriall*) could any further answer have been expected from the meanest of their own Courts of Justice in any Case that should come before them? And were it not injustice to condemne the most criminall person before he were heard, or at least a competent time given for his appearance; and did not His *Majesty* say withall, that *Holmes* had order to return, and was expected very speedily in these parts, and that so soon as he should be returned, he would cause the matter to be examined, Justice done, and the Offen-

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ders punished. And however the *Deputies* would insinuate as if that had been but an *Elusion*, yet did he not return accordingly, and upon his arrivall, was he not immediately by His *Majesties* speciall Order carrito the *Tower* of *London* (a place where none are put for any private disputes, or for any Offences, but wherein the *King* Himself is concern'd) in order to his examination about these Matters.

But whereas the *Deputies* would have it be believed that the said *Holmes* is so Monstrous a Person, and that all he had done had been without any provocation, It may not be amiss to give here a touch of what he doth alleadge for his own justification.

And First, as to the Fort St *Andre*, he saith, that comming in the year 1661, into the River of *Gambia* to trade there, (as formerly the *English* had done) that those of the said *Fort* fired at him, and would not permit him to pass up the said *River*. Whereupon he fell upon them

As to the business of *Cabo Verde*, he saith, that comming again upon the Coast of *Africa*, and going to the River of *Gambia* near *Cabo Verde*, he was informed that a little before his arrivall there, one that was Commander of the Ship *Black Eagle*, and an *Agent* for the *Dutch West-India Company* in those parts, had stirred up and engaged the King of *Barra* to make War against the *English*, and had actually joyned himself and Ship with the said *Kings Forces* for the compleating of his designs, and this was confessed to the said *Holmes* by the said King of *Barra* (as he hath to shew under the Hands of many credible Witnesses who heard the same) Moreover that the said *Agent* had endeavoured by summes of Mony, and other Rewards, to corrupt

the Officers of the *Royall Company* to deliver into his hands, for the use of the *Dutch West-India Company*, the Places, and Factories then in the possession of the *English* in those Parts, and that hath been since made good by the Oath of some of the said Officers, lately taken before the Lord Mayor of *London*. Moreover that at a certain place called *Ventam* he had told Captain *Manuel Vasse de Fraiula* Commander in Chief for the King of *Portugall* in the River of *Gambia*, and *Manuel Alves de Britto*, and divers other *Portugall* Merchants, that they were resolved to beat out the *English*; That hereupon he went to *Cabo Verde*, not with design to attaque the same, or commit the least Hostility against it, but onely to speake with the Governour of that place, and to endeavour to compose matters for the present and untill finall Order should be taken concerning the same here in *Europe*; but comming thither, (without the least provocation given by him) he was immediately shot at from the said Fort, whereupon he fired at them again, and severall shot having passed between them, whereby his Ship was much dammaged, his Mast shot through, and much weakned, his Master, and severall of his Men wounded and kill'd, he drew off to a further distance, where being enforced to come to an Anchor for the repairing of his Ship and Mast, without any thoughts of returning thither again, or pursuing the matter any further, while they were mending their Mast, the Governour hung out a white Flag, and sent a Boat on board him, tendering the Surrender of the said Place; that passing thence and calling at *Lestus*, he was there informed by the King of the Country, that a certain *Holland*'s Ship called the *Unity* had been there but some days before, and endeavoured

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to perſwade him to expel the *Engliſh* from trading there, and that he having refuſed to conſent thereunto, that the Captain of the ſaid Ship had ſeized all the ſaid Kings Subjects that were come on board him, to trade (according to the Cuſtome of that Country) as alſo all ſuch Fiſhers as they found upon that Coaſt, making them Slaves, and carrying them away. Moreover that the *Dutch* comming to ſeverall places, had putout *Engliſh* Colours, and having thereby inticed the Natives on board them, carried them away and made them Slaves, leaving the *Odium* upon the *Engliſh*, that ſailing thence to *Anta*, where the *Engliſh* had then a Factory, he found that one Captain *Frome* belonging tothe ſaid *Dutch Weſt-India Company*, had but a little before compelled the *Engliſh* there to take in the *Engliſh* Colours that were wont to be diſplayed there; that ſailing forward on the *Gold Coaſt*, he found, that not onely thoſe Ships of the Royall *Company* had been hindered in their Trade, concerning which complaint had been come to *England* before his departure thence) but that *Valckenburgh*, Generall of the *Weſt-India Company* there, had, and did, continue hindring every Ship of the ſaid Royall *Company* from Trade there, That he had publiſhed the Declaration above mentioned, wherein he claimed the whole Coaſt and the whole Trade thereof, and wherein he had commanded the *Engliſh* to quitt immediatly two of their principall *Factories*, viz. *Taconari*, and *Cabo Corſo* as aboveſaid. Moreover that he was informed by the *Natives* all along the Coaſt, that the ſaid *Valckenburgh* had proffered to them a *Bendy* of *Gold* for every *Engliſh* Man's head that they ſhould bring unto him, and greater ſumms for ſuch as were Commanders among them. That thereupon he ſailed to *Caſtel delmina* to ſpeak with him, where he found one Captain *Cubit* Commander in chief of a Squadron of the Royall Companies *Ships* upon that Coaſt, who told him that he had already written to him to the ſame effect, and deſiring that they might live

and

and *Trade* peaceably each by the other, but that he had utterly refuſed to hearken to any thing of that kinde; whereupon Sailing thence to *Cabo Corſo* (where the *Engliſh* had a *Factory*) and where alſo on the other ſide of the Water the *Danes* had a *Fort* call'd *Fredericksbergh*, and having no intention of annoying the *Dutch*, nor offering them the leaſt offence, nor ſo much as going aſhore on that ſide that they were, but on the other ſide where the *Danes* were, and with whom the *Engliſh* were in a perfect good underſtanding, and had a Free Trade, that the *Dutch* within the *Fort* of *Cabo Corſo* did ſeverall times ſhoot at him, and very much endanger him; that hereupon (and not upon the account of any Orders from His *Majeſty*, which he denyes that he ever had) he call'd a Councell of War, where it was reſolved to *attaque* the ſaid Fort. He ſaith further, that having ſent for the Governor of *Inaſhang* (an *Engliſh* Factory) to come to him to *Cormantine*, that being to paſſe by a place call'd *Aga*, the *Dutch* there ſhot at him and wounded ſeverall of his Company. Moreover that ſending a Drum with a Letter to *Anna Maboa*, a Garriſon of the *Dutch*, that they moſt inhumanly fell upon the Meſſenger under the Wall of their Caſtle, and contrary to the Laws, and Cuſtomes of moſt Barbarous Enemies, cut him, mangled him, and ſtript him, leaving him dead upon the place.

Concerning the ſecond, *viz.* the 14th *Article*, they ſay *Page* the 33. *The ſaid* Envoy *gives a Sence thereof according to his mode, but that the Article ſaith the quite contrary to that he pretends to infer*; Whereas in truth he barely repeated that clauſe of the ſaid *Article*, which ſaith that twelve months time ſhall be given for the doing of Juſtice upon any Complaint of any thing done upon the Coaſt of *Africa* by Land or Sea, ſince the concluſion of the ſaid *Treaty*, as was the buſineſs of *Cape Verde*, and what elſe complained of againſt *Holms*, without making any conſtruction thereof at all, nor did there need any, the words being

being of themſelves as plain & full as words could be made for the purpoſe they are cited by him, that is to ſay, to ſhew that ways of Force were not to be made uſe of in ſuch caſes, till the Expiration of twelve months time after Complaint and Demand of Juſtice; But the *Deputies* do here repeat a clauſe of the ſaid Article, *Viz. That it ſaith, that if any one doth any Violence, that he alone ſhall be puniſhed and no other*; And do make a conſtruction thereof, and ſuch a one as whoever would take upon him the liberty of retorting, might well ſay *a Sence thereupon according to their Mode, and that the Article ſaith quite the contrary*, &c. For ſay they, *That is to ſay, that the party offended or hurt, cannot reſent it or revenge himſelf but only againſt him that hath done the hurt or offence, & that Letters of Repriſal which may reach to others as well as the parties offending, cannot be given till the Expiration of a year after complaint.* Whereby they do infer from the ſaid Clauſe, that indeed as to Letters of Repriſal which do Extend beyond the perſons that had committed the offence, that thoſe cannot be granted till a year after complaint, but that as to ſuch way of force as reacheth only to the perſons that had commited the offence, that the party offended might in the mean while make uſe thereof, and ſo nothing in this *Article* that derogates from or reſtrains the Law of Nature, which teacheth to repell Force with Force; Whereas nothing can be more clear, then that the true intent and meaning of the ſaid *Article* is, not only that no Letters of *Mart* can be granted during the twelve Months therein mentioned, wherby others then the perſons offending may come to ſuffer, but that during that time the offendors themſelves are not to be proceeded againſt by force and *Violence*; but in a *Judiciary* way, the words thereof being, *That twelve Months time ſhall be given for the doing of Juſtice and giving of Satisfaction*: and it follows immediately after in the ſaid *Article*, *In caſe the offendors againſt this Treaty do not appear and ſubmit themſelves to Judgment, and give ſatisfaction within the time above expreſſed, that then their Eſtates, Goods and Revenues whatſoever, ſhall be confiſcated for the inju-*

ries and wrongs by them offered, and be lyable to further personall punishment, so that the said twelve Months is given, not for *sending Fleetes* and Armies to Fight against them, but for their appearance and submitting to Judgement, and for the giving of satisfaction, not the taking of it by force, and then if it be not thus given (and not before) their Estates, Goods and Revenues in generall liable to be seized, but not by the Arbitrary and Violent proceedings of *Vice Admirals*, but by a lawfull sentence by way of confiscation, the words being, *Their Estates, Goods and Revenues whatsoever shall be confiscated for due and full satisfaction of the injuries and wrongs by them offred*; And if there be a failer herein and that *Justice* is either denyed or delayed, then, and not till then, is the door open for wayes of Force against them.

And whereas they say *Pag.* the 34th, *That it is not easie to make pass for the injuries of particular persons, such Hostilities as have been done with the Armes, and under the Pavilion of the Soveraign.* It is true that the 14th *Article* doth reach only to such matters as should be done by the *Subjects* and inhabitants of either side, and not to such things as should be done by His *Majesty* on the one side, or this *State* on the other; but suppose an offence be committed under the *Flagg* of either side, that alone is not a sufficient argument to make it to be an act of the *Government* of either side: for example, *Enno Doedestarre* took the *Charles* aforesaid in the year 1660, in the Road of *Martins* in *France* with three Men of War of this *State*, and under their *Flagg*. And Captain *Banckert* of *Zeland* did since take in the Channell with one of their Men of War under their *Flagg*, His *Majesties* Shaloup aforementioned then in his service. And the *East* and *West-India-Companies* of this *Country* do proceed and act in the Name of the *States General*, and *Valckenburg's* Declaration was in their Name, yet hath the King his Master charged any of these actions upon the *State* as done by them, meerly because done under their *Flagg*, or be their Authority in generall? No more can *Holmes* his actions by upon that accounts imputed to His

And whereas they say, *pag.* 33. that then *The same Article would authorize those violences, which it pretends to hinder.*

Is there no *medium* between authorising of them, and the forbidding the having recourse to force for a certain time? Is the submitting them for a certain time to a course of Justice, an authorising of them? And when entail'd with so severe a punishment in the issue, as the Confiscation of their whole Estate, declaring their persons to be enemies, and further personal punishment, and an Obligation upon him whose subject he is, for the taking care that Justice be accordingly done, for that otherwise the 23 Article of the same Treaty, gives them liberty of having recourse to force.

And for what is said, *Pag.* 34. *It is not enough to disavow an action, and to protect him that hath done it.*

Is insisting that the person offending be proceeded against according as it is set down in the Treaty, a protecting of him? By the same Rule, the maintaining of any Courts of Justice, or form of proceeding against Criminals, and the not suffering them to be taken in a violent manner out of their hands, and tumultuarily fallen upon, may be called a Protecting them. His Majesty was alwayes farr from protecting of *Holmes*; on the contrary, he alwayes declared that so soon as he returned He would have him punished in case it should appear he had done amiss; and if they would have had the patience to have expected the fruits of His Majesties Justice, but that it ought to be done according to the way in the Treaty; that is to say, that he ought to have a time to appear, and submit himself to Justice, and not a Fleet sent immediately to fall upon him Right or Wrong. And if it shall be Objected, *That great inconveniencies might follow, if this rule should be kept to.* With their favour it is reciprocal, and so as much danger

to the one as the other, and yet the King his Master hath kept up himself Religiously thereto; He did not, upon the complaints made by his Subjects to him, concerning the injuries done to them in those parts, or the *East-Indies*, since the late Treaty, send a Fleet to those Coasts, to fall upon the Subjects of this State, and yet the Argument *of fear of other Violences and Pirateries to follow without end*, was much more strong on his side, then it could be on theirs (considering how his Subjects have been from time to time treated in those parts) but made and continued his complaints here, and expected their doing him Justice according to the said Article. And suppose such an Article had not been made, would not the inconveniences and dangers have been greater on the other hand? the Government on both sides, being then lyable to be engaged upon every complaint and suggestion, to the sending of Fleets and Forces to the attacquing and falling upon the ships, and Subjects, and Possessions of each other; and so it would be impossible at any time to continue six Months in Peace with one another: Or though it should be true, that the inconveniencies might be greater with this Article, then without; yet the Treaty being now ratified, there is no place to object the same. But under favour, this Objection lies not at all against the said Article, nor doth at all reach the case in dispute; for the Article doth not hinder the providing against future Violencies and Robberies: It doth not forbid the sending Force to protect and defend for the time to come, as was also declared by his Majesty to the Ambassadour of this State, and that such and such only were his Orders to *Holmes*: all it forbids is, that if any injuries have been actually done, that force cannot immediately (nor till the expiration of 12 Months) be sent for the revenge thereof, or for procuring Right thereupon, of which nature were the Orders of this State to *Van Campen* and *De Ruyter*.

Whereas

Whereas they ſay, *Pag.* 33, & 34. *If Sir* George Downing *would take the pains to look over his Memorial, and to hearken to reaſon, he would not have the boldneſs to give here an Explanation directly contrary to the Maxime which himſelf avowed in his Memorial of the* 13 *of* Febr. 1664. *Wherein he endeavours to juſtifie the action of Five Engliſh men of Warr that had taken ſince the concluſion of the late Treaty, a* Dutch *Ship called the* Arms of Amſterdam, *which he pretended to be an* Engliſh *Ship, and to have been taken by thoſe of the* Weſt-India *Company of this Country before the Treaty, and ſaith, that it is not ſtrange, that they had endeavoured to retake by force, that which had been by force unjuſtly taken from them.*

The Eſtates General had written a long Letter to the King his Maſter, dated the 26 of *January* 1664. *N. S.* making a very long complaint to him concerning the taking of a certain *Dutch* ſhip belonging to the *Weſt-India* Company of this Country, called the *Arms of Amſterdam*: Moreover, they had communicated the ſaid Complaint to him the ſaid *Envoy Extraordinary*, with a large deduction concerning the ſame, making a huge noiſe about it; which he the ſaid *Envoy Extraordinary*, examining narrowly, and looking into the buſineſs, found out that the ſaid Ship called the *Arms of Amſterdam*, was in truth an *Engliſh* ſhip belonging wholly to *Engliſh* Merchants of *London*, and that her true Name was the *Merchants Delight*, and that having ſailed from *Dover* in the year 1660. upon a trading Voyage to the Coaſt of *Guiny*, under the command of one C. *Bonner* an *Engliſhman*, ſhe had been there ſeized in an hoſtile manner, by a certain ſhip belonging to the ſaid Company called the *Amſterdam*, whereof one *Aaron Couſens* was Commander, in or about the Month of *Aug.* 1661. and carried by her to *Jaſper van Huy-*

sen, then General for the said Company at *Castle Delmina*. And although the said *Bonner* did declare to the said *Van Huysen*, that himself and Company were *English*, and that the ship with her lading belonged to one *John Young*, and other Merchants of *London*, and verified the same by authentick Writings and Papers; yet that he kept the said ship and lading, evilly treated the men, altered and new named the ship, calling her the *Arms of Amsterdam*, that thereby she might be the less subject to be known wherever she should be met by the *English*, and that he had order long before from the King his Master in Council to complain to the States General concerning the taking of that very ship from his Subjects, and for which yet no satisfaction had been made: Hereupon he took the liberty to inform them of the truth of the matter in his said Memorial, and to tell them that the Case was not so strange and ill as they put it, *viz.* That the *English* had taken a *Dutch* ship, but only that they had by force retaken an *English* ship that had been by force taken from them, thereby to excuse *à tanto*. And what can now be said for the justification and defence of the sending *Van Campen* and *De Ruyter* for *Guiny*. Was not the business of *Cabo Verde*, and what else complained of, matters hapned since the conclusion of the late Treaty, and so directly within the compass of that Article? And was not the resolution for the sending of *Van Campen* (as is said in his Memorial) taken within about 6 or 7 weeks after complaint made by this State to his Majesty, concerning the taking of *Cabo Verde*, and the actual sending *De Ruyter* within a little after, and doth it not appear by the express words of *Van Campen's* Instructions, that his being sent thither, was not only upon the defensive, to preserve the places and shipping of this Country in those parts, but in direct and downright terms to fall upon his Majesties Subjects, and attacque

tacque them, revenging themſelves by force againſt ſuch whom they pretended to have done them hurt. Nor is it therein ſaid that they might fall upon *Holmes* only, who was the only perſon complained of; but the words are general and dubious, *viz. That thoſe to whom the Command of the ſaid Fleet was given, in caſe that upon the ſaid Coaſt they ſhould find, or rencounter any ſhips or Subjects of his Majeſties, that they ſhould take care not to endammage them, or to trouble, or incommodate them in their Traffique; provided they had not already, or did not then do any dammage to this State, or its good Inhabitants.* Whereby it is left in their conſtruction and diſcretion whom they are to fall upon, *viz.* whomever they ſhould judge to have done, or to be doing any hurt to this State, or any of their Subjects. And this Reſolution is put into his Majeſties hands by the Ambaſſadour of this Country, and not only ſo, but given to ſeveral other Kings of *Europe*, his Friends and Allies. And its withall declared that this Fleet ſhall paſs the Channel before his Ports, and that under the Convoy of a numerous Fleet of Capital ſhips of War under the Command of the Lieutenant Admiral of this State. And was it poſſible for his Majeſty longer to ſit ſtill and to remain *without doing any thing.* Hitherto the diſpute had been only between the Subjects and Inhabitants of both ſides, but now this State had hereby engaged it ſelf: whereby the Diſpute was come to be immediately between the King his Maſter and them; and though while this State intermeddled not, neither did the King his Maſter upon the other hand interpoſe, but with patience expected juſtice to be done by them to his Subjects, according to the terms of the Treaty; but they on the other hand, upon the firſt complaint of any injury done in thoſe very parts to their Subjects, breaking through the Rules and Bonds of the Treaty; what now remained, but the oppoſing of force to force.

And

And whereas the Deputies would have it thought no indignity or affront to his Majesty, for that Fleet to have passed, for that, say they, *The Sea is open to all the World.* It may not be amiss to mark that however they plead so much for the *the Seas being free* in these parts, yet that the contrary is practised where the people of this Country have the power: witness the late Declaration of the *Dutch* East-India Company (not yet disavowed by this State) wherein they claim a whole great Sea to themselves. And witness the usage of the West-India Company at *Cape Blaneo* upon the Coast of *Africa*, where they will not suffer any Nation to fish in the open Sea without their permission, and paying them the tenth fish, and the Governour there within these few years, seized and confiscated an *English* ship called the *Leopard*, for having fished there, but here in this Case there was no question about their Liberty of passing the Sea, but about their passing with such a Resolution and to such an End. And could a greater affront be done to a King, then when he had done what was possible for the satisfaction of this State and more then requisite, that notwithstanding thereof, he shall be told by them, that they are resolved to fall upon his Subjects, and not naming whom, whereby not any of them were in surety, especially considering they questioned our trading even at our own Factories in those parts (as hath been afore shewn) and call it a hurting them. Moreover it is to be considered that at the very time when this resolution was put into his Majesties hands, there were just Reasons to surmise and believe, that *De Ruyter* was actually already gon, or upon the point of going to *Guiny*, and so that all this declaring of their intent of sending *Van Campen* was but a meer *Grimasse*, whereby to colour the preparing so considerable a Fleet, as they were then gathering together under the Notion of *Van Campen's* going to

Guiny

Guiny and the convoying of him, but that in truth the real intent and meaning was to make use thereof nearer home; for it had been said and written by this State to his Majesty, That *De Ruyters* imployment was to be against the Pirates of *Algiers* and those parts, and not a word of the sending him to *Guiny*; and the Deputies say, *pag. 36. That it had been very rediculous to have made known his Order.*

From whence it must necessarily follow, that it was never intended to send *Van Campen* thither upon the same ground, because this State did declare and give out that he was to go thither: And yet it is not to be imagined that this State would have been at the charge of preparing such a Fleet as this for nothing, or without some proportionable design, and so his Majesty had just reason of jealousie, that as they had sent *De Ruyter* to fall upon him in *Guiny*, that in truth this Fleet was designed to have fallen upon him in these parts, as was done in the beginning of the late War with *England*, if he had not in time provided for his own safety and defence, which was no sooner done, but the noise of *Campen's* going to *Guiny* was immediately out of doors, and the great Fleet which they had so long kept together separated. And let the words of the instruction to *Van Campen* aforementioned be considered, and it will appear that the same did reach as well to these parts as the Coast of *Africa*, the words being, *In case that upon the said Coast, or in their way thither, they should find or rencounter any ships or subjects of his Majesties, that had already done, or were then doing any hurt to this State or its subjects*: So that the said instruction reached to his whole way, *viz.* from the *Maes* to *Guiny*, and so was no other then a declaring of War against *His Majesty as well in Europe as upon the Coast of Africa.*

And as to the reproach cast upon this State, upon the accompt of their sending *De Ruyter* to *Guiny*, *viz.* that they

had invited His Majesty to send a Fleet to act with theirs against the Pirates of *Algiers* and those parts, *&c.*

They say *pag.* the 35th. *He supposeth as if there should have been some kind of Treaty or Promise to act conjoyntly against the Pirates of* Barbary, *but it will not be found that there was any Treaty to that effect, nor yet any Negotiation conducing thereunto.* Is not this Clause in their Letter of *January*, 1664. N. S. wherein they invite His Majesty to send his Fleet to act with theirs, *viz. That their Fleet should stay in the Mediterranean Sea and thereabouts, until it had cleared the same of all those Pirates that ruined the Negotiation and the Trade there.* And doth it not follow in the said Letter? *We are intirely resolved so to do, and not to recal our Fleet until we have reduced them to reason.* And did not His Majesty by word of mouth, and He his Envoy Extraordinary, after by his Order declare unto them in his Memorial of the 3d. of *February*, 1663. O. S. his acceptance of that their invitation, and his sending Sir *John Lawson* with a Fleet against those *Barbarians*, and that it should act with all good correspondence with theirs? and did they not do it accordingly until the time of *De Ruyters* quitting those parts? and yet the Deputies would have it thought as if there had been nothing of a promise on the part of this State to continue *De Ruyter* against those Pirates, and that there had been nothing of any Negotiation or *Espece* of Treaty or Promise concerniug that matter: And had they so much upon any accompt to say against the King his Master, as he hath to say against the Estates General in this, as well upon the accompt of the unhandsomness, as of the unwarrantableness of the action, what an Out-cry would they make? and what accompt is hereafter to be made of any of their Declarations as to the imployments of their Fleets?

And whereas it follows, *pag.* the 35th. *That the English have*

have made two different Treaties with those Pirates, without giving notice to this State. The first Treaty was made long before the writing of that Letter; yea the said Letter refers thereunto: And for the second Treaty, it was not made till long after *De Ruyter* had abandoned that work, and was gon for *Guiny*; and how then could His Majesties Fleet communicate with him? and as to any other Princes of *Christendom* His Majesty was under no engagement concerning that matter with any of them.

They say further *pag.* 35. *It would seem that it was the intention of the* English, *to imploy the Forces of this State alone against those Pirates, while they carried their Armes upon the Coast of* Africa, *there to ruine the Commerce of the Inhabitants thereof.*

Whereas (as appears by the fore-said Letter) His Majesty did not put this State upon sending against the said Pirates, but they put him upon it; so that if there were any designs, it must be in them by vertue of that their solemn Letter and Engagement, to put his Majesty out of all manner of jealousies or suspicion of their diverting that Fleet, that so it might the more securely steal away for *Guiny*: Nor is it altogether unworthy the remarking that there were laid up before hand in readiness about *Cadix*, all manner of Provisions and Necessaries for such a Voyage. And (I pray) whereas it is said in the Resolution of the Estates General of the 20th. of *September* last, That the reason of the communicating to him their intention of sending *Van Campen* was, *That His Majesty may be intirely assured of the sincerity of their intention for the conservation of peace, and of all good understanding with him.* Yet when at the same time His Majesty prest to know whether *De Ruyter* was gone, (who was in truth the person design'd thither) nothing would be made known to him or confessed concerning the same: Yea, the Deputies say as aforesaid, *It*

would have been a ridiculous action to have let the same to be made known, and that the Ambassador of this State himself had no knowledge thereof. And when they had as aforesaid, sent out a considerable number of Ships of War to his Majesties Coasts, presently after the Estates General write to him, to keep in his Fleet, and they would keep in theirs, and press vehemently by their Ambassador an immediate answer; and if His Majesty had yielded thereto, he had been their catch also.

They say further, *pag.* 36. concerning the instruction of *De Ruyter*, That he is sent onely *to punish the Authors of these Violencies and Hostilities*: whereby it is also avowed concerning him, as well as *Van Campen*, that his sending to *Guiny* was not upon the defensive, but also to fall upon His Majesties Subjects. But whereas the words are, That he should fall upon onely *the Authors of these violencies*. And Monsieur *Van Benningen* in his late Paper published here in Print, intituled, *The substance of what Monsieur* Van Benningen *Envoye from the States General to the most* Christian *King, had represented to him in his Audience of* September, 1664. saith, *That the States had sent a Fleet to* Guiny, *not to attacque reciprocally the Forts, Ships, and Goods of the Subjects of* England, *but to re-take that which had been unjustly taken from them.* Whereas no sooner was *De Ruyter* come into those parts, but finding there 8 Merchants ships that had not been arrived there above 7 or 8 dayes before, and had no hand nor share in any thing done against the People of this Countrey, yet he immediately seized them, broke bulk, unlading them, and appropriating their Cargoes to the use of the *West-India* Company. And in stead of declaring, That they would punish *De Ruyter* for the doing thereof, he is since the coming of that News advanced from being Vice-Admiral of *Amsterdam*, to be one of the Lieutenant Admirals of *Holland*. And the Deputies say

here, *We judge that there is no body that will not praise and commend the prudent conduct of this State, and that excellent design that they had to cause* De Ruyter *to go from the* Streights *to* Guiny. Nor is there any thing said for his being designed for the Coast of *Guiny* onely; and so he may be designed for the attacquing of His Majesties Subjects in other parts of the World as well as there.

And now what occasion was there for the inserting of all those calumnies and reviling expressions in the Deputies Remarks, much less for the State to have owned them, and stamped their Authority upon them. Is there so much as one incivil or indecent word challenged in any part thereof to have been in his Memorial, and doth it not now appear that there was also nothing therein but what was according to truth.

And can it now be doubted by any who hath been the Aggressor and the Cause of all the present Disorders between the Nations. First, as to what before the Treaty, to say nothing of the *Bonne Esperanza* and *Bonne Adventure*, and how His Majesty hath been dealt withal in relation to them (that having been already Printed and Published at large.) As to the Lists of Damages, 'twas as appears near 24 moneths after the Signing of the late Treaty ere he the said Envoye could obtain the Exchange thereof, and then coming to the Examination of them according to the 15 *Article*. Whereas the *English* List was so soberly Penn'd, that but one Exception was made thereunto. The *Dutch* List on the other hand was so composed, as that scarce an *Article* thereof but liable to exception. And that they had excepted against in the *English* List was at the next Conference expunged, and so the said List agreed, and ready to be proceeded upon. On the contrary, as to the Exceptions made against theirs, to this day no answer returned, whereby it remains at their doors, that no farther proce-

dure hath been for the adjusting and determining those matters. And as to what hath hapned since the Treaty, the *Hope-well*, *Leopard*, *Charles* and *James*, &c. had not only been stopped and defeated in their Voyages, before any thing attempted by *Holmes*, but the news thereof was come into *England* before he went thence; nor was any thing done by him upon the Coast of *Africa*, till it plainly appeared by the stopping of every other *English* Ship that came upon these Coasts, that what was done was not done by accidental rencounters, but out of design; nor till *Valkenburgh* had actually commanded the *English* out of *Cab*, *Corso*, and *Tacorary*, two of their principal Factories, under a penalty of a great sum of money for every moneth that they should remain there after the said notification; and this done in a Declaration, wherein he deduced the Right of this State to the rest also, and so that the *English* could not but believe, that the next News must be the commanding them to quit intirely the whole Coast. Yet (as he saith for himself) he did not go about to take upon him the revenging thereof, nor had done what he did but upon immediate Attacques and Provocations upon the respective places occasioning the same; and suppose it had been otherwise, yet upon complaint made by this state, can they say that His Majesty did by them as they did by him in the business of *De Ruyter*, viz. give them no answer at all, or such a one as they gave him in the business of the stopping the said Ships and of the said Declaration; yea, did he not immediately disavow what had been done by the said *Holmes*, and declare that he had no Orders from him for the doing thereof, and that so soon as possible matters could be examined, he would do therein according to Justice and Reason; yet contrary to the Express Letter of the 14 Article, which gives a twelve Moneths time upon complaints in those

parts,

parts, this State within 6 or 7 weeks after complaint resolve to send a Fleet of Men of War of their own thither, and within about as many weeks more put a Resolution into his Majesties hands; whereby it appears, that their Orders were not to be upon the Defensive only, and to convoy and protect their Subjects and shipping from further injuries; but to attacque and fall upon his Majesties Subjects, and not some one or more of them by Name; but under such general words, as from the reach whereof none of them were secure: and that not upon the Coast of *Africa* only, but even here in *Europe*, in the Channel before his own Ports. And what though there had been no other Provocation but this very Resolution? was not this alone enough to have warranted his Majesty to have fallen upon them, both in *Europe* and elsewhere? If any King or State send a Declaration to another King or State, letting them know that they have prepared a Fleet, and have actually given orders to the Commanders thereof to fall upon their Subjects, and that it appears that nothing but wind and weather hinders the execution thereof: suppose the said King or State to whom such intimation hath been given, shall thereupon (and while God Almighty by his Providence hinders the execution of the said Orders) attempt something against them or their Subjects; Shall not yet the other that gave the said Denunciation be looked upon as the Aggressor? Yet his Majesty remained still only upon the defensive, doing nothing against them: yea whereas 12 Months were now expired since the Complaints made by his Majesty concerning the *Charles* and *James*, &c. and nothing of satisfaction given; whereby the said Article, upon that account, was also expresly broken by them, and his Majesty at liberty to have righted himself: yet notwithstanding he did not do it, and that though they on the other hand, had (as aforesaid) in relation to their

pretences,

pretences, broken in upon the said Article, indeavouring to right themselves by force within the time limited contrary thereunto: Nor did his Majesty intermeddle or give order for the offering the least offence to their Subjects, till he certainly knew that *De Ruyter* had quitted that Coast and work he was sent hence about; and that his Majesty had again & again demanded of the Ambassadour of this State, residing in his Court, to be satisfied whether he was gone, and upon what design, which he had reason to demand and expect to be satisfied in: First, because the work was not then done with those of *Algiers*, and that this State had (as is above shewn) engaged to his Majesty that that Fleet should continue there till an issue thereof: And secondly, because that being in such a manner gone away, 'twas not to be imagined, in that conjuncture of Affairs, hat it could be upon any other account then to go to *Guiny* to fall upon his Subjects there. Nor is it an answer to say, *That their Ambassadour did not know it*: He was their Ambassadour, and his Majesty did demand it of him, and if they did not think fit, either by him, or otherwise to satisfie his Majesty concerning the same, and considering their Resolution that they had put into his hands concerning *Van Campen*, and yet in which they make such Protestations to his Majesty, of proceeding so frankly with him; what could he then conclude, but that while they were here amusing him under the notion of *Van Campens* going to *Guiny*, that *De Ruyter* was gone thither to execute what was threatned to be done by *Van Campen*. Moreover, that themselves had actually begun the stopping of ships in those parts, stopping the ship from *Gottenburg*, bound for *London*: and now, and not till now, did the King his Master intermeddle by way of Force; and yet only stopping and seizing their ships, and that only till such time as he should come to be satisfied concerning the designes and actings of *De*

Ruyter,

Ruyter, as was several times declared by him to the Ambassadour of this State: Nor was any disposition made of any of the said ships or their ladings, or any of them declared Prize until the first of *February*, O. S. which was long after his Majesty had certain News that *De Ruyter* was arrived in *Guiny*, and had taken a whole Fleet of Merchants ships of his Subjects, unladen the Goods, and which were ships that had not done any thing against this Countrey; and the said ships were seized upon the 13 *October*, O. S. and upon the 16, 17, 18, 19, 20, 21, 22, of the same Moneth, he did unlade the same into his own ships: whereas his Majesties order for the seizing of the ships of this Country, was not till the 9 of *November* following, of the same *stile*, nor any ships stopped or seized thereupon till a day or two after; so that *De Ruyter* had actually seized and unladen a whole Fleet of *English* ships, long before his Majesty had so much as given order for the intermedling with any ships of this Countrey, or doing any thing against them: Nor were any Letters of *Mart* granted by his Majesty, till long after they had been granted by this State against his Subjects; nor Trade prohibited between both Nations by him, till the like first done here. And whereas the Deputies do so often in this Book charge his Majesty with having done what he did, without any preceeding Denunciation or Declaration, he did not denounce before hand to them, the doing of what was done by *Holmes*, nor what was done in *New Netherlands*; nor could he, these being actions done without his Order; but as to what was done by his Order, *viz.* the taking and seizing of their ships in these parts, to say that this was done without any preceeding Denunciation, is like the rest of the Calumnies in this their Book. Not to mention what passed between his Majesty and the Ambassadour of this State upon this account: was not the *Memorial* of him the said

Envoye to the States General of the 27 of *July* last, as followeth:

His most Sacred Majesty of Great Britain, *&c. being desirous to omit nothing that may in any wise contribute on his part, for the prevention of any misunderstanding or breach between Him and this State, hath by His last Post expresly commanded him His Envoye Extraordinary, to declare to their Lordships the Estates General of the* United Provinces; *that His Majesty hath given order to examine the Complaints that have been made unto him in their Name, against one certain Captain* Holmes, *for matters alledged to be done by him on the Coast of* Guiny, *and will upon full information and hearing of both parties, do according to Reason and Justice. But if their Lordships shall not think fit to expect the doing thereof, but contrary to the stile and practice of all Nations, and particularly of his Majesty towards them, whom yet (to say no more) He hath not found over-quick in the dispatch of Justice towards his Subjects, and expresly against the letter of the Fourteenth Article of the late Treaty with Him, having made their complaint, shall think fit immediately to have recourse to Force for remedy, they might as well have spared the labour of making their Complaint, and the King his Master will hold himself obliged to oppose Force to Force.*

Given at the *Hague* this 7th. of *April*, 1665. *O. S.*

G. Downing.

FINIS.