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Libre de Jean Lippert









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*Six Preliminary Articles,*

Treated of and agreed upon between the

AMBASSADOR EXTRAORDINARY

FROM THE

King of *PORTUGAL,*

AND THE

State Counsellor of Parliament,

In the NAME of the

Republick of *England.*

Done in *London* in the Year 1652.

ARTICLE I.



H A T between the abovesaid, by the one and the other Party, it is agreed, and likewise the said *Ambassador* has thought fit to give his Word in the Name of the *King*, that all those *Englishmen* who by any Means are held in *Custody*, either upon Account of Securities, or Pledges, or by any other Means whatsoever, occasioned by the Controversies arisen between the one and the other People in any of the Dominions of *Portugal*, who by Prince *Rupert* have been carried from hence, or put into its Port of *Lisbon*, shall be delivered and set at *Liberty*, and their Securities discharged, or made of none Effect.





## II.

ITEM, Foi Concordado cōm o Senhor *Embaxador*, Dá sua Palavrã em nome de *El Rey*, de entregar logo todas ~~as~~ *casas*, *Dimicrios*, e Bens dos *Inglezes* que estiverem *Retheudos* em algũas dos Lugares dos Senhorios de *El Rey de Portugal*; e se entregãrem sem outra dillaçãõ, em espeçie se estiverem na mesma bondade e estimaçãõ que tinha quando foraõ tomados, e *Retheudos*; e se tiverem inferior, ou menor Valor e bondade em espeçie, ou se por *Occaziaõ* de detençaõ se corrompér, em deminuiçãõ; ou se perderaõ; nestes Cazos seraõ pagos, e se dará por elles satisfacaõ pello seu justo preço que tinhaõ quando foraõ tomados: E no tocante a *Reparaçãõ* dos *Damnõs*, se ordenará na forma que o *Conselho* declãra seo sentido por Carta de 15 de Novembro de 1651. e o ditto Senhor *Embaxador* se obrigou; a que tudo daria satisfacaõ.

## .. III.

ITEM, Ficou Concordado de hũa e outra parte, que todos aquelles que forem Autores, ou derem ajuda para serem Mortos os *Inglezes*, *Contheudos* na *Petiçãõ* que o *Conselho* exhibia ao ditto Senhor *Embaxador*, que foraõ achados em algũas dos Lugares do Senhorio de *El Rey de Portugal*, ou se acharem de qui em diante, sejaõ *Castigados* pello ditto *Rey* Como Mereçeraõ por seu delicto, ou sejaõ entregues em Pena ao *Parlamento* para os *Castigar*; os quais sendo fogeiros ao ditto *Rey de Portugal*, sejaõ *Castigados* pellos malefícios, e os que dellas forem *Sabedores*; e os mais sobreditos de qualquer graõ e *Condiçãõ* que Sejaõ; e que depois deste *Tratado* os que forem nomeados pello *Parlamento* da *Republica* de *Inglaterra*, e se divertissem, ou abzentassem para os Portos do ditto *Rey*, sejaõ *Castigados*.



## II.

It was agreed with the said *Ambassador*, who gave his Word in the Name of the King, to deliver immediately the Ships, Monies, and Goods belonging to the *English*, which are retain'd in any of the Places in the Dominions of the King of *Portugal*, that they shall be deliver'd without any farther Delay, in the same Specie, in case they remain in the same Goodness and Value as they were in when they were taken and retain'd; and if they are become worse, or of less Value or Goodness in *Specie*, or if by Reason of the Detention, they are any ways decayed and become of less *Worth*, or if they are *lost*; in these Cases, they shall be paid for, and Satisfaction shall be given for them, according to the *just Price* or *Value* they bore at the Time they were taken. And as touching the *Reparation of the Damages*, it shall be ordered in the Manner as the *Counsel* have declared their Sentiments, by Letter bearing Date the 15th of *November 1651*. And the said *Ambassador* obliged himself to give Satisfaction for the whole.

## III.

It was agreed upon by the one and the other Party, that all those who were the *Authors* or *Helpers* to kill the *Englishmen* mentioned in the Petition, which the *Counsel* exhibited to the said *Ambassador*, who have been found or taken in any Places in the Dominions of the *King of Portugal*, or who may be found for the future, shall be punished by the *said King*, according to the Merits of their Crimes, or they shall be penally delivered, with their Accusations, to the *Parliament*, to be by them chastised, and the same being Subjects to the *said King of Portugal*, shall be punished for their Malefactions; as also those who were their *Accomplices* or *Abettors*, and the rest of the above-mentioned, of any Degree or Condition whatsoever; and also such as after this Treaty shall be named by the *Parliament of the Republick of England*, and if they abscond or run away to the Ports of the *said King*, they shall be punished.



E o ditto Senhor *Embaxador* deo sua Palavra em nome de feo *Rey*, de se Observar este Artigo.

## IV.

ITEM, Foi Concordado entre os sobreditos de hũa e outra parte, que a ditto *Rey de Portugal*, em nome da quellas Despezas que fes esta *Republica*, as quais o *Conselho* declarou ao ditto Senhor *Embaxador*, o que podia a bem desta Nação Liquidar dos Bens dos Portuguezes que foraõ Occupados, ou Reprezados; os quaes importaõ 14246 Libras, e honze Soldos. Pagará ao *Parlamento* 50,000 Libras de boa Moeda de Inglaterra, de modo que da qui em diante se declarava, Combem a Saber, 20,000 Libras, ou o que na Verdade em Moeda de Portugal for feo justo Valor, e se pagará aquella Pessoa que o *Parlamento* ou *Conselho de Estado* Comete este Negocio em *Lisboa*, o primeiro de Marso proximo seguinte despois deste Tratado, ou dentro do termo de hum Mez, que Constará por Escrito do ditto Senhor *Embaxador* que dirá que se pagará a ditta quantia em *Lisboa*; e depois se pagaraõ 15 Mil Libras da mesma boa Moeda de *Inglaterra* no ultimo dia do Mes de Julho de 1653. pello Estillo Antigo; e assim mais 15,000 Libras ultimas, (que fazem a soma de 50,000 Libras) o primeiro dia do Mes de Novembro de 1653. pello Estillo Antigo. E que os ultimos dous pagamentos se façãõ aqui na Cidade de *Londres*.

Neste mesmo Artigo foi Concordado, que quanto do Dinheiro que por Conferto se hade pagar em Dinheiro de *Lisboa*, se faltar da soma inteira, tudo será pago pella ditto *Rey de Portugal*; por que se deve entender que toda aquella soma e quantia inteira hade tornar ao *Parlamento* em boa Moeda de Inglaterra; e o ditto Senhor *Embaxador* se obrigou em Nome de Seo *Rey*, ao ditto pagamento de 50,000 Libras, nas pagas, e Moedas declaradas, e representadas assim

V. ITEM,



And the said *Ambassador* gave his Word, in the Name of his *King*, to observe this Article.

## IV.

It was agreed upon between the abovesaid on both Parts, that the King of *Portugal*, in the Name of, *i. e.* in Lieu of those Expences made by this *Republick*, the which the *Council* declared to the said *Ambassador* they might in right of *this Nation* liquidate from the Goods of the *Portugueze* that were occupied or taken by Reprisal, which amounted to 14246 *l.* 11 *s.* shall pay to the *Parliament* 50,000 *l.* in good and lawful Money of *England*, in the Manner hereinafter declared; that is to say, 20,000 *l.* or as much *Portuguese* Money as is equal to it in Value, which shall be paid to that Person, whom the *Parliament* or *Council of State* may appoint to receive it in *Lisbon*, on the first of *March* next ensuing after this Treaty, or within the Space of one Month, as it shall appear by a Writing under the said *Ambassador's* Hand, wherein it shall be express'd that the said Sum shall be paid in *Lisbon*; and afterwards shall be paid 15,000 *l.* of the same good and lawful Money of *England* on the last Day of the Month of *July* 1653, *O. S.* and in like Manner the last 15,000 *l.* (which makes the Sum of 50,000 *l.*) on the first Day of the Month of *November* 1653, *O. S.* and that the two last Payments shall be made here in the *City of London*.

In this same Article it was agreed upon, that as to the Sum which by Agreement is to be paid in *Lisbon* Money, if any thing should be wanting of the intire Sum, the whole shall be made good and paid by the said King of *Portugal*; because it is to be understood, that all that intire Sum and Quantity ought to be return'd to the *Parliament* in good and lawful Money of *England*. And the said *Ambassador*, in the Name of his *King*, obliged himself for the Payment of the 50,000 *l.* in the Payments and Monies above declared and represented. 6 ✓



## V.

ITEM, Foi Concordado entre os sobreditos de hũa e outra parte, que todas as Naus e fazendas dos *Inglezes* que por *Roberto, e Mauriçio*, ou por qualquer das suas Naus foraõ trazidas a *Portugal*, e passadas para uzo, ou aqui ou a Li estejaõ Reteudas, ou fossẽm deixadas, ou por seo Mandado da Li Levadas; fossẽm Logo Restituídas, a seus Donos, ou em seo Lugar se lhes dé Satisfaçaõ, e Reparaçaõ: ao que, o ditto Senhor *Embaxador*, dá sua Palavra em nome do Seo *Rey*, de goardar o sobredito.

## VI.

ITEM, Entre os Sobreditos de hũa e outra parte, foy Concordado que assim a Nau Chamada *Comverteria*, como as mais Naus da *Republica de Inglaterra*; e todas, e quaifquer outras Embarçaõens desta *Republica*, que por *Roberto* ou por algũa das Naus de sua Armada fossẽm Levadas a *Portugal*, e estejaõ em poder de *El Rey de Portugal*, ou de alguns de seus subditos, ou antes deste estivessem, das quais uzassem; ou que pella Authoridade de algum fóraõ Vençidas; se se tornarão a Dár, com todos seus Armaamentos, Preparaçoens, Artelharias, Instrucçoens, e se dé justa Compençaõ da Retençaõ dellas. Ao que o ditto Senhor *Embaxador* em nome de seo *Rey* deo sua Palavra de Cumprir o Contheudo neste Artigo. Em fé e testemunha do que, assignou o ditto Senhor *Embaxador* os ditos 6 Artigos Preliminares com sua Mam, e os Sellou com seo Sello. Dado aos 29 dias do Mes de Dezembro do Anno de Nosso Senhor de 1652.

## V.

It was agreed upon between the one and the other Parties abovesaid, that all the Ships and Goods of the *English*, which have been brought to *Portugal* by *Rupert and Maurice*, or by any of their Ships, and there made use of, or are any where there retain'd, left, or, by their Order, carried from thence, shall immediately be restor'd to their *Owners*; or instead thereof, full Satisfaction and Reparation shall be made. The which above-mentioned things the said *Ambassador* has given his Word in the Name of his *King* to observe and perform.

## VI.

Between the abovesaid of the one and the other Parties, it was agreed upon, that, as well the Ship called the *Conversion*, as all other Ships belonging to this *Republick of England*, and all, and whatsoever *Vessels* of this *Republick*, that by *Rupert*, or by any of the Ships of his Fleet have been carried to *Portugal*, and are in Possession of the King of *Portugal*, or any of his *Subjects*, or before this have been, and applied to use, or which by any Authority have been taken as Prize, shall be restored again, with all their Apparel, Preparations, Guns, and Instructions, and just Recompence shall be made for the Retention of them. To which the said *Ambassador* gave his Word, in the Name of his *King*, to perform the Contents of this Article. In Faith and Testimony whereof, the said *Ambassador* has sign'd these *six Preliminary Articles* with his own Hand, and seal'd them with his Seal. Given on the 29th Day of *December*, in the Year of our Lord 1652.





# A R T I G O S

D A

## Pas e Confederaçãõ,

CONCLUIDA ENTRE

O Serenissimo Senhor *Proteçtor* de *Inglaterra*,  
Escozia, e Hibernia de hũa parte ;

E

No Serenissimo *Rey* de *Portugal*, e dos Algarves,  
da Outra.

Celebradas em *Westminster*, aos 13 dias de Julho no Anno de 1654.

### ARTIGO I.

**P**rimeiramente, que haja boa, Verdadeira, e firme *Pás*, éntre a *Republica* de *Inglaterra*, e o Serenissimo *Rey* de *Portugal* ; e éntre as Regioens, Terras, Dominios, e Principados postos de baxo do Imperio de hum e outro, e os Povos, Vassallos, e Moradores de ambos de qual-quer Condiçãõ e Dignidade que sejaõ, assim por Terra como por Mar, Rios, Agoas doçes, de modo que os dittos Povos e Vassallos se hajaõ de favorecer de parte a parte, e socorérse, e favorecerse hums a outros com Reçiprosos dezejõs, e honestos affectos, e a nenhũa  
das





# ARTICLES

O F

Peace, Alliance and Commerce,

CONCLUDED BETWEEN

The most Serene Lord *Protector of England, Scotland and Ireland*, on the one Part ;

A N D

The most Serene *King of Portugal*, and of the *Algarves*, on the other Part.

Done at *Westminster* on the 10th of *July*, in the Year 1654.

## ARTICLE I.

**I**N the first Place, that there shall be a good, true and firm *Peace* between the *Republick of England*, and the most Serene *King of Portugal*, and between the Regions, Countries, Dominions, and Principalities under the Empire of the one and the other, and the People, Subjects, and Inhabitants of both, of any Condition, Rank, or Dignity whatsoever, as well by Land, as by Sea, in Rivers and fresh Waters ; in such Manner that the said People and Subjects shall favour and succour one the other with reciprocal good Will and honest Affections ; and that

D

neither



das dittas partes, ou a seo Povo, Vassallos, ou Moradores, façãõ, ou attentem contra .o. outro em Lugar algum, ou na Terra, ou Mar, ou Portos, ou Rios de cada hum delles, nem Consintaõ, ou Sirvaõ á algũa Guérria, Conselho, ou tratado em damno da outra parte; e nem cada hũa das dittas partes Reçeba os Rebeldes, ou fugitivos da outra em suas Terras, Reynos, Dominios, Portos, fronteiras, em Caza ou hospedágem.

## II.

ITEM, Que entre as *Republicas de Inglaterra, e El Rey de Portugal*, e os seos Povos, Vassallos, e Moradores, assim por Terra como por Mar, Rios, e Agoas doçes, em todas, e em cada hũa das Regioens, Terras, Dominios, Territorios, Provincias, Ilhas, Colonias, Cidades, Villas, Lugares, Portos, Fronteiras, haja Livre Comercio na quelles Lugares, em que agora há, ou antes hóve Comercio nelles; de modo que sem algum salvo Conduto, ou outra Liçensa geral ou especial, assim por Terra, como por Már, Rios, e agoas doçes, o Povo, Vassallos, e Moradores de cada hũa das partes Possaõ ir, entrar, e Navegár nos dittos Dominios, e Reynos, e em todas suas Cidades, Villas, Portos, Costas, Enseadas, e Lugares, com Carros, Cavallos, Cargas, Navios, assim Carregados como pera Carregar, Levar Mercadorias, Comprar, Vender, nos mesmos fazer bastimentos, e as Couzas Neçessarias para o sustento e para a partida pello justo preço, Confertar Navios, e Carros, Proprios e Alugados, e emprestados; e da hi Sahir com os Bens, e Mercadorias, e outras quaesquer Couzas, com a mesma Liberdade; e da hi partir para as Patrias, ou para alieas como quizerem, e sem impedimento; salva com todas as Leys, e Estatutos de cada Lugar.

## III.

ITEM, Que os Povos e Moradores desta *Republica*, Possaõ nos Reynos, Provincias, Territorios, e Ilhas de *El Rey de Portugal* Comprar e uzar dellas da primeira man  
qualquer



neither of the said Parties, nor their People, Subjects, or Inhabitants, shall commit or attempt any thing against the other in any Place, either by Land or Sea, or in the Harbours or Rivers of either, nor shall they consent to, or assist in, any War, Council or Treaty, to the Prejudice of the other Party; nor shall either of the said Parties house or harbour the Rebels or Fugitives of the other, in any of their Countries, Kingdoms, Dominions, Ports, or Frontiers.

## II.

That between the *Republick of England* and the *King of Portugal*, and their People, Subjects, and Inhabitants, as well by Land as by Sea, in Rivers, and fresh Waters, in all, and every one of the Regions, Countries, Dominions, Territories, Provinces, Islands, Colonies, Cities, Towns, Villages, Ports and Frontiers; there shall be *Free Commerce* in those Places, in which there is at present, or has been Commerce in Times past; in such Manner, that without a *Permit*, or other Licence, general or special, as well by Land as by Sea, in Rivers and fresh Waters, the People, Subjects, and Inhabitants of either of the Parties may go, enter, and navigate in the said Dominions and Kingdoms, and in all their Cities, Towns, Harbours, Coasts, Bays and Places, with Carriages, Horses, Packs and Ships, as well loaden, as to be loaden, carry Merchandizes, buy, sell, and, at the current Prices, to procure Provisions, and what Necessaries they may want for their Stay and Voyage, to repair their Ships and Carriages, whether their own, or such as are hir'd or borrow'd, and, with the same Liberty, to depart from thence with their Goods, Merchandizes, and all other Things whatsoever, either to their own, or foreign Countries, as they shall think fit; and that without any Hindrance or Impediment; saving however all the Laws and Statutes of each Place.

## III.

That the People and Inhabitants of this *Republick* shall be at Liberty to buy up all Sorts of Wares, Goods and Merchandizes, and the same to use and enjoy in the King-



qualquer genero de Fazendas, Bens, Mercadorias, ou por meudo, ou em qualquer numero e grandeza, quando e aonde quizerem, e naõ sejaõ Constrangidos a Comprar a Rendeiros, ou Estanqueiros, ~~nem sejaõ obrigados a Comprar por preço definido.~~ Item, que possaõ como quizerem Vender, Negociár, e Livrementemente Levar quaesquer Bens, fazendas e Mercadorias dos dittos Reynos e Senhorios, pagando fomento os Direitos e tributos do Consulado devidos dos Bens que Levarem pera fora, como se pagavaõ a 10 de Março do Anno de 1653-4. Estilo Velho.

E quanto as Compras e Vendas por *Corretores*, o ditto Povo desta *Republica* gozará, e uzará das mesmas Liberdades, Privilegios, e Izençoens, que os, mesmos Portuguezes uzem, nem se trataraõ com elles mais rigorosamente que com os mesmos Moradores e Naturaes; e que o que se *Châma Foral Antigo*, e todos os Privilegios e Imunidades que antes da gora foraõ Conçedidos aos Inglezes em algum tempo por todos ou alguns Reys de Portugal, se Confirmaõ por Editto, para que os Povos e Naturaes da ditta *Republica* possaõ Gozar delles, Juntamente com todos os outros Privilegios e Imunidades que a algũa Naçaõ, Reyno, ou *Republica* Confederada com o ditto Rey de Portugal, ou ja se Conçedesse, ou se Conçeder ao diante.

## IV.

ITEM, Que todas as Vezes que os Pövos e Naturaes desta *Republica* Chegãrem suas Naus áos Portos de *El Rey de Portugal*, os dittos Povos e Naturaes naõ sejaõ Constrangidos pellos Ministros, officiaes e Vassallos do ditto *Rey*, a Carregar ou empór nas suas Naos outras espécias e quantidades de Bens e Mercadorias, sennaõ os que elles lhes aprovér; nem em quanto assim se detiverem se lhe pon-



doms, Provinces, Territories and Islands of the *King of Portugal*, at the first Hand, either in small Parcels, or by wholesale, in, whatsoever Number and Size, when, and wheresoever they please; neither shall they be compell'd to buy them of *Farmers of the Customs*, or Monopolists, nor shall they be obliged to buy at any *fixed Price*. They may also at Discretion sell, traffick, and freely carry away any Sorts of Goods, Wares, and Merchandize whatsoever from the said Kingdoms and Dominions, paying only the Duties and Customs of the \* *CONSULADO* due on the Goods they carry out, as they were paid the 10th of *March* 1653-4. O. S.

And as to their buying and selling by the Intervention of *Brokers*, the said People of this *Republick* shall enjoy and use the same Liberties, Privileges, and Exemptions as the *Portugucze* themselves, nor shall they be treated with more Rigour than the same Inhabitants and Natives. *And that which is called the Ancient Charter, and all the Privileges and Immunities that heretofore have been granted to the English at any Time, by all, or any of the Kings of Portugal, shall be confirm'd by Edicts, to the End that the People and Natives of the said Republick may enjoy them, together with all other Privileges and Immunities which are already granted, or shall be granted for the time to come to any Nation, Kingdom, or Republick, in Alliance with the said King of Portugal.*

## IV.

That whenever the People and Natives of this *Republick* arrive with their Ships in the Harbours of the *King of Portugal*, the said People and Natives shall not be constrain'd by the Ministers, Officers, and Subjects of the said *King of Portugal* to load, or put on board their Ships any other Sorts, or Quantities of Goods and Merchandize, but only such as shall be by them approv'd of; neither, while they

\* *Consulado, is a separate Office or Custom-house, for the Dispatch and Clearance of all Goods to be exported, in which, all Sorts of Foreign Merchandize, (i. e. all such as have paid the Duties of 23 per Cent. in the Grand Custom-house for Importations) pay to the Consulado outwards 3 per Cent. on their Current Price or full Value; and all Goods of the Growth of the Country pay 5 per Cent. on their Cost, which they sometimes oblige the Merchants to give in upon Oath.*



haõ mais que *Dous Goardas* ou officiaes quando Muito nas suas Naus; na descargua das quaes, naõ haverãõ demoras algũas desnecessarias; e se as dittas Naos, e Navios Carregados de Mercadorias Secas, naõ forem descarregados dentro em espaço de 10 dias; e as Naos e Navios Carregados de Peixe e de Mantimentos em espaço de 15 dias dipois de entrarem no Porto, naõ seraõ com tudo obrigados a pagar algum estipendio, ou soma de Prata, ou algum Salario aos dittos Goardas ou Officiaes, nem por respeito delles dispenderem mais Couza algũa que por aquelles des, ou quinze dias respectivamente.

## V.

ITEM, Se Aconteçer serem Prezos, Embargados, ou Occupados, ou pello officio do *Tribunal da Inquiziçãõ*, ou por seos Juizes ou Ministros, ou pello *Fiscal de El Rey*, os Vassallos do Serenissimo *Rey de Portugal*, ou outros entre os Reynos e Senhorios do ditto *Rey*, e suas Mercadorias ou Bens, os quaes sejaõ devedores de Dinheiro ao Povo desta *Republica*, ou Venhaõ a ser; as dittas dividas, se pagaraõ inteiramente dos sobredittos Bens e Mercadorais, dentro em 6 Meses proximos seguintes dipois da Prizaõ, ou occupaçaõ sobreditta, sem impedimento algum, ou molestia do ditto *Tribunal*, ou os seos Juizes, ou Ministros; e se entre os dittos Bens, ou Mercadorias assim tomadas e occupadas, estiverem em Sér alguns Bens e Mercadorias do ditto Povo e Naturaes, se Restituiraõ Logo as proprias a elles mesmos.

## VI.

ITEM, Que os Capitaens, Mestres, officiaes e Marinheiros das Naos desta *Republica*, ou de algum Povo seo, naõ intentem demandar, nem façaõ molestia algũa as dittas Naos, ou ao Povo desta *Republica*, dentro nos dittos Reynos e Senhorios de *Portugal* por Cauza de seo Soldo, ou Salario, com esta occaziaõ, a saber; que elles Profes-

saõ



stay in the said Harbours, shall there be put on their Ships any more than *two Guards* or Officers at most; and in the unloading their Ships there shall be no unnecessary Delays. And if the said Ships, which are loaden with *dry Goods*, should not be unloaden within the Space of *ten Days*; and the Ships loaden with *Fish* and *Provisions* within the Space of *fifteen Days* after their Entrance into the Port, they shall not however be obliged to pay any Stipend or Sum of Money, or any Salary to the said *Guards* or Officers, nor, upon their Account, be at any farther Expences more than for the said *ten*, or *fifteen Days* respectively.

## V.

If it should so happen, that the Subjects of the most Serene *King of Portugal*, or others within the Kingdoms and Dominions of the said *King*, should be imprison'd, and their Goods and Merchandize seiz'd, stopp'd and detain'd, by the Office of the *Court of Inquisition*, or by its *Judges* or *Ministers*, or by the *King's Exchequer*; and should owe any Money, or come to be indebted to any of the People of this *Republick*; the said Debts shall be fully and entirely paid out of the abovesaid Goods and Merchandize, within *six Months* next ensuing after the *Imprisonment*, and *Seizure* of the Goods as abovesaid, without Hindrance or any Molestation from the said *Tribunal*, or its *Judges* or *Ministers*; but if among the said Goods and Merchandize so seized and held, there should remain in being any Goods and Merchandize belonging to the said People and Natives, the same shall immediately be restor'd to them.

## VI.

That the Captains, Masters, Officers, and Mariners of the Ships of this *Republick*, or of any of its People, shall not attempt to sue, or in anywise molest, the said Ships or People of this *Republick* within the said Kingdoms and Dominions of *Portugal*, on Account of their Wages or Salary, under the Pretence of their professing the *Romish Religion*,



saõ a *Religião Romana*, e com este ou outro Pretexto se apliquem ao serviço de *El Rey de Portugal*; ou por outro modo se apartem das Naos, da Cuja Compania Saõ; e se nesta parte Delinquirem; denunciados seos nomes, sejaõ Castigados pellos Magestrados e officiaes da quella Lugar a tornar para as Naos: e se naõ poderem ser achados, seja Liçito aos Mestres da que llas Naos, ou Navios retér seos Vestidos, Bens, ou soldo para satisfação dos damnos.

## VII.

ITEM, Que os *Consules* que da qui em diante Morárem em algũa parte do Dominio de *Portugal*, por Cauza do Soccoro, ou Prezidio do Povo desta *Republica*; sejaõ da qui por diante Nomeados e feitos pello ditto Senhor *Protektor*; e assim nomeados, tenhaõ, e Exerçitem o mesmo authoridade que ao prezente ou de futuro Exerçitem nos Dominios do ditto Rey qualquer *Consul*, ou desta, ou de outra qualquer Nação; Posto que naõ Confessem a *Religião Romana*.—Item, Para Julgarem todas as Cauzas que tocarem ao Povo desta *Republica*, se Depute hum *Juiz Conservador*, do qual naõ haverá appellação algũa, senaõ para o Sennado da *Rellação*, aonde as Demandas Começadas, interpostas as appellaçoens, se acabem dentro no espaço de Coatro Mezes.

## VIII.

VIII. ITEM, Que se algum do Povo desta *Republica* Morrér dentro no Reyno e Senhorio do Serenissimo *Rey de Portugal*; os Livros, Contas, fazendas e Bens seos, ou de outros do Povo desta *Republica*, naõ sejaõ tomados ou occupados pelos Juizes dos *Orsaõs e Abzentes*, ou pelos seos Ministros e officiaes, nem estarão sугeitos a sua Jurisdicção; mas que os mesmos Bens, fazendas e Contas se entreguem aos Feitores ou Procuradores *Inglezcs* que neste Lugar Morárem, Nomeados, ou deputados pellos Defunctos: Mas se o defuncto os naõ Nomear; os mesmos Bens, fazendas, e Contas se entreguem com authoridade do



ligion; nor shall they under this, or any other Pretence, apply themselves to the Service of the *King of Portugal*, or by any other Means leave the Ships, whereunto they belong; and if they become Delinquents, and offend in this Point, their Names being taken Account of, they shall be chastised by the Magistrates and Officers of the Place, and compell'd to return to their Ships; and if they cannot be found, it shall be lawful for the Masters of such Ships or Vessels, to detain their Cloaths, Goods or Wages, for the Satisfaction of Damages.

## VII.

That the *Consuls* who shall hereafter reside in any Part of the Dominions of *Portugal*, for the Assistance and Protection of the People of this *Republick*, shall be from henceforward nominated, and made by the said *Lord Protector*; and when so nominated, they shall have, and exercise the same Authority as any *Consul*, of *this*, or *any other Nation* whatsoever doth now, or shall hereafter exercise in the Dominions of the said *King*, although they do not profess the *Romish Religion*. And, for the judging of all Causes that relate to the People of this *Republick*, a *Judge Conservator* shall be deputed, from whom no manner of *Appeal* shall be granted, except to the Senate of \* *Rellaçaõ*, where the Law Suits commenced, and appeal'd to that Court, shall be determined within the Space of *four Months*.

## VIII.

That if any of the People of this *Republick* shall Die within the Kingdoms and Dominions of the most Serene *King of Portugal*, the Books, Accounts, Goods, and Assets belonging to them, or to others of the People of this *Republick*, shall not be seized or possess'd by the *Judges of the Orphans* and *Persons absent*, or by their Ministers and Officers, nor shall they be liable to *their Jurisdiction*; but the same Goods, Merchandize, and Accounts, shall be deliver'd to the *English Factors* or *Procurators* residing in that Place, who are nominated or deputed by the *Deceased*: But if the *Defunct*, whilst living, did not nominate any, then the said

\* *Rellaçaõ*, is the supreme Court of Judicature, where all Causes either begun in, or removed to by Appeal, are finally determined.



*Fuis Conservador* a Dous, ou mais Mercadores *Inglezes*, os quaes feraõ escolhidos pellos mais Votos dos outros Mercadores que assistirem no ditto Lugar, e feraõ aprovados pello *Consul dos Inglezes*, dando premeiro Caução por fiadores Idoneos, (que feraõ aprovados pello mesmo *Consul dos Inglezes*,) de Restituir os mesmos Bens e Contas aos Legitimos Senhores, ou a seos Verdadeiros Crédóres; e os Bens que Constárem Sérem do Defuncto, feraõ entregues a seos Herdeiros e Crédóres.

## IX.

ITEM, Que nem *El Rey de Portugal*, nem algum de seos Ministros detenha a éstes, nem Embargue a alguns Mercadores, Pilotos, Governadores, Marinheiros, nem suas Naos, ou outros Bens que forem desta *Republica*, ou de alguns do Povo della, ou para o Uzo da Guérria, ou para outros quaesquer, se o Senhor *Proteñtor*, ou aquelle a que éssas Naos e Bens pertencerem, naõ forem primeiro desta materia Avizados, e dérem seo Consentimento; Porem que as dittas Naos, homens, e Bens, possaõ Livrementem sem impedimento algum do sobredito *Rey*, ou seos Ministros, fahir da quelles Portos ou Senhorios do ditto *Rey*, ao seo Arbitrio, e que as Vendas das Mercadorias e Bens desta *Republica* se naõ Prohibirem, ou dilatem com éste Pretexto, a saber, que *El Rey* haja mistér, ou por outra qualquer Cauza, nem se tome para uzo de *El Rey*, nem para outros quaesquer uzos, se aquelles que saõ Interessados naõ Confin-tirem.

## X.

ITEM, Que o Povo da *Republica da Inglaterra* possa Livrementem Levar em suas Naus todas as Couzas, Bens, Mercadorias de qualquer genero que fossen, ainda Armas, Mantimentos, ou outras Couzas semelhantes dos Povos e Senhorios da ditta *Republica*, e de outros quaesquer Põrtos e Senhorios, com tanto que naõ sejaõ tiradas dos Portos de  
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Goods, Merchandize and Accompts, shall, by the Authority of the *Judge Conservator*, be deliver'd to two or more *English Merchants*, who shall be chosen by the Majority of the *Merchants* residing in the Place, and approv'd of by the *English Consul*, after having given Security, by unexceptionable *Bondsmen*, (who shall also be approv'd of by the same *English Consul*;) for restoring the said Goods, Merchandize, and Accompts to the *right Owners*, or to their true Creditors; and the Goods which shall appear to have been the Deceased's, shall be deliver'd to his Heirs, Executors, or Creditors.

## IX.

That neither the *King of Portugal*, nor any of his Ministers, shall detain, or arrest any Merchants, Masters of Ships, Captains, or Mariners; or their Ships, Merchandizes, or other Goods, which belong to this *Republick*, or any of its People, either for War, or any other use whatsoever, unless the *Lord Protector*, or *Those*, to whom such Ships and Goods appertain, are first appriz'd thereof, and give their Consent; but that the said Ships, Men, and Goods, may freely, and without any Hindrance or Impediment from the abovesaid *King*, or his Ministers, depart from the Harbours and Dominions of the said *King*, at their own Pleasure. And that the Sales of the Merchandize and Goods belonging to this *Republick* shall not be hinder'd or delay'd, under Pretence that the *King* has Occasion for them, or for any other Reason whatsoever; nor shall they be taken for the *King's Use*, nor for any other Uses whatsoever, if the Persons who are concern'd in the Goods do not consent thereto.

## X.

That the People of the *Republick of England* may freely carry in their Ships all Sorts of Goods, Merchandize, and Things of what kind soever, even Arms, Provisions, or other such like, from the Harbours and Dominions of the said *Republick*, or any other Harbours or Dominions whatsoever; provided they are not taken immediately from the



de *Portugal*, e de seos Senhorios immediatamente para serem Levados a quaesquer Portos ou Territorios de *El Rey de Castella*, e que o Serenissimo *Rey de Portugal*, e seos Vassallos não impidaõ por Penhores, Repezalias ou qualquer outra Couza as dittas Naus, Bens, ou Hómens, que não possaõ Navegar figuramente aos Portos e Territorios de *El Rey de Castella*, e tér a hy Comércio; e que as Pefsoas desta *Republica*, possaõ Livrementemente Levar aos Reynos, Portos, e Territorios de *El Rey de Portugal*, assim Armas, Pam, Peixe, com todos os outros generos de Mercadorias, e Venderlas a seo Arbitrio, ou pello Meudo, ou pello Junto a quaesquer Hómens, ou por qualquer preço que puderem; e que nem pella ditta *Magestade Real*, nem por seos Ministros, Prezidentes, Rendeyros, Estanqueiros, ou por alguma Camera, ou Jurisdicçam de Tribunal qualquer, particular ou Publico, sejaõ Prohibidos, Circumscriptus, ou inhabilitados; e que as Mercadorias e Bens que hũa ves pagaraõ os Costumes ou Portagens em qualquer Porto de sua *Magestade*, se possaõ Livrementemente tornar a Levar a quaesquer otros Portos da ditta *Magestade*, sem que paguem outra qualquer soma de Direitos, Portagens, ou Prata, mais que aquelles que os Mercadores *Portuguezes* pagaraõ, se os Bens, e Mercadorias a elles pretencem.

## XI.

ITEM, Que o Povo e Naturaes da *Republica de Inglaterra*, Livre e seguramente Negoçém, e tenhaõ Comercio de *Portugal para o Brazil*, e outras Conquistas do ditto Rey na India Occidental; e do Brazil e dittas Conquistas para *Portugal*, em todo o genero, com quaesquer Bens e Mercadorias; (tirando Farinha, Bacalhao, Vinho, Azeite, e Pao do Brazil; os quaes saõ Prohibidos por *El Rey*, pello Contrato com a Companhia do Brazil) pagando aquelles Direitos e Costumes que pagaraõ os outros que nesta parte Negoçém; e atento que as Naus Inglezas fretadas pellas *Portuguezes* se haõ de Juntar Navegaçãõ a Armada *Portugueza*; e que o ditto Povo e Naturaes Chegando de alguns dos dittos Portos e Lugares do *Brazil*, e dittas Conquistas



Harbours and Dominions of *Portugal*, to be carried directly to any Ports and Territories whatsoever of the *King of Spain*. And that neither the most Serene *King of Portugal*, nor any of his *Subjects*, shall hinder the said Ships, Goods, or Men, by Seizures, Reprisals, or any other Means whatsoever, from Navigating securely to the Harbours and Territories of the said *King of Spain*, and from trading therein. And that the People of this *Republick* may freely carry Arms, Corn, Fish, and all other Sorts of Merchandize into the Kingdoms, Ports, and Territories of the *King of Portugal*, and sell the same at their Pleasure, either by Retail or Wholesale, to any Persons whatsoever, and for whatever Price they can get; and they shall not be prohibited, circumscribed, or incapacitated by his said *Royal Majesty*, or his Ministers, Governors, Farmers of the Revenues, or Monopolists, or by any Chamber, or Jurisdiction of any *Tribunal* whatsoever, either publick or private: And that such Goods and Merchandize as have once paid the Customs or Clearances in any Port or Harbour whatsoever belonging to his *Majesty*, may be freely carried into any other Ports or Places whatsoever of his said *Majesty*, without paying any farther Duties, Clearances, or Sum of Money, besides what the *Portugueze* Merchants should pay, if the Goods and Merchandize did belong to them.

## XI.

That the People and Natives of the *Republick of England* shall Trade and Traffick freely and safely from *Portugal* to the *Brasils*, and the other *Conquests* of the said *King* in the *West Indies*; and from the *Brasils* and the said *Conquests* to *Portugal*, in all Sorts of Goods and Merchandize whatsoever (except Meal, Fish, Wine, Oil, and *Brasil* Wood, which are prohibited by the *King*, in Pursuance of his Contract with the *Brasil Company*) paying the Duties and Customs which others pay who trade into those *Parts*; and it is to be understood that the *English* Ships hired by the *Portugueze*, are to sail in Company with the *Portugueze Fleet*: And that the said *People* and Natives arriving from any of the Harbours and Places in *Brazil* and the said *Conquests*,



Conquistas a qualquer Senhorio do ditto *Rey*, não seraõ Constringidos a descarregar suas Naus, ou a pôr fóra Bens alguns pretençentes aos *Inglezes*, mas os offiçiaes das Alfandeguas faraõ pezar os Bens em quanto estaõ nas Naus, pera que se paguem os Direitos e Tributos delles devidos; e que se não pediraõ, nem pagaraõ aos offiçiaes de *El Rey* nenhum Direito ou Tributo mais grave, nem Mayor Sôma ou despeza de Dinheiro do que seos Bens fôsssem postas em Terra: nem, no despachar, ou despedir as dittas Naus, se fará detença algũa; e depois que Chegarem a quaesquer Senhorios do ditto *Rey*, e pagar os Direitos e Costumes, sobredittos; tomaraõ da hy Livrementemente Caminho para qualquer Porto ou Lugar, e os Bens Carregados nas Naus *Inglezes*, ou pellos Vassallos do ditto *Rey*, ou por outros que houverem de ser trespassados a qualquer parte dos Senhorios de *Portugal*; de nenhum modo pagaraõ mayores Costumes, ou outros diversos Direitos do que se fôsssem Carregados em Naus Portuguezas. E tambem que o Povo e Naturaes da *Republica de Inglaterra* possaõ Livrementemente Navegar para as Collonias, Ilhas, Regioens, Portos, Destricctos, Villas, Lugares, e Imperios pretençentes a *El Rey de Portugal*, na *India Oriental*, Guiné, Bené, e Ilha de saõ Thomé, e em outra qualquer parte nas Costas e Prayas de Africa; e a hy fazer Demora, Negociár, e Exercitár Comercio na Terra, Mar, Rios, e Agoas Dóçes, em quaesquer Bens e Mercadorias, e Levar todo o genero de fazendas para algum Lugar ou Regiaõ, com a mesma Liberdade comque antes, e tambem com a mesma que em algum tempo antes de agora em qualquer Tratado fôsse Conçedido, ou se Conçeder ao diante aos Naturaes de qualquer Naçaõ Confederada e Amiga; e quanto aos Costumes e Direitos que néssas Regioens se haõ de pagar; os não pagaraõ mayores, ou mais graves do que se pagaõ por qualquer pessoa ou pessoas que Negoçéem em qualquer dos dittos Lugares ou Regioens. E outro fim *El Rey de Portugal*, ou seos Vassallos, assim a Companhia do Brazil, como todas os outros; todas as Vezes que tiverem neçessidade de Naus Estrangeiras para Exerçitar a Navegaçaõ e Mercançia do Brazil, ou para as Regioens, e Ilhas sobredittas, ou para outra parte, os Freteraõ desta Republica, e do seo Povo pellos preços Costumados, e ordinarios



*quests*, at any of the Dominions of the said *King* whatsoever, shall not be compelled to unload their Ships, or to put out any Goods belonging to the *English*; but the Officers of the Customs shall cause the Goods to be weigh'd while they are *aboard* the Ships, to the End that the Customs and Tributes due on them may be paid; and that no heavier Duty or Impost, nor greater Sum of Money or Expence shall be demanded by, or paid to the King's Officers, than if the Goods were put on Shore, nor shall there be any Delay in dispatching and dismissing the said Ships. And after they are arrived at any of the Dominions whatsoever of the said *King*, and have paid the Customs and Duties abovementioned, they shall freely proceed to any other Harbour or Place whatsoever; and the Goods put on board the *English* Ships, either by the Subjects of the said *King*, or by others to be transported to any Part whatsoever of the Dominions of *Portugal*, shall by no means pay greater Customs, or any other different Duties than if they were put on board *Portuguese* Ships. And likewise that the People and Natives of the *Republick of England* shall have the Liberty of Navigating to the Colonies, Islands, Regions, Ports, Districts, Towns, Villages, and Dominions belonging to the *King of Portugal* in the *East Indies*, *Guinea*, *Bengal*, the Island of *St. Thomas*, and to any other Part whatsoever on the Coasts and Shores of *Africa*, and there to stay, or reside, negotiate, trade, and traffick by Land or Sea, on the Rivers and fresh Waters, in any Goods or Merchandize whatsoever; and to transport all kind of Merchandize to any Place or Region with the same Freedom as formerly; and also with the same that was ever granted by any Treaty heretofore, or shall hereafter be granted to the Natives of any *other Nation* in Alliance and Friendship with *Portugal*. And as to the Customs and Duties to be paid in those Regions, they shall not pay more or heavier than those which are paid by any Person or Persons trading in any of the said Places or Regions. And likewise, the *King of Portugal* or his Subjects; as well the *Brasil Company* as all others, as often as they have need of foreign Ships, for carrying on their Trade and Navigation to the *Brasils*, or for the *Regions and Islands* above-mentioned, or elsewhere, shall hire the Ships of this *Republick* and its People, at the usual  
and



ordinarios aquellas que quizerem, e nenhūas outras de nenhum *Principe*, ou *Republica*; com tanto que haja numero de Naos *Inglezas* bastantes para seos uzos; exçep̄to para a *Compania do Brazil*, que poderaō fretar como quizer duas Naus de Guér̄ra, e quatro para Mandar ao Brazil Carregadas de Bacalhao, a qualquer Naçaō, como se Conthem na Carta de Libardades que lhe Conçedeo por Provizaō Real, e que assim a *Compania do Brazil*, como todos os outros Vassallos do ditto *Rey* que Exerçitaō a Mercançia, Livremente sem Liçensa algūma geral ou espeçial que primeiro do que se haja de Alcançar, fretem Naus Inglezes no numero que quizerem, e nellas Navéguem ao Brazil, e as mais Conquistas do ditto *Rey* na *India Ocçidental*, e que o estipendio que se Contratár de Carregar, e de Interesses, procederaō, e se tenha conta delle athe que todo seja pago, ainda que exçeda o estipendio do tempo que se Contratou.

## XII.

ITEM, E como o Serenissimo *Rey de Portugal*, por Provizaō sua, Sellada com o seu sello na Cidade de Lisboa a 21 de Janeiro no anno do Naçimento de Nossō Senhor de 1641, Conçedeo aos Naturaes das Terras e sujeitas aos Dominios dos Estados de Olanda, &c. Livre faculdade de Levar, e tirar dos seos Reynos, Dominios, e Terretorios todos os generos de Mercadorias; que o Povo da *Republica de Inglaterra* Vulgou de mesma faculdade nos Reynos e Dominios do ditto Serenissimo *Rey de Portugal*.

## XIII.

ITEM, Que nenhum que Vulgamente se Chamaō Alcaydes, ou algum outro offiçial de sua *Real Magestade*, pôssa prender, ou Embargar algum do Povo desta *Republica*, de qualquer graō ou Condiçaō que sejaō, salvo em Cazo Criminal, e Colhido em fragante Delicto, senaō com poder do seo *Juis Conservador* dado primeiro por escrito; e que no de mais o ditto Povo quanto as pessoas Domi-



and ordinary Rates, as many as they please, and no other Ships of any *Prinze* or *Republick*; provided the Number of *English* Ships to be hired be sufficient to supply their Wants; excepting that the *Brasil-Company* (as is contain'd in the *Charter of Liberties* granted to them by the *King's Letters Patent*) may hire of what Nation soever they please, two Ships of War, and four others, to be sent with Fish to the *Brasils*; and that as well the said *Brasil Company*, as all other the Subjects of the said *King*, who follow the Business of Merchandizing, may freely hire as many *English* Ships as they please, and sail therein to the *Brasils*, and the other *Conquests* of the said *King* in the *West Indies*, without any Licence, general or special, first to be obtain'd for that End: And the Stipend agreed upon to be charged, with the Interest, shall run on, and an Account thereof shall be kept, till the whole is paid, tho' it should exceed the Stipend on the Time contracted for.

## XII.

That whereas the most Serene *King of Portugal*, by his Rescript, sealed with his Seal, and dated at *Lisbon* the 21st Day of *January*, in the Year of our Lord 1641, granted to the Natives of the Lands under the Dominion of the *States of Holland*, &c. free Liberty of importing and exporting all Sorts of Merchandize, to and from his Kingdoms, Dominions, and Territories; the People of the *Republick of England* shall use and enjoy the same Liberty, in the Kingdoms and Dominions of the said most Serene *King of Portugal*.

## XIII.

That none who are commonly call'd *Alcaydes*, [*i. e.* Bailiffs] or any other Officer of his *Royal Majesty*, shall seize or arrest any of the People of this *Republick*, of what Rank or Condition soever, except in a *Criminal Cause*, being detected in any flagrant Fact; unless he be first empower'd, in writing, by the *Judge Conservator*; and that the aforesaid People, in all other Respects, as to their Persons, Do-



Domiçilios, Livros de Razaõ, Interesse, Mercadorias, e mais Bens seos, Gozaraõ nos Dominios do Serenissimo *Rey de Portugal*, de Igual, e da mesma imunidade de Prizoens, de Embargos, e de quaesquer outras molestias que a outro qualquer *Principe* ou Povo Confederado com *El Rey de Portugal* foi Conçedido, ou de qui em diante se Conçedér; nem por algum salvo Conducto, ou favor do mesmo *Rey* que se Conçeda a seos Vassallos, ou a outros que andaõ em seo Dominio, sejaõ Prohibidos de seo Direito, para poderem Cobrar suas Dividas; porem que possaõ Citár a qualquer Hómen por cauza de qualquer Divida justa; e ainda que seja reçebido debaxo do Patroçinio de qualquer, ou seguro com qualquer Alvará, ou seja Rendeiro, ou tenha qualquer Privilegio.

## XIV.

ITEM, Por quanto os Direitos da *Páz e do Comercio*, seriaõ nullos e inutens, se o Povo da *Republica de Inglaterra* fósse inquieto por Cauza de *Consiencia*, quando Vai e Vem aos Reynos e Dominios do ditto *Rey de Portugal*, ou assim se detem por cauza de Comuttar as Mercadorias: por tanto, para que seja Livre e seguro o Comercio por Mar e por Terra; o ditto *Rey de Portugal* effecásmente fará e proverá que naõ sejaõ molestados nem inquiétos por nenhum Hómen, Curia, ou Tribunal por cauza da ditta *Consiencia*, ou por terem comfigo, ou uzarem *Biblias Inglezas*, ou outros Livros; e que seja Livre ao Povo desta *Republica* nas Cazas particulares com as Familhas da sua mesma Naçaõ e Religiaõ dentro de quaesquer Senhorios do ditto *Rey de Portugal*, observár, e professár a sua *Religiaõ*, e Exercitalla nas suas Naus ou Navios como lhe parecer, sem algũa molestia ou impedimento. Finalmente que se lhes assignará Lugar Idonio para se Enterrarem os Mortos. Advertiraõ com tudo os *Inglezes* naõ Exçedaõ o que está escrito neste Artigo.

## XV. ITEM,



mesticks and Dwellings, Books of Accounts, Interests, Merchandize, and all other Goods belonging to them, shall enjoy equal and the same Immunity within the Dominions of the most Serene *King of Portugal*, from Imprisonment, Arrests, and other Molestations whatsoever, as already is, or shall hereafter be granted to any other *Prince* or *People* whatsoever, in Alliance with the *King of Portugal*: Nor shall they be hinder'd, by any Permit or Protection to be granted by the said *King* to his Subjects, or others frequenting his Dominions, from recovering their Debts; but they shall have a Right to sue any Man to Justice for the Recovery of any just Debt; altho' he be shelter'd under the Patronage or Protection of any Person whatsoever, or secured by any *Alvará* or written Law, or whether he be a Farmer of the Revenues, or invested with any other Privilege.

## XIV.

And forasmuch as the Rights of *Peace* and *Commerce* would be null and useless, if the People of the *Republick of England* should be disturb'd for *Conscience* sake, when they pass to and from the Kingdoms and Dominions of the said *King of Portugal*, or reside there for the sake of exchanging their Merchandize: That Commerce may therefore be free and secure, both by Land and by Sea, the said *King of Portugal* shall effectually take care and provide, that they be not molested by any Person, Court, or Tribunal, upon Account of the said *Conscience*, or for having with them, or using any *English Bibles* or other Books; and that it shall be free for the People of this *Republick* to observe and profess their *own Religion* in *private Houses*, together with their Families, within any of the Dominions of the said *King of Portugal* whatsoever; and the same to exercise on board *their Ships* and Vessels, as they shall think fit, without any Trouble or Hindrance: And finally, that a Place be assign'd them for the *Burial of their Dead*. But withal, the *English* are caution'd not to exceed what is written in this Article.



## XV.

ITEM, Se acontecer da qui em diante que nãssẽm algũas Contraverfias, ou duvidas entre as mefmas *Republicas*, que poffa haver perigo de fe interrompẽr o Comercio entre hũa e outra Naçaõ, fe darã aos Povos e Vaffallos de ambas as partes por todos os Reynos e Provincias hũa e outra publico Avizo, e efpãcio de dous Annos depois da quelle Avizo para fe paffãrem a fy, e a feos Bens, Navios, Mercadorias e quaefquer faculdades, fem entretanto fe lhes fazer moleftia algũa, impedimento nem damno a elles nem a feos Bens: e ferã Liçito aos dittos Povos e Vaffallos de ambos, fe ao tempo de tal publico avizo lhes deverem em algũas partes dividas: pedidas Legitimamente dentro dos dittos dous annos nos Lugares e Senhorios onde fe deverem, e que da qui por diante fe lhes farã direito Dezembargado, e com offeito de modo que effes Crédóres fe Alcançẽm a feo, dentro no tempo proferido.

## XVI.

ITEM, Que fe acontecer que em quanto durãr eſta Confederaçaõ, Amizade e Soçiedade por algum dos Povos ou Naturaes de algũa dẽſtas partes fe fizer ou attentar algũa couza contra eſta Confederaçaõ; ou algũa parte della no Mãr, na Tẽrra, nos Ryos ou Agoas doçes; nem por iſſo eſta Amizade, Confederaçaõ e Soçiedade entre eſtas Naçoens fe Interromperã, nem quebrantarã; antes durarã inteira, e fe ſuſtentarã toda ſua forſa; e ſomente ſeraõ Caſtigados aquelles meſmos em particular que Delinquirem contra a ditta Confederaçaõ, e nenhum outro; e fe farã Juſtiça, e darã fatisfaçaõ a todos aquelles que importãr por todos aquelles que por Tẽrra, Mãr, Ryos, ou Agoas doçes Cometẽrem qualquer couza contra eſta Confederaçaõ, em ulgũa parte da *Europa*, ou em qualquer Lugar dentro no Eſtreito de *Gibaraltãr*, ou em *America*, ou pelas Coſtas de *Affrica*, ou em algũa Terras, Ilhas, Mãres, Eſtaleiros, Enſeados, Ryos, ou alguns Lugares da



## XV.

If it shall happen hereafter, that any Controversies or Doubts do arise between the said *Republicks*, which may endanger the Interruption of *Commerce* between the one and the other Nation, *Publick Notice* shall be given to the People and Subjects of both Parties, thro' all the Kingdoms and Provinces of both; and the Space of *two Years* after such Notice allowed for transporting themselves, Goods, Ships, Merchandize, and any other Substance whatsoever, without any Molestation, Impediment, or Damage offer'd in the mean time, either to their Persons or Goods: And it shall be lawful for the said People and Subjects on both Sides, to whom any Debts may be owing at the Time of such publick Notice, legally to demand the same within the said two Years, in the Places and Dominions where they are owing, and from henceforward uninterrupted Justice shall be done them, in such Manner, that in Effect those Creditors may be able to obtain their own, within the Time prescrib'd.

## XVI.

If it shall happen, that while this Treaty, Friendship, and Society, are subsisting, any thing be committed or attempted, by any of the People or Natives of either of these Parties, contrary to this Treaty, or any Part thereof, by Land or Sea, on the Rivers or fresh Waters; the Friendship, Confederacy, and Intercourse betwixt these Nations shall not for this Cause be interrupted nor broken, but shall rather intirely subsist, and sustain its full Force, and those only in particular, who violate the said Confederacy, shall be punished, and none else; and Justice shall be done, and Satisfaction given, to all those concern'd, by all those who by Land, Sea, on Rivers, or fresh Waters, shall act or commit any thing contrary to this Confederacy, in any Part of *Europe*, or in any other Place within the Streights of *Gibraltar*, or in *America*, or along the Coasts of *Africa*, or in any of the Lands, Islands, Seas, Creeks, Bays, Rivers, or in any Places on this Side the  
Cape



da quem do *Cábo de Boa Esperança*, dentro no espaço de hum anno que se pedir Justiça ; mas em todos os Lugares ut supra alem do ditto Cábo, dentro de Dezouto Mezes que a Justiça pello ditto modo se pedir ; e se os quebrantadores da ditto Confederaçãõ não appareçeraõ, nem se sujeitarem a ser Julgados, nem dêrem satisfaçãõ dentro neste ou na quelle espaço de tempo, que segundo a distancia do Lugar agora se Limitou ; os sobredittos seraõ Jugados por Inimigos de hũa e outra parte, e seus Bens, e faculdades, e quaesquer Rendas se Confiscaraõ, e applicaraõ a inteira e Justa satisfaçãõ da quellas Injurias que por elles foraõ feitas : e alem disto, elles mesmos quando forem a poder de qualquer das partes, seraõ sujeitos as penas que cada hum mereçer pello seo Crime.

## XVII.

ITEM, Se Succeder algũa Contraverfia éntre os Vedores, Offiçiaes, ou Ministros do ditto Rey, e os dittos Mercadores sobre as Bondades dos Peixes, ou de qualquer Mantimento que se Levar a alguns Senhorios do ditto Rey ; éssas seraõ determinadas pellos Arbitrios dos bons Varóens, com tanto que seja Portuguezes ; os quaes seraõ Eleytos Igualmente pello Magestrado da quelle Lugar, e pello *Consul da Naçaõ Inglesa*, os quaes Julgaraõ o Negocio de tal maneira que em quanto se Litigua da Cauza, não Venha entre tanto algum damno ao Senhor della.

## XVIII.

ITEM, Que será permittida ao Povo e Vassallos de cada hũa das partes Irem aos Portos de outro, e detérse a hy, e Sahir com a mesma Liberdade ; não só em Naos Mercantes e de Carga, mas tambem com as da Guérria e Comboy, e Aparelhadas para Rebater as forças dos Inimigos ; ou sejaõ a hy Levados com força da Tormenta, ou para Conçertár as Naos, ou para tomar Mantimentos ; com tanto que não pãssem o numero de Seis Naos de Guérria se forem ali por sua Vontade, nem estêjaõ, ou se detenha. o



*Cape of Good Hope*, within the Space of one Year after Justice shall be demanded; but in all Places, as above, beyond the said *Cape*, within eighteen Months, after Justice be required in the Manner abovementioned. And if the Violators of the said Confederacy don't appear, nor surrender themselves to Trial, nor give Satisfaction within this or that Space of Time now limited, according to the Distance of the Place, they shall be deem'd as Enemies to both Parties, and their Goods, Substance, and Revenues whatsoever, shall be seiz'd, condemn'd, and applied to the making of full and just Satisfaction for the Injuries done by them; besides which, the Offenders themselves, when they happen to be in the Power of either of the Parties, shall be liable to the Punishments which their respective Crimes deserve.

## XVII.

If it happens that any Controversy does arise between the said *King's* Inspectors, Officers, or Ministers, and the said Merchants, concerning the Goodness of Fish, or any other Sorts of Provisions whatsoever, which shall be carried to any of the said *King's* Dominions; the same shall be determined by the Arbitration of good Men, provided they are *Portugueze*, who shall be equally chosen by the *Magistrate of the Place*, and the *Consul of the English Nation*, and they shall determine the Business in such Manner, that no Damage may accrue to the Owner in the mean time while the Matter is in Dispute.

## XVIII.

That it shall be lawful for the People and Subjects of either Party to go to the Ports of the other, there to reside, and from thence to depart with the same Liberty, not only with Merchant Ships and Transports, but also with Convoys, and Men of War equipp'd for repelling the Force of the Enemy, whether they are driven thither by Stress of Weather, or come in for refitting their Ships, or for victualling them, provided they do not exceed the Number of *Six Men of War*, if they come there of their



ténhaō mais tempo que o que for neçessario para Refazer as Naos, ou para Comprar outras couzas neçessarias; para que por Ventura naō seja cauza de Prejudicār o Comércio das outras Naçoens que forem Aliadas em Amizade: E se em algum tempo, algum numero desacostumado de Naos, Cheguar por algum Cazo a quelles Portos, naō lhe será Liçito entrar no Porto, senaō tendo primeiro Liçensa da quelles em cuja Jurisdicçaō ésses Portos estivérem; salvo se constangêndose a força de Tempestade, ou outra neçessidade contra sua Vontade o fizerem para Evitár o perigo do Már, e do Naufragio; o que, se acontecer, mostrarão Logo ao Prezidente, ou summo Magistrado da quelle Lugar, a Cauza de sua Vinda; e naō fiquem a Li mais tempo que o que for Liçito pello Prezidente ou Magistrado da quelle Lugar; nem nos dittos Portos façaō Hostilidade algũa que seja em detrimento da ditta *Republica*, ou *Rey*.

## XIX.

ITEM, que a ditta *Republica*, nem *El Rey*, Consinta que as Naos e Bens de cada hum delles, ou de Seos Povos, que em algum tempo forem tomadas pello Inimigo, ou Rebelões do outro, e trazido aos Portos ou Lugares das Térras do outro. Se transfiraō Proprietarios; mas que se Restituaō a elles, ou a Seos Procuradores, com tanto que elles Requeiraō o Direito das dittas Naos antes que se Vendaō e descarrèguem, e que dentro de 3 Mezes dipois que as dittas Naos e Bens forem assim trazidos; ou próvem o direito delles, ou produzaō Testemunhas da Propriedade; entre tanto os mesmos Proprietarios pagaraō, e dispenderaō os gastos neçessarios para Conservár e goardár as dittas Naos e Bens.

## XX.

ITEM, que o Povo e Mercadores de *Republica de Inglaterra*, que por cauza de Negociar, Passaō aos Reynos, Senhorios,



own Accord; nor shall they stay nor continue any longer Time, than may be necessary to refit their Ships; or to purchase such necessary Things as they want; that, peradventure, they may not be the Cause of interrupting the Commerce of other Nations which are allied in Friendship. And if at any time, any *unusual Number of Ships* should chance to come to such Harbours, it shall not be lawful for them to enter, without first having leave from those in whose Jurisdiction such Harbours may be, unless they are constrain'd to do it against their Will, by the Force of tempestuous Weather, or other urgent Necessity, for avoiding the Danger of the Sea and Shipwreck; the which, if it should so happen, they shall immediately shew the Cause of their coming thither to the President, or chief Magistrate of that Place; nor shall they stay there any longer Time than they are allow'd by the President, or Magistracy of that Place; nor shall they commit any Hostilities in the said Harbours, which may be detrimental to the said *Republick*, or *King*.

## XIX.

That neither the said *Republick*, nor *King*, shall suffer the Ships and Goods of either of them, or of their People, which shall at any Time be taken by the Enemies or Rebels of the other, and brought to any Ports or Places of the other's Countries, to be convey'd away from the right Owners, or transfer Proprietors, but the same shall be restor'd to them or their Attornies; provided they lay Claim to such Ships before they are sold and unladen; and either prove their Right, or exhibit Testimonies to make appear their Property in them, within three Months after the said Ships and Goods are so brought in; in the mean Time the Proprietors themselves shall pay and discharge the necessary Expences for the preservation and keeping of the said Ships and Goods.

## XX.

That the People and Merchants of the *Republick of England*, who frequent the Kingdoms, Dominions, and Countries



Senhorios, e Regioens do ditto *Rey*, ou Cheguem aos seus Portos com suas Naos, não paguem Anchoragem, ou outras despesas dos Portos, ou outros alguns Direitos, ou somas de Dinheiro, mais que aquelle que éra Costume de pagar a *El Rey* e a *Camera de Lisboa*; mas se algum mau Costume introduzir outros no futura, fenaõ paguem.

## XXI.

ITEM, Que nenhum Tributo se pessa a algum dos Povos desta *Republica*, nem em *Lisboa*, nem em outro Lugar para se despender na *Capella de São Jorge*, nem elles sejaõ Constringidos a tér officios alguns Pessoaes, ou a Vestir algum genero de Armas, ou dé lhes a Outrem.

## XXII.

ITEM, Que os Mercadores de cada hũa das dittas partes, e os seus Caixeiros, Creados, e Negociadores da Família, ou outros Ministros, Marinheiros, Mestres de Navios, e gentes da Armada possaõ Andar seguro e Livrementem nos Senhorios, Territorios, e Regioens da ditto *Republica*, e *Rey*, e tambem nos seus Portos e Rayas; e o Povo e Vassallos de hum, ter e possuir nos Dominios de outro, Cazas Proprias em que mórem, e Armazens em que goardem os seus Bens e Mercadorias por quanto Allugarem, sem que lhes fassa molestia por algum. Item, Cingir Espada; e trazer consigo Armas assim Offensivas como Defensivas, Conforme ao Uzo e Costume do Lugar, para que Milhor se possaõ defender a sy, e a seus Bens.

## XXIII.

ITEM, Que todos os Bens e Mercadorias da ditto *Republica*, ou *Rey*, dos seus Povos ou Vassallos de ambas as partes, Carregadas em Náus dos Inimigos dos outros, a Li achados, com as mesmas Naos sejaõ Prezas, e Rematadas







tadas em Publico. Mas que todos os Bens dos Inimigos de Cada hum, ou Mercadorias Carregadas em Naos de outra parte, ou do seo Povo e Vassallos, sejaõ intactas.

## XXIV.

ITEM, Que todas as Justas dividas que *El Rey de Portugal*, deve aos *Inglezes* a titulo de Mercadorias tomadas ou Compradas, ou finalmente de Naos Carregadas, ou antes, ou dipois de seos Bens serem postos em sequestro the este tempo, se paguem, e se entreguem immediatamente dentro em dous Annos proximos seguintes: E que todas as seguranças, Cauçoens, ou Fianças que os *Inglezes* déraõ por algũas Naos Carregadas thegora por *El Rey de Portugal*, ou por alguns de seos Vassallos para os Portos do Brazil, ou de Angola, e dipois detidas em alguns Portos de sua *Magestade*, ou pellos *Principes Roberto e Mauriçio* tomadas e occupadas, ou pello ditto *Rey*, ou por alguns de seos officiaes ou Ministros por algum modo impedidas para naõ poderem Cumprir seos Contratos; daqui por diante se Lançellem, Rompaõ, e saçaõ nullas, e que em suas Pessoas, nem suas Naos ou Bens se Embarguem, nem por modo algum se molestem pello ditto *Rey*, ou por alguns Vassallos seos por titulo e por Razaõ dos dittos Contratos.

## XXV.

ITEM, Como entre o novo *Parlamento*, e o *Embaxador Extraordinario de El Rey de Portugal*, se Conçertasse com o ditto *Embaxador* no segundo de seis *Artigos Preliminares*, nos quais a 29 de Dezembro de 1652 se Concordou, se Obrigasse que todas as Naos, Bens, Dinheiros e dividas pertençentes a qualquer *Inglez*, que foraõ tomadas e detidas nos Senhorios de *El Rey de Portugal*, Logo haõde Livremmente de sér Restituídas em Especie, com tanto que estejaõ do mesmo Valor, e que durem na mesma bondade em que estavaõ no tempo da detençaõ; e se fizeraõ peõres, entaõ se hade dar satisfação por ellas, conforme o seo Verdadeira preço quando primeiro foraõ detidas; mas quanto a Compensaçaõ dos damnos, sendo elles reduzidos

I

a Couza



Ships, and sold at publick Sale. But that all the Goods of the Enemies of either, or Merchandize loaden on board the Ships of either Party, or of their People and Subjects, shall be untouch'd.

## XXIV.

That all just Debts owing to the *English* by the *King of Portugal*, on Account of Merchandize taken or bought, or finally of Ships loaden, either before or after putting their Goods in Sequestration to this Time, shall be paid and discharged immediately within two Years next following; and that all Recognizances, Bonds, and Suretyships given and enter'd into by the *English*, on Account of any Ships hitherto laden by the *King of Portugal*, or any of his Subjects for the Ports of *Brasil*, or *Angola*, and afterwards detain'd in any of his *Majesty's* Harbours, or seiz'd and occupied by *Prince Rupert* and *Prince Maurice*; or hinder'd in any wise by the said *King*, or by any of his Officers or Ministers, from being able to perform their Contracts; shall from this Time forward be cancell'd, broken, and made null; and that neither their Persons, nor their Ships, nor Goods, shall be put under Arrest, or in any wise molested by the said *King*, or by any of his Subjects, on Account and by Reason of the said Contracts.

## XXV.

Whereas there was a Convention between the *new Parliament* and the *Ambassador Extraordinary from the King of Portugal*; and the said *Ambassador* in the *second* of the *Six Preliminary Articles*, which were agreed to on the 29th of *December 1652*, obliged himself that all the Ships, Goods, Monies, and Debts, appertaining to any *Englishmen* whomsoever, which were taken and detain'd in the Dominions of the *King of Portugal*, should immediately be freely restor'd in *Specie*; provided they were still of the same Value, and remain in the same good Condition they were in at the Time when they were first detain'd; but if they are grown worse than they were, then Satisfaction should be given for them, according to their *true Price or Value* when they



a Couza Certa por declaração do *Conselho* por Carta sua de 15 de Novembro de 1652, e declarado pello *Conselho* que a elle lhe não éra deliberado apertár e pedir a Restituição por fumo direito, mas em quanto somente por conforme a Equidade, e Razaõ: e que possa testificar o seu Animo por Procurár a Paz, o senhor *Embaxador*, supposto isto, se obrigasse, e que os damnos se haviaõ satisfazer. Em o quinto Artigo dos dittos *Preliminares*, o ditto *Embaxador* tomásse mais sobre sy, que todas as Naos, e Bens dos *Inglezes* que pellos *Principes Roberto e Mauriçio*, ou por qualquer Nao de baixo de sua Capitanea foraõ Levados a *Portugal*, e a hy dispendidos, ou ainda estaõ em Sér, ou por elles ou por seu Mandado tornados da Li a Levar, se Restituirem Logo aos Senhores & Proprietarios, ou se dêsse por elles Reparaçaõ, e Satisfaçaõ. E porque das Petições dos Mercadores e de outros que tocaõ a satisfação, ha ainda algũas Contraverfias, para que éstas Petições se Julguem, e se determinem, e éstas queixas de Direito e de Equidade; fór de ambas as partes Contratado, Concluido, e Concordado, que as dittas Petições sobre os damnos e Satisfaçoens se Refiraõ, como por estas presentes se Refirem ao Juizo, Arbitrio, e Sentença do *Doutor Waltero Walker*, e *Joaõ Crouther*; o *Doutor Henrique da Sylva* Secretario da Embaixada, e *Françisco Perreira Rebello* Agente das Couzas da mesma Embaixada; Pessoas indifferentes, e Eleytas assim de parte de *El Réy de Portugal*, como do Senhor *Protektor*; os quaes, por éstes presentes se fazem e Constituem Conheçedores Arbitros, e Juizes para Ouvir e Examinar todas, e cada hũa das Petições e queixas de cada hum dos Mercadores, Mestres de Navios, ou outros que Procuraõ o seu Direito em todos ou alguns dos Navios, Dinheiros, Dividas, Mercadorias, ou quaesquer outros Bens de que nos dittos Artigos *Preliminares* se fez Mençaõ, os quaes Arbitros se ajuntaraõ, e assentaraõ na Cidade de *Londres* a 20 de Julho proximo do Estillo Antigo, e o mesmo dia tomaraõ solemne Juramento diante dos Juizos do *supremo Tribunal de Almirantario de Inglaterra*; que elles, nas Cauzas que se lhe Referem para as Julgarem, haõ de Renunçiar todo o favor e Respeito para com cada hũa das partes, e a todo o proveito particular: Com éstes presentes se Instituem, e se lhe dá Authoridade



they were first detain'd. But as to the Compensation of the Damages, they being ascertain'd by a Declaration of the *Council* in their *Letter* bearing Date the 15th of *November* 1652, and therein declar'd by the *Council*, that it was not their Intentions to press and demand Restitution by Rigour of Law, but only in such Manner as should be conformable to Equity and Reason: And that the *Ambassador* might witness his Inclinations to procure a *Peace*, upon this Supposition he obliged himself that the Damages should be made good. In the 5th *Article* of the said Preliminaries, the said *Ambassador* farther took upon him, or engag'd, that all the Ships and Goods of the *English*, which by the *Princes Rupert and Maurice*, or by any Ship whatsoever under their Command have been carried to *Portugal* and there dispos'd of, or are still remaining, or either by them or their Command have been carried again from thence; shall either immediately be restor'd to their Owners and Proprietors, or Reparation and Satisfaction shall be given for them. And because some Controversies are yet remaining concerning the Petitions or Demands of the Merchants and others touching Satisfaction; to the End these Petitions or Demands, these Complaints of Right and Equity may be judged and determin'd; it was by both Parties contracted, concluded and agreed upon, that the said Petitions or Demands about the Damages and Satisfaction, shall be referr'd, as they are by these Presents referred, to the Judgment, Award, and Sentence of *Dr. Walter Walker*, *John Crowther*, *Dr. Henry da Sylva*, Secretary of the Embassy, and *Francis Perreira Rebello*, Agent in the Affairs of the said Embassy, indifferent Persons, and chosen, as well on the Part of the *King of Portugal*, as of the *Lord Protector*; who by these Presents are made and constituted Recognizers, Arbitrators, and Judges, to hear and examine all and every one of the Demands and Complaints of every one of the Merchants, Masters of Ships, and others, who claim a Right to all, or any of the Ships, Monies, Debts, Merchandize, and all other Goods whatsoever, mentioned in the said Preliminary Articles: Which Arbitrators shall meet and sit in the *City of London*, on the 20th Day of *July* next, O. S. and on the same Day they shall take a solemn Oath, before the Judges of the High Court



.dade para Chamarem quaesquer Pessoas, e para Manda-  
 rem trazer asy as diposicoens e Cartas que pertencerem ao  
 .Negocio que lhes he Comettido; e quer tomem, quer naõ  
 o ditto Juramento; Examinaraõ a Verdade de todas éstas  
 .Peticoens, e queixas Sumariamente: e tambem todos e  
 cada hum dos damnos que proçederaõ dos dittos Arestos  
 e Embargos; e aos dittos Arbitros com éstes presentes se  
 lhe dá Authoridade para finirem todas as Cauzas sobredit-  
 tas, e para Liquidarem, Julgarem, e finalmente Determi-  
 narem os damnos, e como elles ou a Mayor parte delles  
 em suas Discriçoens e Conçiencias Julgarem que he Justiça,  
 e Equidade; e para Publicarem a sua Sntença final debaxo  
 de seos escritos, a qual Sentença assim Publicada Liguará,  
 e Obrigará hũa e outra parte, sem Appellaçaõ, Revista,  
 ou Redempçaõ algũa: E o mesmo Rey se obriga a Cum-  
 prirla e goardárla Efficásmente en todas os seos Membros  
 e Cappitulos; e tambem a pagar, ou fazer que se pague  
 aquellá quantia ou quantias de *Dinheiro* que como ditto he,  
 lhe forem Julgadas. E alem disto se Concordou que se os  
 dittos Arbitros naõ Concordarem, e finalmente determi-  
 narem sobre as dittas Cauzas a elles Referidas, dentro no  
 primeiro de Setembro proximo seguinte do Estillo Anti-  
 go; Entaõ as dittas Peticoens deixadas por determinar  
 pellos dittos Arbitros, se submétem, como pellos prezen-  
 tes se submétem a tal Pessoa do *Conselho do Senhor Pro-  
 teitor*, que o mesmo Senhor *Proteitor* dentro de qualquer  
 tempo dipois do primeiro de Setembro proximo Nomeár;  
 para o qual fim o ditto Senhor *Proteitor* dará por Provi-  
 zaõ Authoridade a tal Pessoa assim Nomeada, para final-  
 mente determinar sobre todas, e cada hũa das Peticoens  
 sobredittas; E se antes de se dar pello ditto *Conselheiro* sen-  
 tença, Chegarem algũas Cartas de *Portugal*, ou Procurador  
 para tratar algũas da quellas Couzas; o ditto *Conselheiro* o  
 Ouvirá de Novo; e a Sentença que for dáda pella tal Pes-  
 soa assim Instituida debaxo do Seo Signal e Sello, Conclui-  
 rá, e obrigará a hũa e outra parte; e se Cumprirá, e Exe-  
 cutará Legitimamente: e para Mayor Cautela, e Seguri-  
 dade de que a soma de *Dinheiro* que for Julgada pellos dit-  
 tos Arbitrios, ou Arbitro se pagará com boa fée, foy Con-  
 cluido, e Concordado que hũa Ametade dos *Direitos e Co-  
 stumes de Portugal* de todos os Bens e quaesquer Mercado-  
 rais



Court of *Admiralty of England*, that they will renounce all Favour and Respect to either Party, and all private Interest, in judging of the Matters to them referr'd; and by these Presents they are instituted, and authorized to summon any Persons whatsoever, and to order such Depositions and Papers to be laid before them, as shall have any Relation to the Business referr'd to them; and whether they take the *said Oath*, or *not*, they shall, in a summary Way, examine and inquire into the Truth of all these Petitions and Complaints, and also all and every one of the Damages, which were occasioned by the said Arrests and Detainers. And the said *Arbitrators* are authorized, by these Presents, to finish all the Causes above-mentioned, and to liquidate, adjudge, and finally determine the Damages or Losses, as they, or the major Part of them, in their Discretion and Consciences shall judge to be Justice and Equity, and to publish their final Sentence in Writing under their Hands; which Sentence, so published, shall bind and oblige both Parties, without any Appeal, Revival, or Redemption whatsoever: And the said *King* binds himself effectually to perform, keep, and observe the same in all its Members and Articles; as also to pay, or cause to be paid such Sum or Sums of Money as shall be adjudged him as aforesaid. And, besides which, it is agreed, that if the said *Arbitrators* do not agree and finally determine upon the said Things to them referr'd, before the the first of *September* next, O. S. then the said Petitions or Demands, which are left undetermined by the said *Arbitrators*, shall be submitted, as they are by these Presents submitted, to such Person of the *Lord Protector's Council*, as the said *Lord Protector* shall nominate, within any Time whatsoever after the first of *September* next: For which End the said *Lord Protector* shall, by his Mandate, authorize such Person, so nominated, finally to determine upon all and every one of the Petitions or Demands aforesaid. And, if before the Pronunciation of Sentence by the said *Counsellor*, any Papers should arrive from *Portugal*, or any *Procurator*, to solicit about any of those Causes, the said *Counsellor* shall give them a new Hearing; and the Sentence, which shall be given by such Person, so instituted, under his Hand and Seal, shall



rias dos Naturaes e Populares desta *Republica* que Negoçêem para *Portugal*, Logo dipois da data do Tratado se apliquem ao ditto pagamento; a qual Metade, de tempo à tempo se pagará a quella Pessoa que o ditto Senhor *Proteſtor* nomear, dando ſatisfaçãõ aos damnos dos Mercadores, Meſtres de Navios, e Proprietarios.

## XXVI.

ITEM, Foy Concluido, e Concordado que a presente *Pas e Confederaçãõ*, não ferá derogada por qualquer outra *Liga* ou *Confederaçãõ* feita, ou que se faça pello Serenissimo *Proteſtor de Inglaterra e Rey de Portugal*, com quaesquer outros *Principes*, ou *Republicas*; mas que éſta *Pas e Confederaçãõ* inteiramente se goarde, e sempre ſurta ſeo Efeito.

## XXVII.

ITEM, Foy Contratado, e Concluido, que hũa e outra parte Verdadeira e firmemente Observará, e dará a Execuçãõ o presente *Tratado*, e a todas, e a cada hũa das Couzas que nelle se Conthem e se Comprehendem, e que procurará que o meſmo ſeja Observado e Cumprido pello Povo, e Vaffallos de hum, e outro.

## XXVIII.

ITEM, Foy Contratado, e Concluido, que o presente *Tratado*, e todas, e cada hũa das Couzas que nelle se Conthem, Concluem, e Concluireãõ; se Ratificaraõ pellos ditos Senhores *Proteſtor, e Rey*, por Cartas Patentes de hũa e outra parte, Ornadas com o Sello grande na forma devida,



conclude and bind both Parties, and the same shall be duly complied with and executed. And for the greater Caution and Security that such Sum of Money, as shall be adjudged by the said *Arbitrators* or *Arbitrator*, may be honestly paid, it is agreed and concluded, that one Moiety of the Duties and Customs of *Portugal*, arising from all the Goods and Merchandize whatsoever of the Natives and Populace of this *Republick*, who trade to *Portugal*, shall immediately, after the Date of this Treaty, be applied to the said Payment: Which Moiety, from Time to Time, shall be paid to that Person, which the *Lord Protector* shall nominate, thereby giving Satisfaction to the Merchants, Masters of Ships and Proprietors, for their Losses or Damages.

## XXVI.

It was concluded and agreed upon, that this present *Peace* and *Confederacy* shall not be broken by any other *League* or *Confederacy*, either already made, or that shall be made by the most Serene *Protector* of *England*, and *King* of *Portugal*, with any other *Princes* or *Republicks* whatsoever; but that this *Peace* and *Confederacy* shall be intirely kept, and its Effects always remain in full Force.

## XXVII.

It was agreed and concluded, that both Parties shall truly and firmly observe, and put in Execution, the present *Treaty*, and all and every one of the Things therein contain'd and comprehended, and cause the same to be observed and perform'd by the People and Subjects of the one and the other Party.

## XXVIII.

It was agreed and concluded, that the present *Treaty*, and all and every one of the Things therein contain'd and concluded, shall be ratify'd by the said *Lord Protector* and *King*, by the Letters Patent of both Parties, adorn'd with the Great Seal, in due and authentick Form, within six



vida, é Authentica, dentro de Seis Mezes proximos seguintes, e se Entregaraõ de parte a parte dentro no ditto tempo Instrumentos ; e tambem que ésta *Pas e Confederaçãõ* Logo que se entregarem, e trocarem os Instrumentos, será Publicada na forma, e Lugar Costumado.

Em fée e Testemunho de toda a Referida, nós os Commissarios de sua Alteza o Senhor *Proteçtor* ; e os *Embaxadores* Extraordinarios do Serenissimo *Rey de Portugal*, por Virtude das nossas Commissõens e Plenas Poderes respeitivas a éste Acto, assignamos o presente Tratado com as nossas Mãos, e o Sellamos com os nossos Selos. Feito em *Westminster* aos 10 dias do Mez de Julho no Anno de 1654.





Months next ensuing; and within the said Time, mutual Instruments shall be delivered on both Sides: And also this *Peace* and *Confederacy*, shall immediately (after the Delivery and Exchange of the Instruments) be proclaim'd in the usual Forms and Places.

In Faith and Testimony of all which, we the *Commissioners* of his Highness the *Lord Protector*, and the *Ambassadors Extraordinary* of the most Serene *King*, by Virtue of our respective Commissions and full Powers, have sign'd the present Treaty with our own Hands, and seal'd it with our Seals. Done at *Westminster* the 10th Day of *July*, in the Year 1654.







# ARTIGO SECRETO

ENTRE

O Senhor *Protektor de Inglaterra, Escocia,*  
e *Ibernia, de hua parte ;*

COM

O Serenissimo *Rey de Portugal, e dos Algarves, &c.*  
da outra ;

Concordado com o Conde Camareyro Mór, seo *Embaxador* Extraordinario em Londres.

**I**TEM, que as gentes e Inhabitants de *Inglaterra,* Comerçando (como atras fica ditto) nos Reynos, Dominios, Portos, ou Territorios do ditto *Rey ;* não pagaraõ mais Direitos e Tallas senaõ da Maneira seguinte.

Que as Fazendas, Mercadorias *Inglezas,* e Manufetorias, na sua avaliaçaõ a pagar Direitos, nunca Excedaõ de 23 por Cento, e sejaõ favoreçidamente avalliasdas Conforme o Regimento da Alfandegua, e das Antigas Leys do Reyno ; e dado Cazo que houver Movimento de se Levantar a Avalliaçaõ por razãõ de Subir o Verdadeiro Valor, ou fazenda ou Mercadoria, senaõ faraõ senaõ por Consentimento, e em prezença de dous Mercadores *Inglezes ;* Rezidentes e Moradores em *Portugal,* eleytos pello *Consul dos Inglezes ;* e dado Cazo que a Mercadoria baixar do prezente ou futuro Valor exacta, a Valiaçaõ e duvida Será deter-





A

# SECRET ARTICLE

BETWEEN THE

Lord *Protector* of *England*, *Scotland*, and  
*Ireland*, on the one Part ;

AND

The most Serene *King* of *Portugal*, and of the  
*Algarves*, &c. on the other Part ;

Agreed on with the Lord High Chamberlain, his Majesty's  
Ambassador Extraordinary in *London*.



H A T the People and Inhabitants of *England*, trading (as has been already mentioned) in the Kingdoms, Dominions, Ports, or Territories of the said *King*, shall not pay more Duties and Taxes, but only in the Manner following, *viz.*

That the *English* Goods, Merchandize, and Manufactures, shall never exceed 23 *per Cent.* on their Valuation, for the Payment of the Duties ; and they shall be favourably valued, according to the Regimen of the Customhouse, and the Ancient Laws of the Kingdom ; and, supposing there should be any Motive for raising the Valuation, by Reason of a Rise in the real Value of Goods or Merchandize, it shall not be done but by the Consent, and in the Presence of two *English* Merchants, who reside and dwell in *Portugal*, and are chosen by the *English* Consul ; and, granting that the Merchandize should fall from its  
present



determinada por pessoas desintressadas, que serãõ Eleytas pello *Consul dos Inglezes*, e officiais da Alfandegua: e os sobredittos habitantes do ditto Reyno Comerçando nos dittos Dominios e Senhorios desta *Republica*, pagaraõ os presentes Tallas e Direitos, como Novamente saõ Impostos neste prezente Mez de Mayo de 1654. Conforme a Uzança e Leys da Praça, Observandosse de ambas as partes as Leys e Ordenaçoens de cada Praça Respeitivamente.

E assim foy concordado, e concluido, que o Artigo sobredito, e tudo o mais contheudo Nelle, seja Confirmado ou Ratificado pello ditto *Rey*, e pello ditto Senhor *Proteetor* por Cartas e Letras Patentes de hũa e outra parte, Selladas com o Sello grande na forma Devida e Authentica, dentro de 6 Mezes proximos seguintes, e dentro no ditto tempo se passaraõ Instrumentos de hũa e outra parte.

Em fée, e testemunha de que, assignamos; o *Comissario* do ditto Serenissimo *Rey*, por força e Vigor, e em Virtude das nossas Comissoens respeitivas, por este Acto; e assignamos das nossas Maõs, e Signais, o ditto Artigo secreto, e Sellamos com nossos sellos Manuaes, feito em *Westminster*, aos 10 dias do Mez de Julho de 1654.





present or future exact Value, the Valuation and Doubt shall be determined by disinterested Persons, who shall be chosen by the *English Consul*, and the *Officers of the Custom-house*. And the abovesaid Inhabitants of the said Kingdom, trading in the said Dominions and Lordships of this *Republick*, shall pay the present Taxes and Duties as they are newly imposed or settled in this present Month of *May 1654*. according to the Usance and Laws of the Place, both Parties observing the Laws and Ordinances of each Place respectively.

And thus it was agreed upon, and concluded, that the abovesaid Article, and every thing contain'd therein, shall be confirm'd or ratified by the said *King*, and by the said *Lord Protector*, by the Letters Patent of the one and the other Party, sealed with the Great Seal, in due and authentick Form, within six Months next following; and within the said Time Instruments shall be passed or exchanged by the one and the other Party.

In Faith and Testimony whereof, we sign: The *Commissioner* of the said most Serene *King*, by the Force, Vigour, and Virtue of our Commissions respecting this Act; and we sign this secret Article with our Hands and Firms, and we seal it with our Manual Seals. Done in *Westminster* the 10th Day of the Month of *July 1654*.







# C A R T A

D E

## P R I V I L E G I O S E F O R A L

D O S

## I N G L E Z E S ;

C O M P O S T A D E

Varias Antigas Provizoens, Alvará's, Decretos, e Leys, Conçedidas por alguns dos Senhores *Reys de Portugal*, em favor dos *Inglezes*, e outros.

**D**OM JOAM, por graça de Deos, *Rey de Portugal*, e dos Algarves, da quem, e da lem, Mar em Affrica, Senhor de Guiné, e da Conquista Navegaçãõ, Comercio de Etheopia, Arabia, Persia, e da India, &c. A todos os Corregedores, Provedores, Ouvidores, Julgadores, Juizes, Justiças, Offiçiaes, e Pessoas de meus Reynos e Senhorios de *Portugal*, adonde, e per ante quem ésta minha prezente Carta de *Privilegios* for apresentada, e o conhecimento della com Direito pertencer, que nesta minha Muito Nobre, e sempre Leal Cidade de *Lisboa*, e Juizo de





A  
C H A R T E R  
O F T H E  
P r i v i l e g e s   a n d   L i b e r t i e s  
O F T H E  
E N G L I S H ;

C O N S I S T I N G   O F  
Various Ancient Provisional Laws, Alvará's,  
and Decrees, &c. granted by several of  
the *Kings of Portugal*, in Favour of the  
*English*, and others.

**D** O N J O H N, by the Grace of God, King of  
*Portugal*, and of the *Algarves*, of this Side, and  
beyond, the Seas in *Africa*, Lord of *Guinea*,  
and the Conquest, Navigation, Commerce of  
*Ethiopia*, *Arabia*, *Persia*, and the *Indies*, &c.  
To all Justices, Commissioners, Auditors, Judgers, Judges,  
Officers of Justice, and Persons of my Kingdoms and Do-  
minions of *Portugal*; where, or before whom this my pre-  
sent *Charter of Privileges* may be presented, and to whom  
the Acknowledgment thereof by Right may belong:  
Know, that in this my very noble, and always loyal *City*



de Alfandegua della, a Mim, e a Meo Ouvidor, que no tal tempo era o Douctor *Nicolao Dias Tinoco*, como Juiz *Conservador dos Inglezes*, se fes Petição em nome de toda a Nação *Ingleza* Moradora nesta *Cidade*, Dizendo-me nella, que entre Provizoens, Cartas, e Alvarás, que os Senhores Reys destes Reynos lhes Conçederaõ, era que nenhum Alcayde nem Meyrinho lhes entrasse em suas Cazas a fazer com elles diligências algũas, nem em outra parte, salvo fosse o ditto seo *Conservador Juiz Privativo*, ou por seo Mandado, com pena de 20 Cruzados para elles; salvo indo a Justiça Após algum Malfetór em fragante delicto Achado. E por que outrosim naõ pagassem Fintas, Peitas, Tallas, nem Prestidios, nem Servissos, nem outros nenhuns encargos. E que outrosim naõ fossem Prezos, nem Reteudos na Prizaõ por cazo que fosse de Crime, salvo por Mandado do ditto meo Ouvidor seo *Juiz Privativo* sem homenagem na forma da Provizaõ de *El Rey Don Manoel* que santa Gloria haja; e assim tambem podiaõ trazer Armas Offensivas, e Deffensivas, por todo este Reyno, assim de Noute como de Dia, antes do sino Correr, como depois delle, com Luine, e sem Lume, entrar com ellas nos Lugares prohibidos de todo este Reyno. E que outrosim eraõ Vexados pellos Almotaçeis da Limpeza, que de Ordinario delles eraõ perseguidos, posto que por escuzarem differenças lhes Mandáraõ o seo tostaõ, e o naõ queriaõ aceitar; e aos Naturaes aceitavaõ 40 Reis e menos, e a elles supplicantes por os Verem *Estrangeiros* os Condenavaõ em Milreis, e o menos 500 Reis. E que outrosim indo elles fora desta *Cidade* a seos Negocios, as Justiças de fora della os Vexavaõ, e lhe naõ queriaõ goardar o ditto seo *Privilegio*, antes lhes davaõ diferentes entenderes para os Vexarem, e lhe tomavaõ suas Armas que Levavaõ e podiaõ trazer.



of *Lisbon*, in the Court of the Custom-house thereof ; To Me, and to my Auditor, who at that Time was Dr. *Nicholas Dias Tinoco*, as *Judge Conservator of the English* ; a Petition was made, in the Name and Behalf of all the *English Nation* then residing in this *City* ; wherein they set forth, that, among the Laws, Charters, and Decrees, which the Sovereigns of these Kingdoms had granted in their Favour, it was provided, that no Bailiff or Constable should enter their Houses to execute any Warrants or Mandates on their Persons or Goods ; nor should it be done in any other Place, or by any other Person, but by their *Judge Conservator*, or by his Mandate, under the Penalty of 20 *Cruzados* Forfeiture to their Use ; except the Officers of Justice should be going in Pursuit of a Malefactor detected in some flagrant Fact. And that also they were excused or exempted from paying any Manner of Rates, Taxes, and Loans, or performing any personal Services, or holding any Offices of Charge whatsoever. And likewise that they should not be imprisoned or retained in Prison, even in a criminal Case, otherwise than by the Mandate of my said Auditor, their *Judge Conservator*, without Homage, according to the Provisional Law of the *King Don Emanuel*, who we hope is taken into Glory, and that likewise they were authoriz'd to carry Arms Offensive and Defensive in all this Kingdom, as well by Night as by Day, before or after the ringing of the *Evening Bell*, either with Light, or without Light, and enter with them into the prohibited Places of all this Kingdom. And, in like Manner, they inform'd me how they had been vexed and disturbed by the Scavengers Officers, who used to persecute them, notwithstanding, in order to excuse any Differences, they used to send them 100 *Reis*, which they would not accept of ; but from the *Portuguezes* they accepted of 40 *Reis and less* ; but, because the Petitioners were Strangers, they condemned them in 1000 *Reis*, or at least in 500 *Reis*. And likewise, when they went out of this *City* about their Business, the Justices of the Country Villages used to vex and disturb them ; and they would not keep, or have any Regard to their said Privileges ; but rather put different and wrong Constructions upon them, in order to vex and trouble the said Petitioners ;

and



Me Pediaõ, e ao ditto meo *Ourvidor feo Juiz Conservador Privativo*, declaráffe por feo Despacho, em como elles podiaõ uzar das dittas Armas, e qualquer Justiça que lhas quizesse acoutar fosse diente do ditto feo *Conservador*, e naõ de outra algũa Justiça, sub pena de serem suspenssos, e dos encoutos do feo *Privilegio*. E Reçeberia Mercé.

Isto se continha na ditta Petição, com o qual Offereço *Thomas Bastoque* Inglez, o Foral e *Privilegio* dos dittos *Inglezes*, no qual estaõ insertas as Cartas e Cappitulos seguintes.

DOM FERNANDO, *Rey de Portugal, &c.* a Vós *Fernaõ Rodrigues* Juiz por mim nos feitos da minha Alfandegua de *Lisboa*, ou outro qualquer que dispois de Vós for, quer Saude.

Sabede que querendo eu fazer graça aos *Mercadores Inglezes* Naturaes de Reyno de *Inglaterra*, e do Senhorio do *Principe de Gales*, doulhevos a Vós por Juiz nos feitos que elles tiveraõ com algũas pessoas de meos Senhorios, sobre algũas Mercadorias que Comprarem ou Venderem, dessa Pessoa ou Pessoas delles.

Porque Vós mando, que Vós, ou qualquer que em Vosso Lugar estiver, Conheçedes dos dittos Feitos e Demandas que éntre elles com os Sobredittos houvér, ou Vós Sobredittos com elles em razaõ das dittas Mercadorias como ditto hé; e Mando que da qui em diente naõ tomem outro Conheçemento dellas, salvo Vós ditto *Fernaõ Rodrigues*, ou qualquer que em Vosso Lugar por mim Juiz na ditta Alfandegua estiver; e al naõ façades. Em testemunha deste lhe Mandey dár ésta minha Carta dante, em *Lisboa*, a 29 de Outubro de 1450. *Estevaõ Armes* a fes, por *El Rey Dom Fernando*.

**EL REY.**



and they took away their Arms, which they carried, and were authorized to carry.

They begg'd of me, and of my said Auditor, their *Judge Conservator*, to declare, by his Dispatch, that they were authorized to use the said Arms; and that, if any Officer of Justice had a Mind to impeach them, it should be done before their said *Judge Conservator*, and no other Judge or Justice whatsoever, under Penalty of being suspended from their Offices, and falling under the Lash of their Privileges; and they would thankfully receive the Favour done them.

This was the Contents of the said Petition: Together, with which, *Thomas Bostock, an Englishman*, presented the *Charter of the Liberties and Privileges of the English Nation*, in which were inserted the subsequent Papers and Articles, *viz.*

*DON FERDINAND, King of Portugal, &c.* to thee, *Fernando Rodrigues*, by my Authority, Judge in the Causes relating to my Custom-house of *Lisbon*, or to any other, who, after thee shall occupy thy Place, Health, &c.

Know thou, that it being my Pleasure to favour the *English Merchants, Natives of the Kingdom of England*, and the Dominions of the *Prince of Wales*, I give thee to them for their *Judge*, in the Law Suits they have, or may have, with any Persons of my Dominions, on Account of Merchandize bought or sold by them, to, or from, such Person or Persons of my Dominions.

I thee therefore command, that thou, (or whoever may be in thy Place) take Cognizance of the Law-Suits and Causes, that between the Parties abovesaid may happen, either by Complaint of the one, or the other, upon Account of Merchandize, as is above already expressed. And I command, that henceforward, no others shall take Cognizance of the said Law-Suits, besides thee the said *Fernando Rodrigues*, or any other Person that by my Authority may fill thy Place, as Judge of my said Custom-House; and thou shalt not do any thing to the contrary, or beyond this my Command. In Witness whereof, I have commanded this my Grant to be given in *Lisbon*, the 29th Day of *October*, 1450. Written by *Stephen Armes* for the King *Don Ferdinand*.

THE KING.



*DOM JOAM* por Graça de Deos, *Rey de Portugal*, e dos *Algarves*, &c. A quantos ésta Carta Virem, fazemos fabér que querendo-nos fazer Graça e Merçée a todos os Mercadores *Inglezes* do Reyno de *Inglaterra* que Vierem a Cidade de *Lisboa*, e outros quaesquer Lugares do Reyno; témos por bem, e Mandamos, que elles hajaõ da qui por diante todos os *Privilegios* e *Liberdades* que haõ os *Genouezes*, e presentes Mercadores que Vem a Nossos Reynos, e a cada hum dos Lugares delles, e estiverem em elles em a Cidade de *Lisboa*; e porem Mandamos a todos os Juizes, Justiçás dos dittos Reynos, e a todos os Almozariffes, Escrivaens, e outros quaesquer que houverem de Vér a que ésta fór Mostrado, que Vejaõ os dittos *Privilegios* e *Liberdades* que os dittos presentes, e *Genouezes* haõ dos Reynos que antes nos foraõ confirmados por Nos; e lhes guardem Cumpridamente aos dittos Mercadores *Inglezes*, por aguiza e Condiçaõ que os guardaõ aos dittos *Genouezes* Cumpridamente, e presentes, que Novo Merçée he que aos dittos *Inglezes* havemos dados *Privilegios* e *Liberdades*. Em testemunha desta lhe Mandamos dar esta nossa Carta dante, na Cidade de *Coimbra* a 10 de Agosto de 1400. Diogo Paes a fes por *El Rey Dom Joaõ*.

**EL REY.**

*DOM ALFFONSO*, por Graça de Deos, *Rey de Portugal*, e dos *Algarves*, &c. A quantos esta nossa Carta Virem, fazemos saber, que nos *Prevelegiamos* a todos os *Flemengos*, *Alemaens*, *Françezes*, e *Bretaens*, que a nossos Reynos vierem Morár; e por quanto *Miguel Armaõ*, Alemaõ Sapateiro, Morador na nossa Cidade de *Lisboa* he hum das dittas Naçoens que assim *Prevelegiamos*, nos pedio por  
Merçée



*DON JOHN*, by the Grace of God, *King of Portugal*, and of the *Algarves*, &c. to all, to whom this Letter shall come, we by it make known, that whereas we are graciously pleased to favour all the *English* Merchants of the *Kingdom of England*, who come to the City of *Lisbon*, or other Places whatsoever of this Kingdom; it is our Pleasure, and Commands, that they shall henceforward have, and enjoy all the Privileges and Liberties that are granted to the *Genoueze's*, and other Merchants, who at this Time come to, or reside in our Kingdoms, either in the City of *Lisbon*, or in any other Places whatsoever within our said Kingdoms. We therefore command all Judges, and Justices of the said Kingdoms, and all General Receivers of the Revenues, Scriveners, and all others whatsoever, to whom this may be presented, that they look into the said Privileges and Liberties, which the said *Genouze's*, and others frequenting our Dominions, have obtain'd from these Kingdoms, and have been heretofore confirm'd by us; and see that they keep, observe, and fully comply with the same, in Favour of the *English* Merchants, for the same Cause and Reason as they strictly observe them in Favour of the said *Genoueze's* and other Merchants, at present residing in our Kingdoms, it being a new Favour we shew to the said *English*, having before given them Privileges and Liberties. In Testimony whereof, we have commanded this our Letter Patent to be given in their Favour, in the City of *Coimbra*, the 10th Day of *August* 1400. Written by *James Paes*, for the *King Don John*.

## THE KING.

*DON ALFONSO* by the Grace of God, *King of Portugal*, and of the *Algarves*, &c. to all to whom this our Letter shall come, we by it make known, that we privilege all the *Flemings*, *Germans*, *French*, and *Britons*, who come to reside in our Kingdoms; and forasmuch as *Michael Arman*, a *German Shoemaker*, and a Dweller in our City of *Lisbon*, is a Subject of one of the said Nations, which we so privilege, and he



Mercée que lhe Mandáffemos dár Noffo *Privilegio*, e visto feu Requerimento querendolhe fazer Graça e Mercée; Havemos por bem, e queremos que da qui em diante naõ seja Constrangido para haver de pagar nenhūs noffos pedidos, Peitas, Fintas, nem Tallas, nem Prestidos, nem Serviffos, que por Nos, nem por Noffos *Conselhos* Saõ, ou forem Cauçados por qualquer Guiza que sejaõ; naõ vaõ com pressos, nem com Dinheiros, nem seja Tutor, nem Curador de Nenhūas Pelloas que sejaõ, nem sejaõ Constrangidos para outros Nenhuns encargos, nem servidoens Noffas, nem dos *Conselhos*, nem haja nenhum officio Noffo, nem do ditto *Conselho* Contra sua Vontade. Outrosim, queremos que naõ Sirva, nem Vá Servir, nem por Már, nem por Terra, a Nenhūas partes que sejaõ, nem tenhaõ Cavallos, nem Armas, nem Bestas para Noffo Serviffõ, posto que para ello haja Contra. Outrosim, mandamos, e defendamos, que naõ seja nenhum taõ Ouzado de qualquer estado e Condiçaõ que seja, que lhe pouze em suas Cazas de Morada, e Adegas, nem Cavallariçes, nem lhe tomem seo Pam, Vinho, Roupa, nem outra nenhūa couza do seo, contra sua Vontade.

ITEM, lhe damos Liçensa alugar e andar em Besta Muár, de Cella e freyo, por todos Noffos Reynos e Senhorios, sem embargo da deseza e ordenaçãõ sobre ella feita. E mandamos que o Noffo Apozentadór, e o da *Reyinha* Mulher que sobre todas prezamos e Amamos, e dos *Infantes*, e *Condes* aos da ditto Cidade, que em cazo que na todos, ou cada hum de Nos lhe hajamos Mistér, lhe naõ dêm as dittas suas Cazas de Apozentadorias em Maneira algũa que seja; que assim he nõssa Merçée, sub pena de noffos encoutos, è de Seis Milreis que pague para Nos qualquer que contra este fór, os quaes mandamos aos noffos Almoxariffes, ou Reçebedores que os recadem e reçebem para Nos, e aos Escrivaens de seos officios que os ponhaõ em Reçeita sobre ellas, para dellas havermos boa Recadaçaõ, sob pena de o pagarem em dôbro das suzas Cazas.



humbly imploring our Favour, that we would command our Privilege to be given him, and considering his Request, we have thought fit to shew him our Grace and Favour; therefore it is our Royal Pleasure and Will, that from henceforward he shall not be constrain'd to pay any of our Demands, Rates, Taxes, or Loans whatsoever; nor shall he do any Services, or take upon him any Charge whatsoever, or Servitudes that are, or have been occasioned by us or by our *Councils* upon any Account whatsoever; they shall not guard either Prisoners or Monies; nor shall they be Tutors or Preceptors to any Persons whatsoever; nor shall they be obliged to hold any Manner of Offices, or Servitudes under us, or our *Councils*, against their Will. In like Manner, they shall not be obliged to go into our Service, either by Sea or Land, in any Parts or Places whatsoever; nor shall they be obliged to keep Horses, Arms, or Mules for our Service, notwithstanding any Law or Custom to the contrary. In like Manner, we command, that no Person of what State or Condition soever, shall be so presumptuous as to take from them their dwelling Houses, or Cellars, or Stables; nor shall they quarter therein, neither shall their Bread, Wine, Cloaths, or any other Things whatsoever of theirs, be taken from them against their Will.

We give them leave to hire and ride on Beasts of Burden, with Saddle and Bridle, all over our Kingdoms and Dominions, notwithstanding the Prohibition and Ordinance made about this to the contrary. And we command our Harbinger, the Harbinger of the Queen our Consort, (whom above all we prize and love;) as also of the *Princes*, and *Lords* of the said City, that, in case all, and every one of us should have Occasions, their said Houses shall not be taken from them for the use of Us, or any other Persons, in any Manner, or by any Means whatsoever. Such is our Royal Favour, upon Pain of our Displeasure, and the Forfeiture of *Six Milreis* to be paid for our Use, by any Person whatsoever, who shall act contrary to this our Mandate; the which we command our Collectors and Receivers to levy and receive for our Use; and the Scriveners of their Offices shall enter it in their Books, that a good and true Account thereof may be kept, under the Penalty of paying double the Sum for their Neglect.



E porem mandámos a todos nōssos Corregedores, Juizes, Justiças, e aos Reçebedores e Sãcadores, e outros quaesquer officiaes e Pelloas que isto houver de Vêr, que hajaõ o ditto *Miguel Armaõ*, Alemaõ sapateiró pör Relevado e Escuzado das sobre dittas Couzas, e naõ Constrãyaõ para nenhũa dellas; e lhe Cumpraõ, e façaõ bem Cumprir e guardar esta nossa Carta pella Guiza que em ella he Contheudo; e lhe naõ Vaõ, nem Consintãõ hir Contra ella em Maneyra algũa que seja; que assim he Nossa Merçee lhes Ser feita, e hums e outros al naõ façais. Dado na Cidade de *Evora*, a 28 de Março de 1452. Loupo Fernandes a fes por *El Rey Dom Alffonso*.

## EL R E Y.

**DOM MANOEL** por Graça de Deos, *Rey de Portugal*, dos Algarves, &c. A quantos estas Nossas Letras Virem, Muito Saude e Dezejo de Amór. E por quanto de boa Vontade Costumamos honrãr aos que saõ dignos de honra, e com Liberal beneficio os profeguir; e chegando a Nos o aprovado Varaõ *Simaõ Lopes*, com a Costumada Humanidade, o havemos e Liberalmente despachamos Segundo em estas Letras se Mostra, e elle Vejo a Merçẽ em nome dos Estimados Varoens, *Antonio de Belver*, e *Coñrãdo Telim*, em nome Seo, e da sua Companhia dos Nobres Mercadores da *Imperial* Cidade *Augusta*, e de outras Villas de *Alemanha*; significando-nos que elles queriaõ nesta Nossa Cidade de *Lisboa* assentar Caza de sua Companhia para Negociar, e tratar de Mercadorias em Nossos Reynos, se a Nos nos aprovêsse, outorgando-lhe algũas graças e *Liberdades* que nos pediaõ, segundo em outras Terras lhes era



We therefore Command all our Justices, Judges, Officers of Justice, Collectors, Receivers, and all other Officers and Persons whatsoever, to the Sight or Knowledge of whom this may come, that they shall acknowledge, and hold the said *Michael Arman, German Shoemaker*, for relieved and excused from the abovesaid things, and he shall not be obliged or constrained to any of them; therefore see that you comply with, and cause this our Letter to be well and truly comply'd with, and kept, and observed for the Cause and Reasons therein contain'd, nor shall ye do, or consent that any thing shall be done to the contrary hereof in any Manner, or by any Means whatsoever; for such is our Grace and Favour that it shall so be done, and let neither one nor other do any thing to the contrary. Given in the City of *Evora*, the 28th Day of *March*, 1452. Written by *Loupo Fernandes*, for the King *Don Alfonso*.

## THE KING.

*DON EMANUEL*, by the Grace of God, *King of Portugal*, and of the *Algarves*, &c. to all to whom these our Letters may come, Health and Desire of Love. And whereas with good Will we are accustomed to honour such as are worthy, and with liberal Beneficence tread in the Paths of Honour: And whereas our approved-of Subject, *Simon Lopes*, having apply'd to Us, with his accustomed Humanity, We have heard him, and liberally granted his Request, as will appear by these our Letters, wherein may be seen our gracious Favours in Behalf of the esteemed Gentlemen *Anthony de Belver*, and *Conrado Telim*, in their own Names, and in the Names of their Company of noble Merchants of the August and Imperial City, and other Towns of *Germany*; wherein they signify'd to us their Desire of settling a House of their Company in this City of *Lisbon*, in order to Negotiate, Trade, and Merchandize in our Kingdoms, if we approved of granting them some Favours and Liberties, which they requested of us, conformable to such as were given them in other Countries;



dadas ; e Nos entendendo em seo Requerimento, e Considerando quanta honra e humanidades a taes Varoens seja devida, así por suas proprias PESSOAS dignos de todo o favor, como pello seo Comoderavel Trato, que segunda a Noss parece, aos Nossos aproveito fará, como tambem o Serem Cidadoens *Imperiais*, como im Augusto *Maximiliano Imperador dos Romanos* Nosso Muito Amado Sobrinho, pello qual com boa Vontade dámos Consentimento a sua Petição, Outorgando-lhe as *Liberdades e Privilegios* que pedião, as quaes a nenhuns outros, nem aos Nossos subditos ainda foraõ Conçedidos, segundo em éstas Letras se Mostra, e Largamente será Contheudo.

ITEM, Primeiramente Outorgamos aos dittos Nobres Mercadores que sejaõ *Livres*, e possaõ Livrémente Negociar, tratar, e Vender, e Comprar, por todos Nossos Reynos e Senhorios por suas proprias PESSOAS, ou por seus Feitores, ou Servidores.

ITEM, Queremos, e Mandamos que quando quer que suas Mercadorias Vierem em algũa Nao, ou Navio davante, ou Perta de ditta *Cidade*, ao tempo que se houverem de descarregar, antes que se descarreguem, os nossos officiaes da descarga lhe faraõ Saber da descarga primeiro, que Venhaõ a estár a ellas se quizerem, e tragaõ Barcas em que as descarreguem, e dépois de passarem tres horas pouco mais ou menos, naõ Vindo elles, ou Mandando ; entaõ os dittos officiaes as poderem descarregar, estando elles em a *Cidade*.

ITEM, Mandamos, tanto que suas Mercadorias forem as Alfandegas, paguem Logo a *Dizima e Ciza*, tirando os Pannos de Lam, dos quaes pagaraõ a *Ciza* ao tempo que se Venderem, segundo se hora fas e em nossas Artigos he Contheudo ; as quaes *Cizas* pagaraõ aos Officiaes das Cazes a quem pertencerem, e se assentaraõ em seus Livros como pagaraõ, que para ao diante naõ poder haver a hi mais duvida : e tanto que pagarem os dittos Direitos, e lhe forem Entregues as dittas Mercadorias, as Levaraõ para onde quizerem por todos Nossos Reynos e Senhorios, sem serem obrigados a fazer saber as Mudanças e Vendas



Countries; and as we have understood their Request, and considered how much Honour and Humanity is due to such Gentlemen, as well upon Account of their Persons being worthy of all Favour, as on Account of their commodious Trade, which, according to our Opinion, will be advantageous for our People; as also on Account of their being Imperial Citizens of the August *Emperor of the Romans, Maximilian* our beloved Cousin. For which Reasons, we consent to their Petition with very good Will, granting them the Liberties and Privileges they desire, the which have never been granted to any others, or even to our own Subjects, as in these Letters will appear and be contain'd at large, *viz.*

In the first Place, we make over a *Freedom* to the said noble Merchants, whereby they may freely negotiate, trade, sell, and buy, in all our Kingdoms and Dominions, either by their own proper Persons, or by their Factors and Servants.

It is our Will, and we command, that whensoever their Merchandize arrives in any Ship or Vessel before, or in the Port of, or near this *City*, at the Time of unloading, before any thing be unladen, our discharging Officers shall first acquaint them of the Time they intend to go on board, that if they please they may come and bring Boats with them, and therein see their Goods unladen; but if they do not come, or send, within three Hours, a little more or less, then the said Officers may unload, altho' the Owners of the Goods are on Shore in the *City*.

It is our Commands, that as soon as their Goods are brought into the *Custom-house*, they shall immediately pay the *Decima*, and *Ciza*; except for *Woollen Cloths*, of which they shall pay the *Ciza* at the Time of Sale, according to the present Practice, and as it is contain'd in our Articles; which *Cizas* shall be paid to the Officers of the Tables whereunto such Duties belong, and they shall enter the same in their Books as paid, that all Doubts about the Payment may thereby be avoided for the future. And so soon as they have paid the Duties, and received their said Goods into their own Possession, they may carry them where they please, all over our Kingdoms and Dominions, without being obliged to acquaint any  
body



que dellas fizerem, nem Menos seraõ Obrigados a fazella á Caza algũa de Nossos Direitos, nem descaminharaõ por elle, nem Caberaõ em pena algũa por naõ fazerem as diligências que saõ Ordenadas Segundo a forma de Nossos Foraes e Artigos e Ordenaçoes; e isto da quellas Mercadorias de que houverem pagos os Nossos Direitos, e lhes forem despachados, de que haveraõ Certidaõ de Nossos Officiaes, para por ella Livrementē as poderem Levar e Vender por Nossos Reynos, sem mais pagarem couza algũa, tendo-se com elles a maneira que se tem com os *Flamengos*, e em seos *Privilegios* he Contheudo.

ITEM, Queremos que nenhum Offiçal, nem Rendeiros de Nossos Direitos, nem outra algũa Pessoa entre em sua Caza a lhe dar Varejo, nem lhe faraõ Opresaõ algũa; salvo por Mandado de Nosso Contador Mór, havendo primeiro informaçãõ por Pessoa ou Pessoas sem suspeita, como tem algũa Mercadoria Sonegada a Nossa Alfandega; e quando La houver de inviár, irá a isso hum Escrivaõ della, e hum Rendeiro quando hi houver, e sem o ditto Escrivaõ naõ poderaõ hir a suas Cazas traçar a tal Mercadoria Sonegada.

ITEM, Queremos que nem paguem Direitos alguns dos Mantimentos e Alfaias que para suas Cazas e Uzos dellas lhe Vierem, nem Menos pagaraõ Direito Algum dos Pannos de Lam que Vierem para Vestido de cada Feitor, e dos Servidores, dando-lhe por Anno dous Vestidos a cada Pessoa; de Canamacos, e Sarapilheiras, de Estopa para Sacos, e Sacos de Pipas para suas Mercadorias; *Jurando elles* que Vem tudo para isso, e naõ para Vender; porque, sendo para Vender, pagaraõ os Direitos Ordenados.

ITEM, Queremos, e Mandamos que em as dittas suas Cazas naõ entrem nem possaõ entrar Officiaes alguns de nossas Justiças, salvo o ditto *Corregedor*, ou quem elle mandar, e naõ outrem, sub pena de 20 Cruzados para elles,



body of their moving them from Place to Place, or of the Sales they make of the said Goods; much less shall they be obliged to enter, or take out a *Permit* from any of the Offices of our *Inland Duties*, nor shall they incur any Penalty, or be deem'd as Smugglers, on Account of their not entering the same, or taking out a *Permit* for moving their Merchandize from Place to Place, according to the Method ordain'd by our Charters, Articles and Laws: And this is to be understood of such Goods and Merchandize as have paid our Duties and are cleared, of which they shall have Certificates from our Officers, that by Virtue of the same, they may carry and sell their Merchandize all over our Kingdoms without paying any thing more; and they shall be treated in the same Manner as the *Flemings*, as is contain'd in their Privileges.

It is our Will and Pleasure, that no Officer, nor Farmer of the Duties, nor any other Person whatsoever, shall enter into their Houses to search, nor shall they in any wise oppress them, except by Mandate of our *Accountant General*, he first having Information from some unsuspected Person or Persons, making it appear, that they have in their Houses some counterband or run Goods, and, when such an Occasion shall offer of sending to their Houses, it shall be done by one *Scrivener of the Custom-house*, and one of the Farmers of the Duties, if there be any, and without the said Scrivener they shall not go to their Houses to search for the said counterband Goods.

It is our Will and Pleasure, that they shall not pay any Duties, either for the Provisions or the Furniture they import for the Use of their Houses, much less shall they pay any Duties for the Woollen Cloths they import for cloathing their Factors and Servants, allowing them two Suits a Year for each Person; also Canvass, and Wrappers of Hemp for Bags, and Crocus for their Merchandize, they deposing on Oath, that they import all those Things for their own private Use, and not for Sale; because, if they are for Sale, they shall pay the usual Duties.

It is our Will and Pleasure, and we command, that none of our Officers of Justice presume to enter into their Houses, except the said *Corregidor*, or such as shall be sent by him, and no other, under the Penalty of 20 *Cruzados*



salvo hindo a Justiça por algũ Malfeitór em fragante Delicto Achado, por que em tal cazo poderá entrar.

ITEM, Nos Pras que assim elles como seos Servedores, athe de Seis de sua Compania que elles tenhaõ de suas Portas a dentro, e possaõ trazer Armas de Noite e de Dia, por todos Nossos Reynos e Senhorios, assim antes de Sino Correr, como despois d'elle, com Lume e sem elle ; naõ fazendo porem com ellas o que naõ devem ; e isto sem Embargo de Nossas Ordenaçoes : os quaes Servedores naõ seraõ *Hespanbóes* para gozarem da ditta Liberdade.

ITEM, Havemos por bem, e queremos que qualquer Pessoa que lhe seos *Privilegios* naõ guardar, ou Contra elles fór, incóra em pena de 50 Cruzados, nos quaes os haverão por Condemnados para o *Hospital* de todos os Santos da ditta Cidade, e Mandamos por este ao Nosso Contador Mór, que Sabendo que algũa Pessoa lhos naõ quer guardar, nem Cumprir assim como nelles he declarado, faça nella Logo Execuçaõ pella ditta pena, e a faça Logo entregar ao Nosso Almoxariffe do ditto *Hospital*, e Carregar em Reçeita Sobre elle por toda a Ves que assim naõ Cumprir, e Contra isso forem ; porein Mandamos a quaes quer outras Justiças e Offiçiaes que pretençer, que Veja esta declaração e a façaes Muy inteiramente guardar e Cumprir, com todos os mais *Privilegios* que de Nos tem, dando com effeito a ditta pena a Execuçaõ, porque Nossa Vontade e tençaõ he fazermos Merçee e favor que em tudo se entenda mais em seo favor que em odio. E porque disto nos apras lhe Mandamos dar este Nosso Alvará por Nos assignado, o qual queremos que Valha como se fosse Carta passada pella Chancellaria, sem Embargo de qualquer Ley



Forseiture to their Use; except the Officers of Justice are in Pursuit of some Malefactor detected in any flagrant Crime; in such Case they may enter into their Houses.

It is our Will and Pleasure, that they shall carry Arms, not only themselves, but also their domestick Servants and Attendants, so far as six of them in Number, which Arms they may carry by Night and by Day all over our *Kingdoms and Dominions*, as well before the ringing of the *Evening Bell*, as afterwards, with, or without Light, provided, however, that they do not use them otherwise than they ought to do; and this, notwithstanding our Laws to the contrary, the which Servants however shall not be *Spaniards*, for none of that Nation shall enjoy this Liberty.

It is our Will and Pleasure, and our Order, that any Person whatsoever who will not observe, keep, and comply with these their Privileges, or doth any thing in Contradiction to them; such Person shall incur the Penalty of *50 Cruzados*, in which he shall be condemned for the Use of the *Hospital of All-Saints* in this City; and by these Presents we command our *Accountant General*, that he, knowing of any Person who will not keep and comply with these Privileges, according as is therein contain'd and declared, shall immediately cause Execution to be made for levying the Penalty on the said Person, which shall immediately be delivered to our *General Receiver* of the said *Hospital*, and charged in the Books for every Time they violate these Privileges, or do any Thing contrary thereunto: Besides which, we command all other Justices, and Officers of Justice, whom it may concern, that they observe this Declaration, and see that it be intirely kept and complied with, together with all other Privileges they have obtain'd of us; effectually putting the said Penalty in Execution; forasmuch, as it is our Will and Intention, that the Grace and Favour we shew them, shall in all Things be understood to redound more to their Advantage, than to their Prejudice; and because our Pleasure is such, we have commanded this our *Alvará*, or Law, sign'd by us, to be given in their Favour; the which shall be as valid as if it had been our Letter, registered in the Court of Chancery, notwithstanding any Law or Ordinance there



e Ordenação que hy haja em Contrario. Feito em Almeyrim, a 7 de Fevereiro de 1411. Andre Pires o fez.

ITEM, Pello ditto *Privilegio* que lhe temos Conçedido, que elles possaõ Carregar tuas Mercadorias em quaesquer Naus e Navios que quizerem, assim Naturaes, como Estrangeiros, tirando e Carregando das Ilhas, e alem disto os fazemos Nossos *Naturaes*. E hora Soubemos que na Caza do *Vero Pezo* lhe punhaõ duvida quando queriaõ Carregar em Naus Estrangeiras como os dittos Nossos Naturaes fazem, de que se Seguiria que por Serem *Privilegiados* Reçeberiaõ Damno, o que naõ foi Nosso tençaõ; antes foy por lhe fazermos todo o favor, e honra; e para declaração disto, havemos por bem; que assim em este Cazo, como em qualquer outro de que elles quizerem gozar, e gozarem como *Estrangeiros*, o possaõ fazer, por que naõ queremos que de seo *Privilegio* lhe prejudique algũa favor se o ser pode como *Estrangeiros*; e assim tem por seo *Privilegio*, que nenhum official da Justiça naõ entre em suas Cazas sem Mandado do ditto *Juiz*, Sob Certa pena; e somos informados que alguns Officiaes e Pessoas Metiaõ com elles e couzas suas, tratando-os mal, e querendo nisso prover; Havemos por bem, e Requeremos que nenhum Official Nosso naõ entenda, nem meta mam em elles, nem em Couzas suas, salvo os dittos seos *Juizes*, e por seo Mandado. E Aconteçendo tal cazo por onde suas Pessoas, e dos dittos Feitores devaõ ser Prezos; Havemos por bem, que pello ditto seo *Juiz*, ou Alcayde em Pessoa, sejaõ Levados ao *Castello*, e naõ por homens Seos; e se a Cazo de sua Prizaõ for tal para se dar sobre fiança, Mandamos que Logo sem outra detença se dêm sobre a ditra fiança; que tudo está assim, e taõ Largamente se



may be to the contrary. Done in *Almeyrim*, the 7th Day of *February*, in the Year 1411. Written by *Andrew Pires*.

By the said Privilege which we have granted them, they may load their Merchandize in any Ships they please, as well *Portugueze*, as Strangers, trading and lading from the Islands: And besides this, we make them our *Natives*; and we are just now inform'd, that at the \* *Caza do Vero Pezo*, the Officers put Doubts and Difficulties to them when they laded their Goods in foreign Ships, as our said Natives are wont to do; from whence it follows, that it is of Damage to them to be privileged Persons, which was not our Intention, but rather we intended to do them all Favour and Honour. Therefore for the Declaration of which, it is our Will and Pleasure, that as well in this Case, as in any other whatsoever, which they have a Mind to enjoy as *Strangers*, they may do it; because we will not have it so, that their Privileges shall lessen any Favour granted them as *Strangers*, if it be possible to avoid it. And therefore they have for their Privilege, that no Officer of Justice whatsoever can enter into their Houses, without an Order from their said Judge, under certain Penalties; and we are inform'd that some Officers and Persons have meddled with them, and with Things belonging to them, and have used them ill; and in order to provide against this, it is our Will and Pleasure, and we require, that no other Officer of ours, either disturb or meddle with them, or any thing that belongs to them, except their said *Judges*, or any by their Order. And if any such Case should happen, wherein their Persons and their Factors ought to be taken into Custody and imprison'd; It is our Will and Pleasure, that they shall be conducted to the Castle by their said *Judge*, or his Bailiff in Person, and not by their Servants or Followers; and if the Cause of their Imprisonment be such as will admit of Bail, we command that immediately, without other Delay, the said Bail may be taken. Thus stands the Case, where-

\* *Caza do Vero Pezo*, i. e. the House of true Weight; or the Standard of the City Weight, and Liquid Measure; it is also the Oil Market, being a commodious House near the Center of the City, where many Goods (especially of the Growth of the Country) are weighed and measur'd at Sale.



Continha e declarava, e éra Contheudo e declarado nos dittos *Privilegios* e *Petiçãõ*; a qual Sendo-me apresentada e Vista por mim, e o ditto Meu *Ouvidor* o Doutor *Nicolao Dias Tinoco*, nella Pronunçiei o Despacho seguinte.

Uze das Armas na forma de seos *Privilegios*, que para isso se lhe passem as Cartas e Mandados que pedirem, hindo nelles incorporados os Capitulos que fallaõ nas Armas, e como outras Justiças lhe naõ podem entrar em suas Cazas naõ tendo ordem desta *Conservatoria*, e todo o Alcayde, Meyrinho, ou outra algũa Justiça que o Contrario fizer, seja Logo Notificado por seo *Escrivaõ*, que com pena de Sospençãõ e dos encoutos, naõ façaõ as taes dilligençias, sobre as mesmas penas, e sem approvaçao deste Juizo. Lisboa 11. de Mayo de 1645.

## TINOCO.

E Sendo este despacho posto na ditto *Petiçãõ*, em Virtude delle se passou a presente, para Vós todos em geral, e cada hũ em particular, pello qual vos Mando, tanto que vos for apresentada sendo primeiro passada pella minha Chancelaria, a Cumprais, e guardeis, e façais Muito inteiramente Cumprir e guardar, assim e da Maneira que em ella se Conthem, e em seo Cumprimento naõ perdaís, nem Molestais, nem Vexeis ao ditto *Thomas Bostoque*, nem a seos Criados e Feitores, nem façais, nem mandeis fazer com elle Diligençia algũa, salvo for por Mandado do ditto Meu *Ouvidor* seo *Juiz Conservador Competente e Privativo*; e naõ por Mandado de outro nenhum *Julgador* sem approvaçãõ desta *Conservatoria*; isto pello terem assim por hũa Carta de *El Rey Dom Manoel*, que santa Gloria haja; antes lhe dareis, e fareis dár, todo o favor e honra, o que huns



in it is so largely contain'd and declared, and was contain'd and declared in the said Privileges and Petition, the which being presented to me, and by me considered, as also by my said Auditor Dr. *Nicholas Dias Tinoco*, I therein pronounced my Dispatch as followeth, *viz.*

Let them make use of Arms, as expressed in their Privileges; and for this End the Charters and Mandates they petition for shall be granted, and drawn out for them, in authentick Form, wherein shall be included the Articles which speak of Arms, and that other Justices cannot enter their Houses without an Order from this *Conservatory*; and all Bailiffs, Constables, or any other Officers of Justice that shall do any thing to the contrary, shall immediately be notified by the *Scrivener* of the said *Conservatory*, that without the Approbation of this Court, they meddle not with these privileged Persons, under the Penalty of being suspended from their Offices, and falling under our Displeasure. *Lisbon* the 11th of *May* 1645.

## TINOCO.

And this Dispatch being put to the said Petition, by Virtue thereof, this present *Charter of Privileges* was passed or drawn out in authentick Form, for all in general, and every one in particular; by which I command, so soon as this shall be presented to you, being first registered in my Chancery, you comply with it, and keep it, and cause that it be very intirely complied with and kept, in the Manner as is therein contain'd; and in complying therewith, ye shall not hurt, molest, nor vex the said *Thomas Bostock*, nor his Servants and Factors; nor shall ye do, or cause to be done any Act or Acts, as serving Writs, Warrants, &c. upon him or his House, except it be done by the Mandate of the said my Auditor, his competent *Judge Conservator*, and not by the Mandate of any other Judge, without Approbation of this *Conservatory*; it being so decreed them by a *Charter* granted in Favour of the *English* by the *King Don Emanuel*, who we hope is taken into Glory. But rather, ye shall render, and cause to be render'd, him all Favour and Honour. The which let one  
and



e outros assim Cumprireis, e al naõ façeis, sem duvida nem embargo algum que a ello ponhais, que lhe seja posta esta com pena de 50 Cruzados, e encoutos do ditto *Privilegio*, e de serdes suspenso, &c. dada em esta Muito Nobre e sempre Leal Cidade de *Lisboa*, e Juizo de Alfandegua, e *Conservatoria* della ; aos 4 dias do Mez de Novembro do Anno do Nascimento de Nosso Senhor *Jezus Christo* de 1647. El Rey Nosso Senhor o Mandou pello Doutor *Antonio de Faria Machado* feo Dezembargador, e feo Ouvidor, &c. &c. &c.



DECRETO



and another so comply with, and nothing to the contrary shall ye do, nor shall ye put any Doubt or Delay to the Observance of it ; lest the Penalty of 50 *Cruzados* should be levied upon you, and ye fall under the Lash of the said Privileges, and of being suspended, &c. Given in this very Noble and always Loyal City of *Lisbon*, and Court of the Custom-house and Conservatory thereof, the 4th Day of the Month of *November*, from the Year of the Birth of our Lord *Jesus Christ* 1647. The King our Lord sent this by Dr. *Anthony de Faria Machado*, his Judge Advocate, and his Auditor, &c. &c. &c.



M A D E C R E E



DECRETO sobre não serem Executado  
Inglezes, sem Mandado do seu Conserva-  
dor.

POR parte da Nação Ingleza, se me Representou, que Sendolalhe Conçecido pello 13.<sup>o</sup> Artigo do Tratado das Pazes, que nenhum Julgador, ou outro Offiçal da Justiça pudiessem mandar Prender nenhum Vassallo de *El Rey de Gran Bretanha*, meu bom Irmaõ e Primo, por Cauza Civel ou Crime sem primeiro ser mandado do *Juiz Conservador*, se-naõ observa o ditto Artigo, mandando sse Prender cada dia *Inglezes* sem Preçeder a tal mandado do *Juiz Conservador*, e se-naõ Observa o ditto Artigo: E porque conforme o Cappitulado, só em fragante Delicto podiaõ ser Prezos os *Inglezes* por quaesquer Ministros meos, e nos outros Cazos se deve Recorrer ao *Conservador*, ou pôr o Cumprasse nas Ordens: Encomendo ao *Regedor* da Caza da Supplicação, que na forma do ditto Artigo o faça observar. Em *Lisboa* a 23 dias de Agosto de 1667 Annos.

R E Y.

*Trigo que Vem das Ilhas, ou de qual-  
quer outra parte de Már em Fora, não  
Deve Dircitos em nenhũa parte deste  
Reyno.*

EU El Rey, faço saber aos que este Alvará Virem, pellas Cortes que Celebrey nesta Cidade de *Lisboa* a de 28 Janeiro de 1641. a que mandey Responder na de  
1642,



*A DECREE about English-men's not being served with any Executions, without an Order from their Judge Conservator.*

**O**N the Part, and in Behalf of the *English Nation*, it was represented to me, that, it being granted them by the 13th *Article of the Treaty of Peace*, that no Judger or other Officer of Justice, could order to be seized or taken into Custody any Subject of the *King of Great Britain* my good Brother, and Cousin, for any Cause either Civil or Criminal, without first having an Order for so doing from the *Judge Conservator*; the said Article is so little regarded, that *English-men* are every Day seized and taken into Custody, without the Precedency of such Order from the *Judge Conservator*; so that the said Article is by no means observed or complied with; and, because according to the wording thereof, it is said that only in flagrant Crimes the *English* could be imprison'd by any of my Ministers, and in other Cases Recourse ought to be had to the *Conservator*, or that he should write his Consent to the Orders of *other Judges* before they should be valid:

I recommend to the Lord *Chief Justice of the House of Supplication*, that he cause the said Article to be observed in its due Form. In *Lisbon*, the 23d of *August* 1667.

K I N G.

*Wheat which is brought from the Islands, or from any other Parts beyond the Seas, may be imported free of Duties in any Parts or Places of this Kingdom.*

**I** THE KING, make known to whom this my *Alvará* or Law may come, that by the Courts which I held in this City of *Lisbon* on the 28th of *January* 1641. a Reply to which



1642, me foy pedido no Estado, no Cappitulo 55, fosse servido que se não pagassem Direitos do Trigo que Viesses das Ilhas, e de outros partes Ultramarinas para este Reyno, por ser Mantimento Preçizo, e neçessario para elle; e considerando eu a Conveniençia do bem Commum do Reyno, e mais Vassallos; e mais razoens porque lhe Costuma Conçeder o que me pedem por Provizoens temporaes e por folgas delles fazer Merçee. Hey por bem, que do Trigo que Vier para este Reyno, assim das Ilhas, como das outras partes Ultramarinas, se-naõ paguem Direitos algums; e seja Livre delles para sempre. Para o que mando aos Védores de minha fazenda, Dezembargadores, Corregedores, Provadores, e mais Justiças, Offiçiaes, e mais Pessoas destes Reynos e Senhorios, a que este meo Alvará for apresentado, e o Conhecimento delle pertencer, o Cumpraó, e guardem, e façãõ inteiramente Cumprir e guardar, como nelle se Conthem, sem que a isso lhe seja posto duvida nem Contradiçãõ algũa; porque assim he minha Merçee, e se Registrará nos Livros da minha fazenda, e Alfandeguas, e seos Regimentos, e mais partes neçessarias para que Venhaõ a Notiçia de todos, e Valerá como Ley feita em Cortes, e Carta passada em meo Nome, e Sellada com o Sello pendente, sem Embargo de Ordenaçãõ do Livro segundo titulo 40 em Contraria. *Antonio de Moraes* a fes em *Lisboa* a 25 de Mayo de 1647.

**REY.**



I commanded to be given in the Year 1642, it was requested of me by the State, in Chapter 55, that I would please to exempt all Wheat imported from the *Islands* and other Parts *beyond the Seas*, from paying any Duties in this Kingdom, it being a *Provision* absolutely necessary for the Inhabitants thereof: And; as I have maturely considered the Convenience and Good of the *Common Weal* of the Kingdom, and other Subjects, and for other Reasons, for which I am accustomed to grant what is requested of me by temporal Laws, and by their Means to shew Grace and Favour; it is my Will and Pleasure, that the *Wheat* which comes to this Kingdom, as well from the *Islands*, as any other Parts from *beyond the Seas*, shall not pay any Manner of Duty; from which it shall be exempted and free for ever. I therefore command, the Inspectors of my Treasury, Judges, Justices, Commissioners, and all other Officers of Justice, and other Persons of these Kingdoms and Dominions, to whom this my *Alvará* or Law may be presented, and to whom the Acknowledgment thereof doth belong, that they comply with it, and keep it; and cause it to be intirely kept, observed, and complied with, according as is therein contain'd; without putting the least Doubt or Contradiction to it; because such is my Grace and Favour; and it shall be registered in the Books of my Treasury, and of the Custom-house and its Regimens, and all other Places where it may be necessary, that it may come to the Notice of every body; and it shall be valid as if it had been a *Law* made in Court, and a *Charter* given in my Name, and sealed with the Seal pendent, notwithstanding the Ordinance in the second Book, Title the 40th, to the contrary. *Anthony de Morais* writ it in *Lisbon* the 25th of *May* 1647.

K I N G.



*Das Couzas que naõ Devem Direitos nesta  
Cidade de Lisboa, tirado do Capitulo  
12 do Foral desta Alfandegua.*

**I**TEM, de todo o mais Trigo, Cevada, Centeio, Milho, Legumes, que nesta Cidade entrarem de quaesquer outras partes de fóro de Reyno, se-naõ pagaraõ Direitos alguns na ditta Alfandegua, nem das Carnes, Quejos, Mantigas, por quanto tenho feito Merçee a Camera e Povo da ditta Cidade, de *Libartár* as dittas Couzas dos Direitos; e pella ditta maneira as Armas, Polvara, Cavallos, Ouro, Prata em pasta, e em Moeda, e os Livros naõ pagaraõ Direitos alguns na ditta Cidade e Alfandegua della; e de todas as mais Couzas, e de quaesquer Mercadorias de qualquer forte e quallidade que fõsem, e pertencessem a ditta Alfandegua, e a elle vieraõ por Már, e por Terra, como ditto he, posto que de cada hũa dellas se naõ faça deste Foral expressa Mençãõ, se pagaraõ os dittos Direitos de des por Cento de Deçima, e 10 por Cento de Ciza, e isto porque as dittas Mercadorias e Couzas pagassem os mesmos Direitos de 20 per Cento em cada hũa das Alfandeguas deste Reyno, Ilhas e Senhorios della, e as pattes que as trouxerem a ditta Cidade, tragaõ Certidoens dos Offiçiaes dellas, de como os pagaraõ, por quanto Vindo a ditta Alfandegua, seraõ Obrigados a pagar nella os Direitos. E naõ dis mais o ditto assento, que por Despacho do Provador da Alfandegua *Diogo Soares*; o Tabelhaõ Luis de Couto em Authentica forma a tressadou em 2 de Agosto de 1668.



*Of the Things which owe no Duties in this City of Lisbon, taken from the 12th Chapter of the Book of Rates of the Custom-house.*

**A**LL *Wheat, Barley, Rye, Indian Corn, and Pulse,* that are brought into this City from any foreign Parts whatsoever, shall not pay any Manner of Duties in this *Custom-house*; nor *Flesh Meat, Cheese, or Butter*; forasmuch as I have shewn Favour to the Chamber and People of the said City, to free the said Things from Duties. And, in the same Manner, *Arms, Powder, Horses, Gold, Silver in Lump, or in Coin, and Books,* shall not pay any Duty whatsoever in the said City and Custom-house thereof. But all other Things, and any Kinds of Merchandize of what Sort or Quality soever, which belong to this Custom-house, and are brought thereto, either by Sea or Land, as is already said, altho' express mention should not be made in the said Book of Rates of every Specie of Goods in particular, yet they shall pay the said Duties of 10 *per Cent.* for the *Decima*, and 10 *per Cent.* for the *Ciza*; and this, because the said Merchandize and Things shall pay the same Duties of 20 *per Cent.* in all, and every one of the Custom-houses of this Kingdom, Islands, and Dominions thereof; and the People who bring them to the said Custom-house of *Lisbon*, shall bring with them Certificates from the Officers of the other Custom-houses from whence they came, to make appear that they have paid the Duties, forasmuch as otherwise they will be obliged to pay the Duties in this City for any Goods that are brought to the Custom-house thereof. This is all that was express'd in the said 12th Chapter, which, by Order of the Commissioner of the Custom-house, *James Soares*, the Notary *Luis da Costa* has taken this Copy of, in authentick Form, the 2d of *August* 1668.



*Provizai para que os Inglezes naõ paguem  
Decima de seos Meneos, nem que sejaõ  
Obrigados a nenhum encargo de Guerra.*

**E** U El Rey faço saber aos que este Alvará Virem, que dezejando eu de favorecer a Naçaõ *Ingleza* com particulares favores pella Antiga Amizade e Liança que teve com esta *Coroa*, e agora particularmente por alguns Respeitos que a isso me movem, Hey por bem, fazer Merçee aos Mercadores *Inglezes* e aos assistentes da mesma Naçaõ nestes Reynos e Dominios de *Portugal*, que nelle naõ forem *Naturalizados*, de os Izentár de pagarem Meneo da Decima que os mais Moradores destes Reynos pagavaõ, e de lhe Conçeder Liberdade para naõ serem Obrigados a ter Cavallos, e tendo-os lhos naõ poderaõ tomar Contra suas Vontades, nem obrigarallos a outro encargo de Guerra. E porque da Publicaçãõ deste *Privilegio* se podem seguir grandes Inconveniençias, ficará este Alvará em todo o *Segredo*, e para que melhor seja assim, naõ Sahirá da mamdo *Consul da Naçaõ Ingleza* que assistir em minha Corte, nem se Registrará mais que no Livro do Segredo da *Secretaria*, do Expediente por onde foy Passado, em *Alcantara* 29 de Mayo de 1656. E eu *Pedro Severim de Noronha* o escrivi por ordem particular de sua *Magestade* que Deos guarde, &c.

*R E Y.*



*A Provision, or Law, whereby the English are exempted from paying Decima on their Stock, and from being obliged to take upon them any Charge in War.*

**I** *THE KING*, make known to whom this *Alvará* or Law shall come, that as I am desirous to oblige the *English Nation* with particular Marks of my Royal Favour, on Account of the ancient Friendship and Alliance which I have had with that Crown, and now in particular in respect of some Motives which induce me to it: It is my Will and Pleasure, to shew Grace unto the *English Merchants*, and others of the same Nation, residing in these Kingdoms and Dominions of *Portugal*, who have not been therein Naturalized, by exempting them from paying the *Decima* on their Stock, which all the other Dwellers in these Kingdoms pay: And I grant them Liberty, that they shall not be obliged to keep Horses; and if they have any for their own Service, they shall not be taken from them against their Will, nor shall they be obliged to any other Charge of War. And because the Publication of this Privilege may be followed with great Inconveniencies, this *Alvará* or Law, shall remain in all *Secrecy*; and for the better keeping it so, it shall not go out of the Hands of the *English Consul* for the time being, residing in my Court, nor shall it be registered in any other Book but in that of *Secrets* in the Secretary's Office, in the Expedient or Original Writing from whence this was transcrib'd; in *Alcantara* the 29th of *May*, 1656. And I *Peter Severin de Noronha*, wrote this by particular Command of his Majesty, whom God preserve.

**K I N G.**



*Das Couzas que não Devem Direitos alguns  
que são os seguintes, a saber.*

**L**EGUMES que vem de *Inglaterra*, *Scoçia*, *Irlanda*, *Inglaterra Nova*, ou seus Dominios, a Saber, Favas, Ervilhas, Xixaras, Trigo, Cevada, Milho grosso, Milho miudo, Centeyo, Manteiga, Quejos, Polvra, Cavallos, Ouro, Prata em pasta, e em Moeda, nem Livros, Carnes de nenhum genero, do que ha *Sentença* contra os *Contractadores* na *Caza* de *Henrique Bomelman* nos Annos de 1645 e 1646, que passou em *Cauza* Julgada, em que não deve mais que quarenta reis de *Entrada*, e Duzentos reis de *guarda*, no *Escritorio* de *Christovão de Campos*, em que foraõ Autores os *Contractadores da Caza das Carnes*, contra o ditto *Bomelman*. Biscouto, nem outro qualquer genero de *Pam*, *Ballas* de *Artelharia* de ferro, e de *Bronze*, *Bandulas*, *Piques*, e *Mosquetes*: mas sempre devem passar pella *Alfandegua*, Offerecendo neste particular os patrexos da *Guerra* ao *Serviço* de *El Rey*, e não havendo *Mister*; as partes os *Levaraõ* para onde quizerem.





*Of such Things as owe no Duties whatsoever, which are as follow ; viz.*

**P**ULSE from *England, Scotland, Ireland, New-England*, and its Dominions ; that is to say, *Beans, Pease, Lentiles, Wheat, Barley, Indian Corn* large sort, ditto small sort, *Rye, Butter, Cheese, Gun-powder, Horses, Gold, Silver* in Lump or in Coin, *Books, Flesh-Meat* of any sort whatsoever ; concerning which there is a Sentence against the Contractors, or Farmers of the Inland Duties on Flesh, obtained by *Henry Bomelman* in the Years 1645 and 1646, pronounced in Court, the said *Farmers* being Plaintiffs, and the said *Bomelman* Defendant, wherein it was decided, that the things in dispute owed no more than 40 *Reis* for the Entry, and 200 *Reis* for the Guard ; which Sentence lies in the Office of the Scrivener *Christopher de Campos*. Also no Duty shall be paid for *Bisquet*, or any other Species of *Bread, Cannon-Shot* of Iron or Bell-metal, *Bandiliers, Pikes, and Muskets*. But, however, these things ought to pass thro' the Custom-house, and the *Accoutrements of War* be offered to the Service of the *King* ; and if he has no occasion for them, then the Owners thereof may carry them where they please.





*Alvará a favor dos Ingлезes para que Repu-  
tassẽm os Navios seos como Portuguezes,  
quaes naõ paguem Direitos bindo de Lisboa  
para as Ilhas dos Affores, e mais Conquistas  
Pretengentes a Coroa de Portugal, e o he  
de Verbo ad Verbum da Maneira se-  
guinte.*

**E**U EL REY, faço saber aos que este *Alvará* virem, que os Mercadores *Inglezes* Rezidentes nas lhas *Affores* me Enviaraõ dizer por sua *Petiçaõ*, que eu fui servido mandar entre otros *Accordos* e *Rezoluçoens* de *Contrato* das *Pazes*, Celebradas de Proximo com o *Proteõtor de Inglaterra*, que pudessem transportar e Navegar quaesquer *Mercadorias* de que ja tiverem pagos os *Direitos* em qualquer *Porto*, para outros *Portos* ou *Lugares* sem pagarem mais *Direitos*, nem *Tributo* algum do que pagaõ os mesmos *Naturaes Portuguezes*, e as fazendas que lhes Pretencem; e que tendo hũa ves pagos os *Direitos* nesta *Cidade*, naõ paguem outro ves em outro *Porto* outro *Tributo* algum; E que as *Naus Inglezas*, sendo fretados por *Portuguezes*, naõ pagaraõ mais *Direitos* dos que se pagaõ das fazendas Navegadas em *Embarcaçoens Portuguezas*, como Consta dos *Artigos 10 e 11* das *Cappitulaçoens*, cujo *Theor Authentico* offereçiaõ. E porque nas dittas *Ilhas* senaõ dava inteiro *Cumprimento* ao disposto nelles, antes com duvidas e molestias eraõ *Vexados*, e lhes tinhaõ Levado muito *Dinheiro* indevidamente depois das dittas *Cappitulaçoens* feitas e *Publicadas*, sendo que da observancia dellas se devia tratar muito pella *Izempçaõ* que eu lhes Concedera, e deverem sempre ser *Effectivos* os *mandatos Reaes*, e seos transgressores *Castigados*.

Me pediaõ lhes fizesse *Merçec* mandar passar *Provizaõ*, para que os *Ministros* das dittas *Ilhas* a que toca a obser-



*Alvará, or a Law in favour of the English, allowing them to repute their Ships as Portuguezes, which pay no Duties going from Lisbon to the Western Islands, and other Conquests belonging to the Crown of Portugal; which is Word for Word in the manner following; viz.*

**I** THE KING Make known to whom this *Alvará* or Law may come, that the *English* Merchants, residing in the *Western-Islands*, sent to acquaint me by their Petition, that I had been pleased to command, among other Agreements and Resolutions of the *Treaty of Peace*, lately concluded with the *Protector of England*, that they might transport and carry any sort of Merchandize, which had paid the Duties in any one Port, to any other Ports or Places, without paying any more Duties, or any manner of Tribute, besides what is paid by the Native *Portugueze* themselves for the Goods that belong to them; and that having once paid the Duties in this City, they shall not pay again any sort of Tribute in any other Port; and that the *English* Ships, which are freighted by *Portugueze*, shall not pay more Duties than is paid for the Goods Navigated in *Portugueze Vessels*, as will appear by the *tenth* and *eleventh* Articles of the *Treaty*, the Authentick Tenor whereof was by them presented. And whereas the said Articles were not duly observed and complied with in the said *Islands*, but, on the contrary, the *English* were vexed and disturbed with Doubts and Molestations, and that the *Natives of the Islands* had unjustly extorted a great deal of Money from them, since the said Articles of Peace were made and published, whereas in the Observance thereof due Regard ought to have been had to the Exemptions I granted to the *English*, because the Royal Mandates ought always to be effective, and the Transgressors of them punished.

Therefore they requested of me, that I would please to favour them with my *Provisional Law* to oblige the Ministers



vansia do disposto nos dittos Cappitulos, os Cumpraõ e guardem como nelles se Conthem, naõ Consentindo molestar os supplicantes, nem Levarlhes, o que naõ Devem, fazendolhes Restituir o que indevidamente tivessem pago. Visto o que allegavaõ, e a forma de minhas ordens que sob: e semelhantes materias se tinhaõ passado, e Reçeberiaõ Merçee.

E Visto por mim, a ditto Petiçaõ, mandey por meo *Decreto* do primeiro de Junho deste Anno, nella escrito que pello *Conselho da Minha fazenda* se Passasse *Provizao* aos dittos supplicantes, na Conformidade das Cappitulaçoens das *Pazes*; E pareçendo ao Conselho que havia nesta materia que me Representar, o fiffesse Logo. Em Cumprimento do que, deo Despacho o ditto Conselho que Passasse a ditto *Provizao* na forma que o ditto meu *Decreto* Ordenava; e se pedissem na Secretaria de Estado os Cappitulos das *Pazes* de que trata a ditto Petiçaõ, ao que foi satisfeito, e o traslado delles traduzido em Lingoagem Portugueza, por estãrem em Latin, he o seguinte.

*Artigo X.* Que o Povo e' Naturaes da *Inglaterra* possa Livremente Levar em suas Naus todas as Couzas, Bens, Mercadorias de qualquer genero que foffem, ainda Armas, Mantimentos, ou outras Couzas semelhantes dos Povos e Senhorios da ditto *Republica*, e de outros quaesquer Portos e Senhorios, com tanto que naõ sejaõ tiradas dos Portos de *Portugal*, e de seos Senhorios immediatamente para serem Levados a quaesquer Portos ou Territorios de *El Rey de Castella*, e que o Serenissimo *Rey de Portugal*, e seos Vassallos naõ impidaõ por Penhores, Reprezalias ou qualquer outra Couza as dittas Naus, Bens, ou Hómens, que naõ possaõ Navegar figuramente aos Portos e Territorios de *El Rey de Castella*, e tér a hy Comércio; e que as Pessoas desta *Republica*, possaõ Livremente Levar aos Reynos,



sters of the said *Islands*, to whom the Observance of what is contain'd in the said Articles doth belong, that they comply with the same, and observe and keep them in the manner as is therein expressed ; and that they should not consent to the Molestation of the *Petitioners*, nor take from them more than they ought to pay, and that Restitution should be made of what they had hitherto been unjustly obliged to pay. Considering what they alledged, and the Form of my Orders which had been given on such like Matters, they hoped I would grant their Request, and with all Humility they would thankfully receive the Favour.

I having seen and considered the said Petition, did thereupon send my Decree, dated the first of *June* of this present Year, wherein it was written that a *Provisional Law* should be prepared and passed by the *Council of my Treasury*, in Favour of the said *Petitioners*, in Conformity with the Articles of Peace ; and if it should appear to the said *Council* that there was any thing in the Matter necessary to be represented to me, they should do it immediately : And in Compliance with this my Order, the *Council* gave their Dispatch, that the said *Provisional Law* should be made and passed in the Form ordained by my said Decree, and that the *Articles of Peace* mentioned in the said Petition should be requested from the Secretary of State's Office, which was accordingly comply'd with ; but as the said Articles are written in *Latin*, they were translated into the *Portugueze* Language, and are as follows ; viz.

*Article X.* That the People of the *Republick of England* may freely carry in their Ships all sorts of Goods, Merchandize, and things of what kind soever, even Arms, Provisions, or other such like, from the Harbours and Dominions of the said *Republick*, or any other Harbours or Dominions whatsoever ; provided they are not taken immediately from the Harbours and Dominions of *Portugal*, to be carried directly to any Ports and Territories whatsoever of the *King of Spain*. And that neither the most Serene *King of Portugal*, nor any of his *Subjects*, shall hinder the said Ships, Goods, or Men, by Seizures, Reprisals, or any other Means whatsoever, from Navigating securely to the Harbours and Territories of the said *King of Spain*, and from trading therein. And that the People of this *Republick* may freely carry  
Arms,



Portos, e Territorios de *El Rey de Portugal*, assim Armas, Pam, Peixe, com todos os outros generos de Mercadorias, e Venderlas a seo Arbitrio, ou pello Meudo, ou pello Junto a quaesquer Hómens, ou por qualquer preço que puderem; e que nem pella ditta *Magestade Real*, nem por seos Ministros, Prezidentes, Rendeyros, Estanqueiros, ou por algũa Camera, ou Jurisdicção de Tribunal qualquer, particular ou Publico, sejaõ Prohibidos, Circumscriptus, ou inhabilitados; e que as Mercadorias e Bens que hũa ves pagaraõ os Costumes ou Portagens em qualquer Porto de sua *Magestade*, se possaõ Livrementemente tornar a Levar a quaesquer otros Portos da ditta *Magestade*, sem que paguem outra qualquer soma de Direitos, Portagens, ou Prata, mais que aquelles que os Mercadores *Portuguezes* pagaraõ, se os Bens, e Mercadorias a elles pretençem.

*Artigo XI.* Que o Povo e Naturaes da *Republica de Inglaterra*, Livre e seguramente Negoçém, e tenhaõ Comercio de *Portugal para o Brazil*, e outras Conquistas do ditto Rey na India Ocçidental; e do Brazil e dittas Conquistas para *Portugal*, em todo o genero, com quaesquer Bens e Mercadorias; (tirando Farinha, Bacalhao, Vinho, Azeite, e Pao do Brazil; os quaes saõ Prohibidos por *El Rey*, pello Contrato com a Compania do Brazil) pagando aquelles Direitos e Costumes que pagaraõ os outros que nêsta parte Negoçém; e atento que as Naus Inglezas fretadas pellas Portuguezes se haõ de Juntar Navegaçãõ a Armada Portugueza; e que o ditto Povo e Naturaes Chegando de alguns dos dittos Portos e Lugares do *Brazil*, e dittas Conquistas a qualquer Senhorio do ditto Rey, naõ seraõ Constringidos a descarregar suas Naus, ou a pôr fóra Bens alguns pretençentes aos *Inglezes*, mas os officiaes das Alfandeguas faraõ pezar os Bens em quanto estaõ nas Naus, pera que se paguem os Direitos e Tributos delles devidos; e que se naõ pediraõ, nem pagaraõ aos officiaes de *El Rey* nenhum Direito ou Tributo mais grave, nem Mayor Sôma ou despeza de Dinheiro do que seos Bens fósssem postas em Terra: nem no despachar, ou despedir as dittas Naus, se fará detença algũa; e depois que Chegarem a



Arms, Corn, Fish, and all other Sorts of Merchandize into the Kingdoms, Ports, and Territories of the *King of Portugal*, and sell the same at their Pleasure, either by Retail or Wholesale, to any Persons whatsoever, and for whatever Price they can get; and they shall not be prohibited, circumscribed, or incapacitated by his said *Royal Majesty*, or his Ministers, Governors, Farmers of the Revenues, or Monopolists, or by any Chamber, or Jurisdiction of any *Tribunal* whatsoever, either publick or private: And that such Goods and Merchandize as have once paid the Customs or Clearances in any Port or Harbour whatsoever belonging to his *Majesty*, may be freely carried into any other Ports or Places whatsoever of his said *Majesty*, without paying any farther Duties, Clearances, or Sum of Money, besides what the *Portugueze* Merchants should pay, if the Goods and Merchandize did belong to them.

*Article XI.* That the People and Natives of the *Republick of England* shall Trade and Traffick freely and safely from *Portugal* to the *Brasils*, and the *other Conquests* of the said *King* in the *West Indies*; and from the *Brasils* and the said *Conquests* to *Portugal*, in all Sorts of Goods and Merchandize whatsoever (except Meal, Fish, Wine, Oil; and *Brasil Wood*, which are prohibited by the *King*, in Pursuance of his Contract with the *Brasil Company*) paying the Duties and Customs which others pay who trade into *those Parts*; and it is to be understood that the *English* Ships hired by the *Portugueze*, are to sail in Company with the *Portugueze Fleet*: And that the *said People* and Natives arriving from any of the Harbours and Places in *Brasil* and the said *Conquests*, at any of the Dominions of the said *King* whatsoever, shall not be compelled to unload their Ships, or to put out any Goods belonging to the *English*; but the Officers of the Customs shall cause the Goods to be weigh'd while they are *aboard* the Ships, to the End that the Customs and Tributes due on them may be paid; and that no heavier Duty or Impost, nor greater Sum of Money or Expence shall be demanded by, or paid to the *King's* Officers, than if the Goods were put on Shore, nor shall there be any Delay in dispatching and dismissing the said Ships. And after they are arriv'd at any of the Dominions whatsoever of the said

O

King,



quaesquer Senhorios do ditto *Rey*, e pagar os Direitos e Costumes, sobreditos; tomaraõ da hy Livrementemente Caminho para qualquer Porto ou Lugar, e os Bens Carregados nas Naus Inglezes, ou pellos Vassallos do ditto *Rey*, ou por outros que houverem de ser trespassados a qualquer parte dos Senhorios de *Portugal*; de nenhum modo pagaraõ mayores Costumes, ou outros diversos Direitos do que se fossen Carregados em Naus Portuguezas. E tambem que o Povo e Naturaes da *Republica de Inglaterra* possaõ Livrementemente Navegar para as Collonias, Ilhas, Regioens, Portos, Destricctos, Villas, Lugares, e Imperios pretençentes a *El Rey de Portugal*, na *India Oriental*, Guiné, Bené, e Ilha de saõ Thomé, e em outra qualquer parte nas Costas e Prayas de Africa; e a hy fazer Demora, Negociár, e Exercitár Comercio na Terra, Mar, Rios, e Agoas Dóces, em quaesquer Bens e Mercadorias, e Levar todo o genero de fazendas para algum Lugar ou Regiaõ, com a mesma Liberdade comque antes, e tambem com a mesma que em algum tempo antes de agora em qualquer Tratado fósse Conçedido, ou se Conçeder ao diante aos Naturaes de qualquer Naçaõ Confederada e Amiga; e quanto aos Costumes e Direitos que nêssas Regioens se haõ de pagar; os naõ pagaraõ mayores, ou mais graves do que se pagaõ por qualquer pessoa ou pessoas que Negocéem em qualquer dos dittos Lugares ou Regioens. E outro sim *El Rey de Portugal*, ou seos Vassallos, assim a *Compania do Brazil*, como todas os outros; todas as Vezes que tiverem necessidade de Naus Estrangeiras para Exercitar a Navegaçaõ e Mercançia do Brazil, ou para as Regioens, e Ilhas sobreditas, ou para outra parte, os Freteraõ desta Republica, e do seo Povo pellos preços Costumados, e ordinarios aquellas que quizerem, e nenhūas outras de nenhum *Principe*, ou *Republica*; com tanto que haja numero de Naus *Inglezas* bastantes para seos uzos; excepto para a *Compania do Brazil*, que pòderaõ fretar como quizer duas Naus de Guérria, e quatro para Mandar ao Brazil Carregadas de Bacalhao, a qualquer Naçaõ, como se Cónthem na Carta de Liberdades que lhe Conçedeo por Provizaõ Real; e que assim a *Compania do Brazil*, como todos os outros Vassallos do ditto *Rey* que Exercitaõ a Mercançia, Livrementemente sem Liçensa algũa geral ou especial que primeiro do



*King*, and have paid the Customs and Duties abovemention-  
 ed, they shall freely proceed to any other Harbour or Place  
 whatsoever; and the Goods put on board the *English* Ships,  
 either by the Subjects of the said *King*, or by others, to be  
 transported to any Part whatsoever of the Dominions of  
*Portugal*, shall by no means pay greater Customs, or any  
 other different Duties than if they were put on board *Por-  
 tugueze* Ships. And likewise that the People and Natives  
 of the *Republick of England* shall have the Liberty of Na-  
 vigation to the Colonies, Islands, Regions, Ports, Districts,  
 Towns, Villages, and Dominions belonging to the *King*  
 of *Portugal* in the *East Indies*, *Guinea*, *Bengal*, the Island of  
*St. Thomas*, and to any other Part whatsoever on the Coasts  
 and Shores of *Africa*, and there to stay, or reside, nego-  
 tiate, trade, and traffick by Land or Sea, on the Rivers  
 and fresh Waters, in any Goods or Merchandize whatso-  
 ever; and to transport all kind of Merchandize to any  
 Place or Region with the same Freedom as formerly; and  
 also with the same that was ever granted by any Treaty  
 heretofore, or shall hereafter be granted to the Natives of  
 any *other Nation* in Alliance and Friendship with *Portugal*.  
 And as to the Customs and Duties to be paid in those Re-  
 gions, they shall not pay more or heavier than those which  
 are paid by any Person or Persons trading in any of the  
 said Places or Regions. And likewise, the *King of Portu-  
 gal* or his Subjects, as well the *Brasil Company* as all others,  
 as often as they have need of foreign Ships, for carrying  
 on their Trade and Navigation to the *Brasils*, or for the  
*Regions and Islands* above-mentioned, or elsewhere, shall  
 hire the Ships of this *Republick* and its People, at the usual  
 and ordinary Rates, as many as they please, and no other  
 Ships of any *Prince* or *Republick*; provided the Num-  
 ber of *English* Ships to be hired be sufficient to supply  
 their Wants; excepting that the *Brasil Company* (as is con-  
 tain'd in the *Charter of Liberties* granted to them by the  
*King's Letters Patent*) may hire of what Nation soever  
 they please, two Ships of War, and four others, to be sent  
 with Fish to the *Brasils*; and that as well the said *Brasil*  
*Company*, as all other the Subjects of the said *King*, who  
 follow the Business of Merchandizing, may freely hire as  
 many *English* Ships as they please, and sail therein to the  
*Brasils,*



do que se haja de Alcançar, fretem Naus Inglezas no número que quizerem, e nellas Navéguem ao Brazil, e as mais Conquistas do ditto *Rey* na *India Occidental*, e que o estipendio que se Contratár de Carregar, e de Interesses, procederaõ, e se tenha conta delle athe que todo seja pago, ainda que exçada o estipendio do tempo que se Contratou.

Pello que mando ao *Prorador* da Minha fazenda, e aos mais Ministros della, e da Justiça das dittas Ilhas, e mais Pelloas a que ésta Minha *Provizaõ* for apresentada, e o Conhecimento della pertencer, a Cumpraõ, e guardem inteiramente, e façaõ Cumprir e guardar na Conformidade dos Cappitulos nella tressadados, sem duvida nem Contradiçaõ algũa, porque assim o Hey por bem, e quero que Valha posto que seo Effeito haja de durar mais de hum Anno, sem embargo da Ordenaçãõ, ou Regimentos que em Contrario haja; a qual se Registrará nos Livros das Alfandeguas, para que a todos seja Notorio. *Antonio Vellozo Estaço* a fes em *Lisboa* a 4 de Julho de 1657 Annos. e eu *João Pereira de Bitancur* a fis escrever.

RAYNHA.





*Brasils*, and the *other Conquests* of the said *King* in the *West-Indies*, without any Licence, general or special, first to be obtain'd for that End : And the Stipend agreed upon to be charged, with the Interest, shall run on, and an Account thereof shall be kept, 'till the whole is paid, tho' it should exceed the Stipend on the Time contracted for.

Wherefore I command the Commissioners of my Treasury, and all other Ministers and Officers thereof, and the Justices of the said Islands, and all other Persons to whom this my *Provisional Law* may be presented, and the Acknowledgment thereof doth belong, that they comply with it, and keep it intirely ; and that they cause it to be observed, complied with, and kept in conformity to the Articles herein translated, without any manner of Doubt or Contradiction ; because such is my Will and Pleasure. And it shall be valid, tho' its Effect should last more than one Year, notwithstanding the Ordinance or Regimens that may be to the contrary ; the which shall be registered in the Books of the Custom-house, that it may be publickly known to all People. : *Anthony Velloso Estaso* writ it in *Lisbon*, the 4th of *July*, 1657 ; and *John Pereira Bitancur* ordered it to be transcribed.

QUEEN.





*Alvará para que os Inglezes não paguem  
Corretores contra suas Vontades.*

**E**U EL REY faço saber aos que este Alvará virem, que havendo respeito ao que por sua Petição me Inviaraõ a dizer os Mercadores *Inglezes* Moradores na Ilha da *Madeira*, pedindo-me lhe manda-ſſe passar *Provizaõ* para que os *Corretores* os não obriguem a pagar *Corretagens* ſem elles por sua Livre vontade os quererem occupar, na forma do Cappitulo Terçoero das ultimas *Pazes* celebradas com *Inglaterra*; e Visto o que allegaõ, e Informaçãõ que ſe houve pello Doutor *Manoel da Cunha*, *Conſervador dos Inglezes*, e Reposta que ſobre iſſo deo o *Procurador da Minha Coroa*, Hey por bem, e me pras que os dittos *Corretores* não obriguem aos *Inglezes* a pagar *Corretagem*, ſem os dittos *Inglezes* por sua Livre Vontade os Occuparem, como em sua Petição pedem: Visto outrosim a Reposta do *Procurador da Coroa* e Cappitulaçoens das *Pazes*. E este Alvará ſe Cumprirá como nelle ſe Conthem, e Durará poſto que ſeo Effeito haja de durar mais de hum Anno, ſem embargo da Ordenaçãõ do Livro ſegundo, titulo 40 em contrario. *Manoel de Couto* o fes em *Lisboa* a 27 de Janeiro de 1661. e este vay por duas Vias; *Jaçinto Facundes Bezerra* o fes eſcriver.

**RAYNHA.**

Alvará



*Alvará, or a Law to Exempt the English from paying Brokeridge against their Will.*

**I** *THE KING*, make known to whom this *Alvará* or Law may come, that, having a Regard to what the *English Merchants*, residing in the *Island of Madeira*, sent to inform me of by their Petition, requesting that I would please to order my *Provisional Law* to be passed, in order to prevent the *Brokers* from obliging them to pay *Brokeridge*, unless they, of their own Accord and Free-Will, thought fit to employ them, according to the *third Article* of the last *Treaty of Peace* with *England*: And having seen what they alledge, and likewise the Information given by *Dr. Emanuel da Cunha*, *Conservator of the English*; together with the Answer given upon this by my *Attorney-General*: It is my Will and Pleasure, and Command, that the *Brokers* shall not oblige the *English* to pay *Brokeridge*, except the said *English* shall freely and of their own accord employ them, as they request in their Petition; having considered the *Articles of Peace*, and likewise the said Answer of my *Attorney-General*. And this *Alvará*, or Law shall be duly comply'd with, in the Manner as is therein contained; and it shall continue in force, tho' its Effect may last more than one Year, notwithstanding the Ordinance in the Second Book, *Title the 40th*, to the contrary. *Emanuel de Couto* writ it in *Lisbon* the 27th of *January*, 1661, and sent this by two Conveyances. *Jacinto Facundes Bezerra* ordered it to be transcribed.

QUEEN.



Alvará que *El Rey Dom Alfonso Sexto* Concedeo ao pedimento dos Mercadores Inglezes para bem das Couzas que tenha Lugar ainda com os Privelegiados.

**E**U EL REY faço saber aos que este Alvará Virem, que os Mercadores da *Coroa da Inglaterra* me Representaraõ que sem Embargo da *Conservatoria* que por Cappitulo de *Pazes* tenho Concedido para suas Cauzas, saõ obrigados a Letigar em outros Juizos, dizendo-se que as Palavras da Concessãõ geral naõ derogaõ os *Privilegios* Concedidos em direito de que gozaõ seos Contendores, e que os divertem muito da Mercançia, divertindo-se a varios Juizes, e dilatando-se nelles as Demandas com declinatorias, e por que em tudo o que naõ encontrar a Justiça, dezejo fazer favor aos Vassallos de *El Rey de Gram Bretanha* meu bom Irmãõ e Primo, mandey ver esta Materia com toda a Consideraçãõ, e fuy servido de Resolver que a ditta *Conservatoria* tenha Lugar ainda com os *Privelegiados*, e *Privilegios* incorporados em direito, ou por razãõ das Pessoas, ou por razãõ das Cauzas, como nos Moedeiros, Juizo da India e Mina, e outros semelhantes, para que todos nas Cauzas que Proçederem de Mercançia, sejaõ obrigados a Responder, ou a Letigar, ou sejaõ Autores, ou Reos, na ditta *Conservatoria*, sem embargo de quaesquer Leys e Ordenaçõens em contrario, que para este effeito Hey por bem derogar, com declaraçãõ que naõ he minha tençaõ alterar por esta Concessãõ couza algũa no que toca ao Juizo do *Fisco*, pella quallidade da materia e couzas que nelle se trataõ, e sempre se fica entendendo que do ditto *Conserva-*



*Alvará, or a Law which the King Don Alphonfus VI. granted at the Request of the English Merchants, on account of such Cases in Law that may take place in the Conservatory, even with such Persons as are privileged.*

**I** THE KING, make known to whom this *Alvará* or Law may come, that the *Merchants of the Crown of England* represented to me, that, notwithstanding the *Conservatory*, which by an Article of Peace I have granted them for their Causes, they are obliged to litigate in other Courts, under pretence that the Words of the general Concession do not abrogate the Privileges granted in Law, and are enjoyed by their Contenders, which is a great hindrance to Trade, they being obliged to attend various Courts, and delay their Causes with Trials about Preferences. And, because in all things which are not repugnant to Justice, I desire to favour the Subjects of the *King of Great Britain*, my good Brother and Cousin; I have order'd this Matter to be examin'd with all due Consideration, and it has been my Pleasure to resolve, that the said *Conservatory* shall take place, even with such as are privileged, and with Privileges which are incorporated in Law, either upon account of *Persons*, or upon account of Things; such as Officers of the Mint, of the Court of *India* and Mines, and other such like; that Every body in Causes, which proceed from Trade, shall be obliged to answer or litigate, whether they are Plaintiffs or Defendants, in the said *Conservatory*, notwithstanding any Laws or Ordinances whatsoever to the contrary: Therefore, for this Effect, It is my Will and Pleasure to annul them; but however, with this Declaration, that it is not my Intention by this Concession to alter any thing whatsoever belonging to the *Judge or Court of my Exchequer*, upon account of the Quality of the Matters and Things therein transacted; and it is always to be understood, that Appeals are to be made

P

from



*dos Ingleses* haõ de hir as Appellaçoens a quem pertencerem, como foraõ thigora. E este *Alvará* se Cumpraõ como nelle se Conthem, e Valerá posto que seo Efeito haja de durar mais de hum Anno, sem Embatgo da Ordenaçãõ do Livro segundo, titulo 40, em contrario. *Manoel do Couto* o fes em *Lisboa* a 16 de Setembro de 1665. *Jacinto Fagundes Bezerra* o fes escrever.

## REY.

O Superintendente da Cobrança dos 4 e meyo por Cento da freguazia de *São Paulo* desta *Cidade*, sem embargo da ordem que lhe deo nesta *Junta*, naõ obrigue a pagar Meneo que se Lançou aos *Vassallos de El Rey Catholico*, e aos *Françezes, Ingleses, e Olandezes*, que naõ estiverem *Naturalizados*; e os que tiverem bens de Raiz neste Reyno, e naõ forem *Naturalizados*, pagaraõ só o que se lhe Lançou aos dittos Bens, por sua Magestade assim o mandar declarar por seo *Decreto* de 9 do presente Mes de Julho, e os mais *Estrangeiros* de outras Naçoens devem pagar o que se lhe Lançou de Meneo, porque para Lograrem deste *Privilegio*, he neçessario que apresentem o que tem para se lhes haver de guardar. e deste *Despacho* se tomará Razaõ na *Contadoria geral de Guerra*. *Lisboa* 18 de Julho de 1699. com 4 Rubricas dos *Ministros da Junta dos Tres Estados* Registada a folhas 106.



from the said *Conservator of the English*, to whom they belong, as has been hitherto practised. And this *Alvará*, or Law shall be comply'd with in the Manner as is therein contained ; and it shall be valid, tho' its Effect may last more than one Year, notwithstanding the Ordinance in the second Book, *Title the 40th*, to the contrary. *Emanuel do Couto* writ it, in *Lisbon*, the 16th of *September*, 1665. *Jaçinto Fagundes Bezerra* order'd it to be transcribed.

## K I N G.

The *Superintendent* of the Collectors of the  $4\frac{1}{2}$  per Cent. of the Parish of *St. Paul* in this City, notwithstanding the Order given him in this *Junto* or *Council*, shall not oblige the Subjects of the *Catholick King*, the *French*, *English*, and *Hollanders*, who are not Naturalized, to pay what was charged to them on their Stock ; and those who have Lands in this Kingdom, and are not Naturalized, shall pay only what is charged on the said Lands ; his *Majesty* having declared it so by his Decree of the 9th of the present Month of *July*. And all other Strangers of other Nations ought to pay what is charged them on their Stock ; Because, in order for them to enjoy this Privilege, it is necessary they should shew what they have to intitle them to it, that it may be observed and kept accordingly. And this Dispatch shall be recognized in the Office of the *Accountant-General* of War. *Lisbon*, the 18th of *July*, 1699. with four Firms of the Ministers of the *Junto* of the Three States. Registered fol. 106.



*Treslado da Rezoluçãõ sobre o Meneo.*

**N**O Livro dos Avizos das Comarcas que servem nesta Contadoria geral de Guerra e Reyno, a folhas 211 se acha Registrada a ordem que se passou ao Ouvidor da Villa do *Crato* sobre o particular de que se fas mençaõ esta Provizaõ, do Theor da qual, se passaraõ outras ordems a todos os mais Ministros, e Superintendentes, nas freguezias desta *Cidade*, e seo Termo, da qual o treslado he o seguinte.

*Provizaõ a Fol. 211. do Livro 12.*

**D**OM JOAM, por Graça de Deos, &c. faço Saber a vos Ouvidor da Comarca do *Crato*, que fazendo-me presente que em Consultada *Junta dos Tres Estados*, os Vassallos de differentes Naçoens duvidavaõ pagar os Meneos que se lhes Lançavaõ, com o fundamento de serem *Privilegiados* pellas Cappitulaçoens das *Pazes* que os Livra de Contribuirem com o ditto Meneo; Fuy Servido resolver em 28 de Abril proximo passado que os *Françezes*, e os Vassallos das mais Naçoens devem pagar os Meneos que lhes forem Lançados, conforme o seo Trato; e que os Vassallos de *El Rey Catholico* meo bom Irmaõ e Primo, e os da *Inglaterra*, e *Olanda* devem ser Izentos desta Contribuiçaõ; porem que os *Naturalizados*, semembargo dos *Privilegios* em *Inglaterra* e *Olanda* devem pagar o Meneo do mesmo modo que os Naturaes deste Reyno. e da ditta minha Rezoluçaõ vos mando fazer este avizo, para observades nessa Comarca pella parte que vos toca, e desta ordem se tomará razaõ na Contadoria geral de Guerra; El Rey nosso Senhor o mandou por Dom *Phelipe de Souza*, Cappitaõ da sua guarda Real, e por *Françisco de Mello*,





## *Transcript of the Resolution about the Tax on Stock.*

**I**N the Book of Advices from the Counties and Hundreds, which serves in this Office of the Accountant-General of War and the Kingdom, in fol. 211. is register'd the Order given to the Auditor of the Town of *Crato* about the particular Things mentioned in this Provision, of which Tenor other Orders have been given to all the rest of the Ministers and Superintendants in the Parishes of this City, and its Districts ; of which the following is a Transcript.

*Provisional, Fol. 211. of the Book, N<sup>o</sup>. 12.*

**D**ON JOH N, by the Grace of God, &c. I make known to thee, Auditor of the Hundred of *Crato*, that I am inform'd by the Consultations of the Junto of the three States, that the Subjects of several *different Nations* dispute the Payment of the *Tax on their Stock*, which they were charged with, under pretence that they are privileged by the Articles of Peace which free them from paying the said *Tax*. I was pleased to resolve on the 28th of *April* last, that the *French*, and the *Subjects of other Nations*, ought to pay the *Tax on Stock*, which was charged to them according to their Trade, and that the Subjects of the *Catholick King*, my good Brother and Cousin, and those of *England*, and *Holland*, ought to be exempted from this Contribution ; but, however, such as are Naturalized, notwithstanding the Privileges of *England* and *Holland*, ought to pay the *Tax on Stock* in the same manner as the Natives of *this Kingdom* do. And I send thee this Advice of my said Resolution, that thou may'st observe it in that Hundred in the Part which concerns thee ; and due Notice shall be taken of this Order in the Office of the Accountant-General of War. The *King our Lord* sent this by Don *Philip de Souza*, Captain of his Royal Guards,

and



Monteiro Mór do Reyno ; ambos Deputados da *Junta dos Tres Estados*, Luis Simoens de Azevedo o fes, em *Lisboa* aos 7. de Mayo de 1708. Gaspar Salgado, que sirvo de Secretario o fes escrever.

Segundo se continha em os dittos *Privilegios*, que em tudo se Cumpriraõ, como nelles se Conthem ; e seraõ guardados por virtude desta, que huns e outros assim o Cumprireis, e al naõ façais, &c. e ésta vai passada pella minha Chancelaria dos Contos do Reyno e Caza. Dado em ésta Cidade de *Lisboa* Oriental aos 8 dias do Mes de Fevereiro do Anno do Nasçimento de Nosso Senhor *Jesus Christo* de 1717.



TRATADO



and, by *Francis de Mello*, Forester General of the Kingdom; both Deputies of the Junto of the Three States. *Lewis Simoens de Azevedo* writ it, in *Lisbon*, the 7th of *May*, 1708. *Gaspar Salgado*, who serves as Secretary, ordered it to be transcribed.

Accordingly these are the Contents of the said Privileges, which in every thing shall be duly complied with, according as is therein contain'd; and by Virtue hereof they shall be observed and kept, and every one shall comply with them; and nothing to the contrary shall ye do, &c. And this is registered in my Chancery of the Accounts of the Kingdom and Palace. Given in this City of *East Lisbon*, the eighth Day of the Month of *February*, from the Year of the Birth of our Lord Jesus Christ, 1717.







T R A T A D O

D E

C O M E R C I O

Entre a Serenissima Senhora

*A N N A,*

Raynha de GRAM BRETANHA ;

E o Serenissimo Senhor

*D O M P E D R O,*

Rey de PORTUGAL, e dos  
ALGARVES, &c.

Acordado, e Concluido, em *Lisboa*, aos  
27 Dias de Dezembro de 1703.

P R O L O G O.



PO R quanto a Ligua, e estreita Amizade que  
há entre a Serenissima e Poderosa *Prinç za*  
*A N N A,* Raynha de Gram Bretanha ; E o Se-  
renissimo e Poderozo Senhor *Dom P E D R O,*  
*Rey de Portugal* ; Requere que o Comercio  
de ambas ás Naçoens seja Adiantado tanto quanto fór pos-  
sivel ;





T R E A T Y  
O F  
C O M M E R C E

Betwixt the most Serene Lady

*A N N E,*

Queen of GREAT BRITAIN ;

And the most Serene Lord

*D O N P E T E R,*

King of PORTUGAL, and of the  
ALGARVES, &c.

Agreed upon, and Concluded in *Lisbon*, the  
27th of *December*, 1703.

P R O L O G U E.

**W**HEREAS the League and strict Friend-  
ship which is between the most Serene and  
most Potent Princess *ANNE*, *Queen of Great*  
*Britain*, and the most Serene and most Potent  
*PETER*, *King of Portugal*, requires that the  
Commerce of both the *British* and *Portugueze* Nations  
should



sivel; e como a Real Magestade de *Gran Bretanha* significou ao Real Magestade de *Portugal*, por Via do Excellentissimo Senhor *João Methuen* Escudeiro, Membro do *Parlamento Britanica*, e seõ Embaxador Extraordinario a Corte de *Lisboa*, que seria agradavel a sua Magestade, se os *Pannos de Lam*, e os mais *Manfeitórias de Lam Britanicas*, pudessem ser Admitidas em *Portugal*; sendo Levantado a Prohibiçãõ dellas. E assim, que esta materia seja Tratado, e Concordado; as dittas *Magestades* dêraõ as suas Plenas Poderes e ordems: a saber, a *Magestade Britanica*, ao sobredito Excellentissimo senhor *João Methuen*: E a *Magestade Portugueza* ao Excellentissimo senhor *Dom Manoel Telles*, Marquez de *Alegrete*, Conde de *Villa Mayor*, Cavaleiro Proffesso da ordem de *Christo*, &c. &c. &c. os quaes senhores, por Virtude das Plenas Poderes a elles Conçedidas respectivas a este Acto, tendo maduramente, e com grande dilligência Considerado a materia; Acordaraõ, e Concluireãõ sobre õs Artigos seguintes.

## I.

O Serenissimo e Real Magestade de *Portugal*, Promete em seõ nome, e em nome dos seos Succesores, de Admitir da qui em diante para sempre nos seos Reynos, os *Pannos de Lam*, e outras *Manfeitórias de Lam Britanicas*; como era Costumado, athe que foraõ Prohibidas pellas *Leys*. Porem sobre esta Condiçãõ; a saber.

## II.

Que sua Serenissima e Real Magestade de *Gran Bretanha*, Promete, e se obriga em sua nome, e em nome dos seos Succesores, de Admitir da qui em diante para sempre nos Reynos de *Gran Bretanha*, os *Vinhos da Coltura de Portugal*; da Maneira que a nenhum tempo; ou que haja *Pazes*, ou *Guerras* entre os Reynos de *Gran Bretanha e França*, sennaõ hade pedir mais couza algũa a conta destes *Vinhos*, pello nome de *Costumes* ou *Direitos*, nem por nenhum outro titulo que seja, ou *Direitamente*, ou *Indireitamente*, (que sejaõ trazidos a *Gran Bretanha* em *Pipas*, ou *Quartos*, ou outros *Cascos*) de que se pedem pella



should be promoted as much as possible ; and her Sacred Royal Majesty of Great Britain hath signified to his Sacred Royal Majesty of Portugal, by the most Excellent John Methuen, Esq; Member of the English Parliament, and Ambassador Extraordinary in Portugal, that it would be very acceptable to her, if the *Woollen Cloths*, and the rest of the *Woollen Manufactures of Britain* might be admitted into Portugal, the Prohibition of them being taken off : That this Matter may be treated and transacted, they have given their full Powers and Commands ; that is to say, her Sacred Majesty of Great Britain, to the above-said most excellent John Methuen, and his Sacred Majesty of Portugal, to the most excellent Don Emanuel Telles, Marquis of Alegrete, Conde de Villa Mayor, Knight professed in the Order of Christ, &c. &c. &c. who by Virtue of the full Powers to them respectively granted, having maturely and diligently consider'd the Matter, have agreed upon the following Articles, viz.

## I.

His Sacred Royal Majesty of Portugal promises, both in his own Name and that of his Successors, to admit, for ever hereafter, into Portugal, the *Woollen Cloths*, and the rest of the *Woollen Manufactures of the Britons*, as was accustomed, 'till they were prohibited by the Laws ; nevertheless upon this Condition, that is to say,

## ii.

II. That her Sacred Royal Majesty of Great Britain shall in her own Name, and that of her Successors, be obliged for ever hereafter to admit the *Wines* of the Growth of Portugal into Britain ; so that at no time, whether there shall be Peace or War between the Kingdoms of Britain and France, any thing more shall be demanded for these *Wines* by the Name of Custom or Duty, or by any other Title whatsoever, directly or indirectly, (whether they shall be imported into Great Britain in Pipes or Hogsheads, or other Casks,) than what shall be demanded for the like



pella mesma quantidade, ou Medida de *Vinho de França*; Descontando, ou abatendo hum terço parte dos Costumes ou Direitos: mas se este desconto, ou abatimento nos Direitos, (que se deve fazer como fica declarada) a qualquer tempo seja por algum modo attentado a ser empedido e Prejudicado; então será Justo e Liçito a sua Serenissimo e *Real Magestade de Portugal*, outro ves Prohibir os *Pannos de Lam*, e mais *Manufeitorias de Lam Bretanicas*.

## III.

Os Excellentissimos senhores *Plenapotenciarios* prometem, e tomaõ sobre sy, que os seus sobredittos Amos Rateficaraõ este Tratado; e dentro no espaço de dous Mezes se troucaraõ os Rateficaçãoens.

Em Fée, e testemunha de todas estas Couzas, Eu o *Plenapotenciario* da sua Serenissima e *Real Magestade de Gram Bretanha*, tenho confirmado este Tratado pello assignar com a minha mam, e o Sellár com o Sello das minhas Armas. E o Excelentissimo Senhor, o *Plenapotenciario* do Serenissimo e *Real Magestade de Portugal*, para Evitar a Contraversia sobre a Preçendencia entre as duas *Coroas de Gram Bretanha e Portugal*, tem assignando outro Instrumento do mesmo Theór, Troucando somente o que devia ser troucado para este Cazo. Dado em *Lisboa* aos 27 dias do Mes de Dezembro de 1703.

ALEGRETE, (L. S.)



*Handwritten signature*  
28

pella















John Deane



B- 22, 23, 24, 26

88, 89, 90



