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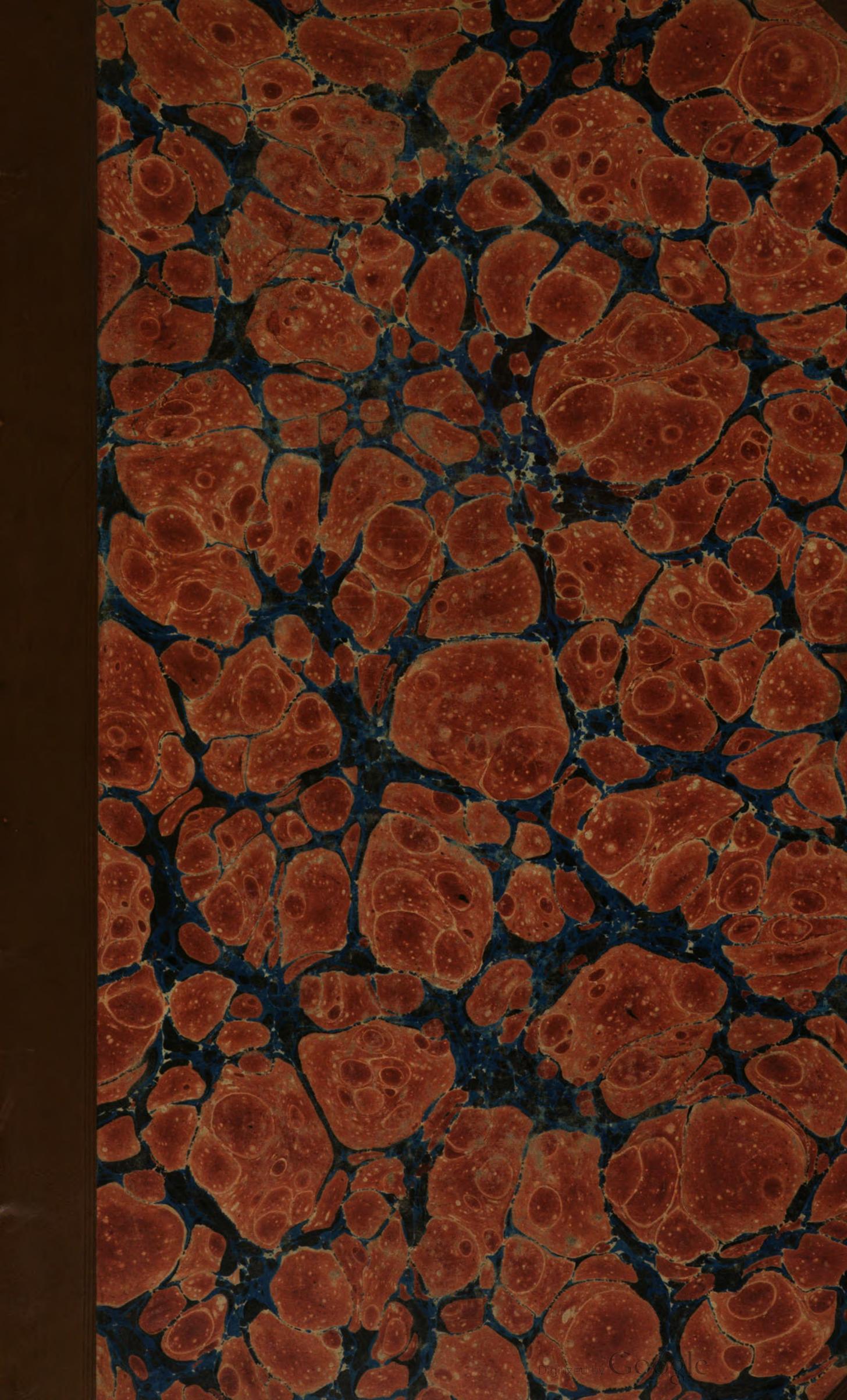
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TRANSLATION.

PROTOCOLS

OF THE CONFERENCES, HELD IN LONDON, ON THE AFFAIRS OF BELGIUM.

No. 1.

*PROTOCOL of a Conference held at the Foreign Office, on the 4th of
November, 1830.*

Present:

The Plenipotentiaries of

Austria;

France;

Great Britain;

Prussia; and

Russia.

HIS Majesty the King of the Netherlands having invited the Courts of Great Britain, Austria, France, Prussia, and Russia, in their character of signing powers to the Treaties of Paris and Vienna, Treaties which established the Kingdom of the Netherlands, to deliberate, in concert with His Majesty, on the best means of putting an end to the disturbances which have broken out in his States; and the above-mentioned Courts having felt, even before they had received this invitation, a strong desire to put a stop, in the shortest time possible, to disorder and to bloodshed, they have, through the medium of their Ambassadors and Ministers accredited at the Court of London, agreed upon the following resolutions:

1°. According to the terms of the 4th paragraph of their Protocol of the 15th November, 1818, they have invited the Ambassador of His Majesty the King of the Netherlands to assist at their deliberations.

2°. They are of opinion that, to accomplish their resolution to put a stop to bloodshed, an entire cessation of hostilities should take place on both sides.

The conditions of this armistice, which shall in no way prejudice the questions, the solution of which are to be facilitated by the five Powers, are to be such as are mentioned below.

On both sides hostilities shall entirely cease. The respective troops will have, reciprocally, to retire behind the line which separated, previous to the date of the Treaty of the 30th May, 1814, the possessions of the Prince Sovereign of the United Provinces, from those which were added to his territory for the purpose of forming the Kingdom of the Netherlands, by the said Treaty of Paris, and by the Treaties of Vienna and Paris of the year 1815.

The respective troops are to evacuate the places and territories which they mutually occupy on the other side of this line, within the space of ten days.

This armistice shall be proposed to the Government of His Majesty the King of the Netherlands, through the medium of his Ambassador, present at the deliberations.

The terms of this armistice shall be communicated in Belgium in the name of the five Powers.

(Signed)

ESTERHAZY.
TALLEYRAND:
ABERDEEN.
BULOW.
MATUSZEWIC

PROTOCOL of a Conference held at the Foreign Office, on the 17th of November, 1830.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
The Netherlands ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, being assembled in Conference, gave audience to the Plenipotentiary of His Majesty the King of the Netherlands. This Plenipotentiary declared to them; that the King his Master consented to their Protocol of the 4th instant, and to the armistice of which that document laid down the bases.

The annexed report (A.) from M. M. Cartwright and Bresson, upon the result of the mission with which they had been charged, to Brussels, was then read.

Having expressed a well merited approbation of the manner in which those gentlemen have fulfilled their mission, the Plenipotentiaries attentively examined the answer annexed to their report (B.), and decided that the said answer should be accepted; since, on the one hand, it contains an entire adhesion to the bases laid down by the Conference of London for a cessation of hostilities; and, on the other, the passage in that answer beginning with the words "*on this occasion,*" and ending with those, "*including all the left bank of the Scheldt,*" only expresses, according to the report of M. M. Cartwright and Bresson, an opinion entirely subordinate to the full and unqualified acceptance, which precedes it.

In fact, according to the bases of the armistice, which this answer explicitly adopts, the limits behind which the respective troops are to retire, are those which separated Belgium from the United Provinces of the Netherlands, previous to the Treaty of Paris, of the 30th May, 1814. These limits cannot, therefore, be determined by Acts posterior to the Treaty of the 30th May, 1814; and such Acts cannot be referred to for the purpose of changing, upon any one point, the line of frontier which existed before the signature of the Treaty in question.

Every other mode of interpretation would involve a manifest contradiction, and would on that very account be inadmissible. The Plenipotentiaries accordingly consider the line named above, as agreed to on both sides for an armistice, an armistice which moreover leaves untouched the political questions, of which the above Courts have to facilitate the solution.

This essential point being decided, the Plenipotentiaries have agreed upon the following measures.

1°. M. M. Cartwright and Bresson will return to Brussels, in order to announce at that place the adhesion of His Majesty the King of the Netherlands to an armistice, on the bases of the 4th of November, 1830, and to communicate the explanations which the Plenipotentiaries have recorded in the present Protocol.

2°. They will further announce, that the armistice having been agreed to by both parties, constitutes an engagement entered into with the five Powers.

3°. His Majesty the King of the Netherlands will be invited to send Commissioners, to lay down on the spot, in concert with Belgian Commissioners, the line beyond which the respective troops are to retire.

4°. The appointment of Commissioners on the part of the Belgians shall be demanded by M. M. Cartwright and Bresson.

5°. M. M. Cartwright and Bresson are authorized, in case of necessity, themselves to repair to the spot for the purpose of fixing definitively

the line of the armistice, and to reconcile for this object, the differences of opinion which might arise among the respective Commissioners.

6°. It is to be understood that on either side, the order to suspend hostilities shall be given with as little delay as possible after the communication of this Protocol : but that the ten days allowed for the retreat of the troops on either side, shall count only from the day on which the line, behind which the troops are to retire, shall have been completely settled ; and that on either side there shall be preserved in the interval, the power of communicating freely by land and sea, with the territories, fortresses, and points which the respective troops occupy beyond the limits which separated Belgium from the United Provinces of the Netherlands, before the Treaty of Paris, of the 30th May, 1814.

7°. The Plenipotentiaries having received from the Plenipotentiary of His Majesty the King of the Netherlands the formal assurance that no Belgian, not a prisoner, is detained against his will in the Northern Provinces, direct M. M. Cartwright and Bresson to use their good offices to procure the adoption of the reciprocal principle of an immediate restoration of prisoners of war ; a principle, the mutual application of which is loudly demanded by humanity and justice.

8°. A duplicate of this Protocol shall be transmitted to M. M. Cartwright and Bresson.

(Signed)

ESTERHAZY.
TALLEYRAND.
ABERDEEN.
BULOW.
MUTUSZEWIC.

Annex A. to Protocol No. 2.

Report addressed to the Conference by M. M. Cartwright and Bresson, dated London, November 14, 1830.

DIRECTED by their Excellencies the Plenipotentiaries of the five great Powers assembled in London, to make known to the Provisional Government of Belgium the Protocol of their Conference of the 4th of November, we left London on the 5th, and arrived at Brussels on the 7th.

The next day we were received by the Provisional Government, and we executed the mission with which we were charged.

The answer was not delayed ; but there arose between us and M. Tielemans, deputed by the Provisional Government to transmit it to us, a discussion upon the form in which it was drawn up ; our object was that it should be drawn up in the plainest terms, and, as far as possible, in terms according with those of the Protocol itself. The document which we have had the honour to transmit to their Excellencies, appeared to us to fulfil that object.

Nevertheless, we allowed to remain, after the article No. 2, an observation beginning with these words, "*On this occasion,*" an observation which expresses the opinion of the Provisional Government relative to the line of limitation traced out by the Protocol : but it has been perfectly understood between M. Tielemans and us, that we only admitted that paragraph as a simple observation, and as the expression of an idea upon the subject of a line of demarcation, which in his opinion had always remained doubtful. We kept to that line fixed by the Protocol, and which is specified by the Treaties of Paris and of Vienna, and it is that also which the Provisional Government has adopted, since in their answer the very provisions of the Protocol are those which they undertake to execute, and of which they repeat the very expressions.

The 2d Article is therefore the engagement taken by the Provisional Government ; what follows, is their view of what they have undertaken to execute : but if they are mistaken, the Treaties and the maps will decide in the sense of the Protocol all the interpretations which they would wish to give to it.

As soon as we were put in possession of the answer of the Provisional Government, we set off again for London, where we arrived on the evening of the 13th.

(Signed)

THOMAS CARTWRIGHT.
BRESSON.

*Annex B. to Protocol No. 2.**Answer of the Provisional Government of Belgium to the communication made to them of the Protocol No. 1.*

THE Provisional Government of Belgium have had the honour to receive the Protocol of the Conference held at the Foreign Office, the 4th of November, 1830, and signed Esterhazy, Talleyrand, Aberdeen, Bulow, and Matuszewic, in their capacity of respective Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia.

The members of the Provisional Government are happy to think, that very natural feelings of sympathy for the sufferings of Belgium, have occasioned the philanthropic mission with which the Plenipotentiaries of the five great Powers are charged.

Full of this hope, the Provisional Government, wishing moreover to reconcile the independence of the Belgian nation with the respect due to the rights of humanity, thank the five Powers for having taken the lead in an attempt to stop the effusion of blood by an entire cessation of the hostilities which have been carrying on between Belgium and Holland.

The Government, in consequence, undertake to give the orders and take the measures which may be necessary, 1°. To put a stop to all hostilities against Holland on the part of the Belgians.

2°. That the Belgian Troops may retire within the line which separated, before the Treaty of Paris of May 30, 1814, the Provinces of the Prince Sovereign of the United Provinces, from those which have been joined to his territory to form the Kingdom of the Netherlands, by the said Treaty of Paris, and by the Treaties of Paris and Vienna of the year 1815.

On this occasion the Provisional Government of Belgium owe it to good faith to observe, that by that line they understand those limits which, in conformity with the 2d article of the fundamental law of the Netherlands, separated the northern from the southern provinces of the country, including all the left bank of the Scheldt.

3°. That the Belgian troops may evacuate the places and territories which they occupy beyond the line traced above, within ten days.

The whole, upon the condition of a reciprocal engagement on the part of Holland, to be executed within the same period by sea and by land.

Brussels, November 10, 1830.

(Signed)

DE POTTER.
GENDEBIEN.
J. VANDERLINDEN.
C^{te}. FELIX DE MERODE.
CH. ROGIER.
JOLLY.
F. DE COPPIN.

No. 3.

PROTOCOL of a Conference held at the Foreign Office, on the 17th of November, 1830.

Present :

The Plenipotentiaries of

*Austria ;
France ;
Great Britain ;
The Netherlands ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, having assembled in Conference, received from the Pleni-

potentiary of His Majesty the King of the Netherlands the annexed declaration (A.) touching the adhesion of the King, his Master, to the Protocol of November 4, 1830, and the clauses by which His Majesty would wish that Act to be followed.

After having discussed the four points to which the Plenipotentiary of the Netherlands had received orders to direct their particular attention, the Plenipotentiaries agreed: *as to the first point, which relates to the duration and notice of termination of the armistice, of which the Protocol of the 4th of November has fixed the bases*,—that it would be more consistent with the nature of that cessation of hostilities, not to affix a term to it beforehand. The object of the five Powers is to extinguish every feeling of enmity among a people now divided by an unfortunate struggle, and not to suffer its revival to be contemplated. They think it, therefore, more useful to render the armistice indefinite, and they consider it as an engagement entered into with themselves, and over the execution of which, it will be their duty henceforward to watch.

As to the second point, which relates to the establishment of a line of armistice upon the principle of territorial compensation on either side of the limits marked out with that view in the Protocol of November 4, 1830—the Plenipotentiaries, yielding to the wish of His Majesty the King of the Netherlands, have decided that that part of the declaration of his Ambassador, together with the annexed maps, should serve as instructions to M. M. Cartwright and Bresson; that they should receive orders to employ all their efforts to accomplish the wishes of His Majesty the King of the Netherlands, relative to the establishment of such a line of demarcation; finally, that they should insist upon its adoption at Brussels, with so much the more earnestness, as, according to the very terms of the declaration of His Majesty the King of the Netherlands, and of the Protocol of November, 4, 1830, “the questions with which the Conference will have to occupy itself, shall not be in any way prejudiced by the arrangements which relate to an armistice.”

That if, nevertheless, M. M. Cartwright and Bresson should not succeed in obtaining the entire adoption of the line of boundary abovementioned, they should in that case demand permission to repair to the spot with the respective Commissioners, and, interposing their mediation between them, they should exert themselves to trace some other line which should better reconcile the interests of the two parties.

It is understood, that at all events the fortresses of Venloo, Stevenswaert, and of Maestricht, which belonged to the United Provinces of the Netherlands, before the epoch of the Treaty of May 30, 1814, shall continue in the occupation of the Dutch troops.

As to the third point, which relates principally to the communications of the Royal Navy with Antwerp, and the term from which the ten days fixed for the evacuation of the fortresses and territories respectively occupied beyond the line of armistice shall be reckoned—the Plenipotentiaries observed, that this point was regulated in a manner conformable to the wishes of His Majesty the King of the Netherlands, by one of the Articles of another Protocol of this day.

Finally, *as to the fourth point, relative to the liberation and to the mutual restoration of prisoners of war within eight days*;—the Plenipotentiaries also observed, that the Protocol above quoted provided effectually for it.

The Plenipotentiaries, moreover, think it necessary to approve of the care which M. M. Cartwright and Bresson have taken to remove from the proposed answers which have been presented to them during their last residence at Brussels, all mention of the Grand Duchy of Luxembourg. That Duchy forms a part of the Germanic Confederation, under the Sovereignty of the House of Orange-Nassau, in virtue of stipulations other than those of the Treaty of Paris, and of the subsequent Treaties which have created the Kingdom of the Netherlands. It could not, therefore, now be included in any of the arrangements which have, or shall have, reference to Belgium, and no exception to this principle will be admitted.

The Plenipotentiaries have resolved to transmit to M. M. Cartwright and

Bresson, a duplicate of the present Protocol, as well as of that which precedes it, by means of the letter here annexed (D.)

(Signed)

ESTERHAZY.
TALLEYRAND.
ABERDEEN.
FALCK.
BULOW.
MATUSZEWIC.

Annex A. to Protocol No. 3.

Answer of His Majesty the King of the Netherlands to the communication made to Him of Protocol No. 1.

THE King of the Netherlands having examined the proposition which has been communicated to him by his Ambassador at the Court of His Britannic Majesty, on the part of the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, assembled, in conjunction with the Plenipotentiary of the Netherlands, in Conference at London, on the 4th of November, 1830,—a proposition having in view the complete cessation of the hostilities which at the present moment disturb the tranquillity of the Netherlands, congratulates himself sincerely on the interest displayed by the beforementioned Powers, in putting a stop to the disorders and to the effusion of blood in that Kingdom.—His Majesty, animated with the same feelings upon that subject as his High Allies, accepts the proposal abovementioned according to the tenor of the Protocol of the Conference; and as the nature of the object in view requires some further explanation, he has charged his Plenipotentiary to express to the Plenipotentiaries of the five Powers, his wish and the necessity for an explanation from the Conference on the following points:

1. The duration of the armistice, and the manner in which its termination shall be announced.—The King would wish that the duration should be fixed at three months, so that after the expiration of that term, the armistice should be understood to continue, and hostilities should not re-commence until a month after notice of the termination of the armistice.

2. His Majesty is ready to give the necessary orders for the retirement of his forces by land and sea behind the line indicated by the Protocol; but as, in consequence of the very great number of detached portions of territory situated in the provinces of Limbourg and Liege, and which belonged, before the 30th of May, 1814, to the Sovereign Prince of the United Provinces of the Netherlands, the limits separating those Provinces from the Provinces added to his territory to form the Kingdom of the Netherlands, present no unbroken line on the side of the Provinces of Liege and Limbourg, it will be of consequence to establish one, according to the principle of a compensation of territory on either side of the line. His Majesty has thought that this line might be found in the boundary separating the districts of Maestricht and Ruremonde from the Province of Liege, from the district of Hasselt, and from the Province of Antwerp, excluding, if necessary, the canton of Tongres.

3. It shall be understood that the citadel of Antwerp shall be evacuated in ten days, or as soon as possible after the above-mentioned line of demarcation in the Province of Limbourg shall have been fixed. The forts on the Scheldt, namely, the *Tête de Flandres*, Lillo, and Liefkenshoek, shall be given up immediately after the evacuation of the citadel of Antwerp. The Royal Navy shall previously be allowed to go down the river, leaving its station before Antwerp, with liberty to resume it until the complete evacuation of the citadel of Antwerp, and of the said forts.

4. The Belgian prisoners of war, who were at Antwerp, having been restored without exchange, and no Belgian prisoner being detained against his will in the northern provinces, while many officers, sub-officers, and soldiers of the Royal Army continue so situated in Belgium, where a great number are even languishing in prison, all prisoners of war shall be, on either side, set at liberty and restored within the space of eight days.

*Annex B. to Protocol No. 3.**Map styled**“ A Map of the Seven United Provinces, with the land of Drent and the generality lands.”**“ Published by W. Faden, Geographer to the King, MDCCLXXXIX.”**Annex C. to Protocol No. 3.**Map styled**“ A Map of the Austrian Possessions in the Netherlands, or Low Countries, with the principalities of Liege and Stavelo &c. reduced from the Trigonometric survey made by order of His Royal Highness the Prince Charles of Lorraine.”**“ Published by W. Faden, 1789.”**Annex D. to Protocol No. 3.**Draft of Instruction to be given by the Conference to Messrs. Cartwright and Bresson.*

WE have the honour to transmit to you two Protocols, which we have just agreed to, and which entrust you with another mission to Brussels. The first of these Protocols contains the patent instructions; the second, the confidential suggestions, which are necessary to you to fulfil this second mission, as you did the first, to the entire satisfaction of the Conference.

You will make such use of these suggestions as, according to circumstances, you may deem desirable.

Receive, Gentlemen, &c.

(Signed)

ESTERHAZY.
TALLEYRAND.
ABERDEEN.
BULOW.
MATUSZEWIC.

No. 4.

PROTOCOL of a Conference held at the Foreign Office, on the 30th of November 1830.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
The Netherlands ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the Courts of Austria, France, Great Britain, the Netherlands, Prussia, and Russia, met to take into consideration the communications which had been addressed to them by Messrs. Cartwright and Bresson, on the first results of their second mission to Brussels.

The attention of the Plenipotentiaries was principally directed to the annexed note (A.) transmitted to them by Messrs. Cartwright and Bresson.

The Plenipotentiaries determined to address to them, on the subject of that note, the annexed instruction. (B.)

The Plenipotentiary of His Majesty the King of the Netherlands, at the same time, informed the Plenipotentiaries of the five Powers, of the entire adhesion of the King, his Master, to their Protocol of the 17th November, 1830.

(Signed)

ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
FALCK.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 4.

“ Note verbale ” addressed to M. M. Cartwright and Bresson, by the Provisional Government of Belgium.

IN the Protocol of the Conference held at London, the 17th November, 1830, at the Foreign Office, the Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, after having declared that they accept the answer of the Provisional Government of Belgium to the proposal for an armistice, of which the bases were laid down by Messrs. Cartwright and Bresson, state it as their opinion, that the armistice agreed to, constitutes an engagement taken towards the five Powers by the Belgian Government.

The Provisional Government of Belgium can only consider the intervention of the five Powers as a friendly step taken by mediators, animated with a spirit of harmony and peace, who offer their good offices to the belligerent parties, and are anxious to settle the points in dispute, with the approbation and free consent of their Allies, or neighbours engaged in war. But in hastening to receive overtures which tend to the cessation of hostilities, and to fix the limits behind which the Belgian and Dutch troops are to retire, the Belgian Government did not intend to bind itself towards the Powers by an engagement from which no circumstances could free it. It has wished to act up to the conciliatory intentions of the five Powers, to stop the effusion of blood, and to show itself disposed to the adoption of all the measures which justice and humanity require : it did not conceive that these pacific dispositions could be considered in the sense which the Protocol appears to attach to them.

Besides, the Belgian Government thinks it right to enquire the exact meaning which the Plenipotentiaries attach to the engagement which the armistice agreed to, would constitute on their part towards the five Powers.

Annex B. to Protocol No. 4.

Instruction to be addressed to Lord Ponsonby and M. Bresson.

Gentlemen,

WE have examined with the necessary attention the *note verbale* which you have transmitted to us, and in which is expressed a desire to know the meaning of the engagement with regard to the armistice, which the five Courts have declared, by their Protocol of the 17th of November, to have been contracted towards them.

The motive of that engagement is ; that animated by a desire to extinguish entirely the enmity between the people who are divided by a melancholy struggle, and not to suffer its revival to be contemplated, the Powers thought it right to make the armistice indefinite, and considered it as an engagement contracted with themselves, and over the execution of which it will belong to them hereafter to watch.

Consequently, that the one of the two parties which should break that engagement, would find itself in open hostility to the salutary intentions which suggested the measures taken by the five Powers to stop the effusion of blood.

We think it our duty to observe, that if that complete security under the guarantee of the Powers did not result from the armistice, the Plenipotentiaries would not have consented to propose to His Majesty the King of the Netherlands, the evacuation of the citadel of Antwerp, and so to change his position in case of a resumption of hostilities.

You are authorized to draw from the tenor of this despatch the materials for a *note verbale* which you will return in answer to that which has been communicated to you.

Receive, Gentlemen, the assurances &c.

(Signed) ESTERHAZY. WESSENERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

PROTOCOL of a Conference held at the Foreign Office, on the 10th of December, 1830.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
The Netherlands ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts having assembled, received the two annexed communications (A. B.) from the Plenipotentiary of His Majesty the King of the Netherlands ; *the first*, calling the attention of the Conference to the observations made at Brussels, upon the indefinite character which the five Courts intended to give to the armistice mentioned in their Protocols of the 4th and 17th of November : *the second*, showing the motives which have induced His Majesty the King of the Netherlands, although he raises the blockade established by his decree of the 7th of November, to continue the existence of the measures of precaution taken by a previous decree of the 20th of October, as far as regards the navigation of the Scheldt.

The Plenipotentiaries of the five Courts also made themselves acquainted with the annexed dispatches from Sir Charles Bagot (C.), from Mr. Cartwright (D), and from Lord Ponsonby (E. F.)

After having discussed the questions to which the communications of the Plenipotentiary of the Netherlands, as well as the dispatches annexed to the present Protocol, relate, the Plenipotentiaries of the five Courts were of opinion :

1. That after the explanation given by the Plenipotentiary of the Netherlands, there was reason to think, that if the King hesitates to revoke the measures of precaution adopted on the 20th of October, as far as regards the navigation of the Scheldt, it is chiefly because he considers the renewal of hostilities against himself as possible before the definitive conclusion of the armistice, of which the principle and the bases have been established in the Protocols of the 4th and 17th of November.

2. That on this subject, the meaning of the stipulations agreed to by the Plenipotentiaries has not been completely understood : but, however, that it has been better explained in the Protocol of November 30, and particularly in the instruction to Lord Ponsonby and M. Bresson which is annexed to it.

3. That in consequence of that instruction, it is to be understood that the cessation of hostilities is placed under the immediate guarantee of the five Courts ; that there is no longer a question whether during the negotiation respecting the armistice, hostilities shall or shall not be resumed, but simply to trace a line of demarcation which is to separate the respective troops ; and that a renewal of hostilities would be (according to the terms of the instruction of the 30th of November to Lord Ponsonby and M. Bresson) " in open hostility to the salutary intentions which suggested the measures taken by the five Powers to stop the effusion of blood."

4. Finally, that in conformity with these views, His Majesty the King of the Netherlands should be urged, in the name of the five Courts, to revoke as soon as possible the measures of precaution which impede for the present the navigation of the Scheldt, and thus to complete the raising of the blockade, in the manner which the Plenipotentiaries understood from the first.

The last point on which the Plenipotentiaries deliberated, was that which is mentioned in the *note verbale* received by Lord Ponsonby and M. Bresson, with regard to the navigation of vessels belonging to the Ports of Belgium.

It was decided that the Conference should take the necessary steps with the Government of His Majesty the King of the Netherlands, in order that Belgian merchant vessels should not be molested by the ships of war of His Majesty.

With regard to the question of the flag, it was agreed that it should be made the subject of future discussion.

(Signed) ESTERHAZY. WESSENERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 5.

Note addressed to the Conference by the Plenipotentiary of His Majesty the King of the Netherlands, dated the 10th December, 1830.

The undersigned has already had the honor to inform the Plenipotentiaries, that the King, his Master, had given orders to the commanders of his military and naval forces to discontinue hostilities, and that the blockade established by His Majesty's decree of the 7th of November, had been annulled on the 25th of the same month.

When the King adopted these measures, it appeared to him that the Protocol No. 2 contained the guarantee necessary for the maintenance of a suspension of hostilities, and of the armistice by which it was to be followed. But, according to what His Majesty has since learnt, the insurgents have made a difficulty about acknowledging that the armistice, being agreed to on either side, constitutes an engagement contracted towards the five Powers. This circumstance has entirely changed the state of things, for as long as the insurgents do not think themselves bound towards the five Powers, they may consider themselves authorized to recommence hostilities whenever the opportunity shall appear favorable to them.

The undersigned has, in consequence, received orders to declare that His Majesty, though he does not reject an armistice with sufficient guarantees, must reserve to himself at present the power of terminating to the cessation of hostilities, when he shall think it advisable. In case of such a contingency, His Majesty intends to announce such termination ten days before hand.

The Plenipotentiaries will easily understand the resolution of the King under these circumstances. It is founded on the failure of an explicit acceptance of the Protocol on the part of the Belgian insurgents; on the justice of his cause, and on the patriotism and public spirit of the States General, and of all the inhabitants of the Northern Provinces of the Netherlands; a spirit which every constitutional Government, which has marched with the age, is bound to respect in the nation, over whose destinies it presides; which in the northern part of the Netherlands rejects all sacrifice to religious and political fanaticism; and which ought, above all, to influence the determinations of the King, when it is a question of maintaining the independence of the ancient United Provinces of the Netherlands, and the true civil and religious liberty, of which the possession has, for so long, been secured to them.

(Signed) FALCK.

Annex B. to Protocol No. 5.

Note addressed to the Conference by the Plenipotentiary of His Majesty the King of the Netherlands, dated the 10th of December, 1830.

The undersigned hastens to communicate to the Plenipotentiaries the authentic information which has been brought to him by the last Dutch mail, and of which he was not in possession when their Excellencies took into their consideration, on the 6th of this month, the complaints of the merchants of Antwerp, transmitted by Mr. Cartwright.

The vessels destined for that port were detained at Flushing, because the town of Antwerp is in the occupation of the troops of the insurgents, and the citadel is in a stage of siege. From the river it can only be approached by crossing

the military line, which was established in order to separate the faithful provinces from Antwerp, as soon as that town shook off the legitimate authority, that is, since the end of the month of October.

The people of Antwerp do not of course pretend to the privilege of passing that part of the line which interrupts their communication with Holland *by land*; and one may therefore well be surprised at the claim set up by them to the passage *by water*, which had been interrupted from the same motives, and on the same principle. To admit these claims, would be on the part of the King, favor so much the greater, since there is as yet no armistice formally concluded, and since by the admission of merchant vessels within the inner Scheldt, he would expose himself, to the great detriment of the good cause, to an augmentation of the means and resources of the insurgent party, in case they should choose to recommence hostilities.

The undersigned cannot help insisting on the difference there is between an armistice and a suspension of arms, such as exists in consequence of the Protocol No. 2. That Protocol makes no mention of the blockade; and according to some jurists, the blockade, not being a positive act of hostility, can very well exist during a suspension of arms. Nevertheless, as soon as His Majesty learnt the desire shown upon this subject by the Conference, without waiting for the final settlement of the armistice, he annulled his decree of the 7th of November, and already for the last fortnight, Ostend, Nieuport, and the whole coast of Western Flanders, are perfectly accessible. If the port of Antwerp is deprived of this advantage, it is on account of the particular circumstances detailed above, and in consequence of measures which, having been taken previously to the 7th of November, have been affected neither by the establishment nor the raising of the blockade. (Signed) FALCK.

Annex C. to Protocol No. 5.

Copy of Dispatch from Sir C. Bagot to Lord Palmerston, dated the Hague, December 5, 1830.

[See original Protocols, Page 11.]

Annex D. to Protocol No. 5.

Copy of Dispatch from Mr. Cartwright to Lord Palmerston, dated Brussels, December 7, 1830.

[See original Protocols, Page 12.]

Annex E. to Protocol No. 5.

Copy of Dispatch from Lord Ponsonby to Lord Palmerston, dated Brussels, December 7, 1830.—Two inclosures.

[For the Dispatch, see original Protocols, Page 13.]

Inclosure No. 1.

Note Verbale, December 5, 1830.

THE Belgian Government in receiving the news of the raising of the blockade by the Dutch, have felt that one of the first exigencies of the Belgian commerce is the recognition of the national flag.

In fact, the free navigation of the seas and rivers, the necessary consequence of that raising of the blockade, would become illusory to the Belgian merchants, if they were placed under the alternative of hoisting the enemy's flag, which they neither ought nor can adopt, or of leaving our ports without an acknowledged flag, which would almost characterize them as pirates.

In laying this observation before Messrs. Cartwright and Bresson, the

Belgian Government raises no doubt respecting the recognition of the national flag of Belgium by the five great Powers which have offered their kind mediation in the proposal of the armistice; but they think it right to require from the diplomatic agents of these same Powers, that they will cause the Belgian flag to be recognized and respected by the Dutch.

The Belgian Government hopes, that by an early answer to the note which it has the honour to present, Messrs. Cartwright and Bresson will have the goodness to enable it to calm the anxiety felt by the commercial interest on this important point.

Inclosure No. 2.

Note Verbale, December 6, 1830.

THE facts contained in the note of the 3d of December, have raised a question which was not foreseen. It would be difficult to give the solution of it at Brussels in a complete and satisfactory manner, and it has been judged necessary to refer it to the Conference at London. The note has been therefore transmitted by the courier of Saturday, December 4th, and the decision may be expected before the end of this week.

In answer to the note received under date of the 25th of November, it seems natural to conclude that during a suspension of arms or an armistice, the flag of one of the two parties could not be harrassed by the other, without an act of hostility being committed.

Annex F. to Protocol No. 5.

Copy of a Despatch from Lord Ponsonby to Lord Palmerston, dated Brussels, December 7, 1830.—(One inclosure.)

[For the Despatch, see Original Protocols, page 14.]

(Inclosure.)

Note verbale of December 6, 1830.

THE Provisional Government of Belgium has asked what is the exact meaning which the Plenipotentiaries of the five Powers attach to the second Article of the Protocol of November 17, 1830.

That article says, that *the armistice being agreed to on either side, constitutes an engagement contracted towards the five Powers.*

The Belgian Government has perfectly understood, and has expressed in the note, to which this is an answer, the nature of the measure of the five Powers, which it terms *a friendly measure of mediators animated by a spirit of harmony and peace.* It is exactly because such is the spirit of their measure, and in order that the effect of it may be sure and beyond the reach of attack, that the five Powers have thought it right to make the armistice indefinite, and to consider it as an engagement contracted with themselves, and over the execution of which it will belong to them hereafter to watch.

The object of the five Powers is, to extinguish all feeling of enmity between a people who are this moment divided by a melancholy struggle, and not to anticipate the return of it.

This engagement bears especially on the armistice, and it cannot be doubted that it sets aside, with much greater certainty, all possibility of a renewal of hostilities; for that one of the two parties which should break it, would place itself in open hostility to the salutary intentions which suggested the measures taken by the five Powers to stop the effusion of blood.

It is also to be observed, that if there was not to result from the armistice a complete security under the guarantee of the Powers, the Plenipotentiaries could not have thought of proposing the evacuation of the citadel of Antwerp; an evacuation which, in the event of a resumption of hostilities, would so essentially have changed the position of one of the two parties.

It is to be added, that the Protocol of the 17th of November has received the full and entire adhesion of the Court of the Hague.

No. 6.

PROTOCOL of a Conference held at the Foreign Office, on the 18th of December, 1830.

Present :

The Plenipotentiaries of

*Austria ;
France ;
Great Britain ;
The Netherlands ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the Courts of Austria, France, Great Britain, the Netherlands, Prussia, and Russia, having assembled in conference, a declaration was read from the Provisional Government of Belgium, announcing their adhesion to the armistice, which it was the object of the five Powers to establish by their Protocols of the 4th, the 17th, and the 30th of November, as well as by that of the 10th of December last.

The Plenipotentiaries determined to record this adhesion by annexing to the present Protocol the declaration alluded to (A).

This declaration was accompanied by a note relative to the line of armistice adopted by the Provisional Government of Belgium.

As they could not discover in the correspondence of their Commissioners at Brussels, any proofs that the said line had been agreed upon with the consent of the Commissioners of His Majesty the King of the Netherlands, as had been decided by the Protocols Nos. 2 and 3 of the 17th November, the Plenipotentiaries considered it necessary to suspend their opinion upon the subject of that note until the receipt of more ample information. It was also determined that the said note should be provisionally annexed to the present Protocol (B).

The Plenipotentiaries of Austria and of Prussia then delivered to the Conference a special communication, with which they were charged by the Diet of the Germanick Confederation, with regard to the Grand Duchy of Luxemburg. This communication was made by means of the annexed note, (C) which the Conference reserved to itself to take into consideration at its next meeting.

The Plenipotentiary of His Majesty the King the Netherlands, on his part, read a note concerning the discussions to which the raising of the blockade of the coasts of Flanders had on a former occasion given rise ; and he at the same time announced that the King, his Master, had nominated the Baron de Zuylen de Nyevelt, his Ambassador at the Ottoman Porte, to assist, in the character of Second Plenipotentiary, at the Conferences of London.

It was agreed that the said note should be annexed to the present Protocol.

(Signed)

ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

*Annex A. to Protocol No. 6.**Declaration of the Provisional Government of Belgium declaring their adhesion to the Armistice.*

THE Provisional Government of Belgium announces to the Commissioners appointed by their Excellencies the Plenipotentiaries of the five great Powers, signing parties to the Protocol of London, dated the 17th November, 1830, that it adheres to the said Protocol.

The Provisional Government understands :

1. That the navigation of the Scheldt shall be completely free, according

to the decision of their Excellencies the Plenipotentiaries in their Conference of the 11th of December instant, without other rights of toll and search than those established in 1814 before the union of Belgium with Holland.

2. That the lines decided in the annexed note of this day, and the military occupations of the country specified, do not, according to the terms of the Protocol, in any way prejudice the ulterior political and territorial questions to be definitively settled between Belgium and Holland.

3. That no one can be called to account nor molested for opinions made known, or for political acts, in those parts of the country which shall be occupied by the respective troops in virtue of the armistice.

The Provisional Government undertakes also to execute the 7th Article of the said Protocol, and to effect the exchange of all the prisoners in a body, in one month after the full and complete execution of the armistice on either side, or sooner if possible.

Done at the National Place at Brussels, the 18th December, 1830.

(Signed)

SYLVAIN VAN DE WEYER.

C^{te}. FELIX DE MERODE.

JOLLY.

CH. ROGIER.

F. DE COPPIN.

J. VANDERLINDEN.

Annex B. to Protocol No. 6.

Note on the Limits, of the 15th of December, 1831.

THE military line shall be traced on the right bank of the Meuse, from Maestricht to Stevenswaerd and Venloo, leaving Ruremonde to the left; and the places of mart, to be fixed upon by the Commissioners, are to be designated. The country below Venloo on the right bank, as well as that on the left bank, drawing a straight line from Venloo to the east angle of North Brabant, may be provisionally occupied by the Dutch.

A radius of two thousand four hundred *metres* to be drawn from the principal line, shall be granted to Maestricht. No offensive work can be raised within six thousand *metres* of Maestricht.

Maestricht may make use, for its commercial relations, of the road to Aix-la-Chapelle, leaving however that road under the exclusive administration of Belgium.

The Commissioners shall interpose their good offices to obtain the re-establishment of the freedom of the navigation by Maestricht, with the precautions necessary for the security of the place, as well as for the communication with the right bank of the Meuse.

They shall exert themselves for the same object, with regard to the communications with the sea by the canal of Terneuse.

From the eastern angle of the province of North Brabant, opposite Venloo, the line of separation shall be settled according to the present limits of the provinces of Limbourg and Antwerp. Beyond the Scheldt, the line shall be determined by the limits which actually separate the two Provinces of Flanders, from that Flanders denominated belonging to the States, incorporated in the Province of Zealand.

Annex C. to Protocol No. 6.

Note addressed to the Conference by the Plenipotentiaries of Austria and of Prussia.

THE undersigned, Plenipotentiaries of Austria and of Prussia, have been commissioned by the Germanick Diet to make the following communication to the Conference:

His Majesty the King of the Netherlands has claimed from the Diet, in his capacity of Grand Duke of Luxemburg, the succours necessary to suppress the insurrection which has broken out in the Grand Duchy.

To this claim the Diet were bound to pay attention. In consideration, however, that the insurrection in the Grand Duchy is but the consequence of that which has broken out in Belgium, and that the latter at this moment forms the subject of the Conference of the Plenipotentiaries of the five Powers assembled in London, the Diet has thought it right, before taking the measures which it is competent to adopt, to address itself to the Conference for information, whether the Conference have not already discovered, or are occupied in discussing, the most effective means for attaining the object in question, and which would render any more direct intervention on the part of the Germanic Diet either wholly or in part superfluous.

The undersigned, in executing this commission, request the Conference to have the goodness to enable them to transmit to the Diet the information it requires.

(Signed) **ESTERHAZY. WESSENBERG.
BULOW.**

Annex D. to Protocol 6.

Note from the Dutch Plenipotentiary.

THE Plenipotentiary of the Netherlands has the honor to acquaint the Conference, that the Baron de Zuylen de Nyevelt, Ambassador of the King at the Sublime Porte, is on the point of arriving in London to assist at their deliberations, in the character of Second Plenipotentiary. He embarked yesterday evening at Helvoet, and will be the bearer of the intentions of His Majesty respecting affairs in general, but more especially with regard to the 5th Protocol.

Meantime, and with reference to the conclusion of that Protocol, the undersigned has received orders to declare, that the merchant vessels of the Netherlands, belonging to Belgian Ports, having up to this time received no molestation from the Royal Navy, the demand of an assurance to that effect is a thing quite unexpected by the Government of the Netherlands: that moreover the said vessels shall not in future be molested, as long as the Belgian insurgents molest neither the vessels nor the property of the Northern Provinces of the Netherlands: and finally, that the last phrase of the Protocol has caused His Majesty as much surprise as pain; since His Majesty is at a loss to conceive for what purpose a paper from the insurgents can have been received and put under deliberation, having for its object the establishment of another flag for Belgium than that of the Netherlands: and that His Majesty neither knows nor recognizes such a flag.

(Signed) **FALCK.**

No. 7.

PROTOCOL of a Conference held at the Foreign Office, on the 20th of December, 1832.

Present :

The Plenipotentiaries of

*Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts having received the formal adhesion of the Belgian Government to the armistice which had been proposed to it, and

which the King of the Netherlands has also accepted, and the Conference having thus, by stopping the effusion of blood, accomplished the first task which it had undertaken, the Plenipotentiaries met to deliberate on the ulterior measures to be adopted, with a view to remedy the derangement which the troubles that have taken place in Belgium have caused in the system established by the Treaties of 1814 and 1815.

In forming, by the Treaties in question, the union of Belgium with Holland, the Powers who signed those Treaties, and whose Plenipotentiaries are at this moment assembled, had in view to found a just balancee in Europe, and to secure the maintenance of general peace.

The events of the last four months have unhappily demonstrated that "the perfect and complete amalgamation which the Powers desired to effect between those two countries" had not been effected; that it would, henceforth, be impossible to effect it; that, therefore, the very object of the union of Belgium with Holland is destroyed; and that it now becomes indispensable to have recourse to other arrangements to accomplish the intentions which the union in question was designed to carry into execution.

United to Holland, and forming an integral part of the kingdom of the Netherlands, Belgium had to fulfil its part of the European duties of that kingdom, and of the obligations which the Treaties had caused it to contract towards the other Powers. Its separation from Holland cannot liberate it from that part of its duties and its obligations.

The Conference will consequently proceed to discuss and concert such new arrangements, as may be most proper for combining the future independence of Belgium with the stipulations of Treaties, with the interests and security of other Powers, and with the preservation of the balance of Europe. With this view the Conference, while continuing its negotiations with the Plenipotentiaries of His Majesty the King of the Netherlands, will invite the Provisional Government of Belgium to send to London, as soon as possible, Commissioners provided with sufficient instructions and powers to be consulted and heard respecting every thing which may facilitate the definitive adoption of the arrangements above alluded to.

These arrangements shall not affect in any way the rights which the King of the Netherlands and the Germanic Confederation exercise over the Grand Duchy of Luxembourg.

The Plenipotentiaries of the five Courts have agreed that the present Protocol should be communicated to the Plenipotentiary of His Majesty the King of the Netherlands, and a copy sent to Lord Ponsonby and M. Bresson, with the annexed letter (A), which they will communicate to the Provisional Government of Belgium.

(Signed)

ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 7.

Letter addressed by the Conference to Lord Ponsonby and M. Bresson.
Gentlemen,

London, December 20, 1830.

WE have the honour this day to transmit to you a Protocol recording an important determination taken in the name of the five Allied Powers.

It is our intention that this document should be communicated to the Provisional Government of Belgium, and that you insist, Gentlemen, on the early mission of the Commissioners with whom we desire to confer.

(Signed)

ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

PROTOCOL of a Conference held at the Foreign Office, on the 27th of December, 1831.

Present :

The Plenipotentiaries of
Austria ;
France :
Great Britain ;
Prussia ; and
Russia.

THE Plenipotentiaries of the five Courts met to take into consideration the measures which appear to be required by the armistice, which the Conference of London had in view to establish by their Protocols of the 4th, the 17th, and 30th of November, as well as by that of the 10th of December last.

Among these measures, the first which has appeared indispensable to them, is the mission of Commissioners from His Majesty the King of the Netherlands, for the purpose of fixing, in concert with the Belgian Commissioners, through the intervention, if necessary, of the Allied Commissioners, the line of demarcation behind which the respective troops should retire. That mission of Commissioners on the part of His Majesty the King of the Netherlands, having been decreed by the two Protocols of November 17, in presence of the Plenipotentiary of His Majesty, and the King having besides made known, through his said Plenipotentiary, his entire adhesion to those two Protocols, the Conference cannot conceive a doubt as to the readiness of the King to execute that engagement, so soon as it shall have been recalled to his attention.

The accomplishment of it is so much the more indispensable, as the Conference has received from Brussels a note, relative to a line of armistice which has been discussed between the Allied Commissioners and those of Belgium. Knowing that that line had not been planned with the consent of the Commissioners of His Majesty the King of the Netherlands, the Conference suspended its decision with regard to it; but from that circumstance it is only the more convinced of the urgent necessity for the mission of the Royal Commissioners; and it has decided to claim this from the wisdom and the good faith of the Government of the Netherlands.

On this occasion, the Plenipotentiaries of the five Courts once more examined the circumstances relative to the closing of the navigation of the Scheldt, and to the blockade of the city of Antwerp.

Considering that by the Protocol No. 3. of the 17th of November, to which His Majesty the King of the Netherlands has agreed, it has been determined that the armistice to be established should be indefinite: that the Powers consider it as an engagement contracted towards themselves, and over the execution of which it belongs to them henceforth to watch:

That after some difficulties, these fundamental principles of the policy of the five Powers, have been also adopted by the existing authorities in Belgium:

Considering also, that by the Protocols of the 30th of November, the stipulations of the Protocols of the 17th have been renewed, and the guarantee of the five Powers agreed to relative to the armistice:

That also by the Protocol of the 10th December, that guarantee has been extended and applied in the most explicit terms, to the cessation of hostilities:

That, finally, the Conference of London has lately received communications which leave no doubt, as to the full and unconditional adhesion of the existing authorities in Belgium, to the principles upon which the five Courts have founded both the cessation of hostilities and the armistice itself:

That thus they can on the one hand, guarantee anew to His Majesty the King

of the Netherlands, that he shall not henceforth be exposed to any act of hostility, and on the other, that the cessation of hostilities and the armistice constitute an engagement contracted on his part towards the five Powers, and consequently does not require, in the first instance, any special Convention between the contending parties :

The Plenipotentiaries of the five Courts determined to persuade the Government of His Majesty the King of the Netherlands, upon the cessation of hostilities, to forbid any act which might be considered as hostile, and urgently to demand from His Majesty the repeal of the measures of precaution which still impede the navigation of the Scheldt.

To the considerations recorded above, the Plenipotentiaries thought right to add others not less decisive, founded on their unanimous conviction that the success of this measure would have the most favourable influence on the means of arriving at those combinations which may be most proper for securing the interests of His Majesty the King of the Netherlands in the work of peace on which the Conference of London is occupied.

It is then in the name of his own interests, it is in the friendship which their Sovereigns feel for the King of the Netherlands, that the Plenipotentiaries have resolved earnestly to urge His Majesty, through the Ambassadors and Ministers of the five Courts accredited to that of the Hague, to fulfil as speedily as possible the wishes, of which they hasten to repeat to Him the formal expression.

It was agreed that the present Protocol should be transmitted to the Ambassadors and Ministers of the five Courts at the Hague, by the annexed letter (A).

(Signed) WESSENBERG. NEUMANN.
 TALLEYRAND.
 PALMERSTON.
 BULOW.
 LIEVEN. MATUSZEWIC.

Annex A to Protocol No. 8.

To the Ambassadors, Ministers, and Chargés d'Affaires of Austria, France, Great Britain, Prussia, and Russia, accredited to his Majesty the King of the Netherlands.

Gentlemen,

London, December 27, 1831.

WE have the honour to transmit to your Excellencies the annexed Protocol, which we have just signed, in order to entrust to you a measure bearing reference to the Government of His Majesty the King of the Netherlands, a measure of which the object is to prevail upon his Majesty to abandon those measures of precaution which at present impede the navigation of the Scheldt.

We request your Excellencies to communicate our Protocol to the Baron de Verstolk, and to use your best endeavours to obtain from the Court of the Hague, as speedily as possible, a decision in accordance with our wishes.

The Conference of London have attentively considered all the observations which have been made to it upon the subject, but it can only persist in its opinions, and request the Government of the King to have the goodness to take them into consideration.

(Signed) WESSENBERG.
 TALLEYRAND.
 PALMERSTON.
 BULOW.
 LIEVEN. MATUSZEWIC.

Copy of a Confidential Letter addressed by the Conference to Lord Ponsonby and M. Bresson.

Gentlemen,

London, December 26, 1830.

WE are enabled to acquaint you that the Diet of the Germanic Confederation has, by the annexed note,* addressed the Conference, for the purpose of ascertaining from the Plenipotentiaries of the five Courts whether they have found, or are endeavouring to arrive at, the means of rendering a more decided intervention of the Germanic Confederation in the affairs of the Grand Duchy of Luxembourg, wholly or in part superfluous.

You know, Gentlemen, that the Conference of London has already given its decision by the Protocol of November 17, on the relations of the Grand Duchy: that the rights of the Germanic Confederation over that country have been formally recognized by the five Courts; that, consequently, not one of them could consider in the light of foreign intervention, the interposition of the Germanic Diet in the Grand Duchy of Luxemburg; and that on the contrary, it would be the existing authorities in Belgium who, by discussing its interests, would be meddling in the internal affairs of another State. We request you, therefore, to take the first favourable opportunity of laying these truths before the Provisional Belgian Government in the manner in which you may think they are most likely to have weight, and to draw their attention to the unquestionably just measures which the Diet of the Germanic Confederation would be forced to take, if your representations should not produce the effect which we cannot but hope from them.

We shall not fail to address the same representations to the Belgian Deputies, whom you will require to be sent to London, but we wish you, on other part, to acquaint us with the result of the measures which your prudence will have suggested.

(Signed)

ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 9.

PROTOCOL of a Conference held at the Foreign Office, on the 9th of January, 1831.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts met for the purpose of examining the complaints which the Court of London has received on the part of the Provisional Government of Belgium, against the prolongation of the measures which continue to impede the navigation of the Scheldt; and, on the part of His Majesty the King of the Netherlands, against acts of hostility committed by the Belgian troops:

Considering, that the Protocol No. 1, of the 4th of November, 1830, contains the following sentence:—*On both sides hostilities shall entirely cease:—* that by the document, letter B., annexed to the Protocol No. 2, *the Provisional Government of Belgium undertook to give the orders, and take the measures which may be necessary to put a stop to all hostilities against Holland on the part of the Belgians:*

* Annex C. to Protocol No. 6.

Considering further, that by the document, letter A. annexed to the Protocol No. 3, of 17th November, 1830, His Majesty the King of the Netherlands declares *that he accepts the proposal above-mentioned (that of the entire cessation of hostilities on both sides,) according to the tenour of the Protocol No. 1. of the Conference:*

That the Protocol No. 2, of the 17th November, says "*that the armistice having been agreed to by both parties, constitutes an engagement entered into with the five Powers: and that on either side there shall be preserved the power of communicating freely by land and sea, with the territories, fortresses, and points, which the respective troops occupy beyond the limits which separated Belgium from the United Provinces of the Netherlands before the Treaty of Paris, of the 30th May, 1814:*

Considering, also, that by the Protocol No. 3, of the 17th November, the Powers have regarded *the engagement for an armistice as an engagement entered into with themselves, and over the execution of which it will be their duty henceforward to watch:*

That in the subsequent Protocol, No. 4, of the 30th of November; *the Plenipotentiary of His Majesty the King of the Netherlands, informed the Plenipotentiaries of the five Powers of the entire adhesion of the King, his Master, to their Protocol of the 17th November, 1830; that it was understood from that time that the hostilities of which the cessation would be necessary, should entirely cease by sea and land; and that they should not be resumed in any case, the armistice having been declared indefinite by the above mentioned Protocols of the 17th of November, and the cessation of hostilities having been placed under the immediate guarantee of the five Powers, by the Protocols No. 4, of November 30, and No. 5, of December 10, 1830:*

That the nature and import of these engagements were explained to the Provisional Government as far back as the 6th of December, in a "*note verbale*" from Lord Ponsonby and M. Bresson, in consequence of which the Provisional Government of Belgium declared *that it adhered to the Protocol of the 17th of November:*

Considering, lastly, that on the faith of that adhesion, a common application of the five Powers was made to His Majesty the King of the Netherlands, with the view of obtaining the complete revocation of the measures which still impede the navigation of the Scheldt:

The Plenipotentiaries were unanimously of opinion, that it was the duty of the five Powers to see to the faithful, prompt, and entire execution of the engagements which they declare to have been taken towards themselves.

In consequence, the Plenipotentiaries resolved to signify to the Plenipotentiaries of His Majesty the King of the Netherlands, that the five Powers having taken under their guarantee the complete cessation of hostilities, cannot allow, on the part of His Majesty, the continuation of any measure bearing a hostile character; and that such being the character of those measures which impede the navigation of the Scheldt, the five Powers are obliged once more to require the revocation of them.

The Plenipotentiaries observed, that this revocation should be entire, and restore the free navigation of the Scheldt, without any other duties of toll or search than those which were established in 1814, before the union of Belgium and Holland, in favour of neutral vessels and of those belonging to the Belgian ports; His Majesty the King of the Netherlands having declared, through his Plenipotentiaries, that vessels belonging to the Belgian ports had not been, and would not be, molested, so long as the Belgians did not molest the vessels and the property of the northern provinces of the Netherlands.

Convinced that, in his probity and wisdom, the King will not fail to accede to all the points of their demand, the Plenipotentiaries are, nevertheless, forced to declare here, that the rejection of this demand would be considered by the five Powers as an act of hostility against them, and that if, on the 20th of January, the measures which impede the navigation of the Scheldt do not cease in the above-mentioned sense, and conformably to the promises of His Majesty himself, the five Powers reserve to themselves the right of adopting such

measures as they may find necessary for the prompt execution of their engagements.

With a just regard to reciprocity, the Plenipotentiaries, having been informed that a re-commencement of hostilities had taken place, principally in the environs of Maestricht; that movements of Belgic troops seem to announce the intention of investing that place; and that those troops have quitted the positions which they ought to have preserved till the determination of the definitive line of armistice, in conformity with the annexed declaration of the Provisional Government of Belgium, of the 21st of November, 1830, resolved to authorize their Commissioners at Brussels to inform the Provisional Government of Belgium, that the acts of hostility above-mentioned must cease without the least delay, and that the Belgian troops must return immediately, according to the terms of the above-mentioned declaration, to the positions which they occupied on the 21st of November, 1830.

The Commissioners will add, that if the Belgian troops should not have returned to those positions by the 20th of January, the five Powers will consider the rejection of their demand in this respect, as an act of hostility against themselves, and will reserve to themselves the right of adopting such measures as they may judge necessary to cause the engagements taken towards them to be respected and fulfilled.

The Plenipotentiaries also repeat, in the present Protocol, the formal declaration, that the entire and reciprocal cessation of hostilities is placed under the immediate guarantee of the five Powers—that they will not allow the renewal of them under any supposition, and that they have taken the immutable resolution to obtain the accomplishment of the decisions which are dictated to them by justice, and by their desire to preserve to Europe the benefit of general peace.

(Signed)

ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 9

Note of the Provisional Government of Belgium, dated November 21, 1830.

HAVING received the communication of the Protocol of the Conference held at the Foreign Office, the 17th of November, 1830, by the Plenipotentiaries of the five great Powers, Austria, France, Great Britain, Prussia, and Russia :

Considering the desire expressed in their name by Messrs. Cartwright and Bresson, for a suspension, from this moment, of all hostilities between the Belgian and Dutch troops, without in any way prejudging the dispositions of the Protocol of the 17th November, 1830, which may be liable to discussion; consents to a suspension of arms, which shall continue as a provisional measure, until the end of the deliberations on the armistice, on condition that the troops shall respectively preserve their positions, such as they are on this day, Sunday, the 21st of November, at 4 o'clock in the afternoon; and that in the interval, power shall be granted on either side, to communicate freely by land and by sea with the territories, places, and points, which the respective troops occupy beyond the limits which separated Belgium from the United Provinces of the Netherlands, before the Treaty of Paris, of May 30, 1814.

All this on the understanding of a perfect reciprocity on the part of Holland, as well by land as by sea, including the raising of the blockade of the ports and rivers.

And to avoid all delays as much as possible, the Provisional Government promises to issue immediate orders to all the points where hostilities might

be continued or resumed, in order that those hostilities may cease from the moment that corresponding orders shall have arrived, or shall arrive, from Holland.

Brussels, November 21, 1830, 4 o'clock p. m.

(Signed)

C^{te}. FELIX DE MERODE.
SYLVAIN VAN DE WEYER.
A. GENDEBIEN.
CH. ROGIER.
J. VANDERLINDEN.
F. DE COPPIN.
JOLLY.

No. 10.

PROTOCOL of a Conference held at the Foreign Office, on the 18th of January, 1831.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts having assembled in Conference, resolved to address the annexed instruction (A.) to their Commissioners at Brussels, in consequence of information which they had received from Holland and Belgium.

The Plenipotentiaries also resolved to annex to the present Protocol the previous instruction which they addressed to their Commissioners at Brussels on the 9th of January, 1831, (B.)

(Signed)

ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 10.

Instruction to be addressed to Lord Ponsonby and M. Bresson.

Gentlemen,

London, January 18, 1832.

SINCE the transmission of our Protocol, No. 9, of the 9th of January, we have been informed that hostilities continued, and that the Belgian troops occupied the positions necessary for investing Maestricht, while the King of the Netherlands has, in conformity with the tenour of that Protocol, stopped the march of the body of troops which he had despatched to the relief of that place.

The operations of the Belgian troops are in direct contradiction to the engagements contracted with the five Powers by the Provisional Government of Belgium, and to the object which the Powers have irrevocably determined to attain.

We trust that the communication of our Protocol of the 9th of January, will have put an end to a state of things of which that very Protocol was the consequence. If, however, contrary to all expectation, the Belgian troops should not have returned on the 20th of January, to the positions which they occupied on the 21st of November, you will, Gentlemen, on the receipt of this, declare, that not only will the citadel of Antwerp not be evacuated by the troops of His Majesty the King of the Netherlands, but that, until the positions of the 21st of November shall have been resumed by the Belgian.

troops, and the freedom of communication shall have been re-established, according to the terms of the letter of the Provisional Government annexed to our Protocol of the 9th of January, the five Courts will, in their own name, establish a blockade of all the ports of Belgium. If these determinations should still be insufficient, the five Courts will reserve to themselves the right of adopting all those which may be required from them, in order to cause their decisions to be respected and executed.

You will, without delay, furnish the Provisional Government with a copy of this despatch, in case the answer of that Government to the communication of our Protocol of the 9th January should not have been completely satisfactory. It is self evident, that if it should have been so, the present despatch will be considered by you as not having been received.

(Signed)

ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex B. to Protocol No. 10.

Instruction addressed to Lord Ponsonby and M. Bresson, dated London, January 9, 1831.

Gentlemen,

WE have given our attention to the *note verbale* which was addressed to you on the 3rd of January, by the President and the Members of the Diplomatic Committee, in answer to the communication which you had made to them of our Protocol of the 20th of December.

It is to be regretted, Gentlemen, that you accepted that note, the tenor of which can in no way facilitate the settlement desired by the five Powers, and we even request you to have the goodness to return it to the Diplomatic Committee, in order to avoid discussions which can be but unsatisfactory.

The motives which lead us to this determination are founded on the interests of Belgium, and on the desire which animated the five Powers to strengthen to the utmost the general peace.

The Protocol of the 20th December, in announcing the independence of Belgium, expressed itself in these terms; "The Conference will consequently proceed to discuss and concert such new arrangements as may be most proper for combining the future independence of Belgium with the stipulations of Treaties, with the interests and security of other Powers, and with the preservation of the balance of Europe."

According to that clause of the Protocol of December 20, the future independence of Belgium is bound up with three essential principles, which form a whole, the observance of which is indispensable to the repose of Europe, and to a proper respect for the rights acquired by neutral Powers.

Besides, the *note verbale* of the 3rd January tends to establish a right of aggrandisement and of conquest in favor of Belgium. Now the Powers cannot recognize a right in another State which they refuse to themselves, and it is upon this mutual renunciation of all idea of conquest, that the general peace and the European system at this time rest.

The tenor of this dispatch will give you the means of impressing upon the Diplomatic Committee, the immutable and weighty reasons which have induced us to direct you to return to them their note.

(Signed)

ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Note verbale of January 3, 1831, mentioned in Annex B. to Protocol No. 10, of the 18th of January, 1831.

THE President and Members of the Diplomatic Committee having had the honor to receive from Lord Ponsonby and M. Bresson, by a *note verbale* of the 31st of December, 1830, attested copies of the Protocol of a Conference held at London, on the 20th of December, by their Excellencies the Plenipotentiaries of the five great Powers, and of a letter which accompanies it of the same date, hasten to return to it the following answer :

It appears to them that the raising of the blockade, and the free navigation of the Scheldt, being the principal conditions of the armistice, and even of the suspension of arms already agreed to on the 21st of November, the first task undertaken by the five great Powers has not yet been accomplished.

The balance of Europe may yet be secured, and the general peace maintained, by rendering Belgium independent, strong and happy; if Belgium should be without strength and without happiness, the new arrangement to which recourse may be had, would be threatened with the fate of the political combination of 1815.

Independent Belgium has, doubtless, her part of the European duties to perform; but it would be difficult to conceive what obligations she can have contracted by Treaties to which she is not a party.

The Commissioners sent to London are furnished with sufficient instructions to be heard on all the affairs of Belgium, and they will not conceal from the Conference, that in the critical circumstances in which the Belgian people are placed, it will doubtless appear impossible that Belgium should constitute an independent State without the immediate guarantee of the freedom of the Scheldt, of the possession of the left bank of that river, of the whole of the province of Limburg, and of the Grand Duchy of Luxemburg, reserving its relations with the Germanic Confederation.

Their Excellencies the Plenipotentiaries of the five great Powers, will easily conceive, from the reports which have reached them from Lord Ponsonby and M. Bresson, the critical situation of the country, and the impossibility of continuing its state of uncertainty.

The President and the Members of the Diplomatic Committee request Lord Ponsonby and M. Bresson to accept, &c.

No. 11.

Protocol of a Conference held at the Foreign Office on the 20th of January, 1831.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, have taken cognizance of the annexed letter (A), addressed to their Commissioners at Brussels, in the name of the Provisional Government of Belgium, which imports that, conformably with the tenour of the Protocol of the 9th of January, 1831, the Belgian troops, which had advanced to the environs of Maestricht, had received orders to retire immediately, and in future to avoid all causes of hostility.

Having had reason to be convinced, by the explanations of their Commissioners, that this retreat of the Belgian troops will have the effect of securing to Maestricht the entire freedom of communication which it ought to enjoy; having no doubt, that on His side, His Majesty the King of the Netherlands has provided for the fulfilment of the Protocol of the 9th of January; having, besides, made the necessary provision for any contingency under which the arrangements of that Protocol should be either rejected or infringed: and the day being arrived on which the cessation of hostilities is to be completely esta-

blished, which the five Powers have been bent on bringing about, the Plenipotentiaries proceeded to the examination of the questions which they had to resolve, in order to realize the object of their Protocol of the 20th of December, 1830; in order to make a useful application of the fundamental principles with which that act has connected the future independence of Belgium; and thus to strengthen the general peace, of which the maintenance constitutes the chief interest, as it is the chief desire, of the Powers assembled in Conference at London.

With this view the Plenipotentiaries have thought it indispensable in the first instance to fix the bases of the limits which are henceforth to separate the Dutch from the Belgian Territory.

With regard to this object, propositions have been transmitted to them from both parties. After having maturely discussed them, they have agreed upon the following bases.

ARTICLE I.

The limits of Holland shall comprise all the territories, fortresses, towns, and places which belonged to the former Republic of the United Provinces of the Netherlands in the year 1790.

ARTICLE II.

Belgium shall consist of all the remainder of the territories which received the denomination of the Kingdom of the Netherlands in the Treaties of the year 1815, except the Grand Duchy of Luxemburg, which, being possessed by the Princes of the house of Nassau under a different title, forms, and shall continue to form, part of the Germanic Confederation.

ARTICLE III.

It is understood that the arrangements of the articles from 108 to 117 inclusive, of the general Act of the Congress of Vienna, relative to the free navigation of the navigable rivers, shall be applied to the rivers and streams which traverse the Dutch and Belgian territories.

ARTICLE IV.

As it would, nevertheless, result from the bases laid down in Articles 1 and 2, that Holland and Belgium would possess detached portions of land within their respective territories, such exchanges and arrangements shall, through the care of the five Courts, be effected between the two countries, as shall ensure to them, reciprocally, the advantage of an entire contiguity of possession, and of a free communication between the towns and fortresses comprised within their frontiers.

The preceding articles being agreed upon, the Plenipotentiaries directed their attention to the means of consolidating the work of peace, to which the five Powers have devoted their lively solicitude, and of placing in their true light, the principles which actuate their common policy.

They were unanimously of opinion that the five Powers owe to the interest, well understood,—to their union, to the tranquillity of Europe, and to the accomplishment of the views recorded in their Protocol of the 20th of December, a solemn avowal, and a striking proof of their firm determination not to seek in the arrangements relative to Belgium, under whatever circumstances they may present themselves, any augmentation of territory, any exclusive influence,—any isolated advantages; but to give to that country itself, as well as to all the States which adjoin it, the best guarantees of repose and security. It is in pursuance of these maxims, and with these salutary intentions, that the Plenipotentiaries resolved to add to the preceding Articles those which follow:—

ARTICLE V.

Belgium, within those limits that shall be determined and traced, conformably to the arrangements laid down in Articles 1, 2, and 4, of the present Protocol, shall form a perpetually neutral State. The five Powers guarantee to it that perpetual neutrality, as well as the integrity and inviolability of its territory, within the above mentioned limits.

ARTICLE VI.

By a just reciprocity, Belgium shall be bound to observe the same neutrality towards all other States, and not to make any attempt against their internal or external tranquillity.

ARTICLE VII.

The Plenipotentiaries will occupy themselves without delay, in deciding upon the general principles of finance, of commerce, and others, which the separation of Belgium from Holland requires.

These principles once agreed upon, the present Protocol, thus completed, shall be converted into a definitive Treaty, and communicated in that form to all the Courts of Europe, with an invitation to them to accede to it.

ARTICLE VIII.

When the arrangements relative to Belgium shall be completed, the five Courts reserve to themselves the power of examining, without prejudice to the rights of third parties, the question whether it would be possible to extend to the neighbouring countries the benefit of the neutrality guaranteed to Belgium.

(Signed)	ESTERHAZY.	WESSENBERG.
	TALLEYRAND.	
	PALMERSTON.	
	BULOW.	
	LIEVEN.	MATUSZEWIC.

Annex A. to Protocol No. 11.

Copy of a letter addressed by the Provisional Government of Belgium to Lord Ponsonby and M. Bresson, dated Brussels, January 17, 1831.

THE Committee for Foreign affairs has the honour to acquaint Lord Ponsonby and M. Bresson, that orders have been issued for the retreat of the troops which were investing Maestricht,—and injunctions given in the most formal manner to avoid all causes of hostility.

They request Lord Ponsonby and M. Bresson to accept the assurance of their high consideration.

The Vice-President of the Committee,
(Signed) COMTE D'ARSCHOT.

No. 12.

PROTOCOL of a Conference held at the Foreign Office on the 27th of January, 1831.

Present :

The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.

THE Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, having assembled to consider the arrangements of finance, of commerce, and others, which the separation of Belgium from Holland requires, observed that the five Courts are obliged to interpose their friendly offices in this circumstance, for two reasons equally cogent. In the first place, the very experience of the negotiations in which the Powers are engaged, has but too clearly proved to them the utter inability of the parties directly interested to come to any agreement

upon such points, if the benevolent anxiety of the five Courts did not facilitate an agreement; and this first consideration is so much the more important, since upon it depends the maintenance of the general peace. But further, the questions which are now at issue, have already given rise to decisions of which the principles, so far from being new, are those which have at all times governed the mutual relations of States, and which special Conventions concluded between the five Powers have revived and recorded. Those Conventions could not, therefore, under any circumstances, be altered without the participation of the contracting parties.

The motives which have just been declared, and of which the importance is evident, determined the Plenipotentiaries, with reference to those financial arrangements which must necessarily be applied to the division of the debts of the kingdom of the Netherlands, which more or less interest all the nations of Europe, to discuss the stipulations of the Treaties in virtue of which the debts of Holland and those of Belgium were declared common debts of the kingdom of the Netherlands. Those stipulations, recorded in a Protocol of the 21st of July, 1814, annexed to the general Act of the Congress of Vienna of the 9th of June, 1815, and considered as forming an integral part of that Act, are as follows:

Article 6 of the Protocol of July 21, 1814.

“As the charges ought to be common, as well as the advantages, the debts contracted up to the time of the union, by the Dutch Provinces on the one hand, and by the Belgian Provinces on the other, shall be at the charge of the general Treasury of the Netherlands.”

According to this Article, it is evidently on the union of the Dutch Provinces to those of Belgium, that is founded the community of charges, of debts, and of advantages, of which this same Article establishes the principle. Thus, from the moment when the union ceases, it would seem that the community in question should also cease; and by another necessary consequence of that principle, the debts which in the system of union had been blended, might, in the system of separation, be again divided.

According to this basis, each country should begin by taking back exclusively to itself the debts with which it was charged before the union. The Dutch Provinces would therefore have to provide for the debts which they had contracted up to the period when the Belgian Provinces were added to them, and the Belgian Provinces for the debts which were borne by them at the same period. The debt of the latter should thus in the first instance consist:

Of the Austro-Belgian debt, contracted at the time when Belgium belonged to the house of Austria.

Of all the ancient debts of the Belgian Provinces.

Of all the debts with which the territories which are now to be included within the limits of Belgium are encumbered.

Independently of the debts above enumerated, and which are exclusively Belgian, Belgium would have to take upon herself *entirely*,—first, the debts which have only fallen to the charge of Holland in consequence of the union, then the value of the sacrifices which Holland has made to effect that union. Belgium would also have to share *in a just proportion*, the debts contracted since the period of that union, and during its existence, by the Treasury of the kingdom of the Netherlands, such as they appear in the budgets of that kingdom. The same proportion would be applicable to the division of the expences incurred by the Treasury of the Netherlands, in conformity with the 7th Article of the Protocol of July 21, 1814, which states, that:

“The expence required for the establishment and preservation of the fortifications on the frontiers of the new State, shall be borne by the general Treasury, as resulting from an object which interests the safety and independence of all the provinces, and of the whole nation.”

Finally, Belgium must necessarily be bound to provide for the service of the redeemable annuities having special mortgages on the public property comprised within the limits of the Belgian territory.

But, separated from Holland, Belgium would have no right to the trade with the Dutch colonies,—a commerce which has so powerfully contributed to her

prosperity since the union ; and His Majesty the King of the Netherlands would possess a legitimate right utterly to refuse that commerce to the inhabitants of Belgium, or to grant it upon such terms and conditions as he might think proper to impose.

Considering that the present moment favors the arrangements which might fix those conditions without further delay, and inasmuch as it is just that such advantage should only be granted by His Majesty the King of the Netherlands to the inhabitants of Belgium in consideration of some compensation, it is on the other hand important to the preservation of the balance of Europe, and to the accomplishment of the objects which influence the five Powers, that Belgium, flourishing and prosperous, should find in her new political existence the resources which she may need in order to sustain it,—the Plenipotentiaries agreed that the following propositions would completely fulfill a desire so consonant with the general welfare of Europe and of those two countries, the reconciliation and the mutual interest of which occupy the attention of the Courts of Austria, France, Great Britain, Prussia, and Russia.

They were of opinion that instead of entirely resuming her former debts, and of being subject to the integral and proportional charges mentioned above, Belgium ought to share the debts of the Kingdom of the Netherlands, such as they exist at the charge of the Royal Treasury ; and that those debts ought to be divided between the two countries, according to the mean proportion of the direct or indirect taxes, and of the excise duties paid by each of them during the years 1827-8-9 ; that that basis, being essentially analogous to the respective financial resources of the Dutch and the Belgians, would be equitable and moderate ; since, notwithstanding the numerical disparity of population, it would throw about $\frac{1}{3}$ of the whole charge of the debt upon Belgium, and would leave $\frac{2}{3}$ to Holland ; and, further, that if there should result from this mode of proceeding an increase of burthen to the Belgians, it should be understood on the other hand, that the Belgians should enjoy on the same footing as the Dutch, the trade of all the colonies belonging to His Majesty the King of the Netherlands. The Plenipotentiaries in consequence, agreed upon the following propositions :

ARTICLE I.

The debts of the Kingdom of the Netherlands, such as they at present stand at the charge of the Royal Treasury, namely :—1°. the actual debt with interest ; 2°. the deferred debt ; 3°. the different engagements of the *Syndicat d'Amortissement* ; 4°. the redeemable annuities secured on the public lands by special mortgages ;—shall be divided between Holland and Belgium, according to the mean proportion of the taxes, direct or indirect, and of the excise of the Kingdom paid by each of the two countries during the years 1827-8-9.

ARTICLE II.

The mean proportion in question throwing on Holland about $\frac{2}{3}$, and on Belgium $\frac{1}{3}$ of the debts abovementioned, it is understood that Belgium shall remain charged with a corresponding rate of interest.

ARTICLE III.

In consideration of this division of the debts of the Kingdom of the Netherlands, the inhabitants of Belgium shall enjoy the navigation and trade with the Colonies belonging to Holland, on the same footing, with the same rights, and the same advantages, as the inhabitants of Holland.

ARTICLE IV.

Works of public or private utility, such as canals, roads, or others of a like nature, constructed entirely or in part at the expence of the Kingdom of the Netherlands, shall belong, with the advantages and charges thereunto attached, to the country in which they are situated. It is understood, that the capitals borrowed for the construction of those works, and which were specifically charged thereupon, shall be included in the said charges, in so far as

they may not yet have been repaid, and without giving rise to any claim on account of repayments already made.

ARTICLE V.

The sequestrations imposed in Belgium, during the troubles, on the property and hereditary estates of the House of Orange-Nassau, or on any others whatsoever, shall be taken off without delay, and the enjoyment of the above-mentioned property and estates shall be immediately restored to the lawful owners thereof.

ARTICLE VI.

Belgium shall not be burthened with any other charges, on account of the division of the debts of the Kingdom of the Netherlands, beyond those which are specified in the Articles 1, 2, and 4, of the present Protocol.

ARTICLE VII.

The liquidation of the charges mentioned in the said Articles, shall be effected according to the principles which are established by those Articles, by means of Dutch and Belgian Commissioners, who shall meet, with as little delay as possible, at the Hague, where all the documents and titles required for such liquidation are to be found.

ARTICLE VIII.

Until the labours of those Commissioners are completed, Belgium shall be bound to furnish provisionally, and subject to ultimate settlement, her proportion for the service of the funds and of the redemption of the debts of the Kingdom of the Netherlands, according to the rate laid down in the 1st and 2d Articles of this Protocol.

ARTICLE IX.

If in the labours of the said Commissioners, and in the general application of the bases established above, there should arise dissensions which can not be amicably terminated, the five Courts will interpose their mediation, in order to adjust such differences in the manner most conformable with these bases.

The Plenipotentiaries, in order to complete the clauses of their Protocol, No. 11. of the 20th January, 1831, have further agreed upon the following Articles:

ARTICLE X.

Belgian and Dutch Commissioners of demarcation, shall meet together with as little delay as possible, to establish and trace the limits which shall henceforth separate Belgium from Holland, in conformity with the principles established in the Articles 1, 2, and 4, of the Protocol No. 11. of the 20th of January, 1831. If, in this work there should arise any differences which can not be amicably adjusted, the five Courts will interpose their mediation, in order to settle the dispute in the manner the most consistent with those principles.

ARTICLE XI.

The port of Antwerp, in conformity with the 15th Article of the Treaty of Paris, of May 30, 1814, shall continue to be solely a port of commerce.

After having thus provided for the principal stipulations which the work of peace, on which they are employed, appeared to them to require, the Plenipotentiaries determined that the Articles of the present Protocol should be added to those of the former Protocol, No. 11, of the 20th of January, arranged in the most suitable order, and annexed here altogether (A) with the title of *Bases destined to establish the independence and future existence of Belgium.*

It has been, besides, determined, that the five Courts, having unanimously agreed upon these bases, shall communicate them to the parties directly interested, and that they shall come to an understanding with regard to the best means of providing for their adoption and execution, as well as of ob-

taining, at a proper time, the accession of the other Courts of Europe, who signed, or who acceded to the Acts of the Congress of Vienna, and of Paris.

Engaged in maintaining the general peace; persuaded that their mutual concord is the best guarantee of that peace; and acting with perfect disinterestedness in the affairs of Belgium, the five Powers have only had in view to assign to her an inoffensive situation in the European system, and to offer to her an existence which at once guarantees her own happiness, and the security due to other States.

They do not hesitate to recognize in themselves the right of establishing those principles; and, without prejudging other important questions, without in any way deciding on that of the Sovereignty of Belgium, they are called upon to declare, that in their opinion, it is necessary that the Sovereign of that country should conform to the principles of the existence of the country itself; that he should by his personal position ensure the safety of the neighbouring States; that he should, with that view, accept the arrangements recorded in this Protocol; and be in a situation to secure the peaceable enjoyment of them to his Belgian subjects.

(Signed) FSTERHAZY. WESSENERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 12.

Bases destined to establish the separation of Belgium from Holland.

1. Fundamental Arrangements.

ARTICLE I.

THE limits of Holland shall comprise all the territories, fortresses, towns, and places which belonged to the ancient Republic of the United Provinces of the Netherlands, in the year 1790.

ARTICLE II.

Belgium shall consist of all the remainder of the territories which received the denomination of the Kingdom of the Netherlands in the Treaties of the year 1815, except the Grand Duchy of Luxemburg, which, being possessed by the Princes of the House of Nassau under a different title, forms, and shall continue to form, part of the Germanick Confederation.

ARTICLE III.

It is understood that the arrangements of the Articles from 108, to 117 inclusive, of the general Act of the Congress of Vienna, relative to the free navigation of navigable rivers, shall be applied to the rivers and streams which traverse the Dutch and Belgian territories.

ARTICLE IV.

As it would, nevertheless, result from the bases established and laid down in Articles 1 and 2, that Holland and Belgium would possess detached portions of land within their respective territories, such exchanges and arrangements, shall, through the care of the five Powers, be effected between the two Countries, as shall ensure to them reciprocally the advantage of an entire contiguity of possession, and of a free communication between the towns and fortresses comprised within their frontiers.

ARTICLE V.

For the execution of the preceding Articles 1, 2, and 4, Dutch and Belgian Commissioners of demarcation shall meet, with as little delay as possible, in the town of Maestricht, and shall proceed to mark out the boundaries which

are to separate Holland from Belgium, in conformity to the principles established to that effect in the above mentioned Articles 1, 2, and 4.

The same Commissioners shall be authorized to discuss the exchanges and arrangements mentioned in the Article 4, and should there arise between the said Commissioners any disagreement, either upon the subject of those indispensable arrangements, or, in general, in the course of the work of the demarcation, which cannot be satisfactorily settled, the five Courts will interpose their mediation, and will adjust the differences in the manner most consistent with the principles established in those Articles 1, 2, and 4.

ARTICLE VI.

Belgium, within those limits which shall be traced in conformity with those same principles, shall form a perpetually neutral State. The five Powers guarantee to it that perpetual neutrality, as well as the integrity and inviolability of its territory within the above-mentioned limits.

ARTICLE VII.

By a just reciprocity Belgium shall be bound to observe the same neutrality towards all other States, and not to make any attempt against their internal or external tranquillity.

ARTICLE VIII.

The port of Antwerp, in conformity with the 15th Article of the Treaty of Paris, of the 30th May, 1814, shall continue to be solely a port of commerce.

ARTICLE IX.

When the arrangements relative to Belgium shall be completed, the five Courts reserve to themselves the power of examining, without prejudice to the rights of third parties, the question whether it would be possible to extend to the neighbouring countries the benefit of the neutrality guaranteed to Belgium.

11. *Arrangements proposed for the division of the debts and commercial advantages which would be the consequence of it.*

ARTICLE X.

The debts of the kingdom of the Netherlands, such as they at present stand at the charge of the Royal Treasury, namely, 1°. the actual debt with interest: 2°. the deferred debt: 3°. the different engagements of the *Syndicat d'amortissement*: 4°. the redeemable annuities secured on the public lands by special mortgages: shall be divided between Holland and Belgium, according to the mean proportion of the taxes, direct or indirect, and of the excise of the kingdom, paid by each of the two countries during the years 1827, 1828, and 1829.

ARTICLE XI.

The mean proportion in question, throwing on Holland about $\frac{1}{3}$, and on Belgium $\frac{2}{3}$ of the debts above mentioned, it is understood that Belgium shall continue charged with a corresponding rate of interest.

ARTICLE XII.

In consideration of this division of the debts of the Kingdom of the Netherlands, the inhabitants of Belgium shall enjoy the navigation and trade with the colonies belonging to Holland, on the same footing, with the same rights and the same advantages, as the inhabitants of Holland.

ARTICLE XIII.

Works of public or private utility, such as canals, roads, or others of the like nature, constructed entirely or in part at the expense of the Kingdom of the Netherlands, shall belong, with the advantages and charges thereunto attached, to the country in which they are situated. It is understood that the capitals borrowed for the construction of those works, and charged specifically thereupon, shall be included in the said charges, as far as they may not yet have been repaid, and without giving rise to any claim on account of repayments already made.

ARTICLE XIV.

The sequestrations imposed in Belgium, during the troubles, on the property and hereditary estates of the House of Orange-Nassau, or on any other property whatsoever, shall be taken off without delay, and the enjoyment of the above-mentioned property and estates, shall be immediately restored to the lawful owners thereof.

ARTICLE XV.

Belgium shall not be burthened with any other charges on account of the division of the debts of the kingdom of the Netherlands, beyond those which are specified in the preceding Articles, 10, 11, and 13.

ARTICLE XVI.

The liquidation of the charges mentioned in the said Articles shall take place according to the principles which are established by those Articles, by means of Dutch and Belgian Commissioners, who shall meet with as little delay as possible, at the Hague, where all the documents and titles required for such liquidation are to be found.

ARTICLE XVII.

Until the labours of those Commissioners are completed, Belgium shall be bound to furnish provisionally, and subject to ultimate settlement, her proportion for the service of the funds, and of the redemption of the debts of the Kingdom of the Netherlands, according to the rate laid down by Articles 10 and 11.

ARTICLE XVIII.

If in the labours of the Commissioners of liquidation, and in the general application of the arrangements for the division of the debts, there should arise dissensions which can not be amicably terminated, the five Courts will interpose their mediation, in order to adjust such differences in the manner most conformable with those arrangements.

(Signed) ESTERHAZY. WESSEMBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 13.

PROTOCOL of a Conference held at the Foreign Office, on the 27th of January, 1831.

Present :

*The Plenipotentiaries of
Austria;
France;
Great Britain;
Prussia; and
Russia.*

THE Plenipotentiaries of the five Courts examined the communications annexed (A. B.), of which one was made to them by the Plenipotentiaries of His Majesty the King of the Netherlands relative to the opening of the Scheldt, the other by their Commissioners at Brussels, relative to the retreat of the Belgian troops which had attempted to invest Maestricht.

In annexing these communications to the present Protocol, the Plenipotentiaries determined to record the engagement contracted by His Majesty the King of the Netherlands to open the navigation of the Scheldt, without imposing any fresh restrictions upon it; and that of the Belgians to replace their troops in the positions in which they were on the 12th of November, 1830; to re-establish, consequently, the freedom of communications which they had impeded, and to avoid in future all causes of hostility.

Guarantees of the indefinite cessation of hostilities, in virtue of a consent given by both parties, the five Courts consider those hostilities as having completely ceased, and can, on no account, suffer their renewal.

In consequence of these principles, the Plenipotentiaries declare, that they cannot accept any of the reservations or restrictions contained, either in the declaration of the Plenipotentiaries of His Majesty the King of the Netherlands, or in the Belgian note annexed to this Protocol.

(Signed)

ESTERHAZY. WESSENBURG.

TALLEYRAND.

PALMERSTON.

BULOW.

LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 13.

Note addressed to the Conference by M. Falck and M. de Zuylen, the 25th of January, 1831.

THE Undersigned have received orders to communicate to the Conference the following declaration :

The King of the Netherlands has perceived with pleasure, that suitable measures have been adopted in the Protocol of the Conference of the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, of the 9th of this month, in order that the resumption of hostilities, chiefly in the neighbourhood of Maestricht, may cease without delay, and that the troops of the insurgent Belgians may retire immediately within the positions which they occupied on the 21st of November, 1830,—measures sanctioned by the engagement contracted with the five Powers to refrain from hostilities.

His Majesty flatters himself that they will spare him the painful necessity of having recourse to the physical means in his power for preserving an entire freedom of communication, both civil and military, with Maestricht, of which communication he intends to make use, as well as to preserve the positions occupied at that period by the royal troops.

That part of the Protocol which relates to the navigation of the Scheldt, has produced upon the King a very different impression. His Majesty would think Himself wanting to his own dignity, were he to transmit to the Conference of London any observations on the parrallel drawn between the manifest infringement of the suspension of hostilities by the insurgents, and the defensive measures of police and internal security, which he has found himself under the necessity of maintaining on the Scheldt. In requiring the good offices of his allies to assist in bringing his rebellious subjects back to their duty, and to smooth the difficulties which had arisen, His Majesty certainly could not have foreseen, that the Conference of London would have placed his legitimate authority, guaranteed by Treaties, and strengthened by the strictest bonds of friendship and good understanding, on the same footing as that of the revolutionary Government which has established itself in Belgium. But, independently of this connecting of two objects of a totally different nature, the form and tenour of that part of the Protocol can not be acknowledged by the King.

In fact, the assembly of the Conference from which the 9th Protocol resulted, had for its object an affair peculiarly connected with the interests of the kingdom of the Netherlands, without the Plenipotentiaries of the King having had any direct share in it,—a right which was reserved to those Plenipotentiaries by the § 4 of the Protocol of Aix-la-Chapelle of the 15th November, 1818. But further; that principle was recorded, although without necessity, at Aix-la-Chapelle; for no meeting of Plenipotentiaries, however numerous, and however powerful may be the States which they represent, has the right to regulate the private and territorial interests of other nations. Without doubt the Conference was assembled at the desire of the King of the Netherlands; but it was with the object of re-establishing legal order in one part of his kingdom and by no means for the purpose of weakening his means of defence, or of

making inroads on the Sovereignty of the antient United Provinces of the Netherlands. Hence the rights of nations, and the Protocol of Aix-la-Chapelle, conferred as little upon the Conference the right of deciding the question of the Scheldt, as did the principle upon which it was framed, which was the maintenance of the rights of the King.

As to the ground-work of that question, the Protocol of the 4th of November stipulates that hostilities shall immediately cease on both sides. Now, the Government of the Netherlands, after having acceded to this stipulation, has scrupulously observed it; but never did a cessation of hostilities, the only object of which is a suspension of aggressive measures, deprive a Power of the liberty of maintaining on its own territory, its military lines of defence, or of preventing their being crossed by an enemy or by neutrals: and there is no instance known in history of any distinction having been made on that subject between the fortresses and the roads which lead to them, and rivers.

If, according to the document annexed under letter B to Protocol No. 2, the self-constituted Provisional Government of Belgium has undertaken to give the orders and to take the necessary measures for the cessation of all hostilities against Holland on the part of the Belgians, the continual incursions of the Belgians into Zealand-Flanders, and North Brabant, and especially their hostilities against Maestricht, evidently prove that they have failed in executing their engagements.

These facts, first, the acts which, in opposition to the tenor of the Protocols, they continue to commit, in order to prolong the disturbance of the Grand Duchy of Luxemburg; secondly, their refusal to send back the military of the northern provinces who have fallen into their power; thirdly, the severe treatment which they maké them suffer; and finally, the great number of new conditions put forward on the part of the Belgians, and particularly their answer to the Protocol of December 20, make it difficult to convince oneself, that their adherence to the Protocol of the 17th of November is not illusory. According to that Protocol, there shall be preserved on both sides the power of communicating freely by land and by sea with the territories, places, and points, which the respective troops occupy beyond the limits which separated Belgium from the United Provinces of the Netherlands before the Treaty of Paris of May 30, 1814; but that stipulation applies exclusively to isolated points occupied by the respective troops beyond their territory, such as the citadel of Antwerp and Venloo. It cannot in any manner be cited by the Belgians in favour of a communication by sea with the town of Antwerp, which is not, like Venloo, beyond the limits of Belgium. To say that travellers or merchant vessels are molested, or that hostilities are committed against them, when they are prevented from passing through a fortified town, or a line of defence formed by a river in the interior of a country, is to advance an assertion which is perfectly untenable. In fine, the mention made in the Protocol of the 9th of January, 1831, of the rights of toll and search, confirms the truth, that it interferes with the domestic proceedings of the Kingdom of the Netherlands.

His Majesty having, in consequence, taken cognizance of the demand of the Conference of London, stipulating that on the 20th of January, 1831,—without reference to whether the principles of separation were then agreed to or not,—the free navigation of the Scheldt should be completely re-established, with no other rights of toll or search, than those which were established in 1814 before the union of Belgium to Holland, in favour of neutral vessels and of those which might belong to Belgian ports; and having also taken cognizance of the declaration that the rejection of that demand, to all the points of which it is expected that His Majesty will accede, would be considered by the five Powers as an act of hostility towards themselves; and that if on the 20th of January the measures which impede the navigation of the Scheldt, should not have ceased in the sense above declared, the five Powers would reserve to themselves the power to adopt such determinations as they should find necessary for the prompt execution of their engagements:—having taken all these points into his consideration, His Majesty declares, that He cannot reconcile this forced termination of hostilities with the declared wish of preserving to Europe the benefit of general peace; and that he considers the said demands and

declarations of the Conference derogatory to his Sovereignty, and to the independence of the antient United Provinces of the Netherlands; subversive of the right of nations, and wholly incompatible with the sentiments of friendship, which the five Courts have hitherto professed for His Majesty.

Considering however, that Europe cannot expect from the means of a single State, however glorious may be its annals, a return to the true system of non-intervention, founded on the respect due to the rights of every nation, the King has determined not to put himself in opposition to superior force, but to remain for the present, from the 20th of January, a spectator of the navigation on the Scheldt of neutral vessels, and of those belonging to Belgian ports, under the most formal reservation and protest, as well with regard to the said navigation itself, as to the tolls which His Majesty has the right of imposing on vessels navigating the Scheldt. In consequence, His Majesty has directed, that, from that day, the execution of the measures adopted with regard to the navigation of the Scheldt shall be provisionally suspended.

As however, by the terms of the Protocols of the 9th of January, the suspension of those measures is essentially connected with the punctual execution of the engagements which the Conference has imposed by the same Protocol on the self-constituted Provisional Government of Belgium, and as it is inseparable from it; His Majesty declares, that in case of the non-execution or subsequent infraction of those obligations, and of any eventual delay on the part of the Conference to employ force to put a stop to it, he reserves to himself the power of again immediately making use of his just right, by re-establishing not only the measures of precaution on the Scheldt, but also a blockade by sea, and that he extends the same reservation to the case in which the chief bases of separation of the antient United Provinces of the Netherlands from Belgium, of which the immediate settlement is of so much importance to him, should meet with unexpected delay.

London, January 25, 1831.

(Signed)

FALCK.

H. DE ZUYLEN DE NYEVELT.

Annex B to Protocol No. 13.

Note Verbale of the Provisional Government of Belgium, dated January 19, 1831.

THE President and Members of the Committee for Foreign affairs have had the honour to receive from Lord Ponsonby and M. Bresson, by a *note verbale* of the 14th of January, an attested copy of the Protocol of the Conference held at London on the 9th of January, by their Excellencies the Plenipotentiaries of the five great Powers.

The Provisional Government of Belgium can consider the resolution taken on the 9th of January by the five Powers but as a consequence of their desire to secure a reciprocal effect to the Convention for the suspension of arms, concluded under their friendly mediation between the belligerent parties, and thus to complete the task which the Powers have undertaken with a view to conciliation and humanity; it is in this spirit in fact, that the mediation of the five Powers was spontaneously offered to Belgium by the Protocol of the 4th of November, and that it was accepted by the Provisional Government in its answers of November 10th, of the 21st of the same month, and of the 15th of December.

The Belgian Government, faithful to the promise it has given, and on the faith of a reciprocal execution, put a stop to all hostilities on its part against Holland ever since the 21st of November, and has maintained that state of suspension of arms for nearly two months, on almost every point; notwithstanding the *permanent* violation of its principal condition on the part of Holland, by the *prolonged closing of the Scheldt*, and notwithstanding the other evident acts of hostility against Belgium, pointed out in the notes of the 3d, the 8th, the 18th, and the 28th of December, 1830.

After those unequivocal proofs of good faith and honesty, the Provisional Government, however legitimate may be its distrust of the intentions and promises of Holland, consents to give a fresh proof of its moderation, by giving orders from this time :

1°. That by the 20th of this month at latest, the Belgian troops in the neighbourhood of Maestricht shall be withdrawn, so as to avoid the occasions of daily aggression between the soldiers within and those without.

2°. That hostilities shall continue suspended on their part on the whole line, and that those troops shall resume the positions which they occupied on the 21st of November, 1830.

As to the positions which they held within the undoubted limits of Belgium, it appears to the Committee that the power of changing them has remained perfectly free to both belligerent parties.

The Provisional Government, in acting with such perfect good faith, has a right to count upon the complete execution of the arrangements on the part of Holland.

Should the Committee be again deceived in this just hope, and should the Scheldt remain closed after two months of complaints and vain expectation, it is bound to declare, that it would in that case be extremely difficult to suppress the cry for war on the part of the nation, or to curb the eagerness of the army.

On that subject the Committee cannot forbear again recording, that according to the terms of the note delivered on the 24th of November to Lord Ponsonby and M. Bresson, the Government of Belgium did not intend to bind itself to the five Powers by an engagement from which no circumstance could release it; that it has moreover not resigned the right which belongs to every nation, of itself maintaining, by force of arms, the justice of its cause, if the laws of justice should be violated or misconstrued with regard to it. It appears also incontestable to the Committee, that any convention, of which the effect would be to settle the question of territory or finance, or even to affect the independence, or any other absolute right of the Belgian nation, is essentially in the hands of the National Congress, and that to them alone belongs the definitive conclusion of it.

It was also because the propositions of the Powers did not affect any of its rights or great interests, inasmuch as they had for their object a state of things purely temporary and transitory, transitory as the very nature of its attributes, that the Belgian Government thought it might, and indeed did, give its adhesion to them.

The Committee must add this important consideration, that any other interpretation of the spirit of the negotiations conducted up to this day, or of their result, would completely transform the friendly demand of the Powers into a direct and positive intervention in the affairs of Belgium,—an intervention of which the Congress has formally rejected the principle, and which would appear to the Committee not less incompatible with the general peace of Europe, than with the independence of the nation.

The President and Members of the Committee for Foreign affairs request Lord Ponsonby and M. Bresson to accept the assurance of their high consideration.

A true copy, (Signed) BRESSON.

Appendix.

Letters addressed by the Conference to Lord Ponsonby and M. Bresson.

No 1.

Transmitting Protocol No. 9.

Gentlemen,

London, January 9, 1831.

WE have the honor to transmit the annexed Protocol, which we have just signed with a view to the immediate re-establishment of the free navigation of the Scheldt, and for the equally speedy cessation of the acts of hostility which have taken place in the neighbourhood of Maestricht.

You will have the goodness, Gentlemen, to communicate this Protocol to the Provisional Government of Belgium, and to prevail upon them to comply, as quickly as possible, with the just demands of the Conference.

(Signed) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 2.

Transmitting extract from Protocol No. 11.

Gentlemen,

WE have the honor to transmit to you the inclosed extract of a Protocol which was signed by the Conference on the 20th Instant.

You will have the goodness to communicate this paper to the Provisional Government of Belgium.

(Signed) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
MATUSZEWIC.

No. 3.

Transmitting Protocol No. 12.

Gentlemen,

London, January 29, 1831.

WE have the honour to transmit to you herewith a document which completes our Protocol of the 20th of January, No. 11. It is a Protocol, No. 12, which contains a series of propositions tending to establish the principle of the division of the debts of the Kingdom of the Netherlands, and to secure to the inhabitants of Belgium the enjoyment of the trade with the Dutch colonies.

We have reason to think that these propositions are conformable with the ideas of His Majesty the King of the Netherlands; and from all the information we possess, they appear to us, on the other hand, to offer evident advantages to the Belgians. We have, therefore, every reason to think that they are just; and that, on that plea, they ought to be accepted by both parties. In entrusting to you, Gentlemen, the care of making them known and appreciated, the Conference of London gives you all the latitude that can assist you in the means of obtaining so important a result, and it will be your duty to communicate our propositions in the manner and at the time which shall appear to you most likely to ensure success.

(Signed) WESSENBERG
TALLEYRAND.
PALMERSTON.
BULOW.
MATUSZEWIC.

No. 4.

Transmitting Annex A. to Protocol No. 12.

Gentlemen,

London, February 2, 1831.

WITH reference to the letter which we had the honour to address to you, dated the 29th of January, we now transmit to you the Articles decided upon in the two Protocols No. 11 of January 20, and No. 12 of the 27th of that month, arranged in the order which the Conference has thought best, forming a

document which has been annexed to Protocol No. 12, with the title of bases destined to establish the separation of Belgium from Holland.

We request you to make such use of them with the Provisional Government, as you shall consider most advantageous for the interests of the mission with which you are charged.

(Signed)

ESTERHAZY. WESSENERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN.

No. 14.

Protocol of a Conference held at the Foreign Office, on the 1st of February, 1831.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts being assembled, the Plenipotentiary of His Britannic Majesty drew the attention of the Conference to the situation in which the five Courts might be placed respecting the issue of the deliberations of the Congress at Brussels on the choice of a Sovereign for Belgium. His Britannic Majesty's Plenipotentiary observed, that the obligation entered into by the five Powers, by Protocol No. 11, of 20th January, not to seek any increase of territory, any exclusive influence, any separate advantage in the arrangements respecting Belgium, would seem also to impose on them the obligation to reject any offers that might be made by the Congress at Brussels, in favour of any Prince of the reigning houses of those States, whose Representatives are assembled in Conference at London. The Plenipotentiary of His Britannic Majesty, referring to the Protocol of 20th January, added, that in circumstances nearly similar, the same obligation had been formerly acknowledged by the Courts of France, Great Britain, and Russia, respecting Greece ; that the same consequences would now result from the same principle ; and he proposed to the Conference to declare, in a Protocol, that in case the Sovereignty of Belgium should be offered to a Prince of one of the reigning families in Austria, France, Great Britain, Prussia, or Russia, such offer should be unhesitatingly rejected.

The Plenipotentiaries of Austria, Prussia, and Russia, unanimously agreed in opinion with the Plenipotentiary of His Britannic Majesty, and declared themselves ready to enter, in the name of their Courts, into the engagement he had proposed.

The Plenipotentiary of France took the question *ad referendum*, in order to receive the orders of his Court, which would immediately arrive.

(Signed)

ESTERHAZY. WESSENERG.
TALLEYRAND.
BULOW.
PALMERSTON.
LIEVEN. MATUSZEWIC.

Protocol of a Conference held at the Foreign Office, on the 7th of February, 1831.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiary of France opened the Conference by a declaration, stating, that the Government of His Majesty the King of the French considered as a consequence of the tenor of the Protocol No. 11, of the 20th of January, 1831, the resolution, already previously announced by the King, to refuse the Sovereignty of Belgium for the Duke de Nemours, if it should be offered to him by the Congress at Brussels ; and that being informed that that offer was actually about to be made, His Majesty the King of the French had directed His Plenipotentiary to repeat his former declarations upon the subject, which are immutable.

The Plenipotentiaries decided that that communication should be recorded in the present Protocol ; and they then took into consideration the case in which the same offer of Sovereignty should be made to the Duke of Leuchtenberg.

Having unanimously agreed that that choice would not accord with one of the principles established in the Protocol No. 12, of the 27th of January, 1831, which stipulates, that “ the Sovereign of Belgium should conform to the principles of the existence of the country itself, and that he should, by his personal position, ensure the safety of the neighbouring States,”—the Plenipotentiaries resolved, that if the Sovereignty of Belgium should be offered by the Congress of Brussels to the Duke of Leuchtenberg, and if that Prince should accept it, he should not be recognized by any of the five Courts.

(Signed)

ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN.

Protocol of a Conference held at the Foreign Office, on the 8th of February, 1831.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia, and
Russia.*

THE Plenipotentiaries having assembled in Conference, resolved to address to their Commissioners at Brussels the annexed instruction, resulting from the accounts received by the Conference relative to the impediments to which the communications of the fortress of Maestricht are still exposed.

(Signed)

ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 16.

Instruction addressed by the Conference to Lord Ponsonby and M. Bresson, dated London, February 8, 1831.

Gentlemen,

Authentic accounts prove to us, that notwithstanding all your remonstrances with the Provisional Government of Belgium, in consequence of our Protocol of the 9th of January, No. 9, the Belgian troops which had attempted to invest the fortress of Maestricht, have not resumed the positions which they occupied on the 21st of November, 1830, and continue to interrupt the communications of that fortress, while by the terms of the Protocol of the 9th of January, No. 9, the entire freedom of the communications of Maestricht ought to have been re-established since the 20th of that month, in conformity with the tenor of the despatch of the Provisional Government of Belgium, dated November 21, 1830, annexed to that Protocol.

Considering that the clause of that Protocol, which relates to the opening of the navigation of the Scheldt, are completely executed, we request you, Gentlemen :—

1°. To communicate, without the least delay, to the Provisional Government of Belgium, the instruction which we addressed to you on the 18th of January last, and which is annexed to our Protocol No. 10.

2°. To inform yourself accurately, and also without any delay, of the real state of things in the neighbourhood of Maestricht, by sending, for that object, one of your suite to the Commandant of that place, whom you will acquaint, that the five Courts consider the communications of Maestricht to be by right absolutely free, as well with North Brabant, as with Aix-la-Chapelle ; that in consequence, the Commandant is requested to certify, without delay, whether they are in fact free, and that every measure that may tend to interrupt them, or to impede them in any manner whatever, will be considered by the five Courts as an act of hostility towards themselves, according to the terms of the Protocol of the 9th of January.

3°. To warn the Provisional Government of Belgium, that if it should appear from the information which the Commandant of Maestricht shall give you, that the freedom of communication between that place and North Brabant and Aix-la-Chapelle, is not completely re-established, and that the Belgian troops have not resumed the positions which they occupied on the 12th of November, 1830, the measures mentioned in the instruction which you received, dated the 18th January, will be immediately put into execution by the five Powers.

4°. Also to warn the Provisional Government of Belgium, that if, after having been re-established, the freedom of communication with Maestricht should be again interrupted or impeded by the Belgian troops, the five Powers will have recourse to the same determination.

Accept, Gentlemen, &c.

(Signed)

ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 17.

PROTOCOL of a Conference held at the Foreign Office, on the 17th of February, 1831.

Present :

The Plenipotentiaries of

*Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries being assembled, discussed the *note verbale* annexed (A.) which had been transmitted to them by Lord Ponsonby from the Provisional Government of Belgium, relative to the communications with the fortress of Maestricht.

The Plenipotentiaries resolved to transmit to their Commissioner at Brussels the annexed instruction on that subject (B.)

(Signed) ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

*Annex A. to Protocol No. 17.**Note verbale of the Provisional Government of Belgium, dated Brussels, February 15, 1831.*

THE President and Members of the Committee of Foreign Affairs, have had the honour to receive from Lord Ponsonby and M. Bresson, the note dated the 8th of February, to which was added a copy of the complaints addressed on the 2d of February to the Conference of London by the Plenipotentiaries of the King of Holland, relative to the execution of the suspension of arms, and more particularly to the communications of the town of Maestricht with Aix-la-Chapelle and North Brabant.

The Committee of Foreign Affairs cannot refrain from observing in the first place, that the Dutch Plenipotentiaries have not drawn the distinction in their note between that which belongs to the state of a simple suspension of arms, and that which might be expected in the case of the armistice being fully executed. On that point, the greatest confusion of ideas prevails in the paper signed by Messieurs Falck and de Zuylen de Nyevelt.

The Dutch Plenipotentiaries had already followed that system in the notes previously transmitted by them on the same subject to their Excellencies the Plenipotentiaries of the five great Powers; since the instruction sent to Lord Ponsonby on the 18th January, a copy of which has also been received by the Diplomatic Committee, treats of the evacuation of the citadel of Antwerp by the Dutch troops, which is one of the conditions of the armistice, as of a condition attached to the re-establishment of the communications between the towns of Maestricht and Aix-la-Chapelle.

Another Article, upon which they cannot be silent, is the pretension raised by the Dutch Plenipotentiaries, who assert, that *in any case, it is decided that Holland is to retain possession of Maestricht.* The Committee of Foreign Affairs of Belgium, in receiving the copy of a note from the Dutch Plenipotentiaries which contains assertions so entirely inadmissible, again exercises the right of protesting against every thing that may prejudice the just demands which Belgium may think right to bring forward in due time; and it here only alludes to the questions relative to the suspension of arms, or the armistice, under the express reservation contained in the declaration of November 21, 1830, of not in any way prejudicing the questions of territory, or the other arrangements which may be subject to discussion.

As to the re-establishment of the communications in question, the Committee of Foreign Affairs has the honour to inform Lord Ponsonby and M. Bresson, that the Commissioner-General of war has just given the most positive orders on that subject.

The Government of Belgium has understood that, in order to conform to the suspension of arms, agreed to on the 21st of November, 1830, the Belgian troops are to resume the positions which they occupied at that date, in the sense following, that, preserving an entire freedom of movement on the Belgian territory (as it is free to the Dutch to move within their limits) and preserving the power of occupying positions, garrisons, and cantonments at their convenience, our troops will, for the present, leave free the communications of the fortress of Maestricht, with North Brabant and Aix-la-Chapelle. But by that freedom the Belgian Government understands, that the Dutch shall only have the power of passing without hindrance, along a road chosen by common consent, between Maestricht and North Brabant, and along one of the two roads between Maestricht and Aix-la-Chapelle, without levying contributions on, or pillaging the villages, as they have often done, (which can be proved by authentic documents) and without traversing cantonments garrisoned by Belgian troops, which troops may either retain their positions and cantonments of the 21st of November, or assume others, without Holland acquiring thereby the right to use her communications across the Belgian territory for the purpose of assembling, for instance, in Maestricht and in the neighbourhood, a body of troops whose presence would threaten both Liege and Brussels; it being well understood, also, that the Dutch Government cannot profit by those communications to transport munitions of war, or other supplies than those which are required for the consumption of the present garrison.

The President and Members of the Committee for Foreign Affairs request Lord Ponsonby and M. Bresson to accept the assurances, &c.

Annex B. to Protocol No. 17.

Instruction addressed to Lord Ponsonby, dated London, January 17, 1831.

My Lord,

THE *note verbale* which you have transmitted to us from the Provisional Government of Belgium, upon the subject of the communications of the fortress of Maestricht, has been considered by the Conference, and unanimously decided to be inadmissible from the pretensions which it announces, and evasive in the explanations which it contains.

You have besides left us in doubt whether you had verified the real state of the communications of Maestricht, by sending one of your suite to the Commandant of that place.

You will, consequently, immediately upon the receipt of this letter, have the goodness to repair yourself, or to send Mr. Abercrombie to Maestricht, to learn from the Commandant if the communications of that fortress with North Brabant and Aix-la-Chapelle, are entirely free. By communications entirely free, we mean communications which are subject to no restriction of road or object; in short, to no impediment whatever.

If it should appear, from the interview with the Commandant of Maestricht, that that fortress is not in possession of a perfect freedom of communication, such as we have described above, you will immediately send back the courier, who is the bearer of this letter, and you will immediately announce to the Provisional Government of Belgium, that the measures mentioned in the instruction which you received, dated January 18, and which was annexed to the Protocol No. 10, will be put into execution without any delay or further warning.

(Signed)

ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No 18.

Protocol of a Conference held at the Foreign Office on the 18th of February, 1831.

Present,

The Plenipotentiaries of

*Austria ;
France ;
Great Britain ;
The Netherlands ;
Prussia ; and
Russia.*

The Plenipotentiaries of His Majesty the King of the Netherlands having met the Plenipotentiaries of the five Courts in conference, declared that the King, their August Master, had authorized them to give a full and complete assent to all the articles of the *Bases destined to establish the separation of Belgium from Holland*, bases resulting from the Protocols of the Conference of London, dated the 20th and 27th January, 1831.

The Plenipotentiaries of the five Courts, in congratulating themselves on the receipt of this communication from His Majesty the King of the Netherlands, have resolved to record it in the present Protocol.

(Signed) ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
FALCK. H. DE ZUYLEN DE NYEVELT.
BULOW.
LIEVEN. MATUSZEWIC.

Letter addressed by Lord Palmerston to the Dutch Plenipotentiaries, transmitting Protocol No. 18, dated Foreign Office, February 18, 1831.

[See original Protocols, Page 44.]

No. 19.

Protocol of a Conference held at the Foreign Office, on the 19th of February, 1831.

Present ;

The Plenipotentiaries of

*Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

The Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia having assembled, directed their serious attention to the different interpretations given to the Protocol of the Conference of London, of December 20, 1830 ; and to the principal Acts that have followed it. The deliberations of the Plenipotentiaries led them to admit unanimously, that they owe it to the position of the five Courts, as well as to the cause of general peace, which is their own cause, and to that of European civilization, to repeat here the grand principle of public law, of which the Acts of the Conference of London have only presented a salutary and constant application.

According to this principle of a superior order, Treaties do not lose their force, whatever changes may take place in the internal organization of nations. To judge of the application which the five Courts have made of this same principle, and to appreciate the determinations which they have formed with regard to Belgium, it suffices to go back to the year 1814.

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At that period the Belgian provinces were occupied by the military forces of Austria, Great Britain, Prussia, and Russia; and the rights which these Powers exercised over them were completed by the renunciation on the part of France of the possession of those provinces. But the renunciation of France was not made in favour of the occupying Powers. It proceeded from a principle of a more elevated order. The Powers, and France herself, equally disinterested then, as at present, in their views with regard to Belgium, kept the disposal, but not the Sovereignty of that country, with the sole intention of making the Belgian provinces contribute to the establishment of a just balance of power in Europe, and to the maintenance of a general peace. It was this intention that guided their ulterior stipulations, and united Belgium to Holland; it was this that led the Powers to secure from that moment to the Belgians the two-fold blessings of free institutions, and of a commerce fertile in wealth, and favouring the development of their industry.

The union of Belgium with Holland was broken. Official communications ere long convinced the five Courts that the means primarily destined to maintain it could neither restore it for the present, nor preserve it subsequently; and that henceforth, instead of amalgamating the affections and happiness of two nations, it would only bring into contact passions and hatred, and from their collision nothing could proceed but war, with all its disasters. It did not belong to the Powers to judge of the causes which severed the ties which they had formed. But when they beheld those ties broken, it belonged to them again to accomplish the object which they proposed to themselves in forming them. It belonged to them to secure, by means of new combinations, that tranquillity of Europe, of which the union of Belgium with Holland had constituted one of the bases. To this duty the Powers were imperiously called. They had the right, and events rendered it their duty, to prevent the Belgian provinces, become independent, from disturbing the general security and the balance of power in Europe.

Such a duty rendered all foreign concurrence useless. In order to act together, the Powers had only to consult their Treaties, and to calculate the extent of the dangers to which their inaction, or their want of concord might give rise. The steps taken by the five Courts with a view to bring about a cessation of the struggle between Belgium and Holland, and their firm resolution to put an end to every measure which, on one side or the other, might have worn a hostile character, were the first consequences of the identity of their opinions upon the force and upon the principles of the solemn transactions which bind them together.

The effusion of blood was stopped. Holland, Belgium, and even the neighbouring States, are equally indebted to them for this benefit.

The second application of the same principles took place in the Protocol of the 20th of December, 1830.

To an exposition of the motives which determined the five Courts, this Act connected a reservation of the duties which Belgium would still have to perform towards Europe, upon seeing her wishes for separation and independence accomplished.

Each nation has its particular rights; but Europe has also her rights; it is social order that has given them to her.

Belgium, upon becoming independent, found the Treaties which governed Europe already made, and in force. She was bound then to respect them, and was not at liberty to infringe them. By respecting them, she conformed to the interest and repose of the great community of European States; by infringing them she would have brought on confusion and war. The Powers alone could prevent this evil, and as they could do so, it was their duty; it was their duty to give ascendancy to the salutary maxim, that the events which give birth to a new State in Europe, give it no more right to alter the general system into which it enters, than the changes that may have arisen in the condition of an ancient State, authorise it to believe itself absolved from its anterior engagements. A maxim of all civilised nations,—a maxim which is connected with the very principle by which States survive their governments; and by which the imprescriptible

obligations of Treaties survive those who contract them ; a maxim, in short, which could never be overlooked without causing civilization to retrograde, of which morality and public faith are happily the first fruits and the chief guarantees.

The Protocol of December 20th fully expressed these truths. It declared " that the Conference would proceed to discuss and concert such new arrangements as might be most proper for combining the future independence of Belgium with the stipulations of Treaties, with the interests and security of other Powers, and with the preservation of the balance of Europe." Thus did the Powers point out the objects they wished to attain. They proceeded towards their execution, strong in the purity of their intentions and in their impartiality. While, on the one hand, by their Protocol of January 18, they repelled pretensions which never could be admissible, on the other hand, they weighed with the most scrupulous care all the opinions that had been put forth by both parties, and all the claims that each had set up. From this discussion, founded upon the various communications made by the Plenipotentiaries of the King of the Netherlands, and by the Commissioners from Belgium, resulted the definitive Protocol of January 20, 1831.

It was to have been foreseen that the first ardour of a nascent independence would tend to overstep the just bounds of Treaties, and of the obligations resulting from them. The five Courts, however, could not admit a right on the part of Belgium to make conquests from Holland or from other States. But, compelled to settle questions of territory essentially connected with their own conventions and their own interests, the five Powers did not insist, with regard to Belgium, upon any principles which they did not follow as rigorous laws for their own conduct. They most assuredly did not pass the limits of justice and equity, nor the rules of sound policy, when, by adopting impartially the limits which separated Belgium from Holland before the union, they only refused to the Belgians the power of invasion. This power they refused, because they considered it as subversive of peace and of social order.

The Powers had also to deliberate upon other questions which were connected with their Treaties, and which, consequently, could not be subjected to new decisions without their direct concurrence.

According to the Protocol of December 20, the instructions and full powers necessary for the Belgian Commissioners that were to be sent to London, ought to have embraced all the objects of the negotiation. Nevertheless, these Commissioners arrived without sufficient powers, and, on many important points, without information ; and circumstances admitted of no delay.

The Powers, notwithstanding, by the Protocol of January 27, confined themselves, on the one hand, to enumerating the charges attached either to the Belgian or to the Dutch territory, and, on the other, limited themselves to *proposing* arrangements founded upon a reciprocity of concessions, upon the means of preserving to the Belgians those markets which had most contributed to their wealth, and upon the notoriety of the public budgets of the kingdom of the Netherlands.

In these arrangements the mediation of the five Powers must necessarily be required, since without it, the interested parties could not come to an understanding, nor could the stipulations in which those Powers took an immediate part in 1814 and 1815, be modified.

The adhesion of the King of the Netherlands to the Protocols of January 20 and 27, 1831, has justified the care of the Conference of London. The new mode of existence of Belgium, and its neutrality, thus received a sanction which could not be dispensed with. It remained only for the Conference to come to resolutions on the protest made by Belgium against the first of these Protocols ; the more important as it is fundamental.

This protest claims a right of *post limine*, which belongs only to independent States, and which cannot, consequently, belong to Belgium, since she has never been reckoned among those States. This protest mentions also

cessions made to a third Power, and not to Belgium, which never had been in possession of them, and therefore cannot insist upon them.

The nullity of such pretensions is evident. Far from making any attack upon the ancient provinces of Belgium, the Powers have only declared and maintained the integrity of neighbouring States. Instead, indeed, of contracting the limits of these provinces, they have comprised in them the principality of Liege, which had at no former period formed part of them.

Moreover, all that Belgium could require she has obtained—separation from Holland—independence—external safety—guarantees of her territory, and neutrality—the free navigation of the rivers that serve as the channels of her commerce—and peaceable enjoyment of her national liberties.

Such are the arrangements to which the protest in question opposes the design, publicly avowed, to respect neither the possessions nor the rights of adjoining States.

The Plenipotentiaries of the five Courts, considering that such views are views of conquest, incompatible with existing treaties, with the peace of Europe, and consequently with the independence and neutrality of Belgium, declare :

1. That it remains understood, as it has been from the beginning, that the arrangements resolved on by the Protocol of January 20, 1831, are fundamental and irrevocable.

2. That the independence of Belgium shall only be recognised by the five Powers, upon the conditions and within the limits which result from the said arrangements of January 20, 1831.

3. That the principle of the neutrality and the inviolability of the Belgian territory within the above-mentioned limits, remains in full force, and obligatory upon the five Powers.

4. That the five Powers, faithful to their engagements, claim the full right of declaring that the Sovereign of Belgium should by his personal situation, conform to the principles of the existence of Belgium, ensure the safety of other States, accept without restriction, as His Majesty the King of the Netherlands did with regard to the Protocol of July 21, 1814, all the fundamental arrangements contained in the Protocol of January 20, 1831, and be in a situation to secure to the Belgians the peaceable enjoyment thereof.

5. That these first conditions being fulfilled, the five Powers will continue to employ their care and their good offices to procure the reciprocal adoption and execution of the other arrangements rendered necessary by the separation of Belgium from Holland.

6. That the five Powers admit the right in virtue of which other States may take such measures as they may judge necessary to enforce respect to, or to re-establish their legitimate authority in all the territories, belonging to them, to which the protest mentioned above sets up pretensions, and which are situated out of the Belgian territory declared neutral.

7. That His Majesty the King of the Netherlands having acceded without restriction, by the Protocol of February 18, 1831, to the arrangements relative to the separation of Belgium from Holland, every enterprise of the Belgian authorities upon the territory which the Protocol of January 20 has declared Dutch, will be regarded as a renewal of the struggle to which the five Powers have resolved to put an end.

(Signed)

ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 20.

Protocol of a Conference held at the Foreign Office, on the 17th of March, 1831.

Present :

The Plenipotentiaries of

*Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

The Plenipotentiaries of the five Courts met to take into consideration the communication which had been made to the Conference by the Plenipotentiary of France, and which will be found annexed under letter A.

The Plenipotentiaries of the Courts of Austria, Great Britain, Prussia, and Russia, thought it right to return the answer, also annexed to the present Protocol under letter B, to that communication.

(Signed) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN.

Annex A. to Protocol No. 20.

Communication made to the Conference by the Plenipotentiary of France.

Copy of a despatch from Count Sebastiani to the Prince de Talleyrand, dated Paris, March 8, 1831.

Monsieur l'Ambassadeur,

The King has commanded me to address to you, upon the subject of the Protocol of the 19th of February, some explanations which he directs you to communicate officially to the Conference of London. He cannot consent to this Protocol without disavowing certain consequences, which might be the result of the principles which it contains. The King has the intention, and the sincere desire to preserve the harmony so happily established between the five Courts, to facilitate the conclusion of peace between Belgium and Holland, and to strengthen the balance of Europe. He conceives that he has given undoubted proofs of this, and he thinks that the present explanations, far from impeding the progress of the Conference towards those desirable ends, will lead thereto by a method more sure and more prompt.

The French Government does not intend to discuss the principles of public law, and of the law of nations put forth in the Protocol of the 19th of February. Among these principles are some which have obtained the just consent of all civilised nations, upon which rests the peaceful and regular order of Europe, and which France is happy to recognize to their utmost extent. But there are others which are liable to be contested, and which would be too liable to be abused. Without entering into a controversy, which would be useless with reference to the end which they desire to attain, the French Government contents itself with protesting against any principle which would justify a right of armed intervention in the internal affairs of the different States of Europe.

In limiting its adhesion to the Protocol of the 20th of January, the French Government has acknowledged the spirit of justice with which the Conference has fixed the limits of Belgium and Holland. It has admitted the justice of the rule by which the territory of the Kingdom of the Netherlands has been divided between those two States. It consents that Holland shall resume the limits which she possessed in 1790, as the Republic of the United Provinces. It consents also that Belgium shall obtain all that part of the Kingdom of the Netherlands situated beyond the ancient possessions of Holland. In short

it consents that the Grand Duchy of Luxemburg, under the Sovereignty of the house of Nassau, shall remain comprised within the Germanic Confederation.

But the boundary line of Holland, of Belgium, and of the Grand Duchy of Luxemburg, as it appears in the Protocols, remains still too vague for the Government of the King to be able to give its entire adhesion to it. It was necessary to make it more clear, more precise, by subsequent explanations. It should first have been determined what would definitively form the Grand Duchy of Luxemburg.

It has always appeared to the French Government, that the whole territory should not be given to the Grand Duchy, which the King of the Netherlands added to it when he made it a province of his Kingdom, and when he summoned deputies from it to the second chamber of the States General, instead of subjecting it to a special rule, and governing it as a separate State, as the Treaties of 1815 appear to stipulate. The French Government considers then, that in order to conform to these treaties, the Duchy of Bouillon should be separated from the Grand Duchy of Luxemburg. It appears evident to us, that the Duchy of Bouillon was given to the Kingdom of the Netherlands, and not to the house of Nassau, which received, in compensation for its ancient possessions on the right bank of the Rhine, the ancient Duchy of Austrian Luxemburg only. These territories could not therefore remain annexed to the new Duchy; on the contrary, they should be united to Belgium.

But in order to effect this union so as to give to the two States, in conformity with the 4th article of Annex A. to Protocol No. 12, a fair and unbroken line of territory, it is indispensable first to regulate some exchanges. This unbroken line, of which the Conference has seen the advantages and the necessity on all the frontiers of Holland and Belgium, must also be established between Maestricht and Stephenswaerd, and between Stephenswaerd and the ancient Dutch limits, where it never existed before. To accomplish this, it is necessary that Belgium should renounce certain portions of the territory which has been assigned to her, and that she should be indemnified by equivalent portions taken from the ancient Dutch territory, and from the ancient Duchy of Luxemburg. Until these important points shall be explained and understood, the French Government cannot agree completely to the boundary fixed by the Protocol of the 20th of January.

As to the Protocol of the 27th of the same month, which settles the division of the debt between Holland and Belgium, the Government of the King does not consider the bases sufficiently just to admit them. It is content to learn by the Protocol of the 19th of February, that the Conference has had no other object than to address propositions to the parties interested. It regrets however, that Belgian and Dutch commissioners have not been admitted to an open discussion, more of private than of European interest, and for the solution of which, the Conference was at once less competent, and possessed less knowledge than for the solution of the others. It still more regrets, that the Conference has evidently fallen into an error, by taking as the bases of the proposed division, the public budgets of the kingdom of the Netherlands. These budgets distributed the expences of the kingdom between what were called the *Southern Provinces and the Northern Provinces*. The Grand Duchy of Luxemburg being included in the *Southern Provinces*, justice required, at least, that there should be subtracted from the portion of the debt left to the charge of Belgium, a part proportionate to the territory detached from the *Southern Provinces*, by not giving the Grand Duchy of Luxemburg to Belgium.

But this deduction would still be insufficient, on account of the enormous disproportion which exists between the Dutch and the Belgian debt; justice then requires that this question should be settled after more mature consideration, and prudence recommends the adjournment of it until the respective boundaries of the two States shall have been fixed by common consent. It will even become indispensable then to admit Belgian and Dutch Commissioners to the discussion.

Such are the motives which have induced the Government of the King to desire a modification of the Protocol of the 20th, and to refuse its adherence to that of the 27th of January, and these motives your Excellency is instructed to bring to the knowledge of the Conference, admitting at the same time, as just and in conformity with the ancient state of possession and with the spirit of Treaties, the bases upon which the limits of Holland and of Belgium have been laid down by the Conference. The French Government cannot consent to those limits being fixed before the extent of the Grand Duchy of Luxemburg is precisely determined. As its political principles are known to the whole of Europe, it cannot conceive that in the means of execution pointed out by the Protocol No. 19, the Conference should have included armed intervention and the employment of force.

(Signed) HORACE SEBASTIANI.

Annex B. to Protocol No. 20.

Answer of the Plenipotentiaries of Austria, Great Britain, Prussia, and Russia, to the Communication of the Plenipotentiary of France.

THE Plenipotentiaries of Austria, Great Britain, Prussia, and Russia have given their most serious attention to the observations with which the French Government has thought fit to accompany its adhesion to the Protocol of the 19th February.

It is with great satisfaction that they have therein found the assurance that the King of the French is constantly animated by a sincere desire to preserve the concord so happily established between the five Courts, to facilitate the conclusion of peace between Belgium and Holland, and to uphold the balance of Europe. As the Protocols prove the Conference to have had all these objects in view, they cannot but congratulate themselves on seeing that the first and only communication which has been made to them by the French Government on the subject of the Protocols, begins by approving that which embodies them all. The Plenipotentiaries of the four Courts hail this fact as a happy omen of the success of their efforts, and the more so as are persuaded that the doubts which the French Government seems to raise upon some of the consequences of the Protocol in question, can be dispelled without difficulty.

The observations of the French Government relate, in the first place, to the principles declared in the Protocol of the 19th of February, many of which they admit without reserve; at the same time regarding others as liable to be contested, and open to abuse, and protesting against any principle which might justify a right of armed interference in the internal affairs of the States of Europe. If the passages of the Protocol to which the observations of the French Government allude had been pointed out, the Plenipotentiaries of the four Courts have no doubt that it would have been easy for them to prove that the sense of these passages has not been rightly understood. Not one of the Protocols of the Conference gives any sanction to the exercise of an armed interference in the internal affairs of Belgium, not even in the case of civil war, a case which the French Government however, appears to contemplate as a circumstance which would authorize an armed interference on its part in the internal affairs of that country, and that interference it has equally shown a desire to exercise in the case of the election of the Duke of Leuchtenberg.

The Conference has decided in the Protocol of the 20th of January, what shall be the limits of Holland and of Belgium after their separation, by declaring that Holland shall resume her former territories to the whole extent possessed by her before her union with Belgium. The Protocol in question ought then naturally to contain the determination of the Powers to maintain the integrity of these territories against every aggression on the part of Belgium. But it would be impossible to maintain that those who, in consequence of the decision of the Protocol in question, should assist Holland in defending

her integrity against the Belgians, would, by that proceeding, exercise an armed intervention in the internal affairs of Belgium.

On the other hand, no State can arrogate to itself the right of alone fixing its own limits, of comprehending within such pretended limits, the territory of its neighbours, and of maintaining that whoever should endeavour to prevent such encroachments, would be interfering in its internal affairs,

The French Government has acknowledged the spirit of equity and justice with which the Conference has fixed the limits of Holland and of Belgium. It has admitted that His Majesty the King of the Netherlands had perfect right to all the ancient possessions of Holland to the full extent possessed by her before the union with Belgium; and that the latter should comprehend the other countries which had been given to the Kingdom of the Netherlands by the Treaties of 1815. Finally, it acknowledges that the Grand Duchy of Luxembourg, under the Sovereignty of the House of Nassau, should remain comprized within the Germanic Confederation. As to these fundamental points, the adhesion of the French Government to the bases of separation of the two countries, is complete and without reserve.

It remarks, indeed, that Article IV. of Annex A. to the Protocol No. 12, mentions exchanges which are to be made under the care of the five Powers, in order to obtain, if possible, both for Holland and Belgium, the advantage of a contiguity of possession, and that it cannot adhere completely to the boundary fixed by the Protocol of 20th January, until these exchanges shall have been effected. But exchanges imply prior rights of possession on either side. Holland and Belgium could not undertake to make exchanges, so long as the state of possession on both sides was not fixed. It is, therefore, absolutely necessary that the boundary fixed by the Protocol in question of the 20th of January, should first be adopted; and neither the Conference, nor the two parties interested, could, before such adoption, agree upon the exchanges which it would be possible to make for the object mentioned.

The French Government admits that the Grand Duchy of Luxembourg, under the Sovereignty of the House of Nassau, shall continue to form part of the Germanic Confederation. The relations of this Grand Duchy, although mentioned in the Protocol of the 19th of February, as well as earlier in that of the 17th of November, have not been, nor could they be, determined by the Conference. The Conference could only recal the stipulations upon that subject contained in transactions in which the principal Powers of Europe, and France herself, took part.

Nevertheless, the French Government raises doubts respecting the relations of the Duchy of Bouillon to the Grand Duchy of Luxembourg and to the Kingdom of the Netherlands. The relations of this Duchy have been fixed by Treaties, and particularly by the Act of the Congress of Vienna; but as this question relates directly to the rights of the Grand Duke of Luxembourg and of the Germanic Confederation, it cannot belong to the Conference to decide it.

In any case this question is immaterial to the principal question of the separation of Holland from Belgium, and at most relates to details of execution.

The last part of the despatch communicated by the Plenipotentiary of France, contains some observations which relate to a Protocol, prior to the Protocol No. 19, namely, to that of the 27th of January, and the French Government rests upon them its refusal to give its adhesion to that Protocol.

The Plenipotentiaries of the four Courts, are convinced that these observations rest only on a false interpretation of the sense in which that Protocol was drawn up.

They will make no comment on the circumstance, that the non-adherence to the Protocol of the 27th of January, was only made known to them by a despatch dated the 1st of March, and that in that interval, several Protocols are to be found, in which France herself has taken part; such, for example, as that of the 7th of February, which she appeared to desire.

From thence results a confusion which will not escape the French Government, and which the Plenipotentiaries of the four Courts, content themselves with pointing out here. Besides, they cannot help remembering, that the last of

the Protocols mentioned above, contains the formal accession of the King of the Netherlands to the bases of separation established by the Protocols of the Conference.

The Conference, however, flatters itself, that it will be easy to prove that the objections made by the French Government to the Protocol in question, do not apply to the essential part, and that they are not of a nature to invalidate it.

The French Government is opposed to this Protocol, because it does not consider the division of the debt which is proposed in it, sufficiently just. It thinks, that before coming to a final arrangement, the proposals on either side ought to be heard, and that in calculating the proportion of the division, on the scale of taxes, according to the public budgets of the Kingdom of the Netherlands, the Grand Duchy of Luxemburg ought also to have been included in the division. But with regard to the debt, as well as with regard to the limits, the French Government seems not to have made sufficient distinction between the fundamental principles laid down in the Protocols, and the arrangements to be proposed to the two parties, with the object of facilitating the solution of the difficulties.

The principle laid down in the Protocol No 12, with regard to the debt, was as follows: at the time of the formation of the Kingdom of the Netherlands, by the union of Holland and Belgium, the debts of the two countries, such as they then existed, were by the Treaty of 1815, blended together in one sum, and declared to be the national debt of the United Kingdom. It is then necessary and just, that when Holland and Belgium separate, each should take back the debt with which it was charged before their union; and that these debts, which were joined at the same time as the two countries, should also be separated at the same time.

Subsequently to the Union, the united Kingdom contracted an additional debt, and on the separation of the United Kingdom, this debt ought to be divided between the two States in a *just proportion*; but the Protocol does not determine what should be precisely that just proportion, and reserves that question for ulterior arrangement.

It is thus that the Conference laid down the principle of the division of the debt, a principle of which the equity and justice cannot be doubted; but after having laid down the principle of the division, the Conference suggested to the consideration of the two parties an arrangement, by means of which, Belgium might obtain from Holland the privilege of commerce with her colonies, a privilege which, without such an arrangement, she would lose in consequence of the separation; and in this respect, the Conference followed the same system for the debt as for the limits, by first showing what concerns each of the parties in particular, and by afterwards proposing the changes and arrangements which might be of mutual advantage.

The arrangement against which the French Government thinks fit to object, is in fact only a proposition submitted for discussion between the parties interested. The Conference considers, like the French Government, that the part of the general debt which was borne by the Grand Duchy of Luxemburg, as long as it was under the same Government as the Kingdom of the Netherlands, should, in the new allotment, be again placed to its charge. The Conference also considers that the details of the arrangements which relate to the debt, should be regulated by Commissioners named for that purpose, and that the mediation of the Powers should take place only in case of the parties interested not being able to come to an understanding. Moreover, this course of proceeding is distinctly traced out in the 7th, 8th, and 9th Articles of the Protocol in question.

The Plenipotentiaries of the four Courts, after having given the most scrupulous attention to the observations of the French Government on the Protocol of the 27th of January, have arrived at the conviction, that they do not at all detract from the principles therein laid down, and that they do not contain any sufficient motive for the French Government to separate itself in this question from the other Courts, with which it has acted till now with such perfect harmony.

In the last passage of the despatch communicated by the Plenipotentiary of France, it is said that the French Government cannot suppose, as its political principles are known to the whole of Europe, that in the means of execution indicated by the Protocol No. 19, the Conference intended to include armed intervention and the employment of force.

The Conference in its Protocols has admitted the employment of force on the part of the five Powers, only to accomplish the cessation, and to prevent the resumption of hostilities, and the French Government offered to assist with its naval forces in the accomplishment of that object.

According to the principles which have invariably guided the Courts, the Plenipotentiaries of which have met in Conference in London, as well in their own policy, as in their general system, they would consider themselves wanting in their duty, and compromising their dignity, as well as the general interests of Europe, if they did not oppose themselves with all their power to any encroachment on the part of Belgium on the Dutch territory; and the Plenipotentiaries of the four Courts are convinced that if Belgium attempted an invasion of Holland, or conquests over her, the French Government would unite with them in opinion, that in such a state of things the five Powers would be called upon to give to Holland all the assistance necessary to maintain her independence, and to defend the integrity of her territory.

The Plenipotentiaries of the four Courts are happy to consider France as called upon to second usefully their efforts for the re-establishment of peace between Holland and Belgium, on the bases which she herself declares just and equitable.

(Signed) **ESTERHAZY. WESSENERG.
PALMERSTON.
BULOW.
LIEVEN.**

No. 21.

PROTOCOL of a Conference held at the Foreign Office on the 17th of April, 1831.

Present :

The Plenipotentiaries of

*Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

AT the opening of the Conference the French Plenipotentiary declared officially, by special order of the King his Master:

That France agrees to the Protocol of the 20th January, 1831; that she entirely approves of the limits traced by that Act for Belgium; that she admits the neutrality as well as the inviolability of the Belgian territory; that she will acknowledge no Sovereign of Belgium, until that Sovereign shall himself have fully agreed to all the conditions and clauses of the fundamental Protocol of the 20th January, 1831; and that, according to these principles, the French Government considers the Grand Duchy of Luxembourg as completely separate from Belgium, and that it ought to remain under the Sovereignty and in the relations which are assigned to it by the Treaties of the year 1815.

To this declaration the French Plenipotentiary added some observations on the nature of the territorial exchanges, which, by the terms of the 4th Article of the Protocol of the 20th January 1831, are to be carried into execution under the superintendence of the five Powers, between Holland and Belgium, in order to offer to them the mutual advantage of an entire contiguity of possession; on the constitutional Government which the Treaties of 1815 have confirmed to the Grand Duchy of Luxemburg; on the measures which may be adopted relative to this last country; on the peculiar position of the Duchy of Bouillon; and in general, on the details of execution of the Protocol of the 20th January, 1831.

The French Plenipotentiary finished by expressing anew the lively and inva-

riable desire which his Government has ever felt to remain united to its Allies, and to co-operate with them in the maintenance of the general peace, and of the Treaties which form its basis. This communication, received by the Plenipotentiaries of the four Courts with an unanimous and sincere satisfaction, obliged them to declare on their side that they highly appreciate the spirit, the object, and the tenor of it. They consider it as the happy effect of the explanations which they have recorded in the Protocol No. 20, of the 17th of March, in consequence of the first remarks to which the Protocol No. 19, of the 19th of February, had given rise on the part of France. Much as the four Courts would regret even the momentary shade of a difference of opinion between them and the French Government, as much do they congratulate themselves to see France now preserving, by the declaration of her Plenipotentiary, the place which she occupies so usefully amongst her Allies in the Conference of London, adding the weight of her adhesion to the principles upon which the 19th Protocol is founded, principles which all flow from the Protocol of the 20th January, completing the union of the Great Powers, and giving, by the security which every State has a right to enjoy, the best guarantee for the duration of the general peace.

As to the observations with which the French Plenipotentiary accompanied the declaration recorded above, the Conference, after having maturely considered them, unanimously agreed:

1°. That the discussion upon the territorial exchanges to be effected between Holland and Belgium would be premature at this moment, and that it could only take place with advantage when the parties immediately interested shall both have adhered to the arrangements which are to complete the separation of Belgium from Holland; and when the labours of the Boundary Commissioners shall have fully elucidated the questions of exchange of which the five Courts may have to facilitate the settlement.

2°. That the fundamental principle of the policy of the five Courts being the observation of Treaties, it is understood that the stipulations of these Treaties concerning the institutions of the Grand Duchy of Luxembourg shall be accomplished.

3°. That on the same principle, the Plenipotentiaries of the five Courts assembled in Conference at London, will proceed to an examination of the existing Treaties, as far as concerns the Duchy of Bouillon, in order to decide, in consequence of the observations made by the Plenipotentiary of France, what may be the peculiarity of position of that Duchy, in order that the utmost consideration should be had for that position in the measures, the adoption of which may become necessary in the Grand Duchy of Luxembourg.

(Signed) ESTERHAZY. WESSENERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 22.

PROTOCOL of a Conference held at the Foreign Office, on the 17th of April, 1831.

Present:

The Plenipotentiaries of

*Austria;
France;
Great Britain;
Prussia; and
Russia.*

THE Plenipotentiaries of the five Courts met to deliberate on the measures which, by hastening the accomplishment of the views set forth in the Protocols of the 20th, and of the 27th January, 1831, might best contribute to

cement between Belgium and Holland that solid peace, which forms the object of the anxiety, and of the constant efforts of the five Courts.

Being unable to discover the prospect of so desirable a result, except in the *bases destined to establish the separation of Belgium from Holland*, which were annexed to the Protocol of the 27th January, 1831, and to which His Majesty the King of the Netherlands has fully adhered, the Plenipotentiaries agreed that their Commissioner at Brussels should receive orders to communicate, without delay, the said bases to the Belgian Government, to impress upon it the advantages which they offer to Belgium, and to urge it to agree to them as soon as possible.

It was, besides, resolved by the Plenipotentiaries, that their Commissioner should call the attention of the Belgian Government to the essential distinction which the bases in question draw between the arrangements of territory, termed fundamental, which are *irrevocable*, and the arrangements relative to the division of the debts, and to the commerce of the Dutch Colonies, which form a simple series of *propositions*: that, with respect to the division of the debts, Lord Ponsonby should point out to the Belgian Government, that if any part of the debts of the Kingdom of the Netherlands was borne by the Grand Duchy of Luxembourg, that charge would now, necessarily, revert in a just proportion to the Grand Duchy, and to that extent lighten the burthen of Belgium: that, in fine, if the Belgian Government should accede to the bases above-mentioned, the consequences of that accession should be:

The speedy retreat of all the Belgian troops which may be in the Grand Duchy of Luxembourg;

The complete cessation of all interference on the part of the Belgian Authorities, in the internal affairs of that country;

The sending of boundary Commissioners to Maestricht, and of Commissioners of liquidation to the Hague.

The experience of the negotiations formerly begun at Brussels, nevertheless obliged the Plenipotentiaries to discuss the case in which the *bases destined to establish the separation of Belgium from Holland*, should be rejected by the Belgian Government; and in which that Government should persist in its former pretensions of war and conquest.

In anticipation of this event, the Plenipotentiaries determined that a declaration should be made to the Belgian Government:

1°. That the arrangements, styled fundamental, comprised in the 9 first Articles of the said bases, are considered by the five Powers as irrevocable arrangements, according to the terms of the Protocols of the 20th of January and 19th of February, 1831.

2°. That according to the terms of the 2d section of the Protocol of the 19th of February, the independence of Belgium shall be recognized by the five Powers, only according to the conditions and within the limitations prescribed by the Protocol of the 20th of January, 1831.

3°. That if the propositions which Lord Ponsonby is directed to make by the present Protocol, be not accepted, all relations shall cease between the five Powers and the Belgian Authorities; that Lord Ponsonby shall in consequence immediately leave Brussels, and that the Belgian Envoy who is at Paris shall be requested to depart without delay.

4°. That in case of the rejection of the propositions abovementioned, if the States aggrieved in their possessions by the Belgian Government should adopt the necessary measures to re-establish their legitimate authority, or to cause it to be respected in all the country belonging to them, and which country is situated beyond the Belgian territory which is declared neutral, the five Powers could not but fully recognize, according to the sixth section of the Protocol of February 19, the right by which such measures should have been adopted.

5°. That in the same event, every enterprize undertaken by the Belgian Authorities or troops upon the territory which the Protocol of the 20th of January has declared Dutch, and every violation of the armistice, as it is established by the Protocol of November 17, 1830, and by the letter of the provisional Government of

Belgium of the 21st of November of the same year, annexed to the Protocol No. 9, shall be considered as an act of hostility against the five Powers, and be followed on their part by all the measures which, by common consent, they shall consider the most proper for the maintenance of the integrity of the States which which may be menaced, and for the accomplishment of the objects detailed in the fundamental Protocol of the 20th of January, 1831.

(Signed) ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Copy of a Letter addressed by the Conference to Lord Ponsonby, dated Foreign Office, April 17, 1831.

My Lord,

WE have the honour to transmit to you the inclosed copy of a Protocol which we have this day agreed upon, and which directs you to make to the Provisional Government of Belgium, propositions which the five Courts consider to be final and decisive.

Our Letter of the 29th of January, transmitted to you, along with the Protocol of the 27th of the same month, the *bases destined to establish the separation of Belgium from Holland*: and we agreed that those bases should only be brought formally to the knowledge of the Provisional Government of Belgium, at the moment when such a communication should be most seasonable.

That communication appears to us to be at this moment indispensable. When, notwithstanding all the precautions of the Powers, the Provisional Government of Belgium loudly announces determinations which threaten to place that country in a state of hostility with the five Courts, the Conference of London considers that it fulfils a duty in offering to it a last opportunity of securing to Belgium the immediate and peaceful enjoyment of her independence, of her neutrality, and of all those possessions of which the arrangements of the five Courts offer to her the advantageous guarantee.

It is with satisfaction that we still hope that the determinations of the Belgian Government will be conformable to our wishes, but their conduct has imposed upon us the obligation to anticipate the case in which that hope might be deceived.

You will perceive that in that case, Belgium, far from reaping the fruits of stipulations, which have had no other object than her liberty and happiness, will find herself, as it were, separated from the rest of the European Association, without support, without connection, completely insulated, and in hostility with the five Powers, if she should make any attempt against the possessions, or the security of other States.

When it is considered that our arrangements correspond with every wish Belgium could have formed, and promote the national interests that are dearest to her, it cannot be conceived that she should hesitate with regard to the alternative which is offered to her.

We have little explanation to add to our Protocol of this day.

It appears to us that our negotiations will be facilitated by the communication of a document, which proves that His Majesty the King of the Netherlands, has already given his full and complete adhesion to the bases above-mentioned. That document is our Protocol, No. 18. of which a copy is inclosed. It will assist you considerably in proving that it depends upon the Belgians alone to secure to their country a futurity of peace and prosperity.

Our Protocol of this day refers in many places to a Protocol of the 19th of February. That Protocol you will find enclosed herewith, and you will draw from it all the means of explaining and recommending the resolutions of the

five Courts. The measures which you will urge the Belgian Government to adopt, are as just in their principle as they are easy in their execution.

The retreat of the Belgian troops which are in the Grand Duchy of Luxembourg, the cessation of all interference in the affairs of that country, must take place, or the exhibition of an armed force on the part of the Germanic Confederation can no longer be delayed.

Once arrived at Maestricht, the Boundary Commissioners will be able to proceed immediately to their work. As to the exchanges of territory which may be effected between Holland and Belgium, the Conference will be ready to listen to the proposals which may be made from either side, and to interpose its good offices with the view of securing to the two countries the reciprocal advantage of an entire contiguity of possession and of free communication to the utmost extent of their limits.

With regard to the division of the debts, the propositions made by the five Powers have no other object than to facilitate the solution of that question, so complicated at first sight. The Powers had to lay down a principle, that the division should take place in a just proportion, as well with regard to the debt which was borne separately by each of the countries before their union, as for that which has since been contracted by them in common. In their anxiety for the real interests of Belgium, the five Courts have moreover sought a combination which should secure to her the essential advantage of the commerce of the Dutch Colonies. It is for the Belgians to consider the value which that combination may have for them. It is, however, our duty to instruct you, My Lord, to call the attention of the Belgian Government, if they accept our propositions, to its means of providing for the payment of the interest of the general debt of the Kingdom of the Netherlands, until the conclusion of the labors of the Commissioners of liquidation.

It is undoubtedly just that Belgium should furnish, during this interval, her proportion for the payment of the debt, subject to a final settlement. The credit of the two Countries, and, to a certain degree, that of Europe, is interested in it. If up to this time a part of the debt of the Kingdom of the Netherlands has been borne by the Grand Duchy of Luxembourg, placed under the same administration as that Kingdom, nothing can be more just, than still to let a proportionable part of that charge fall for the future upon the Grand Duchy. Our Protocol of this day expressly establishes this principle.

It will therefore be easy for you, my Lord, to demonstrate the spirit of justice which characterises all the Acts of the Conference of London. It will be easy for you to place in their true light the advantages which she has endeavoured to guarantee to Belgium. If they should happen to be misunderstood, the five Powers will have no alternative, and it will be sufficient that you should assure the Belgian Government that they will put into execution without delay, and with perfect unanimity, the resolutions decreed by our Protocol of this day.

In order that no doubt may be raised at Brussels upon the subject of that unanimity which is of such importance, you will wait, before taking the steps which are directed by this despatch, till Lord Granville shall have made known to you directly the instructions with which General Belliard will be furnished by the Government of His Majesty the King of the French, with a view to seconding your exertions.

(Signed)

ESTERHAZY, WESSENERG.
TALLEYRAND,
PALMERSTON,
BULOW.
LIEVEN. MATUSZEWIC.

PROTOCOL of a Conference held at the Foreign Office, on the 10th of May, 1831.

Present :

The Plenipotentiaries of

*Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiary of France, after he had communicated the full and entire adhesion of the Government of His Majesty the King of the French to Protocols Nos. 21 and 22 of April 17, called the attention of the Plenipotentiaries of Austria, Great Britain, Prussia, and Russia, to the means of combining the execution and the efficacy of the last of these Acts, with the precautions best calculated to remove every pretext for anxiety as to the maintenance of the general peace.

The first question discussed by the Conference with this view, regarded the period which should be allowed to the Belgian Government, for acceding to the definitive propositions contained in Protocol No. 22. Considering that the Commissioner of the five Courts at Brussels, and the Government of His Majesty the King of the French, are of opinion, that a moderate delay would afford the means of preparing the minds of the Belgians for that important communication, the Plenipotentiaries decided that Lord Ponsonby should be authorised to concert with General Belliard such preliminary steps as may be likely to produce the greatest effect in this respect ; and not to communicate the Protocol No. 22, officially to the Belgian Government, until after they shall have exerted all their influence to make the Belgians in general sensible of the advantages they would reap from an immediate and frank acceptance of the *Bases of separation* to which His Majesty the King of the Netherlands has already fully adhered.

It was agreed on the other hand, that the official communication of the Protocol in question should be made, under all circumstances, before the 1st of the month of June, of the present year, and that on that day should expire the term granted by the Conference of London to the Belgian Government for placing itself, in accordance with its evident interest, in the same position towards the five Powers in which His Majesty the King of the Netherlands stands, by his acceptance of the above-mentioned *Bases of separation*.

The Plenipotentiaries decided, moreover, that if on the appointed day, the Belgian Government should declare by its official answer, that it accedes to the said bases of separation, they will then take into their consideration what measures are necessary for the most speedy reciprocal evacuation of the fortresses and territories which their respective troops occupy beyond the frontiers assigned to Belgium and to Holland. Under this supposition, the mutual agreement of the two parties directly interested, an agreement which the five Powers will employ their good offices in promoting, would decide finally the territorial exchanges, together with those arrangements of which the principle has been laid down in the 4th Article of the *Bases of Separation*.

If, on the contrary, *these same bases* should not be accepted by the Belgian Government by the 1st June, the Plenipotentiaries agree in that case :

First,—that according to the terms of Protocol No. 22, there shall take place an absolute rupture of all relations between the five Powers and the authorities which govern Belgium.

Secondly,—that the five Powers, far from using henceforward any interposition with the Germanic Confederation, as they have hitherto done, to delay the adoption of the measures which the Confederation decided upon taking in the Grand Duchy of Luxembourg, would be constrained themselves to acknowledge the necessity of those measures.

Thirdly,—that the five Powers, considering the intimate relations which subsist between them and the Germanic Confederation, would request of the Diet of Frankfort to afford them a proof of friendship, by causing to be communicated confidentially to the Conference of London the intentions of the Confederation as to the number and employment of the troops which they would march into the Grand Duchy of Luxembourg. Such obliging communication would have no other object than to enable the Conference of London to remove any uneasiness which these military movements might excite in the adjacent countries.

Fourthly,—that if the Belgians should break the armistice which they are bound observe with respect to Holland, and should attack her territory, the five Powers, with whom they would thus place themselves, *ipso facto*, in a state of hostility, by the violation of the engagements contracted towards them on the 21st November, 1830, would proceed to concert such measures as they might think it their duty to adopt against such attacks, and that the first of these measures would consist in putting into execution with the utmost speed the resolution expressed in the instruction furnished to the Commissioners of the Conference on the 18th January of the present year, which instruction is annexed to Protocol No. 10.

Fifthly,—In fine, that if these resolutions should prove insufficient, the Conference of London, acting in the name of the five Courts, would decide in concert upon such further measures for the same object, as circumstances may require.

The Plenipotentiaries agreed that the present Protocol, which completes the provisions of that of April 17th, No. 22, should serve also to complete Lord Ponsonby's instructions, and should be forthwith dispatched to him for that purpose.

(Signed) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Copy of a Letter addressed by the Conference, to Lord Ponsonby, transmitting Protocol, No. 23.

My Lord, London, 10th May, 1831.

WE have the honor to transmit to you the annexed Protocol, which completes the instructions you received bearing date the 17th of April.

Accept, My Lord, &c.

(Signed) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 24.

PROTOCOL of a Conference held at the Foreign Office, on the 21st of May, 1831.

Present:

The Plenipotentiaries of
Austria;
France;
Great Britain;
Prussia; and
Russia.

LORD PONSONBY having, after the receipt of the Protocol No. 23., thought it his duty personally to lay before the Conference the state of things in Belgium, was heard by the Plenipotentiaries of the five Courts.

Considering that it results from the information given by Lord Ponsonby ;

1°. That the acceptance by the Belgian Congress of the bases of separation of Belgium from Holland, would be essentially facilitated, if the five Courts would consent to support Belgium in her desire to obtain for a valuable consideration, the acquisition of the Grand Duchy of Luxembourg.

2°. That the choice of a Sovereign having become indispensable for arriving at final arrangements, the best means of attaining the proposed object, would be to smooth down the difficulties which might impede the acceptance of the Sovereignty of Belgium by Prince Leopold of Saxe-Cobourg, in case such Sovereignty, as there is every reason to expect, should be offered to him.

The Plenipotentiaries agreed to request Lord Ponsonby to return to Brussels, and to authorize him there to declare:

1°. That the five Powers can not any longer defer demanding from the Belgian Government its acceptance of the bases destined to establish the separation of Belgium from Holland,—bases, which His Majesty the King of the Netherlands has already accepted.

2°. That with respect to the wish declared by the Belgian Government, to acquire the Grand Duchy of Luxembourg for a valuable consideration, the five Powers promise to open a negotiation with the King of the Netherlands, the object of which shall be to secure, if possible, to Belgium, in consideration of a fair compensation, the possession of that country ; which, however, shall preserve its actual relations with the Germanick Confederation.

3°. That immediately after obtaining the acceptance by the Belgian Government of the bases of separation, the five Powers will bring that acceptance to the knowledge of the Germanick Confederation, as well as the engagement entered into on their part to open a negotiation for the purpose of securing to Belgium, if possible, the possession of the Grand Duchy of Luxembourg, in consideration of a fair compensation.—The five Powers will, at the same time, request the Germanick Confederation to suspend, during the course of that negotiation, the execution of the measures decided upon for the military occupation of the Grand Duchy.

4°. That when the Belgian Government shall have given its adhesion to the bases of separation, and the difficulties relative to the Sovereignty of Belgium have been removed, the necessary negotiations for putting those bases into execution shall be forthwith entered into with the Sovereign of Belgium, and under the auspices of the five Powers.

5°. Finally, that if that adhesion should not be given by the 1st of June, Lord Ponsonby, in concert with General Belliard, will have to execute the instructions contained in Protocol No. 23 of May 10, and to make known to the Belgian Government the determinations which the five Courts have formed for such a case by the said Protocol.

(Signd)

ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No 25.

PROTOCOL of a Conference held at the Foreign Office on the 5th of June, 1831.

Present:

The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia ;

THE Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, having assembled, took into their consideration the reports which had been transmitted to them from Brussels by Lord Ponsonby up to the 4th of this month, as well as the two annexed notes (A.B.) from the Plenipotentiaries of His Majesty the King of the Netherlands.

After having examined, on the one hand, these reports and notes, and on the other, the tenor of the Protocols Nos. 22, 23 and 24, the Plenipotentiaries determined to address to Lord Ponsonby the annexed letter, (C.) and to the Plenipotentiaries of His Majesty the King of the Netherlands the two answers of which the drafts are also annexed. (D. E.)

(Signed) ESTERHAZY. WESSENBURG.
 TALLEYRAND.
 PALMERSTON.
 BULOW.
 LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 25.

Note addressed to Viscount Palmerston by the Plenipotentiaries of His Majesty the King of the Netherlands, dated London, June 5, 1831.

THE undersigned, Plenipotentiaries of his Majesty the King of the Netherlands, have the honour to remind his Excellency Viscount Palmerston of the contents of the note which they presented to the Conference on the 20th of May. It was there declared, that except in the case of a prompt adhesion on the part of the Belgians to the bases of separation established by the five Courts, his Majesty would consider himself as free to act on his own account, in order to arrive at the termination of that long state of uncertainty so prejudicial to the interests of his faithful subjects.

According to the resolution of the Conference of the 10th of May, the undersigned can have no doubt that the official communication of the 22d Protocol took place at Brussels before the 1st of June, and it must have been immediately followed by an answer, the purport of which must be, either *that the Belgian Government has placed itself, by its acceptance of the bases of separation above mentioned, in the same position as the King towards the five Powers, or that those bases are not accepted by that Government.*

Now, that several days have passed since the expiration of the term granted by the Conference of London to the Belgian Government, the undersigned fulfil an indispensable duty in enquiring what was the precise answer obtained, in order that, on the report which they will hasten to make of it, their Sovereign may be enabled to concert the measures which the present state of things requires, in the two-fold interest of his own dignity and the security of Holland.

The undersigned request Lord Palmerston to communicate this note to the Plenipotentiaries his colleagues, and, in the expectation of the honour of a answer, they avail themselves, &c.

(Signed) FALCK.
 H. DE ZUYLEN DE NYEVELT.

Annex B. to Protocol No. 25.

Note addressed to Lord Palmerston by the Plenipotentiaries of His Majesty the King of the Netherlands, dated London, June 6, 1831.

THE undersigned, Plenipotentiaries of His Majesty the King of the Netherlands, fulfil an imperative duty in drawing the attention of Lord Palmerston, and, by his intervention, that of the Conference of London, to the letter addressed on the 27th of May last, by Lord Ponsonby to M. Lebeau,—a letter which has been communicated to the self-styled Congress of Brussels, published in all the newspapers, and submitted to the deliberations of that assembly.

Without dwelling on those other painful reflections to which the perusal of that paper has given rise, the undersigned will content themselves by protesting in the strongest manner, against every thing which the agent of the Conference has thought fit to advance in it relative to an eventual cession of the Grand Duchy of Luxembourg.

In speaking of that cession in the terms made use of in that letter, Lord Ponsonby has arrogated to himself a right which he can have received from no one. He has encouraged the encroaching spirit of the insurrection by fallacious hopes; he has in fact attacked the inalienable rights of the King, by engagements diametrically opposed to the uniform language held both at the Hague and here, by the organs of the Government of His Majesty.

The King abides by the act of separation which was proposed by the five Powers, and accepted by him without reservation: the 2nd article of that act expressly acknowledges the Grand Duchy as a possession of the House of Nassau. It is therefore not easy to conceive that there could arise a question of a negotiation respecting that Sovereignty, which, even after the pure and simple acceptance by Belgium of the bases of separation, would still be surrounded by the greatest difficulties, since that Grand Duchy forms for the King and the Princes of his house, a substitution for his hereditary states of a value inestimable in his eyes.

The undersigned must therefore protest, as they do formally protest, against that part of Lord Ponsonby's letter; they disavow it entirely, and lay all the consequences of it to the account of its author. They have the honor, &c.

(Signed) FALCK.
H. DE ZUYLEN DE NYEVELT.

Annex C. to Protocol No. 25.

Letter addressed by the Conference to Lord Ponsonby.

My Lord,

London, June 6, 1831.

In answer to the reports which you have sent us, we have the honor to acquaint you that you must leave Brussels immediately on the receipt of this letter. You will take care to communicate this determination to General Belliard.

(Signed) ESTERHAZY, WESSENBERG.
TALLEYRAND,
PALMERSTON,
BULOW.
LIEVEN. MATUSZEWIC.

Annex D. to Protocol No. 25.

Answer of the Conference to the Note of the Plenipotentiaries of His Majesty the King of the Netherlands, dated June 5, 1831.

Foreign Office, January 7, 1831.

THE undersigned Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, have taken into consideration the

note which the Plenipotentiaries of His Majesty the King of the Netherlands addressed to the Conference of London on the 5th instant, through the medium of Lord Palmerston.

In answer to that note, the undersigned consider it their duty to acquaint the Plenipotentiaries of His Majesty the King of the Netherlands, that the Belgians do not appear, by the last accounts from Brussels, to have placed themselves, by the acceptance of the bases of separation, in the same position towards the five Powers, as that in which His Majesty the King of the Netherlands stands towards them, by his unqualified adhesion to those bases; that Lord Ponsonby is definitively recalled; that General Belliard had received from the Government of His Majesty the King of the French, the order to leave Brussels at the same time as Lord Ponsonby; and that the Conference has under its consideration the measures which may be required by the engagements contracted towards the King of the Netherlands by the five Powers.

The undersigned, &c. &c. &c.

(Signed)

ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex E. to Protocol No. 25.

Answer of the Conference to the Note of the Plenipotentiaries of His Majesty the King of the Netherlands, dated June 6, 1831.

Foreign Office, June 7, 1831.

THE undersigned Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, have given their full attention to the note which the Plenipotentiaries of His Majesty the King of the Netherlands addressed to the Conference on the 6th instant, through the medium of Lord Palmerston, relative to a confidential letter from Lord Ponsonby, which has appeared in the Belgian newspapers.

The Conference, ignorant of Lord Ponsonby's letter, can only refer to the Protocol, No. 24, of the 21st of May last,—a Protocol already known to the Plenipotentiaries of His Majesty the King of the Netherlands.

That Act lays down three principles:—the *first*, that the arrangements which should have for their object to secure to Belgium the possession of the Grand Duchy of Luxembourg, should be arrangements made by *mutual consent*; the *second*, that that possession could only be acquired by means of *just compensations*: the *third*, that the five Powers should not make to the parties interested any proposition for the exchange, *until after* the adhesion of the Belgians to the bases of separation fixed by the Conference, and already adopted by the King of the Netherlands.

These are, and always will be, the principles of the five Powers; they in no way interfere with the determinations of His Majesty the King of the Netherlands. Those principles, so far from invading his rights, attest their respect for them, and only tend to bring about, if possible, in consideration of such equivalents as His Majesty might think himself justified in accepting, and upon the basis of mutual advantage, arrangements, the only object of which would be to secure those interests which the King has so much at heart, and the consolidation of that peace, to which his wishes, and those of the five Powers, are equally directed.

The undersigned, &c.

(Signed)

ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

PROTOCOL of a Conference held at the Foreign Office, on the 26th of June 1831,

Present :

The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.

THE Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, having assembled, took into their serious consideration the situation in which the five Powers are placed, in the negotiations which they are carrying on, for the purpose of reconciling the new form of neutral and independent existence of Belgium, with the rights and security of neighbouring States.

Without losing sight of any of their former Acts, the Plenipotentiaries were led by this examination to the conviction, that the desire of not endangering the general peace, and consequently the gravest interests of their Courts, and of the whole of Europe, ought to induce them to try new modes of conciliation, for the purpose of arriving, without any violent shock, at the end which the five Powers had in view, in opening Conferences at London.

With this view, the Plenipotentiaries have drawn up the annexed Articles (A.), and have resolved to propose them for the acceptance of the two parties directly interested.

They have besides agreed, that the communication of those articles should be made to the Belgian Congress, by means of the letter annexed (B.), and that the Baron de Wessenberg should be commissioned by the Conference to repair to the Hague, in order himself to bring those Articles to the knowledge of His Majesty the King of the Netherlands, and to give him all the explanations they require.

For that purpose, the Plenipotentiaries have thought fit to furnish the Baron de Wessenberg with the annexed letter (C.) to the Baron Verstolk de Soelen, Minister for Foreign Affairs of His Majesty the King of the Netherlands.

(Signed) ESTERHAZY. WESSENBERG.
 TALLEYRAND.
 PALMERSTON.
 BULOW.
 MATUSZEWIC.

Annex A. to Protocol No. 26.

Articles proposed by the Conference to Belgium and Holland.

THE Conference, animated by the desire of reconciling the difficulties which still impede the conclusion of the affairs of Belgium, has considered that the following Articles, which might form the preliminaries of a Treaty of peace, would lead to that end. It has, consequently, determined to propose them to the two parties.

ARTICLE I.

The limits of Holland shall comprise all the territories, fortresses, towns, and places which belonged to the antient Republic of the United Provinces of the Netherlands in the year 1790.

ARTICLE II.

Belgium shall consist of all the remainder of the territories which received the denomination of the Kingdom of the Netherlands in the Treaty of 1815.

ARTICLE III.

The five Powers will use their good offices in order that the *status quo* in the Grand Duchy of Luxembourg shall be maintained during the progress of the sepa-

rate negotiation, which the Sovereign of Belgium will enter into with the King of the Netherlands and with the Germanick Confederation, on the subject of the said Grand Duchy,—a negotiation distinct from the question of the limits between Holland and Belgium.

It is understood that the fortress of Luxembourg shall preserve its free communication with Germany.

ARTICLE IV.

If it is proved that the Republick of the United Provinces of the Netherlands did not exercise the exclusive Sovereignty in the town of Maestricht in 1790, the two parties shall consider of the means of coming to some suitable arrangement in this respect.

ARTICLE V.

As it would result from the bases laid down in Articles I. and II. that Holland and Belgium would possess detached portions of land within their respective territories, there shall be made between Holland and Belgium such amicable exchanges as shall be thought for the mutual accommodation of both.

ARTICLE VI.

The mutual evacuation of the territories, towns, and fortresses, shall take place independently of the arrangements relative to the exchanges.

ARTICLE VII.

It is understood that the arrangements of the Articles from 108 to 117 inclusive, of the General Act of the Congress of Vienna, relative to the free navigation of navigable rivers, shall be applied to those rivers which traverse the Dutch and the Belgian territory.

The execution of these stipulations shall be regulated with the least possible delay.

The participation of Belgium in the navigation of the Rhine by the internal channels between that river and the Scheldt, shall form the subject of a separate negotiation between the parties interested; to which the five Powers will lend their good offices.

The use of the canals from Ghent to Terneuse and of the Zuid-Willemsvaart, constructed during the existence of the Kingdom of the Netherlands, shall be common to the inhabitants of the two Countries; a regulation upon that subject shall be established. The drainage of the waters of the two Flanders shall be regulated in the manner most likely to prevent inundations.

ARTICLE VIII.

For the execution of the preceding Articles 1 and 2, Dutch and Belgian Commissioners of demarcation shall meet with as little delay as possible, in the town of Maestricht, and shall proceed to mark out the boundaries which are to separate Holland from Belgium, in conformity to the principles established for that purpose in the Articles 1 and 2.

These same Commissioners shall be employed on the exchanges to be made by the competent authorities of the two countries, according to Article 5.

ARTICLE IX.

Belgium, within the limits such as they shall be traced in conformity with the principles laid down in the present preliminaries, shall form a perpetually neutral state. The five Powers, without wishing to interfere in the internal administration of Belgium, guarantee to it that perpetual neutrality, as well as the integrity and inviolability of its territory within the limits mentioned in the present Article.

ARTICLE X.

By a just reciprocity, Belgium shall be bound to observe the same neutrality towards all other States, and not to make any attempt against their internal or external tranquillity; reserving to itself however, the right of defending itself against all foreign aggression.

ARTICLE XI.

The port of Antwerp, in conformity with the 15th Article of the Treaty of Paris of May 30th, 1814, shall continue to be solely a port of commerce.

ARTICLE XII.

The division of the debt shall be regulated in such a manner as to allot to each of the two countries, the total of the debt which originally, before their union, belonged to the territories of which those countries consist; and to divide in a just proportion those which have been contracted in common.

ARTICLE XIII.

Commissioners of liquidation, named on either side, shall meet forthwith. The first object of their meeting shall be to fix the proportion which Belgium shall have to pay provisionally, and subject to a final settlement, for the discharge of a portion of the interest of the debt mentioned in the preceding Article.

ARTICLE XIV.

The prisoners of war shall be restored on both sides, fifteen days after the adoption of these Articles.

ARTICLE XV.

The sequestrations imposed on private property, in both countries, shall be immediately taken off.

ARTICLE XVI.

No inhabitant of the fortresses, towns, and territories reciprocally evacuated, shall be molested or disturbed for his past political conduct.

ARTICLE XVII.

The five Powers reserve to themselves the faculty of using their good offices whenever they may be demanded by the parties interested.

ARTICLE XVIII.

These Articles, reciprocally adopted, shall be converted into a definitive Treaty.

(Signed) ESTERHAZY.
TALLEYRAND.
PALMERSTON.
BULOW.
MATUSZEWIC.

Annex B. to Protocol No. 26.

Letter addressed by the Plenipotentiaries of the five Courts, to M. Lebeau.

Sir, *London, June 26, 1831*
WE have had the honour to receive the letter dated the 5th of June, which M. M. Devaux and Nothomb have transmitted to us from you, and we think it our duty to address to you, in reply, the accompanying Articles which the Conference of London has just decided upon, in order to be communicated to the two parties interested.

The Conference will consider these Articles as non-existent, if the Belgian Congress should reject them, either entirely or in part.

(Signed) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
MATUSZEWIC.

Annexe C. to Protocol No. 26.

Letter addressed by the Plenipotentiaries of the five Courts to the Baron Verstolk de Soelen.

Monsieur le Baron,

London, June 27, 1831

THE Baron de Wessenberg is the individual whom we have charged to deliver this letter into your Excellency's hands.

Placed in a situation of infinite difficulty, and animated with a desire which your Excellency will doubtless appreciate, of terminating the negotiations on which we are employed without compromising the peace of Europe, we have resolved again to try whether a new series of propositions might not lead, in the affairs of Belgium, to the mutual agreement which forms the object of our endeavours and our wishes. The motives which have determined us to draw up these propositions and to submit them to the King, are in our view, of such high importance, that it has appeared indispensable that one of ourselves should lay them before His Majesty and his Ministry. Our choice has fallen on M. de Wessenberg, on account of the favour with which His Majesty honours him, and we should feel a real obligation to your Excellency if you would be kind enough to facilitate for him the means of exposing to His Majesty the weighty considerations to which we have yielded, and which we hope the King will not refuse to acknowledge in his justice, his wisdom, and his friendship for Powers, whose object is to reconcile, as far as depends on them, his rights and his interests with the maintenance of the general peace.

We seize the opportunity, &c.

(Signed)

ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 27.

PROTOCOL of a Conference held at the Foreign Office, on the 12th of July, 1831.

Present.

The Plenipotentiaries of

Austria;

France;

Great Britain;

Prussia; and

Russia.

THE Plenipotentiaries of the five courts being assembled, took cognizance of a letter addressed to them by M. Lebeau, to inform them of the full and entire adhesion of the Belgian Congress to the 18 Articles, destined to form the Preliminaries of a Treaty of Peace between Holland and Belgium, Articles which are annexed to the Protocol No. 26, of June 26.

It was determined that the above mentioned letter should be included among the Acts of the Conference, and to this end, annexed to the present Protocol (A.)

(Signed)

ESTERHAZY.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A to Protocol No. 27.

Letter addressed to the Conference by M. Lebeau, dated Brussels, July 9, 1831.

Gentlemen,

I HAVE the honour to transmit to your Excellencies the decree, bearing date July 9, 1831, by which the National Congress of Belgium has adopted the 18 Articles agreed on by the Conference of London, June 26, 1831; and which are to form the preliminaries of a Treaty of Peace between Holland and Belgium.

The Conference will doubtless acknowledge, that Belgium, by the adoption of these Articles, has given to Europe a new testimony of her desire to secure her independence, without disturbing the general peace, and of entering as promptly as possible into amicable relations with other States.

I beg your Excellencies, &c.

The Minister for Foreign Affairs.

(Signed) **LEBEAU,**

To their Excellencies the Ambassadors and Ministers of Austria, France, Great Britain, Prussia, and Russia, assembled in Conference at London.

Decree of the Belgian Congress.

In the name of the Belgian People.

The National Congress decrees :—

SOLE Article. The Congress adopts the following 18 Articles, which form the preliminaries of a Treaty of Peace between Belgium and Holland.

(Here follow the 18 Articles annexed to Protocol No. 26.)

Brussels: Palace of the Nation, July 9, 1831.

The Vice-President of the National Congress,

(Signed) **RAIKEM.**

The Secretaries, Members of the Congress,

(Signed) **LIEDTZ.**

VICOMTE VILAIN XIII.

NOTHOMB.

No. 28.

PROTOCOL of a Conference held at the Foreign Office on the 25th of July, 1831.

Present :

The Plenipotentiaries of the Courts of

Austria ;

France ;

Great Britain ;

Prussia ; and

Russia.

THE Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, being assembled, took cognizance of the document (A) hereunto annexed, brought from the Hague by The Baron de Wessenberg, and containing the answer of the Government of His Majesty the King of the Netherlands, to the propositions communicated to him on the 26th of June.

This paper having been read, it was agreed that it should be included among the acts of the Conference.

The Plenipotentiaries afterwards discussed the resolutions, which the present state of the negotiations entrusted to their care rendered it necessary for them to take ; and agreed unanimously,

1. That if on the one hand, the propositions of June 26th have not been accepted by His Majesty the King of the Netherlands, their rejection, on the other hand, does not in any manner annul the engagement, made from the first by the Conference, to prevent the renewal of hostilities between Holland and Belgium, and to guarantee the indefinite continuation of the suspension of arms brought about between these two countries.

2. That the maintenance of the general peace depends upon the fulfilment of this engagement.

3. That this same engagement imposes on the Plenipotentiaries the obligation of still endeavouring to bring about the reciprocal adoption of arrangements fitted to satisfy the interests of the two parties, and to make the independence and neutrality of Belgium subservient to the common good of Europe, by reconciling both with the rights of third Powers and with existing Treaties.

4. That such arrangements seem to be liable to nearly insurmountable difficulties, unless the Conference should interpose their good offices; that in conformity with the preliminaries of the 26th of June, a definitive Treaty ought to be ulteriorly negotiated; and that if many Articles of this Treaty might be agreed upon by Holland and Belgium alone, without the concurrence of the five Powers, others require that concurrence, partly because they relate to the general interests of Europe, such as the fixing of the boundaries, and the negotiations proposed relative to the Grand Duchy of Luxemburg; and partly because they call for positive and direct engagements on the part of the Conference of London, such as the guarantee of the territory, the independence and the neutrality of Belgium.

5. That thus the interests of the general peace and an obvious necessity, unite at this juncture in determining the five Powers to pursue the work of conciliation, in which they have been occupied for eight months.

6. That lastly, according to the contents of the dispatch (hereto annexed, B.) from the Baron de Wessenberg, the Conference is warranted in cherishing the hope, that new negotiations, opened under its auspices, between the two parties, will bring on the adjustment of the differences which remained to be removed,—negotiations, the object of which would be, the conclusion of a definitive Treaty, expressly mentioned in the propositions of June 26th; and the want of which seems equally felt in Belgium and in Holland.

Yielding to these considerations, the Plenipotentiaries resolved to urge the two parties, by means of the communications hereunto annexed, (C. D.) to accredit at London, without loss of time, Plenipotentiaries furnished with the powers and instructions necessary to discuss, agree upon, and sign the Treaty in question.

(Signed)

ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 28.

Letter addressed by the Baron Verstolk de Soelen to their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, assembled in Conference at London, dated the Hague, 12th July, 1831.

Excellencies,

THE Baron de Wessenberg has transmitted to me the letter which your Excellencies did me the honour to address to me, dated the 27th June last, and accompanying a new series of propositions drawn up in 18 Articles, which are to form the preliminaries of a Treaty of Peace between Holland and Belgium.

The King, before whom I hastened to lay this communication, having made himself acquainted with it, and having deliberated upon it, as well as upon the considerations submitted to His Majesty by Baron Wessenberg, with all the calmness and reflection which both the importance of the subject and the gravity of the circumstances require, has charged me to make to it the following reply:

The Annex A. of the 12th Protocol, having, since the accession of His Majesty thereto, and with reference to the 11th and 12th Protocols, of which this Annex is the result, become the unalterable basis of the negotiations, the King's first care has necessarily been, to compare with this Annex, the 18 Articles now proposed, in order to form the Preliminaries of a treaty of peace between Holland and Belgium. It results from this comparison, that a very important difference exists between the bases of separation accepted by the King, and the 18 Articles; and that all the changes now proposed in these bases by the Conference, are in favour of Belgium, and to the injury of Holland. A short analysis will suffice to establish these two facts.

The second Article of the Annex A, expressly excludes from the Belgian territory the Grand Duchy of Luxemburg, "which, being possessed by the

Princes of the House of Nassau under a different title, forms, and shall continue to form, a part of the Germanic Confederation." The Articles proposed, by leaving in doubt the rights of the Grand Duke, are silent respecting this exclusion, which interests not only the House of Nassau, but also Holland, whose military position is effectually guaranteed by the support which she derives from the Sovereignty of the House of Nassau in the Grand Duchy of Luxemburg, and which would be weakened by the junction of that Grand Duchy to Belgium.

Again: the five Powers announce in the 3d Article of the proposed Preliminaries, that they will employ their good offices, in order that the *status quo* in the Grand Duchy shall be preserved during the course of the separate negotiation, which the Sovereign of Belgium will open with the King of the Netherlands, and with the Germanick Conederation, upon the subject of the said Grand Duchy. But this *status quo* is, in itself, a real grievance of which His Majesty has for a long time demanded the redress.

With reference to the free communications of the fortress of Luxemburg with Germany, their maintenance being exclusively under the controul of the Germanick Confederation, the King, Grand Duke, would be wanting in his duty towards the said Confederation, were he to acknowledge in this respect any foreign authority.—As the Belgians, besides, have not given their assent to the Annex A., the contents of the 3d Article of the proposed Preliminaries is in opposition to the note addressed on the 7th June, by the Conference, to the Plenipotentiaries of the King, where, it is said, "That the five Powers should not make to the parties interested any proposition for an exchange of the Grand Duchy, until after the adhesion of the Belgians to the bases of separation fixed by the Conference, and already adopted by His Majesty." It is true, that according to the same note—"the arrangements which should have for their object to secure to Belgium the possession of the Grand Duchy of Luxemburg, shall be arrangements made by mutual consent: this possession can be acquired only by means of just compensations: these are, and always will be, the principles of the Powers; they in no way interfere with the determinations of the King: far from invading his rights, they attest their respect for them, and only tend to bring about, if possible, in consideration of such equivalents as His Majesty may think himself justified in accepting, and upon the basis of mutual advantage, arrangements, the only object of which would be to secure the consolidation of peace." It is true also, that such an exchange, if ever there should be a question about it, would be in the exclusive option of the King, and of the Germanick Confederation; a principle loudly announced by the two most powerful States of the Confederation, and by others of its members; but these considerations do not get rid of the fact, that the Articles 2 and 3 of the proposed Preliminaries, contain an important change, unfavourable to His Majesty, of Annex A.

The omission of the 9th Article of the Annex, also appears to have prejudged the question in favour of Belgium. In it was reserved the power of examining, whether it would not be practicable to extend to the neighbouring countries, the benefits of the neutrality guaranteed to Belgium; a reserve which is presumed to apply to the Grand Duchy of Luxemburg, but which, in the proposed preliminary Articles, appears to have been thought superfluous, on account of the supposed union of the Grand Duchy to Belgium.

The Article 4. of the projected Preliminaries is new.—A doubt is raised in it as to the exclusive exercise by the Republic of the United Provinces of the Low Countries in 1790, of Sovereignty in the town of Maestricht. If it were well founded, which it is not possible to admit, that circumstance would prove nothing in favour of Belgium, which does not possess a stronger claim than Holland, even to the ancient Bishopric of Liege.

According to the Article 4. of Annex A., there shall be effected, by the care of the five Powers, such exchanges and arrangements between the two countries, as shall insure to them the reciprocal advantage of an entire contiguity of possessions, and of a free communication between the towns and fortresses comprised within their frontiers.

As Belgium has no detached possessions in the ancient territory of the United

Provinces, this stipulation was visibly in the interest of Holland. The proposed Preliminaries only speak, on the contrary, of amicable exchanges between Holland and Belgium, which might be considered reciprocally convenient. Mention is no longer made in them of an entire contiguity, nor a free communication, nor of the engagement contracted by the five Powers, to effect by their care, arrangements which should secure these advantages to the two countries.

The 6th Article of the proposed Preliminaries is not to be found in Annex A. The reciprocal evacuation of territories, towns, and fortresses, it is said, will take place independently of the arrangements relative to the exchanges. But this evacuation, if it took place before all should be concluded, would deprive Holland of the principal guarantee which she possesses against a country in revolution, for the execution of whatever has been stipulated: This guarantee has been secured to her by the Conference itself, which, according to the Annex A. of the 10th Protocol, has caused to be declared to the Belgian Authorities, that if the Belgian troops should not have retired by the 20th of January into the positions which they occupied on the 21st of November, the citadel of Antwerp would not be evacuated; and it is proved that the Belgian troops had not retired on the 20th of January into the said positions.

According to the 7th Article of the proposed Preliminaries, the participation of Belgium in the navigation of the Rhine, by the internal waters between that river and the Scheldt, are to form the subject of a separate negotiation between the interested parties, to which the five Powers will lend their good offices. It is proper to observe, why this proposition, of which no mention is made in Annex A, is inadmissible. In fact the King, however well disposed to open without delay a negotiation for regulating the free navigation of the Scheldt, according to the terms of the Act of the Congress of Vienna, would not be able to accept in this negotiation the good offices of other Powers, particularly when they are themselves interested parties in the question. This consideration concerns too nearly the dignity of The King, the independence of Holland, and the respect which the Powers bear towards that of all other nations, to be longer dwelt upon.

The canals in Holland are free to all nations; it is the same in Belgium. A special stipulation which should declare the use of the canal from Ghent to Terneuse, and of the Zuid Willemsvaart, common to the inhabitants of the two countries, would consequently be departing from the general principle.

The 8th Article of the proposed Preliminaries passes over in silence the stipulation of the 5th Article of the Annex A, according to which, if any differences should arise between the Commissioners of Boundary, which could not be amicably adjusted, the five Courts would interpose their mediation, and adjust the differences in the manner the most in accordance with the principles laid down. A simple refusal on the part of the Belgian Commissioners of Boundary, would thus suffice to stop all further proceedings.

The 9th Article, although in other respects nearly conformable to the 6th of the Annex A. does not afford the same precision with reference to the exclusion of the Grand Duchy of Luxembourg, which exclusion is omitted in Article 2.

The Articles 12 and 13 are substituted for the nine last Articles of Annex A. relative to the division of the debt. They are quite incomplete, and establish an entirely different basis, and in which it appears that the indemnities and the multiplied sacrifices of Holland have been lost sight of. The Hague is no longer indicated as the place of meeting for the Commissioners of Liquidation, and there is no longer any question of the mediation of the five Courts, in order that if any differences should arise, which could not be amicably adjusted, those differences should be adjusted in the manner the most in conformity with the dispositions agreed upon: an omission which would allow the Belgian Commissioners the power of avoiding any arrangement whatever. According to the 13th Article, the first object of the meeting of the Commissioners of Liquidation would be to fix the share which Belgium would have to pay provisionally, and subject to final settlement, for the service of a portion of the interest of the debts mentioned in the preceding Article. The Article 17, of the Annex A, on the contrary, renders this payment entirely independent of the meeting of the Commissioners

of Liquidation, by deciding that until the labours of the Commissioners shall be finished, Belgium shall be bound to furnish provisionally, subject to final settlement, her share in the payment of the interest, and of the redemption of the debt of the Kingdom of the Netherlands, according to the scale in Articles 10 and 11. This difference appears very essential, because, according to the 13th Article of the proposed Preliminaries, it would be sufficient for Belgium to postpone sending her Commissioners of liquidation, in order to adjourn at the same time the payment of her share of the interest, and of the redemption of the Debt. These objections, so serious already, acquire a greater degree of importance when one refers to the principles which influenced the Conference in regulating the debt of the Kingdom of the Netherlands, principles so clearly expressed in the preamble of the Protocol of the 27th of January. Doubtless, among other considerations which influenced the division of this debt, there were some points which could not but be dependent upon the option of Belgium; and in this respect, Holland had not perceived any invasion of her rights in the term "Proposition," which had been applied in the second part of the bases of separation: still less so, as the 18th Article secured to her in the last resort, and by means of the mediation of the five Courts, the adjustment of the financial differences with Belgium in "the manner most conformable with the arrangements" contained in the Act of Separation. But that which gave to Holland a guarantee beyond the reach of all doubt, and that which specially influenced His Majesty on acceding not only to the fundamental arrangements "as to the limits," but also "to those proposed" for the division of the debt, was the assurance "that the future Sovereign of Belgium" as it is expressed at the end of the 12th Protocol, "was to accept the arrangements recorded in the said Protocol"—that is to say, those relating to the division of the debt.

In the face of these facts, how could the King now be satisfied with a liquidation, which should exclude "that portion of the debt which has only fallen to the charge of Holland in consequence of the union, and the amount of sacrifices made by her to obtain it," and thus to agree to a Treaty, which, far from fulfilling the just expectations of his faithful subjects, would expose their fortunes to an inevitable catastrophe?

The 15th Article assumes a fact, which does not exist in Holland, where no sequestration has been placed upon the property of any person whatever, in consequence of the insurrection in Belgium.

Thus, by accepting this new proposition, we should acknowledge a participation in an injustice committed by the Belgian Government alone. The new Article is moreover defective, and when it is compared with the 14th Article of the Annex, it almost becomes doubtful whether the property and hereditary estates of the House of Orange would not be excluded from the removal of the sequestration.

Your Excellencies will permit me to close this parallel by a general remark which applies to several essential Articles of the proposed preliminaries: it is, that instead of the precision and clearness of the Annex A, vagueness and indistinctness of composition is observable, which is doubly dangerous, when its object is to determine our relations, not with a Government established upon solid foundations, but with a State in revolution, whose neutrality, when once acknowledged, would prevent the possibility of a recourse to arms, in the event of an equitable arrangement being resisted, in which case the five Powers would, in the 17th Article, only reserve to themselves the power of employing their good offices, when called upon by the parties interested, without binding themselves to use them, without explaining whether those good offices would be afforded on the application of one only of the two parties, and without formally declaring, as in the Annex A, that they will interpose their mediation, and will adjust the differences in the manner the most in accordance with the dispositions of the said Annex. Thus the preliminaries, far from affording any result whatever, either for the division of the debt, or for the limits, or for any other object, which it is proposed to adjust, furnish, on the contrary, to Belgium, the means of throwing every thing into doubt by arbitrary interpretation. The discussions to which these preliminaries have already given rise at

Brussels, have but too plainly shewn this truth, and the speech of the person who conducts the foreign affairs of Belgium, shews clearly enough what Holland would have to expect from the accession of His Majesty to the proposed preliminaries. The developments and explanations into which he entered, are the more remarkable, as it was he, who from his position necessarily directed the negotiations and operations of the Belgian Commissioners in London, and ought to be supposed to have best known all their details.

In addition to these reflections concerning the substance of these Articles, one could not but make the remark, that the new form of Preliminaries of a Treaty of Peace, which has been chosen, implies a decision of the question of Sovereignty, a question which had remained untouched in the 12th Protocol and in its Annex A, which treats of separation only. But, supposing even that the King could consent that so important a decision should be placed in the balance of the arrangement between Holland and Belgium, His Majesty could not do so, except in consideration of just equivalents, that is to say, of conditions which justice, the good cause, and the interests of Holland require.

If after these considerations, the proposed Articles have produced upon His Majesty a painful impression, he has not remarked with less regret the direction given to this negotiation.

When the progress of the rebellion had rendered the assistance of the King's Allies necessary, His Majesty demanded their co-operation, on the faith of Treaties, for the purpose of re-establishing legal order. The Conference of London, although assembled for this purpose, instead of seeking to attain it, as they had given reason to hope, did not delay taking an opposite course, by admitting the results of the insurrection. Nevertheless, it loudly proclaimed, that in setting out with the principle of the separation of Holland from Belgium, the rights of the former would be respected and maintained. By its 12th Protocol, it proposed bases, destined to establish the separation of Belgium from Holland. Notwithstanding powerful motives which existed for not admitting these bases, the King accepted them, with the view of restoring to Holland, without delay, that external security, and to guarantee to her the continuance of that internal tranquility, respect to which is expressly imposed upon the Belgians by the 7th Article of the Annex A.

Belgium pursued another course. She continued to bring forward successively, new untenable pretensions, refused the proposed arrangements, and conducted herself towards the Conference, in a manner hitherto unheard of in the annals of diplomacy.

This state of things being prolonged for several months, the King found himself compelled to insist upon the execution of the engagement contracted by the Conference, to oblige Belgium to conform to the proposed bases of separation. The Conference fixed the 1st of June as the latest period for their acceptance by the authorities of Belgium. This term, and the first days of June having passed by without any result, the Conference by a note of the 7th June, informed the Plenipotentiaries of the King, "that according to information received the preceding day, from Brussels, the Belgians had not placed themselves, by the acceptance of the bases of Separation, in the same position towards the five Powers, as that in which the King stood, by his unqualified adherence to those bases; that Lord Ponsonby was definitively recalled; that General Belliard had received from the Government of His Majesty the King of the French the order to leave Brussels at the same time as Lord Ponsonby; and that the Conference had under its consideration the measures which might be required by the engagements contracted towards the King by the five Powers."

Such was the state of affairs on the 7th of June, and the Government of His Majesty continued their preparations, in order to combine their own means with those of the five Powers, to attain the desired end, when they learnt that the Conference, instead of concerting on their side, coercive measures, in the execution of the formal engagements contracted by them towards the King, had determined to adopt an entirely different course, and that, giving way to the refusal of the Belgians to accept the established bases, they were occupied with a new

combination diametrically opposed to the first, eminently prejudicial to the acknowledged rights of Holland, and bearing the impression of the success of the steps taken on the part of the Belgians in London, and of an extreme desire to consent, in their behalf, to all the concessions necessary for securing to them a favourable reception in Belgium.

The 18 Articles, which your Excellencies have done me the honour to address to me, and which are proposed to the two parties as a project of Preliminaries of a Treaty of Peace, have confirmed these reports. The unexpected contents of this paper, have the more deeply affected His Majesty, as it appears by the result, that the Conference have not considered themselves enabled to adopt any one of the various observations put forth by the Netherland Plenipotentiaries. The greater part of these Articles, appear to have resulted from a concert with the persons who exercise authority in Belgium; but without dwelling upon this appearance, it is a fact, that they were simultaneously communicated to Belgium and to Holland, and that the cabinet of the Hague was not previously consulted upon their contents, as His Majesty had a right to expect, in consideration of the position in which he had placed himself towards the Conference, by accepting the bases of separation, of the primary object which had produced the union of the Plenipotentiaries of the Powers and of the King, and of what a legitimate Sovereign, relying upon justice and upon Treaties, has a right to expect, when it is a question of supporting him and his faithful people, against the usurpation of a revolt.

However difficult, moreover, may be the crisis in which a concurrence of fatal circumstances has involved Europe, and more particularly Holland, the efforts of the King, calm in the middle of the general agitation, will continue to be directed to allay the storm, by uniting moderation to firmness. As has happened to the most powerful Sovereigns, he may have to yield to necessity, in abandoning to their fate, those of his subjects who have withdrawn themselves from his authority, but never will he sacrifice to them the rights of Holland. And a careful examination having convinced him, that the preliminary Articles, would give up to the mercy of the insurrection, the dearest interests of the country, he cannot accept them, and is compelled again to demand from the five Powers, as I have now the honour to do in his name, the execution of the mutual engagements which the Powers and the King have contracted with each other,—the former by the Protocols 11 and 12, and His Majesty, by his accession to the bases of separation, which the Conference itself, in its 19th Protocol, have declared to be “irrevocable.”

Since the commencement of the insurrection in Belgium, the King has not ceased to give proofs, how deeply he had at heart to contribute to the maintenance of the general peace; but His Majesty cannot admit the principle, that it ought to be purchased at the price of the honour and well being of Holland alone; a principle opposed, at once to the sentiment of his just right and of his dignity, and to the interest even of the general peace, which far from gaining in solidity, could not help being seriously compromised, by the sacrifice of a people submissive to the laws, and faithful to its institutions, to a population which has broken its social ties, and which does not respect the rights of others. The King relies too much upon the friendship and enlightened policy of the Allies, not to hope that they will share the same sentiments. It would be superfluous to observe, that the maintenance of the Peace of Europe does not depend alone upon the co-operation of Belgium, and that therefore nothing would be gained for that peace by transferring the question of resistance from Brussels to the Hague; and that the necessity to which the King might see himself reduced, to endeavour to obtain by force of arms from the Belgians equitable conditions of separation, would precisely bring on the crisis, which the wise and philanthropic views of the five Powers are seeking to prevent.

As to the choice of a Sovereign for Belgium, the King refers to the declaration of the five Courts in the 12th and 19th Protocols, that in their opinion the Sovereign of that country ought necessarily to conform to the principles of the existence of the country itself; to ensure by his personal position the safety of the neighbouring States; to accept for this purpose, without any restriction, the

arrangements recorded in the Protocols 11 and 12, and be in a situation to secure to the Belgians the peaceable enjoyment of them.

According to this declaration, which has become an engagement towards the King, by his acceptance of the bases of separation recorded in the 12th Protocol, His Majesty, in case a Prince called to the Sovereignty of Belgium, should accept that Sovereignty, and should take possession of it without having previously accepted the said arrangements, could not but consider this Prince as placed, by that act alone, in a hostile attitude towards him, and as his enemy.

I request your Excellencies to accept, &c.
(Signed) VERSTOLK DE SOELEN.

Annex B. to Protocol No. 26.

Letter addressed by the Baron de Wessenberg to Viscount Palmerston.

My Lord, *The Hague, July 17, 1831.*

I have the honour to transmit to your Lordship the answer of Baron Verstolk to the Note of the Conference of the 27th of June, which I announced in my last Dispatch of the 15th to have been forwarded to me by that Minister. I shall confine myself to adding, that in the long interviews which I have again had this morning with His Majesty and his Minister, I have imbibed the conviction, that notwithstanding the refusal to admit our last propositions as Preliminaries, they are sincerely disposed to negotiate for a definitive Treaty, and to send to this effect full Powers to their Plenipotentiaries in London, as soon as the invitation for such a negotiation shall be addressed to the Government of the King on the part of the Conference.

I have &c.
(Signed) J. WESSENBERG.

Annex C. to Protocol No. 28.

Letter addressed by the Conference to Baron Verstolk de Soelen at the Hague.

Monsieur le Baron, *Foreign Office, July 25th, 1832.*

WE have had the honour to receive the communication which your Excellency addressed to us under date of the 12th July, through Baron Wessenberg; and we have maturely weighed the observations which it contains.

Having reason to hope, that notwithstanding the declarations contained in the note of your Excellency, new negotiations, leading to the conclusion of a definitive Treaty under the auspices of the five Powers, might bring about an agreement highly desirable for the general peace, and of a nature to satisfy the rights and interests of His Majesty the King of the Netherlands, the Conference requests you, Monsieur le Baron, to have the goodness to propose to your august Sovereign, to furnish his Plenipotentiaries in London, with the necessary powers and instructions in order to discuss, to agree upon, and to sign the Treaty in question.

We flatter ourselves, after the sentiments and wishes expressed in the communication of your Excellency, dated the 12th of this month, that the King, always a friend to peace, will not reject this means of assuring the benefit of it to his people and to Europe.

The hope which is afforded us, in this respect, by the favourable dispositions of His Majesty, is so much the more in unison with the hopes of the five Courts, since, as guarantees for the suspension of arms which has taken place since the month of November, they are bound by solemn engagements, which subsist in all their force, to prevent the resumption of hostilities.

(Signed) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

*Annex D. to Protocol No. 28.**Note addressed by the Conference to the Government of Belgium.**Foreign Office, July 25, 1831.*

THE Netherland Government has not adhered to the 18 Articles forming the propositions of the Conference of London, dated the 26th June.

Notwithstanding this circumstance, the Conference has grounds for hoping that if, according to the terms of the 18th Article of the propositions above-mentioned, Belgian Plenipotentiaries should repair to London, furnished with the necessary powers and instructions to conclude the Treaty, of which mention is made in the said Article, the difficulties which yet remain, could be adjusted.

Guarantees for the suspension of arms established between the two countries since the month of November; bound to prevent any resumption of hostilities; lastly, directly interested in the negotiations above adverted to, by the guarantee which the five Powers are to grant to Belgium of her territory, her independence, and her neutrality, the Conference does not doubt that its request will be favourably received by the Belgian Government.

(Signed) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 29.

PROTOCOL of a Conference held at the Foreign Office, on the 4th of August, 1831.

Present:

*The Plenipotentiaries of
Austria;
France;
Great Britain;
Prussia; and
Russia.*

THE Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, having assembled, proceeded to the consideration of the annexed letter (A.) addressed to them by the Minister for Foreign Affairs of His Majesty the King of the Netherlands, in answer to that which they had addressed to him on the 25th of July last.

After this letter had been read, the Plenipotentiaries judged it necessary to request the attendance of the Plenipotentiaries of the King of the Netherlands at the Conference, and to invite them to declare whether they were informed of the military operations which the Government of His Majesty the King of the Netherlands had ordered to be executed, and whether they were authorized to give explanations with respect to the renewal of hostilities which was to have taken place on the 2d of the current month.

The Plenipotentiaries of the Netherlands replied, that they were not authorized to add any explanation to those which were offered in the above-mentioned letter from the Baron Verstolk de Soelen to the Plenipotentiaries of the five Courts.

They at the same time presented a copy of the full powers which authorize them to enter immediately into negotiation with the Conference touching the conclusion of a Treaty of separation between Holland and Belgium. These powers were annexed, and placed among the Acts of the Conference. (B.)

The Netherland Plenipotentiaries having withdrawn, those of the five Courts proceeded to the consideration of the answer given by the Belgian Government

to their note of the 25th of July last, and in like manner agreed to place amongst the Acts of the Conference this answer, which is here annexed. (C.)

(Signed)

ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN.

Annex A. to Protocol No. 29.

Letter addressed to the Conference by the Baron Verstolk de Soelen, dated the Hague, Aug. 1st, 1831.

Excellencies,

I HAVE had the honor of receiving the letter which your Excellencies addressed to me on the 25th of July last, in which you express a hope that, notwithstanding the declarations contained in my communication of the 12th of the same month, fresh negotiations, having for their object the conclusion of a definitive Treaty under the auspices of the five Courts, might bring about an agreement. Your Excellencies were pleased to express a wish at the same time that I should propose to the King to furnish His Plenipotentiaries at London with the powers and instructions necessary, for the purpose of discussing, of agreeing to, and of signing the Treaty in question.

His Majesty, who has given unceasing proofs of his sincere desire of joining in an arrangement, and of thus securing, as far as lies in his power, the benefits of peace to his people, and to Europe, being still animated by the same sentiments, has in consequence, commanded me to furnish his Plenipotentiaries at London, with the powers and instructions necessary for the discussion, settlement, and signature with your Excellencies yourselves, of a definitive Treaty, designed to regulate the separation of Holland from Belgium, in accordance with the principles set forth in my communication of the 12th July, and agreed upon between the five Powers and His Majesty.

Conformably with the intentions of the King, I am enabled to add, that His Majesty is determined to support the negotiation by his military resources, a determination which has been doubly called for since the last events which have just occurred in Belgium, where we have seen a Prince assume the Sovereignty, without having previously fulfilled the conditions stipulated by the Conference, in its 12th and 19th Protocols, and swear without reserve to a constitution, derogating from the territorial rights of His Majesty and of Holland.

As the intention of concluding an armistice has not been realised, there now exists only a cessation of hostilities. As early as in their note of the 21st of May, the Plenipotentiaries of the Netherlands announced that His Majesty could not subject his dominions to an indefinite prolongation of a provisional state, and that, dating from the 1st of June, he should consider himself at liberty, either to co-operate in the measures which the Powers should adopt for realising the separation in conformity with Annex A. of the 12th Protocol, or to act for himself, and in the manner which circumstances might appear to him to require, always, however, with the one and only object of arriving at that order of things which the Act of Separation had recognised as just and fitting.

On the 5th June, the Plenipotentiaries of the Netherlands thought it their duty to inquire what result had been obtained, in order that from the report which they should hasten to make to The King, His Majesty might be able to consider what measures were called for by the actual state of things, with a twofold regard to his own dignity and to the security of Holland. By an answer of the 7th June, the Conference were pleased to inform them that it was occupied with the measures which might be called for by the engagements contracted with the King by the five Powers. Finally, by their note of June 22d, his Plenipotentiaries announced anew, that the King, firmly resolved to sacrifice none of the rights which he had secured to himself by his adhesion, intended to persist in

the reservation, with which the Conference were already acquainted, with respect to his co-operation in the measures which it might judge fit to adopt ; and that when the wish of the Conference, that His Majesty would for the time abstain from availing himself of the reservation, had been expressed through the medium of the Representatives of the five Courts at the Hague, a favourable answer, indeed, was returned, but His Majesty's Plenipotentiaries were now directed to declare that that answer rested upon the supposition that the Conference, on its part, would lose no time in resolving on the means of executing the Annex A of the Protocol 12 ; and that if the event belied this supposition, the King could have no alternative but to have recourse to his own resources, and to put an end to compliances which would be no longer compatible with the external and internal security of the State, or with the interests of his faithful subjects, which are already so seriously compromised, and whose total ruin would be the result of the prolongation of the present crisis. The above-mentioned proceedings of the Representatives of the five Courts at the Hague, evidently prove the entire conviction of the Conference of London, at that period, as to the right of the King to re-commence hostilities.

Since the date of the diplomatic documents which I have taken the liberty to cite, fresh motives have confirmed the resolutions already expressed on the part of His Majesty ; but whatever may be the results, they will in no wise impair those wishes on the part of His Majesty for a successful issue, which will not cease to accompany the efforts of your Excellencies, and those of his own Plenipotentiaries, the object of which is to come to an agreement designed to regulate the separation in a manner conformable with the acknowledged rights of His Majesty and of Holland.

I take this opportunity of begging Your Excellencies will be pleased to accept the renewed assurances of my highest consideration,

(Signed) VERSTOLK DE SOELEN.

Annex B to Protocol, No. 29.

William, by the grace of God, King of the Netherlands, Prince of Orange Nassau, Grand Duke of Luxembourg, &c. &c. &c.

The Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, assembled in Conference at London, having expressed to our Minister for Foreign Affairs their hope that, notwithstanding the declarations contained in the communication addressed on our part to the Conference on the 12th of July last, fresh negotiations, tending to the conclusion of a definitive Treaty relative to Belgium, under the auspices of the five Courts, might bring about a settlement particularly desirable for the general peace, and calculated to satisfy our rights and interests ; and having requested our aforesaid Minister to propose to us to furnish our Plenipotentiaries at London with the necessary powers and instructions, in order to discuss, settle, and sign the Treaty in question, We, wishing to give a fresh proof of our desire of coming to some definitive arrangement with respect to Belgium, have given, and do give, by these presents, our full powers to the Sieurs Anton Reinhard Falck, Grand Cross of the Order of the Netherlands Lion, our Ambassador Extraordinary and Plenipotentiary to His Majesty the King of Great Britain and Ireland ; and Hugues, Baron de Zuylen de Nyevelt, Commander of the aforesaid Order, our Chamberlain, Member of the Equestrian Order of the Province of Holland, and our Ambassador at the Sublime Porte, in order to discuss, settle, and sign a Treaty of Separation between Holland and Belgium, with the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, assembled in Conference at London, alike furnished with full powers in good and due form. Reserving to ourselves to approve and to ratify that which our said Plenipotentiaries shall have agreed upon, or that which they shall have negotiated in virtue of the present full powers, conformably with the instruc-

tions which We have given them. In witness whereof, We have signed these presents with our own hand, and have caused our Royal Seal to be affixed thereto.

Done at the Hague, this first of August, in the year one thousand eight hundred thirty and one, and of our Reign the eighteenth.

(Signed) WILLIAM.

By the King,

The Minister for Foreign Affairs,

(Signed)

VERSTOLK DE SOELEN.

Annex C. to Protocol No. 29.

Letter addressed to Lord Palmerston by M. de Meulenaere, transmitting a Letter to the Conference.

My Lord,

Brussels, July 28, 1831.

I HAVE the honour of transmitting to your Excellency the answer which I have been commanded to make, in pursuance of the orders of His Majesty the King of the Belgians, and of the advice of the Council of Ministers, to the note dated July 25th, and signed by the Ministers Plenipotentiary of Austria, France, Great Britain, Prussia, and Russia.

It is the firm resolution of the Belgian Government, not to depart from the position in which it has been placed at the demand of the Conference itself.

The difficulties of detail which seem to arrest Holland, will be easily removed, when the two parties, by a reciprocal adoption of the preliminaries, shall have agreed upon starting points common to both; these very difficulties would give rise to interminable discussions, were they raised whilst one party only was under an engagement. As soon as the Dutch Government shall have placed itself in the same position as the Belgian Government, the latter will appoint Commissioners of demarcation and liquidation.

Accept my Lord, the expression of the high consideration with which I have the honour to be, &c.

The Minister for Foreign Affairs,

(Signed)

DE MEULENAERE.

(Inclosure.)

Note addressed to the Conference by M. de Meulenaere, dated Brussels, 28th July, 1831.

THE undersigned, Minister for Foreign Affairs of Belgium, as in duty bound, submitted to His Majesty the King of the Belgians, and to his Council, the note dated the 25th July, 1831, which His Excellency Lord Palmerston did him the honour of addressing to him, on the part of the Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia; and he has been commanded to make the following answer.

The National Congress of Belgium has, by its decree of the 9th July, without any condition, exception, or reserve, adopted the eighteen Articles which the Conference had proposed as preliminaries of peace. This decree, which the five Powers promoted, contains all the conditions of the political existence of the country; it is the fundamental law of the State in all that concerns its external relations.

Such is the position in which the Government of the King has been placed by the Congress with the consent of the Conference.

The Government of the King could not abandon this position, without placing itself in direct contradiction with the very law of its institution, and without exposing itself to be disavowed by the Congress, or by the Chambers.

The 18th Article of the preliminaries of peace declares that "*these Articles, reciprocally adopted, shall be converted into a definitive Treaty.*" The question therefore of the definitive Treaty cannot be entered upon till after the reciprocal adoption of the eighteen articles; and, in the existing state of things, the send-

ing Plenipotentiaries accredited to the Conference would be without an object. They might be sent, if, as is provided by the 17th Article, the parties, after the mutual adoption of the propositions, called for the good offices which the five Powers had reserved to themselves the power of rendering.

The difficulties which may arise are confined to the details of execution, and will be removed easily so soon as the Dutch Government shall have placed itself, by an unreserved and unconditional acceptance of the preliminaries, in the same position with the Belgian Government, who will hasten to appoint the Commissioners of demarcation, in conformity with Articles 8 and 13.

The Congress, in adopting the proposition of the Conference, was desirous to give to Europe a pledge of its desire to avoid compromising the general peace by the resumption of hostilities. The Government of the King will continue to enforce strictly the suspension of arms, without however resigning the inalienable right of repulsing an unexpected aggression: it will give the example of fidelity to engagements, fully resolved not to depart, in any case, from the system which has been traced out for it.

The Undersigned requests their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, to accept the expression of his high consideration.

(Signed) MEULENAERE.

No. 30.

PROTOCOL of a Conference held at the Foreign Office, on the 5th of August, 1831.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts having assembled, took into consideration the documents annexed to their Protocol of yesterday; and after having examined them, resolved to address the annexed (A B) communications to the Government of His Majesty the King of the Netherlands, and to the Belgian Government.

(Signed) ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 30.

Letter addressed by the Conference to the Baron Verstolk de Soelen, dated London, August 5th. 1831.

Monsieur le Baron,

BY the letter which your Excellency did us the honour to address to us on the 1st of August, you are pleased to inform us that it is in the contemplation of the King, your august Master, to support by military measures the negotiations which his Plenipotentiaries are commissioned to open at London.

We should have thought that these measures would have been confined to the interior of the Dutch territory, had we not learnt from common report that they have been extended beyond its frontiers, that hostilities against the Belgians have been recommenced in pursuance of the orders of the King, and that the armistice which had been established at Antwerp had just been declared at an end.

Although we have been unable to obtain from the Netherland Plenipotentiaries any explanation of these proceedings, we cannot yet bring ourselves to believe that the King, at the very moment when he caused us to be informed of his intention to negotiate a definitive treaty of peace, could have come to the resolution of rekindling the war, and of occasioning the destruction of a commercial town,—an event lamentable in itself—and which, from the feelings of hatred and vengeance which it would create, might render it almost impossible to conclude this peace so desired by His Majesty and by Holland.

Your Excellency is acquainted with the motives of general interest which induced the five Powers to establish since November last, a suspension of arms between Holland and Belgium. He is aware of the engagements existing between the five Courts on this point, and which were mentioned in express terms in the letter which we had the honour, M. le Baron, of addressing to you on the 25th of July last; these motives and these engagements are the same at present. The peace of Europe is dependent on them. We trust that it will be sufficient to recall them here to your recollection, and that your Excellency will not fail to obtain from the King the necessary orders, for the immediate and total cessation of hostilities, for the retirement of His Majesty's troops within the frontiers of his territory, and that Antwerp may be no longer exposed to a catastrophe which could never be sufficiently regretted.

These demands, founded on our own engagements, and on the wants of the whole of Europe, will no doubt be favorably received by His Majesty.

We would willingly believe so, and we entreat your Excellency will honor us with a prompt and satisfactory answer.

We have not failed to call upon the Belgians to discontinue the hostilities they may have resumed in consequence of the movements made by the King's troops.

Accept, M. le Baron, &c.
(Signé)

ESTERHAZY. WESSEMBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex B. to Protocol No. 30.

Letter addressed by the Conference to the Belgian Government, dated London, August 5th, 1831.

THE Conference has hastened to take the necessary steps for obtaining the immediate cessation of the hostilities which have been resumed, as well on the frontiers of Holland and of Belgium, as in the town of Antwerp.

It has called to mind the engagements entered into by the five Powers since the month of November, with respect to a suspension of arms; and it is by virtue of these very engagements that, after having demanded of the Netherland Government the immediate withdrawal of their troops within the frontiers of their own territory, and the abstinence from all hostility whatever against the Belgians, the Conference demands equally of the Government of Belgium the immediate cessation of the hostilities they may have renewed, and the retirement of their troops within the frontiers of the Belgian territory, should they have passed them.

The Conference, notwithstanding the answer which they have received from the Belgian Government, dated the 28th of July, must persist in urging their request, that Belgian Plenipotentiaries be immediately dispatched to London, according to the terms of their note of the 25th of July last; they look upon this measure as indispensable towards the conclusion of a definitive Treaty which the political existence of Belgium requires.

(Signed)

ESTERHAZY. WESSEMBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

PROTOCOL of a Conference held at the Foreign Office, on the 6th of August, 1831.

Present :

The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.

THE Conference was opened by the Plenipotentiary of His Britannic Majesty, who made the following declaration to the Plenipotentiaries of the four other Courts.

That, from the moment the Government of His Britannic Majesty had received intelligence of the renewal of hostilities between Holland and Belgium, it had sent orders for a division of His Majesty's fleet to assemble immediately in the Downs, where it would be near enough to assist in such measures as might become necessary for the re-establishment of the armistice which the five Powers have engaged to maintain between Holland and Belgium, and that, since these orders had been dispatched, the new Sovereign of Belgium had called upon the five Powers for assistance, and specially upon Great Britain for a naval force.

The Plenipotentiary of His Majesty the King of the French declared, that the Sovereign of Belgium had just demanded of France her armed intervention, in consequence of the renewal of hostilities between Holland and Belgium ; that he had also added that there was the most urgent necessity for the assistance of the French Government, and that there was not a moment to lose if it was wished to prevent a general conflagration. As the danger was so imminent, the King of the French had decided upon the immediate formation of an army which should march to succour the Belgians, and to drive back the Dutch troops within their own territory.

The Plenipotentiaries of the four Courts having then communicated to the Plenipotentiary of France, the declarations which the French Government had made upon the same subject to the Representatives of the four Courts at Paris, the Plenipotentiary of France referred to those declarations, and announced that as soon as ever the object to which those declarations tended should be attained, the French army would return to the *Departement du Nord*.

When they had heard these declarations, the Conference were of opinion that, on the one hand, France, in coming to the determination which she had adopted, had not had time to comply with the obligation which she wished to fulfil, of concerting measures with her allies ; but that, on the other hand, she manifested her determination only to have recourse to these measures for the execution of the engagements entered into by the five Powers, with respect to the maintenance of the armistice between Holland and Belgium.

Consequently, the Plenipotentiaries of the five Courts regarded the entrance of the French troops into Belgium, as having taken place, not with any object personal to France, but with that object to which the deliberations of the Conference are directed, and it remained understood, that the extent to be given to the operations of these troops, and the duration of their stay in Belgium, should be fixed by common agreement between the five Courts at the Conference of London.

It was also understood, that in the case of the necessity arising for the co-operation of the English fleet, this fleet should act only for the fulfilment of the same objects, and in conformity to the same principles.

Moreover, it was agreed upon, that the French troops should not cross the ancient frontiers of Holland ; that their operations should be confined to the left bank of the Meuse ; that under no contingency should they invest the town of Maestricht, or that of Venloo, because, in that case, the war would be brought too near the frontiers of Prussia and of Germany, and might give rise to serious complications, which the Powers seek to avoid ; in fine that, in

conformity with the declarations made by the French Government to the representatives of the four Courts at Paris, the French troops should retire within the limits of France, as soon as the armistice shall have been re-established, as it existed before the renewal of hostilities.

Finally, the Conference came to the conclusion, that the late events bound it still more strongly than before, to endeavour to hasten the arrangement of a definitive Treaty, calculated to put an end to all disputes between Holland and Belgium, and indispensable to the general peace.

(Signed) ESTERHAZY. WESSENERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 32.

Protocol of a Conference held at the Foreign Office, on the 12th of August, 1831.

Present,

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts having assembled in Conference, proceeded to read the annexed letter from the Baron Verstolk de Soelen, (A) being an answer to the one they had addressed to that minister, on the 5th of the present month, on the subject of the hostilities which had just been renewed between Holland and Belgium.

The Plenipotentiaries of the five Courts took into consideration moreover, a communication which they had received from the Plenipotentiaries of His Majesty the King of the Netherlands.

Considering that it follows from this communication, and from the information received direct from Holland and from Belgium, that the order for the cessation of hostilities, and for a retirement behind the line of the armistice, must have been dispatched to the troops of His Majesty the King of the Netherlands, and that the case in which the cessation of hostilities and this retreat were to take place must have occurred, the Plenipotentiaries resolved to take act of the communication of the Plenipotentiaries of the King of the Netherlands, by annexing it to the present Protocol, (B), and reserved to themselves the adoption, according to circumstances, of such further determinations as might be necessary on their part.

(Signed) WESSENERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol, No. 32.

*Letter addressed to the Conference by the Baron Verstolk de Soelen, dated
London, August 8, 1831.*

Excellencies,

I HAVE had the honour of receiving your Excellencies' Letter of the 5th of this month, in which you are pleased to inform me that the Conference of London had understood the support of the negotiations by military measures,

mentioned in my letter of the 1st of August, as relating to measures to be adopted in the interior of the territory of Holland.

I take the liberty to observe, that the wording of that part of my letter above alluded to had appeared here to be explicit. The King, I had the honour to state, had determined to support the negotiations by his military resources,—a determination doubly called for since the events which had lately occurred in Belgium.

It was thought that these expressions distinctly explained that a new determination was in question, and not the maintenance of the passive attitude of the last nine months; an attitude to which the observation that it had been doubly called for since the late events, was totally inapplicable; as was the declaration contained in the last part of my letter, of which the object was to put in evidence the reservation made by the King, at different periods of the negotiation, of his right to recommence hostilities. I took the liberty to add, that whatever might be the result of these resolutions of His Majesty, they would in no respect impair his wishes for a successful issue to the negotiation.

Moreover, I thought it my duty, on the very morning of the departure of the Baron de Zuylen de Nyevelt, as well as on that evening, and on the next day, to give the Representatives of the five Courts at the Hague every explanation which they were pleased to demand.

With respect to the town of Antwerp, I am happy to have it in my power to confirm the belief of your Excellencies, that the King has in no wise come to the determination of occasioning the destruction of that commercial town.—a determination which would be incompatible both with the elevated sentiments of His Majesty, and the wishes which he constantly forms for the happiness of Belgium. The object of the *sortie* made the other day by the garrison of the citadel of Antwerp was, not to injure the houses, but to spike the cannon mounted against the citadel, proofs as they were of the abuse of the suspension of hostilities. The direction of the military operations being, moreover, confided to the Prince of Orange, the adoption of those measures which may concern the town of Antwerp, will depend upon His Royal Highness, who will, undoubtedly, in every case follow as far as possible, his natural inclination to spare the peaceable inhabitants, and their property.

May I venture to entreat your Excellencies to rest assured that the present movement of the Royal army, far from being prompted by motives either of policy or of revenge, are to be regarded merely as measures of coercion, such as the Conference had themselves manifested their intention of adopting towards Belgium, in case of the non-acceptance of Annex A. of Protocol No. 12, and such as the King had, on his side, reserved to himself the right of employing. Solely destined as these movements are, to support a negotiation for which the Plenipotentiaries of His Majesty have been furnished with most extensive instructions and powers, and which has been favoured by the friendly co-operation of your Excellencies; having, moreover, for their object interests purely domestic with reference to Holland and to Belgium, they should be considered as perfectly distinct from that portion of the Belgian question which has been considered of general interest to Europe, and for which the King has made the sacrifice of a separation between Holland and Belgium. The conclusion of the definitive Treaty, which His Majesty trusts will shortly be achieved, will put an immediate stop to the military operations; but at a time when there is a question of saving and assuring the existence of Holland, by means of an equitable Treaty of separation, His Majesty, as a Constitutional Monarch, reigning over a free people, can take no step that is not in unison with the public spirit of the whole nation, and sanctioned by the unanimous wishes of the two chambers of the national representatives.

I beg your Excellencies, &c.

(Signed) VERSTOLK DE SOELEN.

Annex B. to Protocol No. 32.

Note addressed to Lord Palmerston by the Plenipotentiaries of the Netherlands, dated London, 12th August, 1831.

My Lord,

YOUR Excellency is already aware that, independently of the representations addressed by the Conference to the Cabinet of the Hague, dated on the 5th of this month, this Cabinet have received a separate communication from the French Government.

We have just received a copy of the dispatch which the Minister for Foreign Affairs of the King in consequence addressed to General Fagel, His Majesty's Minister at Paris, and we hasten to transmit it to you, with the request that you will communicate it to the Conference. The last paragraph of this dispatch makes the retreat of our army depend on an event, which the most recent intelligence mentions as having already occurred.

Accept, &c.

(Signed)

FALCK.

H. DE ZUYLEN DE NYEVELT.

Letter addressed by the Baron Verstolk de Soelen to Baron Fagel, dated the Hague, August 9, 1831.

Monsieur le General,

A FRENCH Courier who arrived at the Hague by way of Aix la Chapelle, yesterday about half-past three, brought me your Excellency's letter of the 4th August, No. 132. Shortly afterwards, the Count de la Rochefoucauld, Chargé d'Affaires of France, called on me, and gave me a letter to read, which Count Sebastiani had addressed to him, under the same date.

Our Sovereign, it stated, had given notice of the termination of the armistice, and had begun hostilities. By so doing, he violated the independence and the neutrality of Belgium, which had been acknowledged by the Great Powers of Europe. In this state of affairs, the King of the Belgians had requested the support of the King of the French. It should be afforded, should he need it, to repulse an unjust aggression. M. de la Rochefoucauld would declare to me, that if the Dutch army did not immediately retreat within the line of armistice, it would have to fight a French army. If the King rejected the counsels of a friendly Sovereign, the Count de la Rochefoucauld was to quit the Hague, after having communicated this despatch to the British, Austrian, Prussian, and Russian Ministers.

This dispatch was written before my letter of the 2d August, addressed to your Excellency, by a courier sent by the French Chargé d'Affaires, through London to Paris, could have reached the latter capital. You probably received it a few hours afterwards. You doubtless hastened to submit it to the perusal of the Minister for Foreign Affairs of France. The said letter will have clearly shown that the King, by marching his troops into Belgium, violated neither the independence nor the neutrality of that country; and we can only regret that this march has been interpreted at Paris, according to a version transmitted from Brussels, and previous to the receipt of the explanations forwarded from the Hague. We are not aware that the independence of Belgium was acknowledged by the five Powers, before Belgium had accepted the conditions of separation fixed by them, and it will not admit of a doubt that the march of the Dutch army, far from compromising or having any relation to the independence or the neutrality of Belgium, has no other object than to realize the measures of coercion announced by the five Powers, in case Belgium did not accept the Annex A. of the 12th Protocol of the Conference of London, in order to enforce the bases of separation of the said Annex, which the Conference had declared unchangeable; and it is impossible to call this march an unjust aggression, without allowing at the same time, that the five Powers have acted unjustly in establishing the bases of separation of the Annex A. of the 12th Protocol, and the principle that, if they should become necessary, measures of coercion would be resorted to enforce their adoption by Belgium.

You will be pleased to submit this dispatch to the perusal of the Minister for Foreign Affairs of France. This perusal will, I venture to hope, convince him, that the march of our troops has not the most distant relation to that part of the Belgian question which has been deemed to affect Europe, but that it concerns exclusively the domestic relations between Holland and Belgium, which affect no other country; that is to say, the definition of the frontiers, the division of the debt, and some other secondary points.

We are satisfied that this explanation will be thought sufficient to make the French Government alter their intention of sending a French army into Belgium. You will declare to the Minister for Foreign Affairs of France, that should they, notwithstanding, persist in this intention, the King never contemplated the employment of his army, which was intended solely as the means of enforcing the adoption by Belgium, of the Annex A. to the 12th Protocol, against one of the five Powers, all of whom he considers as his friends and allies; and that from that time, if a French army should appear in Belgium, the Dutch army would retreat within the limits of its own territory.

The Count de la Rochefoucauld, to whose perusal I have submitted this dispatch, as an answer to his communication to me, has had the goodness to charge his Courier with it, whom he sends by way of Brussels.

I beg your Excellency will inform me of the result produced by its contents, and accept, &c.

(Signed) VERSTOLK DE SOELEN.

No. 33.

PROTOCOL of a Conference held at the Foreign Office, on the 18th of August, 1831.

Present :

The Plenipotentiaries of

Austria ;

France ;

Great Britain ;

Prussia ; and

Russia.

THE Plenipotentiaries of the five Courts having assembled, the Plenipotentiary of France made a communication, importing that the French army which had entered Belgium, has commenced its retreat, and that twenty thousand men had just received orders for their immediate return to France.

It was agreed to take act of this communication, and not having as yet received any official intimation of the retreat of the troops of His Majesty the King of the Netherlands within the Dutch territory, the Conference reserved, in conformity with Protocol No. 31, to a future opportunity, the settlement of the period at which the occupation of Belgium by the French troops, should entirely cease.

(Signed) ESTERHAZY. WESSENERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN,

No. 34.

PROTOCOL of a Conference held at the Foreign Office, on the 23d of August, 1831.

Present :

The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.

THE Plenipotentiaries of the five Courts having assembled, proceeded to the perusal of the annexed note (A), in which the Plenipotentiaries of His Majesty the King of the Netherlands, have informed them officially of the retreat of the troops of the King, within the Dutch territory.

After the communication of this document, the Plenipotentiaries proceeded to consider the best means for preventing a renewal of hostilities between Holland and Belgium ; for procuring the immediate cessation of the measures which have been adopted in consequence of the recent hostilities ; and for arriving at the solution of those questions which still remain to be settled, in order that a durable peace may be concluded between the two countries.

Being of opinion that a fresh suspension of hostilities is indispensable to the realisation of these most important results, but that a limited suspension of hostilities would be more conformable than an indefinite suspension, as well to the actual state of the negotiations, as to the well-founded hope which the Powers now entertain of bringing the final arrangements between Holland and Belgium to a speedy conclusion, and to the necessity of this arrangement for the parties directly interested, and for the preservation of the general peace,—the Plenipotentiaries resolved to propose to the Government of His Majesty the King of the Netherlands, and to the Belgian Government :

“ The establishment of a suspension of hostilities for six weeks :—

“ This suspension of hostilities would be placed under the guarantee of the five Powers, and, whichever of the two parties should violate it, would find himself in a state of hostility with the said Powers.

“ During the suspension of hostilities, the troops of the respective armies would remain within the line which separated them before the renewal of hostilities ; they would reciprocally preserve an entire freedom of communication, and would abstain from any act of aggression, and from any measure which would have the effect of doing injury to the adverse party.

“ The five Powers would take advantage of this suspension of hostilities to bring to a conclusion between Holland and Belgium that final arrangement, which is the object of their wishes and of their endeavours.”

(Signed)

ESTERHAZY. WESSENBERG.
 TALLEYRAND.
 PALMERSTON.
 BULOW.
 LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 34.

Note addressed to the Conference by the Plenipotentiaries of His Majesty the King of the Netherlands, dated London, August 23, 1831.

THE Undersigned, Plenipotentiaries of His Majesty the King of the Netherlands, have received from their Government the march route which will have been given by His Royal Highness the Prince of Orange for the purpose of withdrawing the army under His orders within the limits of the Dutch territory. As it results from thence that this movement was completed on the 21st of this month, the Undersigned think it their duty to inform the Conference of the fact by communicating to them the above-mentioned route, and seize this opportunity &c.

(Signed)

FALCK.

H. DE ZUYLEN DE NYEVELT.

TABLE of the March of the French and Dutch Armies, from the 14th to the 21st of August, according to an agreement entered into by the Commanders in Chief of the two armies.

	14	15	16	17	18	19	20	21
1 Division.	St. Sorris.	Diest.	Diest.	Geel.	Turnhout.	Holland.		
2 Division.	Tirlemont.	St. Tron.	Hasselt.	Helchteren.	Helchteren.	Peer.	Hamont.	Holland.
3 Division.	Bautersem.	Tirlemont.	St. Tron.	Hasselt.	Hasselt.	Helchteren.	Hechtel.	Holland.
Division of Maestricht	Tongres.	Tongres.	Tongres.	Maestricht.	<p>The Garrison of Maestricht will enjoy the same free-communication with Holland as existed before the renewal of hostilities: it cannot be increased more than one thousand men beyond its strength at that time, without the consent of the General in Chief of the French Army.</p>			
French Army.								
				Tirlemont.	Tongres.	Tongres.	Bilsen.	
				Looz.				

The *Chef d'Etat Major* of the Dutch Army, charged with the powers of His Royal Highness the Prince of Orange.
 (Signed) **THE BARON DE CONSTANT REBEQUE.**
Lieutenant General.

Approved,
 (Signed) **WILLIAM PRINCE OF ORANGE.**

Approved,
 The Marshal, Commanding in Chief the Army of the North.
 (Signed) **COUNT GERARD.**

The *Chef d'Etat Major* of the French Army, charged with the powers of Marshal Count Gérard, Commanding in Chief the Army of the North.

The *Lieut. General,*
 (Signed) **St. CYR HUGUES.**

No. 35.

Protocol of a Conference held at the Foreign Office, on the 30th of August 1831.

Present :

The Plenipotentiaries of
Austria ;
France ;
Great Britain ,
Prussia ; and
Russia.

THE Plenipotentiaries of the five Courts having assembled, received communication from the Belgian Plenipotentiary of the full powers with which he has been furnished for the negotiation of a definitive treaty between Holland and Belgium, in conformity with the proposition to that effect which had been made by the Conference on the 25th of July and on the 5th of August last.

It was agreed that the annexed certified copy of the above-mentioned full powers should be placed amongst the Acts of the Conference. (A.)

The Plenipotentiaries of the five Courts examined, moreover, the annexed note (B), in which the Plenipotentiaries of His Majesty the King of the Netherlands acquaint them with the adhesion of the King their master to the suspension of hostilities proposed in the Protocol No. 34 of the 23rd of this month.

The Plenipotentiaries likewise examined the annexed note (C), in which the Belgian Government, while they declare their adhesion to the suspension of hostilities, demand, at the same time, an explanation with respect to it from the Conference.

It was resolved that the answers required of the Conference by these two notes should be determined upon at the next meeting.

(Signed) ESTERHAZY. WESSENBERG.
 TALLEYRAND.
 PALMERSTON.
 BULOW.
 LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 35.

Full Powers of the Belgian Plenipotentiary.

LEOPOLD, King of the Belgians, to all those who these present letters shall see, greeting.

Considering the notes of the Conference of London, dated the 28th of July and the 9th of August, 1831 :

Wishing to employ all the means calculated to promote a definitive treaty of peace between Belgium and Holland, and the entire pacification of the two countries, and to contribute to prevent, as far as in Us lies, the occurrence of events which might trouble the peace of Europe :

For these reasons, We, having entire confidence in the capacity, prudence, and fidelity of M. Van de Weyer, our Envoy Extraordinary and Minister Plenipotentiary to His Britannic Majesty, We have appointed him, and by these presents signed by our hand, We do appoint and constitute him our Plenipotentiary, and give him full and absolute power to negotiate, conclude, and sign, with like authority as We should do or might do ourselves, a definitive treaty of peace with Holland, promising, on the faith and word of a King, to accept, to fulfil, and to execute punctually all that our said Plenipotentiary shall have stipulated and signed in our name, in virtue of these present full powers, without ever infringing, or permitting the infringement thereof, directly or indirectly, for any cause or under any pretext whatsoever ; as also to give our letters.

of ratification in good and due form, and to have them delivered to be exchanged at the period which shall be agreed upon.

In witness whereof We have caused our Seal to be affixed to these presents.
Given in our palace at Brussels, the 22nd of August, 1831.

(Signed) LEOPOLD.

By the King,

The Minister for Foreign Affairs,

(Signed) DE MEULENAERE.

A certified copy :

(Signed) SYLVAIN VAN DE WEYER.

Annex B. to Protocol No. 35.

Note addressed to the Conference by the Plenipotentiaries of His Majesty the King of the Netherlands.

London, August 29th, 1831.

THE undersigned Plenipotentiaries of His Majesty the King of the Netherlands, according to their promise to the Conference to that effect, lost no time in communicating the 34th Protocol to their Government.

His Majesty, after having examined the contents of that document, could not but perceive that by tying his hands for a longer or a shorter space of time as to the employment of the means best calculated to induce the Belgians to accede to a definitive separation on just and fitting conditions, he abandoned in part the advantages which late events had given him. Indeed, the rapid success of the army under the command of His Royal Highness the Prince of Orange, must have shaken the hope, by which the enemies of Holland shewed that they were animated, of succeeding to establish, by force of arms, pretensions the most unreasonable, and which even the influence of the Conference had failed in persuading them to abandon. Moreover, the prospect of further defeats would doubtless have acted beneficially on their minds at the moment when the negotiations which have so long remained fruitless are about to be renewed. Nevertheless, as the Plenipotentiaries of the five Courts are of opinion that a fresh suspension of hostilities is indispensable to the realization of the important results which they have in view, the Cabinet of the Hague, confiding fully in the good intentions of their Excellencies, and in the efforts which they will continue to make to bring things to a speedy and equitable conclusion, has determined to sacrifice, in this instance, what it considers as really useful to Holland, to the measure recommended by the Conference for the interest of the cause in general.

In consequence, the undersigned are directed to declare that His Majesty the King of the Netherlands accepts the establishment of a suspension of hostilities for six weeks, proposed by the Plenipotentiaries of the five Powers, which shall begin on Monday the 29th of August at mid-day, and shall expire on Monday October the 10th at mid-day; in order that this suspension of hostilities may be employed by the five Powers in negotiating between them and Holland, the Treaty destined to regulate the separation between Holland and Belgium.

As this declaration (which however will be null and void if the Belgians should not accept, or only give a conditional acceptance) ought to fulfil the wish expressed by the Conference, the undersigned feel assured that the Conference will record it in a fresh Protocol.

They seize this opportunity of renewing to the Plenipotentiaries the assurance of their high consideration.

(Signed)

FALCK.
H. DE ZUYLEN DE NYEVELT

*Annexe C. to Protocol No. 35.**Note addressed by M. Van de Weyer to Viscount Palmerston.**London, 18th August, 1830.*

THE undersigned, Plenipotentiary of His Majesty the King of the Belgians at the Court of His Britannic Majesty, has the honour of laying before Lord Palmerston a note from the Minister for Foreign Affairs of Belgium, in which, in answer to the Protocol No. 34, transmitted to Brussels by the undersigned, that Minister submits to their Excellencies the Plenipotentiaries of the five Powers some considerations on the proposition for substituting for the indefinite suspension of arms between Belgium and Holland, a suspension of arms limited to six weeks.

The undersigned has the honour of requesting that Lord Palmerston will be pleased to enable him to communicate speedily to the Belgian Ministry the explanations given by the Conference of London with reference to the demand addressed to it; and he begs Lord Palmerston to accept the renewed assurance of his highest consideration.

(Signed) SYLVAIN VAN DE WEYER.

*Note addressed to the Conference by the Minister for Foreign Affairs of His Majesty the King of the Belgians.**Brussels, August 27, 1831.*

THE undersigned, Minister for Foreign Affairs of His Majesty the King of the Belgians, has the honour to acknowledge the receipt on the 26th August of Protocol No. 34, of the 23rd of the same month, by which their Excellencies the Plenipotentiaries of the five great Powers, assembled in Conference at London, propose to His Majesty the King of the Netherlands, and to His Majesty the King of the Belgians to substitute a suspension of arms limited to six weeks for the indefinite suspension of arms.

The Belgian Government having maturely considered the Protocol No. 34, is of opinion that some explanation is necessary, on several points which are not provided for in that Protocol, before it can give a definitive answer to the proposition which has been made to it. In consequence, the undersigned is directed to submit the following considerations to their Excellencies,

The circumstances under which a suspension of arms was proposed in November, 1830, by the Conference, and accepted by the Belgian and Dutch Governments, are too well known to make it necessary to recal them here; Holland, by the natural effect of the separation of the two nations, saw her army suddenly disorganized, and in a manner dissolved, Belgium might have continued to profit by this state of things, and might have pushed forward a part of her population beyond her frontiers. On the assurance that her independence was recognized, she yielded to the request of the Conference, and signalized her entrance into the political world by a sacrifice to the general peace.

The Conference have declared in several acts, and especially in the Protocol No. 9, of the 9th of January, 1831, *that the entire and reciprocal cessation of hostilities was placed under the immediate guarantee of the five Powers, and that they would not allow the renewal of them under any supposition*; again lately, this declaration was repeated in the note of the 25th of July, 1831, in which the Conference, after having invited the Belgian Government to send to London, Plenipotentiaries furnished with full powers, repeats *that as guarantees of the suspension of arms established between the two Countries since the month of November, they are bound to prevent any resumption of hostilities.*

Their Excellencies the Plenipotentiaries of the five Courts, by interposing their wise mediation, and by recording in their acts so solemn a declaration, fulfilled their high mission of humanity and conciliation; and had in view not only the putting a stop to the effusion of blood for the time being, but to prevent the renewal of a struggle which might compromise the general peace.

Belgium and Holland subscribed to this declaration; Europe accepted it as a pledge of peace.

The Belgian Government, deeply sensible of the wise line of policy pursued by the Conference, feels justified in believing that the five Powers, by proposing to limit the suspension of arms, do not mean to authorize the renewal at pleasure of hostilities by either party, if the term fixed should expire before fresh negotiations have brought about a definitive arrangement.

Should it be otherwise, the Belgian Government, although adhering to the proposition, must cease to confide in the guarantee of the five Powers which it so lately called for, and must trust to itself alone in case of a renewal of hostilities after the time fixed.

Their Excellencies the Plenipotentiaries will appreciate the conduct of the Belgian Government, which, wishing to be able to continue to fulfil scrupulously the engagements to which it has given its consent, requests explanations as to the extent of the fresh obligations which it is now invited to contract.

The Undersigned begs their Excellencies will accept the expression of his high consideration.

(Signed) DE MEULENAERE.

No. 36.

Protocol of a Conference held at the Foreign Office, on the 30th of August, 1831.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts, having assembled, the Plenipotentiaries of Austria, and Prussia declared that they were enjoined to communicate to the Conference, the annexed copy (A.) of a letter dated the 29th of last month, which the Belgian Minister for Foreign affairs has addressed to the Landgrave of Hesse-Hombourg, military Governor of the fortress of Luxemburg, as well as the translation of a resolution of the Germanic Diet, (B) occasioned by the communication of that document.

As guardian of the territorial integrity of Germany, and consequently of that of each State of the Confederation, the Diet could not but consider as not having been received the declaration by which a Foreign Minister has invaded rights which, so far from abandoning, the Confederation consider as indisputably theirs; which they are resolved to maintain and to have respected; and no modification of which they will permit without their previous consent, and that of the Grand Duke of Luxemburg. On the the other hand, confiding fully in the course adopted by the Conference of London, the Germanic Diet are convinced that they will always receive, from the five Powers therein represented, all the assistance which may be necessary for the maintenance of the rights of the Confederation, of those of the Grand Duke of Luxemburg, and of his Agnates. The Plenipotentiaries of Austria and Prussia, at the same time that they considered that

confidence as fully justified by all the declarations which the Conference have made on the subject of the Grand Duchy of Luxemburg, declarations which recognize most explicitly the rights of the Grand Duke and of the Confederation over the said country, think it their duty however to place on record here the following facts.

1st. That from a just regard to the rights of the Germanic Confederation, the armistice proposed and established between Holland and Belgium was never extended to the Grand Duchy of Luxemburg.

2ndly. That by their 23rd Protocol, dated the 10th May last, the Conference acknowledged the eventual necessity of the measures which the Confederation were then about to take, relative to the Grand Duchy.

3rdly. That this opinion was not essentially altered by the 24th Protocol, in which, under the supposition, which was not realised, that the Belgians would adhere to the act of separation, there was a proposal for the voluntary exchange of Luxemburg, by means of compensation, the utility and justice of which should have been admitted by the Grand Duke and the Confederation.

4thly. In fine, that by the 3rd Article proposed by the Conference in their 26th Protocol of the 26th of last June, they merely promised the good offices of the five Courts for an eventual negotiation, and that so long as that negotiation is not concluded, it is evident that the Belgian Government can have no title to *take possession* of the Grand Duchy of Luxemburg.

The Plenipotentiaries of France, Great Britain, and Russia, observed upon this declaration, that they concurred with the Plenipotentiaries of Austria and Russia in the opinion, that the Conference of London, in all its acts, had scrupulously respected the rights of the King of the Netherlands and of the Germanic Confederation over the Grand Duchy of Luxemburg; that all the negotiations of which mention had been made, with respect to that country, were, as is proved by the Protocols of the Conference, negotiations to be entered upon with the consent of both parties; that the Conference would of course continue to testify the same respect for rights which it had solemnly recognized; but that it was impossible not to perceive that, if in the definitive arrangements to be concluded between Belgium and Holland, it did not deliberate as to the best and most fitting means for introducing into the actual political situation of the Grand Duchy of Luxemburg changes, rendered necessary by those which the position of the kingdom of the Netherlands had itself undergone, there would be good grounds for entertaining fears for its success in bringing the two parties directly interested to an agreement, the urgent necessity of which was daily more felt; and that by thus failing in the object of its assembling, the Conference of London would be unable to secure general tranquillity.

The Plenipotentiaries of France, Great Britain, and Russia, added that they had reason to think that a mode of compensation might be found, with respect to the Grand Duchy of Luxemburg, which His Majesty the King of the Netherlands would accept, and that in consequence of this circumstance, and the weighty considerations which have just been detailed, they could not refrain from inviting the Plenipotentiaries of Austria and Prussia to propose forthwith to the Diet of the Germanic Confederation, to furnish them with the full powers and instructions necessary for treating and determining in the negotiations of London, all questions which shall relate to the Grand Duchy of Luxemburg.

The Plenipotentiaries of Austria and Prussia promised to lay this demand before the Germanic Diet without delay.

(Signed)

ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 36.

Copy of a Letter addressed by the Belgian Minister for Foreign Affairs to the Governor of the Fortress of Luxemburg, dated July 29, 1831.

It is in the discharge of a duty most agreeable to myself, that I transmit to your Serene Highness, in obedience to the commands of His Majesty the King of the Belgians, a copy of a decree in which the Belgian Congress have adopted the preliminaries of peace proposed by their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia and Russia, assembled in Conference at London.

By the adoption of these propositions, the taking possession of the Province of Luxemburg by the Belgian Government has lost its character of hostility. The five great Powers have, by Article III, engaged themselves to lend their good offices to preserve the actual *status quo* in the Grand Duchy during the negotiations proposed to be set on foot, and which will assure to Belgium the peaceable possession of that province.

Your Highness is not ignorant that the Belgian Constitution has respected the relations of Luxemburg with the Germanic Confederation. The preliminaries of peace have abundantly provided that the fortress of Luxemburg shall retain its free communications with Germany. The Belgian Government feels that its honour is concerned in the religious fulfilment of these arrangements, and it will issue the most strict injunctions to that effect.

It will be gratifying to your Highness to take advantage of this opportunity, arising from the alteration which has taken place in the political relations of Belgium, to alleviate the lot of the population of Luxemburg, who, during the fifteen years of your residence among them, have learnt to appreciate your noble character and your feelings of humanity.

Your Highness possesses too much greatness of soul to aggravate, by useless restrictions, and on the eve of definitive arrangements, the situation of those inhabitants of Luxemburg who live in the interior of the fortress, or who have there left their families and property.

Annex B. to Protocol No. 36.

Extract of the Protocol of the 25th Sitting of the German Diet, of 11th of August, 1831.

1. Considering that the Diet has received neither from the King of the Netherlands in his quality of Grand Duke of Luxemburg, nor from the Conference of London, any communication which could justify the demand made by the Belgians to the Governor of the Fortress of Luxemburg, and that, consequently, there exists no reason for enlarging upon the nature of this request, the Governor of the said Fortress has received injunctions that he do not allow himself to be induced to alter in any thing his conduct towards the Belgian authorities and subjects, conduct which is regulated by the directions of the Diet, and which there exists no reason for modifying for the present.

2. The missions of Austria and Prussia are invited to carry, through the medium of their respective Courts, to the knowledge of the Conference of London, both the request of the Belgian Government and the present resolution.

The said missions are invited at the same time to state to the Conference, that although according to the public journals, the good offices of the Conference have been offered both to His Majesty the King of the Netherlands, and to the Belgian Government, for the maintenance of the *status quo* in the Grand Duchy of Luxemburg, which forms a part of the Germanic

Confederation, during the continuance of the negotiations which might be carried on with the Confederation relative to the Grand Duchy, the Diet would gladly be spared the necessity of pronouncing its opinion upon such an offer, seeing that it had been made acquainted with it neither by His Majesty the King of the Netherlands, nor by the Conference of London. In the mean time, the Diet, confiding in the intentions of the Conference, is willing to believe that in the further progress of the negotiations, the rights of the Germanic Confederation, as well as those of the State of Nassau, over the Grand Duchy of Luxemburg, will be strictly recognized, and that no arrangement will be agreed upon by which the relations of the Grand Duchy may suffer, either in substance or in form, any alteration whatever, without the consent of His Majesty the King of the Netherlands, as Grand Duke of Luxemburg, and of the Germanic Confederation.

Frankfort, August 19, 1831.

No. 37.

PROTOCOL of a Conference held at the Foreign Office, on the 31st of August, 1831.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts having assembled, proceeded to examine the replies made by the Dutch and Belgian Governments to the proposal of a further suspension of hostilities between Belgium and Holland.

They found by these replies, that the Dutch Government acceded to the suspension of hostilities, upon the sole condition that the Belgian Government should adhere to it on its part ; and that the Belgian Government, while excusing itself from pronouncing definitively upon this suspension of hostilities, and requesting certain explanations from the Conference, accepted *de facto* the proposition of the five Courts, since, in the event of the desired explanations not appearing satisfactory, it, announced, not its intention to refuse its accession to a suspension of hostilities for six weeks, but the design of organising its means of defence for the period at which the suspension of hostilities should terminate.

In consequence, the Plenipotentiaries, regarding the suspension of hostilities as agreed to on both sides, resolved to address to the Dutch and Belgian Governments, the accompanying communications. (A. B. C.)

(Signed) ESTERHAZY. WESSENBERG
 TALLEYRAND.
 PALMERSTON.
 BULOW.
 LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 37.

Note addressed by the Conference to the Plenipotentiaries of His Majesty the King of the Netherlands.

London, August 30, 1831.

THE undersigned, Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, hasten to inform the Plenipotentiaries of His Majesty the King of the Netherlands, that in consequence of the communications which they have received from the Belgian Government, they consider the suspension of

hostilities proposed by the five Courts, as fully accepted by that Government, and that in consequence, in the terms of the note of the Plenipotentiaries of His Majesty the King of the Netherlands, dated the 29th instant, the suspension of hostilities therein mentioned, is in force, and shall so remain from the 29th of August, until the 10th of October, 1831, under the guarantee of the five Courts, and upon the conditions specified by them.

(Signed) ESTERHAZY. WESSEMBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex B. to Protocol No. 37.

Note addressed by the Conference to the Belgian Government.

London, August 31, 1831.

The undersigned, Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, hasten to inform the Belgian Government, that in consequence of communications which they have received from it, under the date of the 27th of this month, and from the Dutch Government, they look upon the fresh suspension of hostilities proposed by the five Courts as reciprocally accepted and established, and that consequently, this suspension of hostilities is in force, and shall so remain from the 29th of August until the 10th of October, 1831, under the guarantee of the five Courts, and upon the conditions specified by them.

(Signed) ESTERHAZY. WESSEMBERG
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex C. to Protocol No. 37.

Note addressed by the Conference to the Belgian Government.

London, August 31, 1831.

IN reply to the communication which the Conference of London has received from the Belgian Government, dated the 27th of this month, the Conference hastens to lay before it the following explanations.

The motives which had engaged the Conference of London to establish in the month of November last, an indefinite cessation of hostilities, were drawn from the circumstances and the character of the contest which had commenced between the two great divisions of the Kingdom of the Netherlands.

On the one hand, the five Powers represented at the Conference of London, could not admit the exercise of a right of aggrandizement and of conquest which they did not recognize among themselves, and which would compromise the preservation of the general peace; on the other, they had neither had the time nor the means of coming to an understanding with the contending parties as to the new arrangements which might replace those which events had overthrown.

The first of these motives subsists in all its force with the five Powers, and will continue to afford to Belgium, during the suspension of hostilities as well as at its expiration, every necessary security.

The second no longer exists in the same degree. Ten months of negotiations have thrown light on the litigated questions, have reconciled opinions on essential points, and have pointed the way to fresh arrangements which may be in accordance with the reciprocal interests of the two countries, and with the preservation of general peace.

In such a state of things, the Conference could not now have insisted upon an indefinite suspension of hostilities, without appearing to adjourn indefinitely also; the term of the negotiations which the suspension of hostilities was to bring about; whilst, on the contrary, the welfare of Belgium as well as of Holland, and the tranquillity of Europe, demand that these negotiations shall lead as speedily as possible, as they can and ought to do, to a final and mutually advantageous arrangement.

In conclusion, and far from fixing a term to the suspension of hostilities, far from foreseeing a renewal of military operations, it is the intention of the Conference to prevent the resumption of hostile measures between Belgium and Holland, by its efforts to conclude this agreement in the shortest possible time. If a prolongation of the suspension of hostilities agreed upon between the two parties should become indispensable for this object, there would be nothing to prevent its being subsequently negotiated and obtained.

(Signed) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 38.

Protocol of a Conference held at the Foreign Office, on the 1st of September, 1831.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts having assembled, proceeded to consider the information which they had received from the Plenipotentiaries of His Majesty the King of the Netherlands, relative to the inundations effected in the neighbourhood of Antwerp for the purpose of securing to the citadel of that town the freedom of communication to which it was entitled in right of the armistice concluded at Antwerp between the military authorities of the Dutch and Belgians, as well as of the general cessation of hostilities since the month of November, 1830.

The Netherland Plenipotentiaries, when they made this communication to the Conference, apprized it that, as soon as the works and batteries erected by the Belgians on the Scheldt, in contravention of the armistice of Antwerp, and of the general cessation of hostilities, should be razed, the dykes, the cutting of which had occasioned the inundations, would be repaired.

The Plenipotentiaries of the five Courts considering: that if, on the one side, the works and batteries erected upon the Scheldt by the Belgians, constituted an infraction of the special armistice of Antwerp, and of the general cessation of hostilities, resulting from the Protocols of the Conference of London,—on the other, the renewal of hostilities by the troops of His Majesty the King of the Netherlands was not less contrary to the engagements contracted by the Conference in the said Protocols :

That, in such a state of things, it was the duty of the five Courts to remedy as speedily as possible the consequences of the measures which have been pursued by both parties in opposition to the above engagements :

Considering, moreover, that the general cessation of hostilities resulting from the Protocols of the Conference of London, had fully established from the

beginning, under the guarantee of the five Powers, an entire liberty of communication with the points, places, and fortresses occupied by the respective troops :

That this same freedom of communication is, in like manner, established under the guarantee of the five Courts, by the conditions of the fresh suspension of hostilities which has just been reciprocally accepted by the Dutch and by the Belgian Governments :

That, consequently, there can no longer exist any valid reason to fear that the freedom of communication with the citadel of Antwerp will be interrupted by the usual channel of the Scheldt, by means of the works and batteries which the Belgians have erected on it :

Considering, in fine, that the five Powers, having guaranteed the fulfilment of all the conditions of the fresh suspension of hostilities accepted by the two parties, have, by so doing, contracted an obligation towards the Dutch Government to prevent or effectually to repress every act which should violate these conditions by interfering with the freedom of communication, the principle of which they determine :

But that, on the other hand, according to these very conditions, *the two parties must abstain from any measure from which injury might result to the adverse party*, during the entire continuance of the suspension of hostilities ; that the five Courts have likewise guaranteed the fulfilment of this condition ; that the inundations made in the neighbourhood of Antwerp are evidently productive of injury ; and that therefore it is the duty of the five Courts to provide for the immediate cessation and reparation of this injury.

For all these reasons the Plenipotentiaries agreed :

1st. That the Government of His Majesty the King of the Netherlands should be invited in the most pressing terms to put a stop to the inundations in question, and to restore the state of things which existed before the cutting of the dykes.

The Ambassadors and Ministers of the five Courts will represent to the Dutch Government that, notwithstanding the works erected by the Belgians, the freedom of the communications with the citadel of Antwerp is secured, since it is placed, by the reciprocal acceptance of the fresh suspension of hostilities, under the guarantee of the five Courts, which are under an obligation to see that it experiences no interruption or hindrance ; that, consequently, the Dutch Government can have no motive for prolonging a measure, the effect of which is productive of injury in contravention of this Protocol ; that even in time of war humanity suggests the diminution, as far as possible, of the miseries to which war gives rise ; that with much more reason should these evils be avoided when hostilities cease, and when the term of reconciliation may happily be regarded as at hand ; that, in fine, on this occasion, as the pressing solicitations of the Conference are grounded on the faith of the very Protocol to which the Dutch Government have just given their adhesion, the Plenipotentiaries have a right to expect that they shall be speedily and favourably received.

2dly. That at the same time means should be taken to inform the Belgian Government, that in the opinion of the Conference, it is under the double obligation of destroying the works and batteries erected contrary to the special armistice of Antwerp, as well as to the general cessation of hostilities established by the care of the five Courts, and while they continue undemolished, not to use them for the purpose of interrupting the freedom of communication with the citadel of Antwerp by the Scheldt.

3dly. That if inundations have been caused on other points, in consequence of the measures taken by the Dutch troops, they should with the more reason be stopped without the least delay, and that the cessation of those inundations should be demanded by the Ambassadors and Ministers of the five Courts accredited to His Majesty the King of the Netherlands.

(Signed) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Protocol of a Conference held at the Foreign Office, on the 3rd of September, 1831.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts having assembled, agreed to commence the exercise of their mediation between Holland and Belgium, by the invitation to the respective Plenipotentiaries contained in the accompanying note. (A.)

(Signed) ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

*Annex A. to Protocol No. 39.**Note addressed by the Conference to the Dutch and Belgian Plenipotentiaries.**London, September 3, 1831.*

THE undersigned, Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia and Russia, having been made acquainted with the full powers by which the Plenipotentiaries of His Majesty the King of the Netherlands, are [*the Plenipotentiary of Belgium is*] empowered to negotiate, under the mediation of the five Powers, a definitive Treaty of separation between Holland and Belgium, have the honor to invite the Plenipotentiaries of His Majesty the King of the Netherlands [*the Belgian Plenipotentiary*] to communicate to them their sentiments upon the mode of determining in a definitive Treaty the three following points, which principally occasion the difficulties existing between the parties immediately concerned ; viz. :—

- 1st. The settlement of the boundaries of Holland and Belgium.
- 2nd. The arrangements relative to the Grand Duchy of Luxemburg.
- 3rd. The nature of the arrangement to be entered into with regard to the division of the debt.

The undersigned at present only call the attention of the Plenipotentiaries of His Majesty the King of the Netherlands [*the Belgian Plenipotentiary*] to the points above mentioned, because, should they be satisfactorily arranged, there are others, such as the separation of Belgium, her independence, her neutrality, the navigation of the streams and navigable rivers which traverse at the same time the territories of both countries, upon which a definitive agreement might easily be entered into.

(Signed) ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Protocol of a Conference held at the Foreign Office, on the 10th of September, 1831.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia; and
Russia.*

THE Plenipotentiaries of the five Courts having assembled, took into consideration the steps taken by the Government of His Majesty the King of the Netherlands, and by the Belgian Government, for the purpose of reciprocally effecting an exchange of prisoners of war. Invited to interpose their good offices with a view to bring about a mutual adoption of this measure, and eager to acknowledge the pacific dispositions proved by the intentions manifested by the two Governments, the Plenipotentiaries discovered therein a salutary application of the principle upon which they laboured from the very outset to put a stop to hostilities between Holland and Belgium, and to prevent their resumption.

Upon this principle, and in accordance with the views displayed in the accompanying notes (A. B.) of the Dutch and Belgian Plenipotentiaries, the Plenipotentiaries of the five Courts determined :

1. That the Conference of London should invite, without delay, the two parties to effect an exchange of prisoners of war on the following terms:

“ This exchange shall take place immediately in a body.

“ The prisoners sent back on either side shall have liberty to carry away all their own individual property.

“ On either side they shall be escorted to the frontier, and shall be treated with proper attention.

“ The respective military authorities on the frontiers shall mutually agree upon such arrangements as may be necessary with reference to the reception of the prisoners.

2. That the Conference should tender, without delay, the preceding propositions to the acceptance of the Dutch and Belgian Plenipotentiaries.

The Dutch and Belgian Plenipotentiaries having been successively introduced, gave their full and entire adherence to the proposition above laid down, by the two accompanying declarations (C. D.)

The Plenipotentiaries of the five Courts subsequently turned their attention to the difficulties which continued to arise relative to the inundations in the neighbourhood of Antwerp, as also with respect to the batteries constructed upon the Scheldt, and agreed to propose to the two parties to send at once to those places, officers or commissioners, who, under the mediation of Sir R. Adair and General Belliard, should come to an understanding upon the means of simultaneously putting a stop to such inundations, and of destroying the works erected upon the Scheldt.

(Signed)

ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 40.

Note addressed to the Conference by the Plenipotentiaries of His Majesty the King of the Netherlands.

London, September 5, 1831.

THE Undersigned, Plenipotentiaries of His Majesty the King of the Netherlands, have been instructed to inform the Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, that General Belliard and Sir Robert Adair have addressed to His Royal Highness the Prince of Orange a letter, dated August 31, from which it appears that in consequence of the favourable feelings manifested at Brussels, respecting the situation of the Dutch and Belgian prisoners, the proper moment for their respective exchange seems to be arrived. Since, from the first assembling of the Conference, the liberation of the prisoners has occupied a great share of it's attention, and was treated of in the 2d Protocol, and on several occasions since, in consequence of complaints made by the undersigned, the Government of the King of the Netherlands has not thought it necessary to open a separate negotiation on this point anywhere but in London. With the same feeling it has directed the undersigned again to press this subject upon the favourable attention of the Conference, and to entreat it to employ it's good offices in effecting the speedy execution of an arrangement so long called for by the voice of justice and humanity.

The Undersigned, &c. &c.

(Signed.)

FALCK.

H. DE ZUYLEN DE NYEVELT.

Annex B. to Protocol No. 40.

Note addressed to the Conference by the Belgian Plenipotentiary.

THE undersigned, Plenipotentiary of His Majesty the King of the Belgians, has the honor to make known to their Excellencies the Plenipotentiaries of the Five Great Powers assembled in Conference at London, that he has received from his Government, positive instructions which empower him to propose to the Dutch Government, under the mediation of the Conference, a mutual exchange of prisoners of war.

Since the 15th of October, 1830, the provisional Government having learnt that among the Dutch prisoners there were a great number of medical men, ordered them all to be set at liberty, being influenced by the consideration, that on account of the peaceful and benevolent pursuits of those persons, they ought not to be treated either as enemies or as prisoners of war.

The Belgian Government entertains hopes that from a sense of just reciprocity, the Dutch Government will restore to their country such medical men as may be now detained in Holland.

But their Excellencies the Plenipotentiaries of the five Powers, actuated by the sentiment of benevolence and humanity which gave birth to their first mediation, will doubtless participate in the desire of the Belgian Government, and will be of it's opinion that the moment has arrived when this measure, from being partial shall be made general, and shall extend to all prisoners made on either side, whether in the last campaign or previously.

The Undersigned hastens in consequence to transmit to their Excellencies the Plenipotentiaries of the five Courts, the expression of the desire manifested by his Government to see in operation as soon as possible, under the protection of the Conference, such mutual exchange of the prisoners of war.

He seizes, &c.

(Signed)

SYLVAIN VAN DE WEYER.

Annex C. to Protocol No. 40.

Note addressed to the Conference by the Plenipotentiary of His Majesty the King of the Netherlands.

London, September 10, 1831.

THE Undersigned, Plenipotentiary of His Majesty the King of the Netherlands, having taken into consideration the proposition for the exchange of prisoners of war contained in Protocol No. 40 of the Conference of London of the present day of September, hereby declares his entire concurrence in the said proposition in all its parts, in the name of the Government of His Majesty the King of the Netherlands.

(Signed) H. DE ZUYLEN DE NYEVELT.

Annex D. to Protocol No. 40.

Note addressed to the Conference by the Belgian Plenipotentiary.

London, September 10, 1831.

THE Undersigned, Plenipotentiary of His Majesty the King of the Belgians, having taken into consideration the proposition for the exchange of prisoners of war, contained in Protocol No. 40 of the Conference of London of the present day of September, hereby declares his entire concurrence in the said proposition in all its parts, in the name of the Government of His Majesty the King of the Belgians.

(Signed) SYLVAIN VAN DE WEYER,

No. 41.

Protocol of a Conference held at the Foreign Office, on the 15th of September, 1831.

Present:

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiary of France opened the Conference by declaring, that the French Government had, of its own free will, resolved upon withdrawing from Belgium the last remaining division of French troops, which had been left there until the present time solely at the express desire of the actual Sovereign of the country; that the retreat of this corps will commence on the 25th of this month, and that on the 30th Belgium will be entirely evacuated.

In reply to this declaration, the Plenipotentiaries of Austria, Great Britain, Prussia, and Russia, expressed to the Plenipotentiary of France the satisfaction with which they received it. This new demonstration of the generous principles by which the policy of France is guided, and of her love of peace, had been expected by her Allies with entire confidence, and the Plenipotentiaries requested the Prince de Talleyrand to be persuaded that their Courts would know how to appreciate at its just value the resolution taken by the French Government.

The Plenipotentiaries of the five Powers agreed that the abovementioned declaration should be recorded in the present Protocol.

(Signed) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 42.

PROTOCOL of a Conference held at the Foreign Office, on the 24th of September 1831.

Present:
The Plenipotentiaries of

*Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Powers having assembled, those of Austria and Prussia announced, that the Germanic Diet had authorised them to act as its representatives in the negotiations which shall be opened at London, on the subject of the Grand Duchy of Luxemburg. In accepting in this manner the proposition made to it by the Conference of London, in its 36th Protocol, the Germanic Diet thinks it has given an unequivocal proof of the confidence which it places in the five Powers, as well as of its desire to concur with them in maintaining the peace of Europe.

But, however sincere this desire may be, the Germanic Diet cannot longer remain indifferent to the proceedings of the Belgian Government, which compromise the authority of the Confederation, and which are highly opposed to the principles laid down in the 36th Protocol of the Conference of London.

In such light ought to be regarded the recent convocation of the Representatives of the Grand Duchy of Luxemburg, and the nomination of a military governor of that country. If similar measures continue to be pursued, the Germanic Diet could not forbear to make use of the fittest means to maintain its authority in the said Grand Duchy.

The Plenipotentiaries of Austria and Prussia, in acquitting themselves of this charge, thought it their duty to call the attention of the Conference to the tenor of Article 10, of the preliminaries recorded in Protocol No. 26 ; in pursuance of which, neutrality is only assured to Belgium, under the express condition of her observing strictly on her part, the same neutrality towards all other States, and of her abstaining from any attack upon their internal or external tranquillity. Such an attack having been made, not only by the above mentioned acts, but moreover, by a system of territorial usurpations, openly proclaimed by the fact of the convocation of the electoral colleges in Luxemburg, even for places not under Belgian authority, the Plenipotentiaries of Austria and Prussia must regard the Belgian Government as solely responsible for all the consequences of such conduct.

It was resolved by the Conference, that this declaration, made by the Plenipotentiaries of Austria and Prussia, in their characters of organs of the Germanic Confederation, should be inserted in the present Protocol, and brought to the knowledge of the Belgian Government.

(Signed) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 43.

PROTOCOL of a Conference held at the Foreign Office, on the 24th September, 1831.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts having assembled, took into consideration the accompanying answers, (A. B.), made on the 5th of this month by the Plenipotentiaries of His Majesty the King of the Netherlands, and on the 23d by the Belgian Plenipotentiary, to the questions which the Conference addressed to them in its notes of the 3d of this month.

Upon an examination of their contents, the Conference thought it to be its duty to communicate them reciprocally to the two parties, by means of the two annexed notes, (C. D.), at the same time requesting an immediate answer, and assigning as a reason for such request, the necessity for making a rapid advance in the negotiations before the expiration of the suspension of hostilities recently entered into.

At the same time it was resolved, that as soon as the Conference should be in possession of the observations, which the projects of arrangements set forth by both parties shall elicit from either side, it would endeavour to conciliate the difficulties which may still subsist, by means of definitive propositions which it would then frame.

(Signed) ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 43.

Note addressed to the Conference by the Plenipotentiaries of His Majesty the King of the Netherlands.

London, September 5, 1831.

THE undersigned Plenipotentiaries of His Majesty the King of the Netherlands, have received the note which the Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, have done them the honour to address to them, on the 3d September, for the purpose of obtaining from them the communication of their sentiments upon the mode of determining, in a definitive Treaty, the three following points :

- 1°. The demarcation of the boundary line between Holland and Belgium.
- 2°. The arrangements relative to the Grand Duchy of Luxemburg.
- 3°. The nature of the arrangement to be entered into with regard to the division of the debt. Before the undersigned proceed to answer these questions, they would request permission to dispel the supposition that their full powers authorise them to negotiate *under the mediation of the Five Courts* a definitive Treaty of separation.

Since the first days of the past month the undersigned, at the same time that they transmitted to the Conference the letter of the Cabinet of the Hague, dated August 1, in which it is said, "*that it would be with your Excellencies yourselves,*" that the undersigned would be charged to discuss, to conclude, and to sign a definitive Treaty, had the honor of laying before the Conference their full powers,

a Copy of which remained in its possession, and from which it will appear that it is with the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, that the undersigned are empowered to discuss, conclude, and sign a Treaty of Separation between Holland and Belgium.

In this line of conduct prescribed to the undersigned, their Excellencies will easily recognise the double character of justice and propriety.

The union of Belgium to ancient Holland, was the work of the enlightened policy of the Powers in 1814 and 1815. Called upon to watch over and preserve the peace and balance of Europe, they found themselves in a position to regulate the principal bases of this union, which were agreed upon in London, in eight Articles; the King accepted them; and it is to the religious fidelity and to the indefatigable industry with which His Majesty has erected upon this basis the new social edifice of the Kingdom of the Netherlands, that must be attributed in a great measure the troubles which have arisen in Belgium. But this is not all. [In consequence of this union, and as the price of advantages supposed to be enjoyed by Holland, the contracting Powers to the Treaties of Paris and Vienna imposed upon her, first, colonial cessions; secondly, the employment of sums received as an inadequate compensation, in fortifications become from this time useless, if not even injurious to Holland; thirdly, the abandonment of the right of closing the Scheldt; fourthly, the liquidation of her own debts; and lastly, the renunciation of divisions, to which Holland had a common right. In treating now of a separation, and in losing those advantages which result from the union, Holland feels herself justified in demanding the price of all the sacrifices above enumerated, and it appears to her that she cannot, in the first instance, with any prospect of success, make this demand elsewhere than to the Powers to whose advantage these sacrifices tended.]

As a question of propriety, the King cannot treat with his revolted subjects until, for the reasons already explained, the principal conditions of the separation have been determined upon between His Majesty and the Powers, and conclusively guaranteed by them; much less can the King do so, since the actual Government established in Belgium, is unceasingly endeavouring to provoke hostilities by persisting, notwithstanding the decision of the Conference, and in spite of the numerous but vain expostulations of Holland, in a system of territorial usurpations, openly proclaimed by the fact of the convocation of the Electoral Colleges for Luxemburg and Dutch Limburg.

The undersigned having thus briefly explained the line of conduct pursued by the Cabinet of the Hague, a line from which the undersigned cannot deviate, hasten to annex, under letters (*a*) and (*b*), two *pro-memoria*, in which they have endeavoured to reply to the questions No. 1 and 3, contained in the note of their Excellencies.

With regard to the contents of No. 2, viz. *the arrangements relating to Luxemburg*, the undersigned are doubtless superfluously occupied in calling to the recollection of their Excellencies the engagements of the five Courts so nobly announced, with regard to this important question, in their note of the 7th of last June; and in expressing their intimate conviction, that, if the Powers and the Germanic Diet should think it right, for the sake of the repose of Europe, to tolerate a state of things oppressive to the greater part of the inhabitants of Luxemburg, the question of a *territorial exchange*, doubtless the only one contemplated by the Powers, will be treated in accordance with the policy and principles which, in the words of the abovementioned note, “are and always will remain those of the five Powers.”

The undersigned, &c.

(Signed)

FALCK.

H. DE ZUYLEN DE NYEVELT.

(a)—Answer to the 1st point.

The demarcation of the limits between Holland and Belgium.

THE frontiers of Holland shall be the same as those of the United Provinces of the Netherlands in 1790, with the exception of the modifications pointed out as follows. The line of demarcation shall commence from the sea at the point where, at the period above named, the Dutch and Austrian territories met, and shall border, until it reaches the left bank of the Scheldt, the frontier of Zealand-Flanders, formerly *le Flandre des Etats*. On the right bank of the Scheldt it shall be precisely the same as that which separates North Brabant from the Provinces of Antwerp and of Limburg, as far as the point in this latter line situated immediately below Valkenswaard. From thence stretching towards the south, the line of demarcation, leaving Peer and Tongeren to the west, and Achel, Hammont, Bree, and Bilsen to the east, shall rejoin the actual line of frontier between the provinces of Limburg and Liege, to the north of *Visé* on the Meuse; and from thence, after having passed this river, it shall pursue its course to the frontier of Prussia, following precisely the said line of frontier between the provinces of Limburg and Liege. All the territories and countries lying to the north and east of this line shall belong to Holland.

The object in tracing this line, has been to establish a frontier, which could not be made the pretext for future discussions; and the system of getting rid of detached portions of territory by exchange, having been adopted as far as possible in all modern transactions, the King does not hesitate to claim the application of these principles in his favour. It will result therefrom, that His Majesty will have a free communication with Maestricht, a communication quite indispensable; and that he will have given up, on his part, the detached portions of territory which Holland possessed beyond this line. The addition of territory, which this frontier will give to Holland, of little importance in itself, comprising as it does, in a great degree, a country by no means fertile, and which moreover, with the exception of some districts, never formed a part of the Austrian Netherlands, cannot be regarded by the five Powers, in the light of a real acquisition.

To render the boundary line above traced out, still more clear, it may be described as securing to His Majesty, the Northern Provinces of the Kingdom of the Netherlands, which did not formerly form part of the Austrian Netherlands, such as the province of Liege, and the Cantons ceded by France,

(b)—Reply to the 3d point.

The Nature of the arrangement to be entered into with regard to the division of the Debt.

1. THE debts of the Kingdom of the Netherlands, such as they exist at the charge of the Royal Treasury; viz. 1°. The active debt at interest. 2°. The deferred debt. 3°. The various obligations of the *Syndicat d'amortissement*. 4°. The annuities, payable on domains on which there are special mortgages: shall be divided between Holland and Belgium, according to the mean proportion of direct and indirect taxes, and of excise duties of the Kingdom, paid by each country during the years 1827, 1828, and 1829.

The mean proportion in question, assigning to Holland about $\frac{1}{11}$, and to Belgium $\frac{10}{11}$ of the debts abovementioned, it is understood that Belgium will stand charged with the payment of a corresponding interest.

3. In consideration of this division of the debts of the Kingdom of the Netherlands, the inhabitants of Belgium shall participate in the trade and commerce of the Colonies belonging to Holland, upon the same footing, with the same rights and the same advantages, as the inhabitants of Holland.

It is understood, that if Belgium refuses this advantage which is offered to her, the sum with which she shall stand charged shall be diminished in a just proportion.

It is equally understood, that that part of the general debt which has hitherto been charged upon the Grand Duchy of Luxembourg, placed under the dominion of the House of Nassau, and administered in common with the Kingdom of the Netherlands, shall, in the division, be charged to the said Grand Duchy.

It shall be the same with respect to the territories of Limburg, which, in order to preserve the communication with Maestricht, shall remain to Holland, over and above its ancient possessions in that province.

4. Works of public and private utility, such as canals, roads, or others of a similar description, constructed entirely, or in part, at the expence of the Kingdom of the Netherlands, shall belong, with the advantages and charges attached thereto, to the country in which they are situated.—It is understood, that the capitals borrowed for the construction of these works, and which are specially charged thereupon, are comprised in the said charges, so far as they may not yet be repaid, and without giving rise to any claim on account of repayments already made.

5. The sequestrations imposed during the troubles in Belgium, upon the property and hereditary estates of the House of Orange-Nassau, or any others whatsoever, shall be immediately taken off, and the enjoyment of the property and estates above mentioned, shall be immediately restored to the lawful owners thereof.

6. Belgium, with reference to the division of the debt of the Kingdom of the Netherlands, shall not be burdened with any other charge than those pointed out in the 1st, 2d and 4th preceding paragraphs.

7. The settlement of the charges specified in the said paragraphs, shall be made in conformity with the principles laid down in these paragraphs, by means of Dutch and Belgian Commissioners, who shall assemble with all possible expedition at the Hague, all the documents and records required for such a liquidation being at the said city.

8. Until the labours of these Commissioners shall be completed, Belgium shall be bound to furnish provisionally, and subject to final settlement, her share towards the payment of the interest, and the redemption of the debt of the Kingdom of the Netherlands, according to the proportion fixed in the paragraphs 1 and 2. To render this disposition applicable without loss of time, it has been agreed that Belgium, up to the time of final settlement, shall pay into the Royal Treasury of Holland, the sum of 1,000,000 florins a month, to begin from the 1st November, 1830, the period at which Belgium ceased to furnish any funds to the common Treasury.

9. If, during the labours of the Commissioners of liquidation, and, in general, in the application of the arrangements with regard to the division of the debt, differences should arise, which cannot be amicably arranged, the five Courts will interpose their mediation for the purpose of adjusting such disagreements, in the manner the most conformable to the said arrangements.

Annex B. to Protocol No. 43.

Note addressed to the Conference by the Belgian Plenipotentiary.

London, September 23, 1831.

THE undersigned, Plenipotentiary of His Majesty the King of the Belgians, hastens to transmit to their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, in conformity with the wish expressed by the Conference, and in consequence of the instructions which he

has received from his Government, a Draft of Treaty drawn up in eighteen Articles, between Belgium and Holland.

The undersigned, in communicating to the Conference some ideas as to the means of resolving in a definitive Treaty, the three points indicated by the note of the 3rd of September, necessarily confines himself within the limits of the eighteen Articles agreed upon by the Conference, as preliminaries of peace, on the 26th June, 1831, and subsequently adopted by the Belgian National Congress, on the 9th of July.

In fact these Articles, sanctioned by the Congress, have become the law of the State. The Belgian Government could not, without violating this supreme decision, deviate from an Act which, adopted at the very suggestion of the Conference, constitutes an irrevocable engagement.

[The Conference, when they decided on the terms of Article 1, of the bases of separation annexed to the Protocol of the 27th of January, and of Article 1, of the preliminaries of peace, (which Articles are identically the same) set out from an historical idea, the adoption of which afforded in their eyes, the advantage of giving rise to a principle, conformable to reason and to justice. The Conference were desirous to replace Holland in the same position as that which she occupied in 1790,—a position which that Power had resumed *de facto* or *de jure* in 1814, previous to the annexation of the Belgian Provinces.

This principle once laid down, it followed as a necessary consequence, that Holland would have to relinquish whatever additions of territory she might have acquired from 1790 to 1815 inclusive.

Thereby, she would have to give up, not only the Belgian provinces which were annexed to her by the 65th Article of the General Act of the Congress of Vienna, but also the detached territories of Huisen, Malbourg, le Lymers, including the town of Zevenaer, and the village of Oeffelt, ceded by the last paragraph of the 66th Article of the same Treaty, as well as all the detached territories which were ceded by the Treaty concluded with the French Republic, on the 15th January, 1800.

But by a necessary reciprocal application of this principle, Holland would resume all that had been severed from her ancient territory since 1790, and consequently the left bank of the Scheldt, the half of Maestricht, Venlo, as well as the villages called “*of the Generality*” situated in the present province of Limburg.

The Conference, by Article II. of the bases of separation, and Article II. of the preliminaries of peace, (which articles are identically the same in this respect) assigned to Belgium the whole of the remaining territories which did not belong in 1790 to the former Republic of the United Provinces, and which had received in the Treaties of 1815, the denomination of the Kingdom of the Netherlands.

Belgium is thus to be composed of all the above mentioned territories which Holland is obliged to relinquish, by virtue of the right of *post-limine* which restores her to her position in 1790.

But the Conference, enlightened by its experience of former facts, felt that this arrangement, which allowed of the existence within each State of detached portions of territory belonging to the other, could not be final. They decided that exchanges should be effected, which should secure to both countries the reciprocal advantage of an entire contiguity of possessions. On this point, the only difference which exists between the bases of separation and the preliminaries of peace is, that according to the former Act, the exchanges would be effected by the care of the five Courts, whilst, according to the second, they would be settled by amicable arrangement between the two parties.

The undersigned consequently proposes, in the name of his Government, by Articles II. and III. of the annexed Draft, cessions and exchanges which would answer the end which the Conference has in view.

Article 7 of the Preliminaries of Peace is merely a repetition of the 6th Article of the Treaty of Fontainebleau, of the 8th November, 1785, on the subject of the drainage of the waters of the two Flanders. Recent occurrences have proved how insufficient this guarantee would be; and the undersigned is of opinion, that the Conference will feel convinced of the impossibility of esta-

blishing perfect security on this point, for Belgium, without the possession of the principal dykes, at least from l'Ecluse to the Sas-de-Gand. Besides, Holland has no interest in retaining possession of these dykes, which it would be a heavy expense to her to keep in repair.

The particular position of Maestricht, which was only inferentially provided for by the bases of separation of the 27th January, particularly fixed the attention of the Conference in the preliminaries of peace of the 26th June. The revival of a joint Sovereignty is compatible neither with the principles of a wise policy, nor with the form of modern Governments. The necessity for an arrangement which shall secure undivided possession of Maestricht to one or other of the two countries, is deeply felt by both sides. The undersigned is of opinion that all interests, those of a political system which shall present the pledges of permanency, and those of the prosperity of the industry and commerce of Belgium, as well as the very principles appealed to by the Conference, the lessons of history, and the prior rights which it establishes, alike require that this question should be decided in favour of Belgium. In fact, its territory surrounds the town of Maestricht on every side, and it can belong to Holland only in the event of the latter possessing all the territory of that town as far as North Brabant. All the territory comprised between Venlo and Maestricht, belongs of right to Belgium; she could not cede it without renouncing all *transit* commerce with Germany, and without acting in opposition to the interests of the country, and the wise policy followed under the ancient Austrian Government. The undersigned would refer in this request, 1, to the *note verbale* of the 6th December, 1830, presented to Lord Ponsonby and M. Bresson, by the Belgic Diplomatic Committee; and 2, to the inclosed memorandum relative to Maestricht.

The Conference rightly considered, in the first instance, the question of the Grand Duchy of Luxemburg, as distinct from the Belgio-Dutch question; and, with regard to this, if the spirit of the preliminaries of peace were faithfully adhered to, the solution was to be reserved for a separate negotiation. But, in order to come more quickly to a definitive arrangement, and to decide, beyond a doubt, in one single Treaty, all the disputed points, the Conference has thought it necessary to unite the two objects, and the undersigned is authorized to treat of them in future, together.

In a separate negotiation, Belgium would have urged her right to claim Luxemburg, as having formed part of the Austrian Netherlands, and as not having been severed, so far as its administration is concerned at least, from the Belgian Provinces, since 1815.

Nevertheless, as the King of Holland consented to make a sacrifice in 1815, to obtain this province, the Belgian Government would indemnify him on this head.

The four principalities of Nassau, viz. Dillenburg, Hadamar, Siegen and Dietz, which it is proposed to substitute for Luxemburg, had, in 1815, on a surface of forty-five square miles, a population of one hundred and twenty thousand inhabitants; Luxemburg had two hundred and sixty-nine thousand, on one hundred and twenty-nine square miles. In strict right then, the indemnity might perhaps be regulated according to the value of the four Nassau Provinces, which are much smaller than Luxemburg. Nevertheless, the Belgian Government, in order to hasten the negotiations, prefer adopting a basis fixed by the King of Holland himself, in the law of the 26th May, 1816, which provides for the eventual cession of the sovereignty and property of the Grand Duchy.

The undersigned begs moreover, to call attention to the fact, that the possession of the Grand Duchy will increase the portion of the old debt and of the common debt, which will fall on Belgium; a consideration which would have tended to diminish the amount of the indemnity.

Article 67, last paragraph, of the General Act of the Congress of Vienna, considers the town of Luxemburg, in a military point of view, as a fortress of the Germanic Confederation. The Draft of Treaty contains a repetition of the very words of this arrangement, and secures moreover the freedom of communication with Germany.

Besides, the possession of the Grand Duchy of Luxemburg would be a positive burden to Holland ; that province yields but a small revenue, and cannot exist as a separate State, as it is impossible for her to keep up three lines of custom-houses, viz. on her French, her Prussian, and her Belgian frontier, or to support the charges of the higher offices of administration.

The propositions relating to the debt, are merely the application of the principle established by Article XII. of the preliminaries of peace.

That principle is in such perfect conformity with the rules of the strictest equity, that it would be useless to detail the motives which should cause each country to support the debt it had contracted previous to the union ; the wishes of the Conference, as to the division of the debts contracted in common, and of the acquisitions made during this community, have in like manner been complied with.]

The Belgian Government wishes it had been able to furnish circumstantial details upon each of its propositions. But, besides that the development of financial questions like these would require a considerable time, it is farther to be observed that as Holland has retained possession of all the documents upon which correct calculations can be founded, the Belgian Government would be obliged to confine itself to purely approximative statements:

The undersigned request their Excellencies, &c.

(Signed) SYLVAIN VAN DE WEYER.

Draft of Treaty between Belgium and Holland in execution of the preliminary Articles of Peace framed by the Conference on the 26th June, 1831, and accepted by the Belgian Congress on the 9th July.

1°, *Limits between Belgium and Holland.*

ARTICLE I.

THE line of demarcation between Belgium and Holland is determined in the following manner. It commences from the arm of the sea, called *Het Zuyrn*, extends along the *Geule*, *Brackman*, the *Sas Gat*, as far as the *Sas de Gand*, from thence it follows the present limits of Zealand-Flanders and of North Brabant, to Meyel.

From this place a line shall be drawn, which shall pass northward of Venlo to the Prussian territory.

ARTICLE II.

Belgium renounces the Northern extremity of the present province of Limburg, commencing from the point of intersection of the line to be traced according to the 1st article ; and it also renounces all the towns, *communes*, and detached pieces of territory (*enclaves*) in North Brabant and Guelderland, and which in 1790 did not belong to the Republick of the United States, especially Huisen, Malbourg, le Lymers, with the town of Zevenaer, the village of Oeffelt, Boxmeer, Ravenstein, Meghen, and Gemert.

ARTICLE III.

Holland, on it's part, renounces :—1°. The share of sovereignty which it exercised in 1790, in the town of Maestricht, conjointly and undividedly with the Prince Bishop of Liege.—2°. The villages called "*of the Generality*," situated in the present province of Limburg, and specified in the Treaty of Fontainebleau of Nov. 8, 1785.—3°. L'Ecluse, Philippine, Sas de Gand, and the portion detached from Dutch Flanders by Article I.

The five Powers reserve to themselves to dispose of the right of garrisoning the town of Maestricht.

2. *Arrangements relative to the Grand Duchy of Luxemburg.*

ARTICLE IV.

The Grand Duchy of Luxemburg, shall, as its limits are defined by the 68th and 69th Articles of the General Treaty of the Congress of Vienna, belong in full Sovereignty to Belgium, which engages to pay annually to the King of Holland and to His Successors, in the order established by the family compact of 1783, the sum of one hundred and ninety thousand Netherland florins.

ARTICLE V.

Belgium shall be charged on account of the Grand Duchy of Luxemburg :
1. With that part of the debts prior to the establishment of the Kingdom of the Netherlands which attach to this province, as having formed part of the Austrian Netherlands.—2. With that portion which, according to the rules laid down in Articles 7 and 18, falls to its charge from the joint debt contracted during the existence of the Kingdom of the Netherlands.

ARTICLE VI.

The town of Luxemburg shall continue to be considered, in a military point of view, as a fortress of the Germanick Confederation, and shall preserve its free communications with Germany by the road from Luxemburg, to Grevenmacher and Wasserbillig.

3. *Division of the Debts.*

ARTICLE VII.

Belgium, including the Grand Duchy of Luxemburg, shall support the debts and obligations which it legally contracted before the establishment of the Kingdom of the Netherlands.

The debts legally contracted since the establishment of the Kingdom down to the 1st of October, 1830, shall be borne in equal portions.

ARTICLE VIII.

The disbursements made by the Treasury of the Netherlands for special objects, which remain the property of either of the two contracting parties, shall remain at the charge of that party, and the amount shall be considered a deduction from the debt attaching to the other party.

ARTICLE IX.

Among the disbursements mentioned in the preceding Article, is comprised the redemption of the debt, both bearing interest and deferred, in the proportion of the original debts, conformably to Article 8.

ARTICLE X.

Account shall be taken, in the same manner, of all alienations of estates, annuities, tithes, &c. effected in either of the two countries, on any ground whatever.

ARTICLE XI.

A valuation shall be made of all articles contained in the arsenals, dock-yards, cannon founderies, and other military establishments, and the value thereof shall be carried to the debit of whichever country remains in the possession of these Articles.

ARTICLE XII.

The same rule shall be applied to arms, to the military and naval *matériel* and stores, as well as to objects of art, and articles of every other description acquired in common, and of which either of the two parties remains in possession.

ARTICLE XIII.

The Dutch Government shall be bound to refund to Belgium all sums placed in deposit by Belgians, and the amount of securities furnished by Belgian accountants.

ARTICLE XIV.

The Dutch Government shall also refund the moiety of the widow's fund, of the fund called *des leges*, of the chest of civil and military retired allowances, as well as of the residue of the sums allotted by France for the liquidation of the French arrears, and for the endowment of the Legion of Honour.

ARTICLE XV.

An account shall be kept by each country of all sums which were found in the public treasury.

ARTICLE XVI.

The Dutch Government shall render an account of all the operations of the *Syndicat* since its establishment, and of its situation on the 30th of September, 1830. This matter shall afterwards be regulated according to the principles established in Article 8. This account shall be submitted to a mixed Commission, appointed by the two Governments.

ARTICLE XVII.

The vessels and the ships of war existing on the 30th of September, 1830, shall be divided in equal portions between the two countries.

ARTICLE XVIII.

A just valuation shall be made of the losses occasioned to individuals by the resumption of hostilities, the bombardment of Antwerp, and the inundations caused by the cutting of the dykes. The amount of such valuation shall be carried to account against Holland.

Annex C. to Protocol No. 43.

Note addressed by the Conference to the Plenipotentiaries of His Majesty the King of the Netherlands.

London, September 21, 1831.

The undersigned, &c. have the honour to communicate to their Excellencies the Plenipotentiaries of His Majesty the King of the Netherlands, the enclosed draft of Treaty, which they have received from the Belgian Plenipotentiary, as well as an extract* of the observations by which it was accompanied.

In making this communication to the Plenipotentiaries of His Majesty the King of the Netherlands, and in inviting them to transmit to them such observations as it may require on their part, the undersigned take the liberty to express their wish to receive these remarks in the course of Monday morning next, at latest, as all further delay in the progress of the negotiations can only tend, in the opinion of the Conference, to produce the most unfavourable consequences.

The undersigned, &c.
 (Signed) ESTERHAZY. WESSENBERG.
 TALLEYRAND.
 PALMERSTON.
 BULOW.
 LIEVEN. MATUSZEWIC.

* The extract of the note of the Belgian Plenipotentiary, which was transmitted to the Dutch Plenipotentiaries by the Conference, is distinguished by brackets []. Vide pp. 382—384.

*Annexe D to Protocol No. 43.**Note addressed by the Conference to the Belgian Plenipotentiary.*

London, September 24, 1831.

THE undersigned, Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, have the honour to communicate to the Belgian Plenipotentiary, the inclosed answers which they have received from the Plenipotentiary of His Majesty the King of the Netherlands, to two of the questions which they addressed to them on the 3d instant. They hasten also to communicate to the Belgian Plenipotentiary, the extract* of an answer which they have received relative to the third of these questions, which concerns the Grand Duchy of Luxemburg.

In making these communications to the Belgian Plenipotentiary, and in inviting him to transmit to them such observations as they may require on his part, the undersigned cannot refrain from expressing their earnest desire to receive these observations in the course of Monday morning next at latest, as any delay in the progress of the negotiations can only tend, in the opinion of the Conference, to produce the most unfavourable consequences.

The undersigned avail themselves, &c.

(Signed) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 44.

PROTOCOL of a Conference held at the Foreign Office, on the 26th of September, 1831.

Present:

*The Plenipotentiaries of
Austria;
France;
Great Britain;
Prussia; and
Russia.*

THE Plenipotentiaries of the five Courts having assembled, took into consideration the observations which had been communicated to them by the Dutch Plenipotentiaries and by the Belgian Plenipotentiary respectively, in answer to the notes of the Conference of the 24th of this month. (A. B.)

After having attentively examined these observations, and having remarked with pain, that the communications made by the two parties on the subject of their former essentially divergent propositions, do not approximate on any one point, and compel them to believe that fresh explanations of the same nature, so far from leading to the results which are required by the general interest, would only serve indefinitely to prolong a state of hostility and misfortune, the Conference came to the conclusion that it must itself seek in the information with which it is at present furnished, relative to the mutual demands of Holland and Belgium, and the rights appealed to by both parties, the means of determining a series of Articles to serve as the basis of a definitive Treaty between the two parties, and which may be consistent with equity, with their interests, and with those of Europe.

(Signed) WESSENBERG.
TALLEYRAND
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

* The extract of the note of the Dutch Plenipotentiaries, which was thus transmitted to the Belgian Plenipotentiary by the Conference, is distinguished by brackets []. Vide p. 379.

Annex A to Protocol No. 44.

Letter addressed to the Conference, by the Plenipotentiaries of the Netherlands, dated London, September 26, 1831.

THE Undersigned, Plenipotentiaries of His Majesty the King of the Netherlands, had the honor to receive at eleven o'clock on Saturday night, the note which their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia addressed to them on that day, the 24th September, inclosing a Draft of Treaty presented to the Conference by the agent of the Prince Leopold, upon which their Excellencies desired to receive the observations of the undersigned, in the morning of Monday at latest.

The promptness with which the undersigned replied to the overtures made by the Conference in the beginning of the present month, and that with which they now fulfil its desire, will afford a proof that it is not to Holland that the delays can be imputed, which, in the opinion of the Conference, may produce the most unfavourable consequences.

On perusing the documents annexed to the note of their Excellencies, the undersigned doubted whether any serious answer were necessary, and whether it would not be more dignified to abandon to the wisdom of the Conference, and to the application of the principles laid down in its Protocols, the task of doing justice to pretensions, which in the opinion of the undersigned, appeared to be pre-eminently marked by a spirit of insanity. They asked themselves if it were not sufficient simply to repeat the whole text of the detailed answer of their Government, dated the 12th July, and to confine themselves to renewing their own answer of the 5th September last. But independently of these documents, to which they would specially refer, the profound attention the undersigned have devoted, and will constantly devote, to whatever may be addressed to them by the Representatives of the five Courts, induces them to submit to them the following observations.

1 *On the limits between Holland and Belgium.*

It is in vain that laborious search is made at Brussels for arbitrary lines, in order to discover the demarcation between Holland and the ancient Austrian Provinces of the Netherlands. These limits have been traced by eighty years of war with Spain, and, with regard to their principal features, are settled by the Treaty of Munster. These solid titles; that conservative principle but recently proclaimed by the present ministry of England, that insurrection should never, under any pretext, endanger the external security and the internal tranquility of neighbouring States; the express declaration of the five Courts, in conformity with this principle, which has been proclaimed as irrevocable;—these are the weapons which Holland, in separating from the Austrian Provinces of the Netherlands, annexed to her ancient territory by the enlightened policy of the Cabinets, opposes, and will never cease to oppose, to absurd pretensions, to culpable encroachments, and to hostile acts of usurpation, which, if the wisdom of the Conference does not speedily succeed, as it doubtless will, in putting a stop to them, will form, as recent experience has proved, permanent causes of war.

It is not the intention of Holland that Belgium should possess itself of territory, watered by the blood and the sweat of its industrious inhabitants; and as to the limits by which this territory is bounded, if the powerful House of Austria, formerly so actively employed in promoting the welfare of its subjects in Flanders and Brabant, was satisfied with them, they will, doubtless, in the opinion of the five Courts, appear well enough defined to content Belgium.

As far as the point where the line of contiguity commences, these limits are briefly but precisely described in the document marked A, annexed to the answer of the undersigned of the 5th of September. With regard to such line of contiguity, proposed by the undersigned, they are aware that in order to

establish a free communication with Maestricht, a fortress conquered by Prince Frederick Henry, and ceded to the Republic, and to the Republic alone, by the 3rd Article of the Treaty of Munster, they have demanded a larger portion of territory than the Republic possessed in Limburg. But they considered that they had a fair claim to it, on account of the geographical annexation to Belgium of the Province of Liege and of the ten Cantons, annexations, which, having taken place, as far as regards the Province of Liege, simultaneously with the erection of the Kingdom, and subsequently thereto, as far as regards the ten Cantons, give to Holland, at the period of the dissolution of the union, an incontestable right of participation.

2.—*On the arrangements relative to the Grand Duchy of Luxemburg.*

The undersigned would consider it an impeachment of the formal and explicit declarations of the five Courts, with respect to the rights of the House of Nassau, and of the Germanic Confederation over the Grand Duchy, contained, as well in the majority of the Protocols as in the note of their Excellencies of the 7th June, seriously to discuss propositions which appear unsuitable: For the Undersigned must be permitted to remark, that family arrangements, establishing provisional compensations, do not give any right to third parties, to found arbitrary calculations thereon, or to substitute them for an actual revenue, which is infinitely greater: Finally, the King, informed of the wish of the Powers by the 36th Protocol, and always disposed to contribute, as far as justice and equity will permit, to the consolidation of peace, has caused to be given in at Frankfort, a vote conformable to those of Austria and Prussia: but as the most immediate interests of Himself and his august Agnates are involved in this matter, His Majesty has not hesitated publicly and solemnly to declare his intention not to accede to cessions in the Grand Duchy, except in return for complete territorial indemnities. Every other proposition being thus rejected beforehand, as inadmissible, the undersigned feel persuaded that those which the Conference may transmit to them, will be of such a nature as to permit their being laid before His Majesty.

3. *Division of the Debt.*

In the examination of this important question, it is an incontestible principle, the application of which will prevent many errors and digressions; namely, that at the period of the separation, the two parties should withdraw with all that they respectively brought into the union, and that they should share in just proportion (that of population for example) the debts incurred in common. Under this latter head, to desire to enter into minute details, to dissect, as it were, an administration of fifteen years, to seek for what may appear legal or otherwise, and that with reference to facts performed in the face of the free discussions and votes of the deputies of the nation, would be to aim at an impossible end, to clash with every idea of a Representative Government; in a word, to bring again into discussion all the budgets, and every administrative and financial measure, which has for fifteen years formed the economic system of the Kingdom.—While entering into these considerations, the undersigned are happy to have it in their power to appeal to all Europe, as a witness to the astonishing prosperity of the Southern Provinces up to the period of the insurrection, and they infer from thence that a large share of the indefatigable cares of the Government was devoted to the increase of their prosperity and welfare.

Doubtless a settlement is necessary;—the Conference and the King have alike acknowledged its necessity, and ever since the month of March, a commission has been appointed by His Majesty to enter, in conjunction with Belgian Commissioners, upon this important work. If, with regard to some points mentioned in the draft, the interests of Belgium are in a state of distress, the fault, certainly, is not attributable to Holland, which is too much attached to order and regularity, not to desire, most ardently, to hasten the

period of clearing up the accounts and of the settlement of just claims whether general or individual. But in order to attain this grand result, the Belgian draft observes profound silence upon an indispensable measure which the Conference has invariably kept in view; namely, either to cause Belgium to consent to the payment, until the time when a settlement shall take place, of an annual sum (itself subject to ulterior settlement) destined to cover, from the 1st November, 1830, her estimated portion of the charge which the 8 Articles of London imposed exclusively upon the Royal Treasury; or to agree upon a gross sum, on payment of which Belgium should be released towards Holland, without being liable to any further charge from the settlement, which must, under all circumstances, take place.

It is the duty of the undersigned on this occasion, to remind their Excellencies, that in the estimate of the sums due by Belgium, they comprise not only the debts of Belgian origin, and those contracted in common, but also, according to the principles of justice laid down by the five Courts, in the 12th Protocol, "the debts which have only fallen to the charge of Holland in consequence of the union, then the value of the sacrifices which Holland has made to effect that union."

The Article 17 speaks of the division of the fleet. This pretension, and every other of the same nature, is inadmissible, as being contrary to the principle, that each party should withdraw from the union with all that it brought thereto.

During 15 years Belgium has had its share of the benefits resulting from the supplies to the fleet, for the purposes of construction, arming, and equipment; its commerce has enjoyed the most vigilant protection, both in the seas of Europe and of India. The fleet has fulfilled its obligations, and it has returned to its original destination.

To the last Article, the answer of the undersigned will be short.—Let those who have to complain of the disasters to which this Article alludes, apply to the rash men who have been the cause of them—Holland owes them nothing.

Referring to the marginal notes, made upon the Drafts which they have the honour to return, the undersigned consider their task as fulfilled; and they hasten to express their anxious wish that their Excellencies may soon reap the fruit of their friendly labours, and may speedily be enabled to sign with the undersigned, such a Treaty, as shall cause peace and tranquillity to succeed to so many storms.

They have the honour to renew, &c.

(Signed)

FALCK.

H. DE ZUYLEN DE NYEVELT.

Observations.

Holland having refused its assent to the preliminary Articles of Peace proposed by the Conference, it protests against all the consequences of them, by which it may be prejudiced.

Treaty between Belgium and Holland, in execution of the preliminary articles of peace agreed upon by the Conference, June 26, 1831, and adopted by the Belgian Congress, the 9th July.

1° Limits between Belgium and Holland.

ARTICLE I.

Thus Philippine, Sas de Gand, l'Ecluse, with their districts, besides Venlo, remaining with the Belgians, there would be a violation of the principle that Holland ought not, at the termination of the union, to be in a less favourable state of possession, than at the time of its commencement.

The line of demarcation between Belgium and Holland is determined in the following manner. It commences from the arm of the sea, called *Het Zwyn*, extends along the *Geule*, *Brackman*, the *Sas Gat*, as far as the *Sas de Gand*, from thence it follows the present limits of Zealand-Flanders, and of North Brabant, to *Meyel*.

From this place a line shall be drawn, which shall pass northward of *Venlo* to the Prussian territory.

ARTICLE II.

Let Belgium renounce the northern extremity of the present Province of Limburg; that is all very well; but Holland cannot admit the renunciation by Belgium of detached pieces of territory (enclaves) which have never, in any manner, belonged to that country, and of which, on the contrary, Holland has purchased the dominium utile, or redeemed the feudal rights, by concluding conventions for value given, with France, with Prussia, and with the Elector Palatine; transactions which come under the description of *res inter alios acta*. This mention of the detached pieces of territory, (enclaves), evidently proceeds from the error which has caused the indication of the year 1790 to be considered, not as a mere indication of limits, but as reviving all the rights of property existing at that period. If such could have been the object of this indication, Holland would have been entitled immediately to exercise its right of closing the Scheldt.

The same observation; and a fresh violation of the principle which has served as the basis of all the negotiations with the five Courts, that Holland shall not quit the union with smaller possessions than she brought into it. It cannot but be remarked that the term villages is somewhat vague, when it is considered that it comprises the town of Venlo and Stephenswaard, containing, with Maestricht, of which Belgium wishes to dispossess Holland, a population in Limburg of 83,000 inhabitants.

Independently of the principle appealed to against the Belgian projects of usurpation, it is asked, whether the line of boundary in Flanders, such as it existed under the House of Austria, was not, in all respects, adapted to the wants of its inhabitants?

Belgium renounces the northern extremity of the present province of Limburg, commencing from the point of intersection of the line to be traced according to the 1st Article, and it also renounces all the towns, *communes*, and detached pieces of territory, (*enclaves*) in North Brabant and Guelderland, and which in 1790 did not belong to the Republick of the United States, especially, Huisen, Malbourg, le Ly-mers, with the town of Zevenaer, the village of Oeffelt, Boxmeer, Ravensstein, Meghen, and Gemert.

ARTICLE III.

Holland, on its part, renounces: 1° The share of Sovereignty which it exercised in 1790, in the town of Maestricht, conjointly and undividedly with the Prince Bishop of Liege. 2. The villages called "of the Generality;" situated in the present province of Limburg, and specified in the treaty of Fontainebleau of Nov. 8, 1785. 3. L'Ecluse, Philippine, Sas de Gand, and the portion detached from Dutch Flanders by Article I.

The five Powers reserve to themselves to dispose of the right of garrisoning the town of Maestricht.

2° Arrangements relative to the Grand Duchy of Luxemburg.

ARTICLE IV.

The Grand Duchy of Luxemburg, shall, as its limits are defined by the 68th and 69th Articles of the general Treaty of the Congress of Vienna, belong in full sovereignty to Belgium, which engages to pay annually to the King of Holland and to his successors, in the order established by the family compact of 1783, the sum of one hundred and ninety thousand Netherland florins.

ARTICLE V.

It is only necessary to repeat the declaration of the King Grand Duke, that any sacrifice on this head must be compensated to him in territory. It is therefore superfluous to add, with reference to the proposed sum of 190,000 florins, that it has never been considered to represent, either wholly or partially, the revenues of the Grand Duchy, which may be calculated to amount to the sum of one million eight hundred thousand florins.

Belgium shall be charged on account of the Grand Duchy of Luxemburg, 1° With that part of the debts prior to the establishment of the kingdom of the Netherlands which attach to this province, as having formed part of the Austrian Netherlands. 2. With that portion which, according to the rules laid down in Articles 7 and 13, falls to its charge from the joint debt contracted during the existence of the Kingdom of the Netherlands.

ARTICLE VI.

The town of Luxemburg shall continue to be considered, in a military point of view, as a fortress of the Germanick Confederation, and shall preserve its free communications with Germany by the road from Luxemburg to Grevenmacher and Wasserbillig.

3.—*Division of the Debts.*

ARTICLE VII.

Belgium, including the Grand Duchy of Luxemburg, shall support the debts and obligations which it legally contracted before the establishment of the kingdom of the Netherlands.

In order to prove how completely this Article is inadmissible, as here drawn up, it will be sufficient to remark, that the Austro-Belgic debt was carried to the charge of the Royal Treasury, not before, but after the establishment of the Kingdom of the Netherlands. It has not been possible to create or inscribe any debt without the legal forms, and the concurrence of the States-General.

The debts legally contracted since the establishment of the kingdom down to the 1st October, 1830, shall be borne in equal portions.

The execution of this Article is impossible, after an administration of fifteen years, constantly conducted on the principle of a complete amalgamation of all interests.

ARTICLE VIII.

The disbursements made by the Treasury of the Netherlands for special objects, which remain the property of either of the two contracting parties, shall remain at the charge of that party, and the amount shall be considered a deduction from the debt attaching to the other party.

The Royal Treasury having been united during so many years, all payments made during this interval, both as debts and credits, in virtue of the annual financial laws, must be considered as closed transactions.

ARTICLE IX.

Among the disbursements mentioned in the preceding article, is comprised the redemption of the debt, both bearing interest and deferred, in the proportion of the original debts, conformably to Art. VII.

Closed transactions, not susceptible of revision.

ARTICLE X.

Account shall be taken, in the same manner, of all alienations of estates, annuities, tithes, &c. effected in either of the two countries, on any ground whatever.

Impossible to be carried into effect, after the numerous changes of every description, which the events of last year have made in the situation of these establishments.

The same observation.

Matters for future settlement, which appear to be just.

These different funds and chests are subject to special arrangements; the Belgians who are interested therein, will be at liberty to make good their claims, without there being on that account any ground for a division.

It is not believed that any part of the sums allotted by France, remains unappropriated; if there be any arrears, the parties entitled may substantiate their claims before the Commission of Liquidation.

Matter for Settlement.

Same observation as on Article 8.

An inadmissible pretension.

The Fleet has for fifteen years pro-

ARTICLE XI.

A valuation shall be made of all articles contained in the arsenals, dockyards, cannon foundries, and other military establishments, and the value thereof shall be carried to the debit of whichever country remains in the possession of these articles.

ARTICLE XII.

The same rule shall be applied to arms, to the military and naval *matériel* and stores, as well as to objects of art, and articles of every other description acquired in common, and of which either of the two parties remains in possession.

ARTICLE XIII.

The Dutch Government shall be bound to refund to Belgium all sums placed in deposit by Belgians, and the amount of securities furnished by Belgian accountants.

ARTICLE XIV.

The Dutch Government shall also refund the moiety of the widow's fund, of the fund called *des leges*, of the chest of civil and military retired allowances, as well as of the residue of the sums allotted by France for the liquidation of the French arrears, and for the endowment of the Legion of Honour.

ARTICLE XV.

An account shall be kept by each country of all sums which were found in the public treasury.

ARTICLE XVI.

The Dutch Government shall render an account of all the operations of the *Syndicat*, since its establishment, and of its situation on the 30th September, 1830. This matter shall afterwards be regulated according to the principles established in Article VIII. This account shall be submitted to a mixed commission, appointed by the two Governments.

ARTICLE XVII.

The vessels and ships of war existing on the 30th September, 1830, shall be

ected the common interests of the Dutch and the Belgians in Europe, as well as in India. The authors of the insurrection have, no doubt, foreseen that its services would be no longer useful to Belgium. It remains with the State which brought it to the common service.

It is astonishing to find included in the mention of private injuries caused by the resumption of hostilities, and of the inundations, a recurrence to the bombardment of Antwerp, which every body knows and admits to have been provoked by the excesses of the Belgian Volunteers.

The resumption of hostilities announced in the month of June, as contingent upon circumstances which have actually happened, ought to be attributed to those who have extended the revolution beyond its limits, and have made it an usurper and invader of the neighbouring States. With regard to the inundations, other than those required for the defence of fortified places, and of which no one has any right to complain, they have been perfectly justified by the offensive works perfidiously erected along the Scheldt; the dangerous existence of which has been proved, by their actual demolition. No, Holland owes nothing under these heads. She would rather have a right to demand indemnities for the moral inundations which the revolt in Belgium has effected on the value of public effects and property, which has been lessened more than one third.

divided in equal portions between the two countries.

ARTICLE XVIII.

A just valuation shall be made of the losses occasioned to individuals by the resumption of hostilities, the bombardment of Antwerp, and the inundations caused by the cutting of the dykes. The amount of such valuation shall be carried to account against Holland.

Annex B. to Protocol No. 44.

Letter addressed to the Conference by the Belgian Plenipotentiary, dated London, September 26, 1831.

THE undersigned Plenipotentiary of His Majesty the King of the Belgians, has the honour to acknowledge the receipt from their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, of the answer which they have received from the Plenipotentiaries of His Majesty the King of Holland, to the questions addressed by the Conference on the 3d instant. These documents, received by the undersigned on the night of the 24th instant, were accompanied by a note from their Excellencies the Plenipotentiaries of the five Courts, dated the 24th, whereby their Excellencies invite the undersigned to transmit to them his observations, and express their desire to receive them in the morning of Monday (the 26th) at latest.

However limited this time may be for the examination and discussion of the numerous questions opened by the documents communicated by their Excellencies, the undersigned is too anxious that the negotiations should not be retarded by any act of his, to delay for a single day the transmission of his observations.

He has the honour, in consequence, to address to the Conference, some re-

marks in reply to the propositions of the Dutch Plenipotentiaries. Their Excellencies will readily perceive that the undersigned, being pressed by time, has only touched upon the principal points, and has been unable to give to his observations, founded upon a mass of undeniable facts, that development of which they are capable. But their Excellencies will supply what is deficient in this respect, and will doubtless do justice to the spirit of moderation and equity, by which the preparation of these documents has been guided.

There is one point upon which the undersigned cannot insist too strongly; viz. that by their propositions, the Dutch Plenipotentiaries attack all the sources of prosperity for the industry and commerce of Belgium, and even endanger the interests of other States. It is not merely a difficulty as to territory, that is raised, but an absolute question of existence. This consideration would alone suffice to prove, not only that these propositions are inadmissible by Belgium, but that their Excellencies the Plenipotentiaries of the five Courts, guided in their friendly and enlightened mediation, by rules of justice and sound policy, cannot in any way yield to them. In fact, these propositions are diametrically opposed to the ideas set forth in all the Acts of the Conference, to the principles to which it has always appealed, to the intentions which it has manifested, to the end which it has constantly declared to be the only one which it proposed to attain:—they are inconsistent with the means of “combining the independence of Belgium with the stipulations of Treaties, with the interests and security of other Powers, and with the preservation of the balance of Europe.” (Protocol of December 20, 1830.) They are inconsistent with the “means of consolidating the work of peace, to which the five Powers have devoted their lively solicitude, and of offering to Belgium the best guarantees of repose and security.” (Protocol of January 20, 1831.) They are contrary to the views which guide the five Powers, who desire that “Belgium, flourishing and prosperous, should find in her new mode of political existence, the resources which she may need to sustain it.” (Protocol of January 27, 1831.)

The Undersigned, &c.

(Signed) SYLVAIN VAN DE WEYER.

Observations on the document marked A. addressed to the Conference by the Dutch Plenipotentiaries, relative to the limits.

THE Dutch propose that the frontiers of Holland should be, by the Treaty with Belgium, precisely the same as those of the United Provinces of the Netherlands in 1790, with the exception of some specified modifications.

No change would thereby be effected in the antient limits on the left bank of the Scheldt; nor, in quitting the right bank by the line of demarcation between North Brabant, on the one part, and the Provinces of Antwerp and Limburg, on the other, would there be any alteration until it arrived below Valkenswaard. But having reached this point, the Dutch Plenipotentiaries draw a line due south, as far as the frontier of the province of Liege, across the province of Limburg, three quarters of which they would thus abstract from Belgium in order to secure to themselves both the left and the right banks of the Meuse.

The territories and country situated to the north and east of this demarcation, and which would thus be made over to Holland, contain a population of nearly two hundred thousand souls. Holland would thus at once obtain a double advantage,—1. That of a considerable enlargement, by uniting to her possessions a large extent of territory which she never before possessed.—2. The advantage of entirely recovering all her detached portions of territory (*enclaves*) in Limburg, with the exception of the seven villages Lommel, Zepperen, Groot-Loon, (or Grand-Loz) Koninxheim, Houperdingen, Fenlen, (or Fologne) and Rutten, (or Russon) which would remain to Belgium, and the total population of which amounts to five thousand six hundred souls, (nearly a thousand houses on six thousand *hectares* of land.)—Now the detached portions of territory (*enclaves*) which Belgium possessed in Holland, and which would be annexed to

the latter, give an excess of ninety thousand hectares, nine thousand houses, and more than forty six thousand inhabitants.

This is what is called in the note to which the present is a reply, *an addition of territory of little importance in itself*.—The note adds, contrary to universal notoriety, and against the evidence of facts, that the soil of this fine part of Limburg consists of *unfertile land*; and it conceals the fact that in this territory are situated fine collieries, from whence Holland might draw so large a quantity of coal, the use of which has become almost general among the Dutch, that she would thence supply half her demand for consumption.

The Articles presented by the Dutch Plenipotentiaries were designed, it is stated, to establish a line of demarcation which should not in future leave an opening for any discussions whatever, and to secure to the King of Holland a free communication with Maestricht.

But is it necessary, in order to avoid eventual contests, to proceed upon the system of seizing all the subjects in dispute, without any regard to justice and right? Can the single reason of convenience, of vicinity, and contiguity, become a legitimate title of possession? Is there then no other mode than this of arriving at a system of exchange of detached territories (*désenclavement*) and contiguity? Is it necessary, in order to establish such a system, arbitrarily to draw through the centre of a province, an ideal line, which abruptly deranges the relations of commerce, breaks every tie, and weakens the new State in one of the most important parts of its territory? And in order to communicate more easily with the town of Maestricht, which never belonged in Sovereignty to the Republic of the United Provinces, and the acquisition of which the Dutch now anticipate in their own favour, are they justified in further appropriating to themselves almost the whole of a province, which was at no time the property of ancient Holland?

The Belgian Plenipotentiary, in his note of the 23rd of September, presented in support of the draft of a Treaty of Peace drawn up in eighteen Articles, has anticipated this arrangement, upon which he thus expresses himself:—

“That all interests, those of a political system which shall present the pledges of permanency, and those of the prosperity of the industry and commerce of Belgium, the very principles appealed to by the Conference, the lessons of history, and the prior rights which it establishes, alike require that the question (of Maestricht) should be decided in favour of Belgium. In fact, its territory surrounds the town on every side, and it can belong to Holland only in the event of the latter possessing the territory as far as North Brabant. Now, the territory comprised between Venlo and Maestricht belongs of right to Belgium:—She could not cede it without renouncing all *transit* commerce with Germany, and without acting in opposition to the interests of the country, and the wise policy followed under the ancient Austrian Government. The undersigned would refer in this respect, 1. to the *note verbale* of the 6th December, 1830, presented to Lord Ponsonby and M. Bresson, by the Belgic Diplomatic Committee; and 2. to the enclosed memorandum relative to Maestricht.”

It is in vain to attempt to maintain that, with the exception of some districts, the part of Limburg described by the Dutch Plenipotentiaries, did not compose a part of the Austrian Netherlands. The Belgian Government on many recent occasions, has delivered in memoranda and notes, supported by indisputable facts, which explain the state of things in this respect, as well with regard to Maestricht, and the Sovereignty exercised in that town jointly by the Prince Bishop of Liege and the States General, as to the rights of the Austrian Netherlands over the remainder of Limburg, with the exception of about sixty villages, the population of which may be estimated at 45,000 souls.

Whatever may be thought of the system of exchange of detached territories (*désenclavement*) and contiguity, of which the Dutch Government claims the application, it will no doubt appear evident in the eyes of any impartial judge, that the Cabinet of the Hague, in insisting upon the expediency of a line of demarcation to be drawn between the respective territories, commencing from Valkenswaard and extending to below Tongres, has had no other object than to

prevent Belgian commerce from coming into contact with the Meuse, upon any point whatever, by Limburg, or still more from constructing a communication from the right bank of that river to the Rhine in approaching Cologne, either by means of canal or a railway. The construction of these means of communication would not present any difficulty, if the Belgians retained, upon their territory, a direct road from Antwerp, by Ruremond, to the frontiers of Prussia. Upon every other point which the propositions of Holland would leave to them, the Belgians would encounter insurmountable obstacles, in the nature of the ground, to the establishment of communications; without which, they would possess no means for a prosperous employment of their industry, no outlet for their *transit* commerce. For it is not to be disguised that the true elements of prosperity for the Belgians, elements with which Providence has blessed their rich and fertile soil, but of which the invariably hostile course of Dutch policy has often dried up the fruitful source, consist in the navigation of the Meuse, the possibility of which would be destroyed by the proposed arrangement; in the free navigation of the Scheldt, of that river which, thanks to the liberal principles established at the Congress of Vienna, a jealous commercial spirit can no longer succeed in closing; finally (and the importance of this last point is such, that it deserves to be brought prominently forward) in the free navigation of the Rhine. The Conference, in its solicitude for the interests of commerce, has promised its good offices to the Belgians, in order to secure to their country the enjoyment of this great mean of communication. The future condition of an infant State, the commerce and industry of neighbouring Countries, are too directly and too intimately connected with the solution of this question, for the Conference to lose sight of its importance and necessity.

From all that has been stated results the proof, that the system proposed by the Cabinet of the Hague would undermine the very political existence of the new Kingdom. The Belgian Government, therefore, in proposing in their draft of Treaty, a line of demarcation between the two countries, the only one which is practicable, has been determined solely by a knowledge of the imperative necessities of Belgium.

The Memorandum to which the present paper is a reply, adds, that Holland reserves to herself to *treat with regard to the Province of Liege and the Cantons ceded by France*. This phrase, laconic as it is, bears a sense so contrary to established principles, and to every notion of justice and public law, that the undersigned will only consider it as the fruit of insufficient reflection; and he will therefore abstain from more fully displaying its character, and from combatting those unjustifiable pretensions, of which the few words which he has quoted would seem to announce the existence. Such pretensions could only be considered as equivalent to a refusal to present means of accommodation which it were possible for the Belgian Government seriously to discuss.

The undersigned cannot terminate these observations without remarking that the Cabinet of the Hague in its Memorandum, has completely departed from the spirit and the letter even of the Protocol of the 20th January, to which Holland has given its adhesion; while the Belgian Government, always animated with the sincere wish to terminate disputes of which Europe desires the prompt conclusion, has demanded in the Draft of Treaty presented in its name, nothing but the execution of the 18 Articles proposed by the Conference on the 26th June 1831, adopted by the Belgian Congress on the 9th July, and which have become a law of the State, and obligatory upon the Cabinet of Brussels. If one single proposition among those given in by Belgium on the 23d September, appears to vary from the preliminaries of the 20th June, that is, in demanding l'Ecluse, Philippine, Sas de Gand, and some other *communes* of Zealand-Flanders, it is evident that all that was thereby intended was merely to make a proposition of exchange against an equivalent portion of territory which was offered to Holland, and which, according to the basis of 1790 adopted by the Conference, and according to the system respecting the detached territories (*enclaves*) which this basis established in the respective territories of the two countries, had fallen to the share of Belgium, in conformity to the 18 Articles of the 26th June.

The Government of His Majesty King Leopold, in offering the detached territories to which Belgium was entitled in Holland, as a compensation for that part of Zealand-Flanders, and for the other territorial arrangements, considers that it proposed the most just system of exchange, that which is most suitable to the nature of the country, and that which presents the best pledges of permanency. It has thus given a proof of its love for peace, of its solicitude for the interests of the Belgian nation, which are intimately connected with those of the neighbouring nations; and their Excellencies the Plenipotentiaries of the five great Courts, will know how to appreciate the integrity and sincerity which have decided its conduct.

With regard to Luxemburg, the undersigned refers purely and simply to the propositions made on the 23rd of this month by the Belgian Government, the only one which is admissible, and which is founded on prior documents and Treaties. The Conference will see that all idea of a *territorial exchange* must be abandoned, its execution being utterly impracticable for a country, confined within limits already too narrow. The undersigned, in order to reply by one single fact to the long recapitulation of sacrifices which Holland states to have been entailed upon her, by her union with Belgium, will merely point to the amount of the portion of the old Dutch debt, which Belgium has been paying for fifteen years.

(Signed) SYLVAIN DE WEYER.

Observations upon the document marked B. addressed to the Conference by the Dutch Plenipotentiaries, and relative to the 3rd point:

The nature of the arrangement to be entered into with regard to the division of the Debt.

HOLLAND proposes to transfer to Belgium $\frac{1}{2}$ of the debt of the Netherlands. In order to estimate the character of this proposition, it is necessary to examine the nature and amount of the debt in question.

On the 30th September, 1830, the national debt of the Netherlands amounted to 780,000,000 of debt bearing interest, and 840,000,000 of deferred debt. (Netherland florins).

At the period of the union of the two countries, Holland already owed 575,000,000 of debt bearing interest, and 1,150,000,000 of deferred debt. Belgium, on its part, was burthened with 27,000,000 of debt bearing interest, and 54,000,000 of deferred debt, including that which was denominated the Austro-Belgick debt. The proportion between the amount due by each of the two Countries was therefore as 43 to 2.

A further sum of 14,000,000 of debt bearing interest, was inscribed upon the great book, in virtue of the law of the 9th February, 1818, as the liquidation of the arrears of the Netherlands, in which, however, Holland was concerned to a much greater amount than Belgium.

The remainder of the debt, amounting to 164,000,000 of debt bearing interest, was contracted jointly.

In 1816 the payments for interest of the Dutch debt liable thereto, amounted to 14,400,000 florins.

At the same date, the annual charge upon Belgium for 27,000,000 of debt bearing interest, including the Austro-Belgick debt, was 675,000 florins.

Now, as the two debts were thrown into one on the 1st of January, 1816, and as, by the avowal of the Dutch Government itself, Belgium paid at least half the produce of the taxes, it follows that during the fifteen years of the union she defrayed an annual charge of about 7,000,000 towards the payment of the interest of the old Dutch debt: a tribute of 105,000,000, has therefore been levied upon Belgium by Holland. To this sum should also be added that which Belgium has paid towards the redemption of 2,830,000 florins of debt bearing interest, and 565,000,000 of deferred debt, towards which redemption Belgium ought to have contributed only $\frac{1}{2}$, when, in point of fact, she has paid half.

It is thus easy to see at a glance, what sacrifices the union has imposed upon Belgium ; and no one can be astonished that she so deeply felt the weight of a burthen under which she must have ultimately sunk. She cannot, and ought not, to expose herself to the renewal of the imposition of a foreign debt ; and the principle laid down in Article 12 of the preliminaries of the 26th June, and applied in Article 7 of the Draft of Treaty delivered in by the undersigned, is the only one which is consistent, as well with justice and reason, as with the interests of Belgium.

Such, however, is the state of things which Holland wishes to perpetuate, by relieving itself, at the expence of Belgium, of a debt of about 290,000,000 contracted previous to the union of the two countries.

With regard to the liabilities of the *Syndicat* and the redeemable annuities, it will also be necessary to enter into some details relative to that institution.

The *Syndicat d'amortissement* created by the law of the 27th December, 1822, replaced the *Syndicat* of the Netherlands, and the *caisse d'amortissement*.

There is no document which shews the balance of the debits and credits of the *caisse d'amortissement* and the *Syndicat* of the Netherlands.

Neither are there any means of ascertaining the use of the different credits, amounting to more than 250,000,000 florins, with which the *Syndicat d'amortissement* has been invested.

It is therefore impossible thoroughly to examine the state of the debt without knowing the operations of that establishment.

In the note given in by the Plenipotentiaries of Holland, mention is made of the debts only. But what becomes of the assets ? which assets, moreover, include the sales of domains situated in Belgium, and the produce of which, paid over to the *Syndicat*, amounts to the sum of 42,053,037 florins. After so considerable a loss, and so manifest an injury to its rights of property, it would be contrary to all justice to impose upon Belgium the obligation of contributing to the payment of the domanial notes, (*bons domaniaux*) payable on the 30th September, 1830, which represent the value of the very property alienated to the disadvantage of Belgium.

In return for the enormous burthen which Holland is desirous of imposing upon the Belgians, she offers to admit them to the navigation and commerce of the Dutch colonies, upon the same footing as the Dutch.

The undersigned however must observe, that this return would become entirely valueless. How could Belgium consent to pay seven millions of florins annually, for a right of commerce and navigation, the exercise of which would be regulated by Holland alone ? Is it not evident that the civil and military administration of the colonies remaining always in the hands of the Dutch, it would be easy for them to nullify the rights granted to the Belgians, either by continual hindrances and vexations, which the distance of the colonies would render it impossible for the Belgians to repress, or even to substantiate, or by granting to other nations the same advantages as to the inhabitants of Belgium ? The obstacles interposed for a year past, under the most frivolous pretexts, to the free navigation of the Meuse and the Scheldt, which was conceded under the auspices of the five Powers, the difficulties continually raised for the last fifteen years, relative to the navigation of the Rhine, are not the most satisfactory pledges for the execution of the offer made by Holland as to the commerce of the Indies, the importance and advantage of which to Belgium, have been singularly exaggerated.

After having thus presented a nominal compensation in return for imposing a real and overwhelming burthen on the Belgians, the Dutch Government is further desirous of fixing some portion of the debt upon the Grand Duchy of Luxembourg, and a part of Limburg. Upon this subject, the undersigned will now confine himself to observing, that the cabinet of the Hague considers as actually completed, cessions of territory to which Belgium could not accede without consigning herself to utter ruin.

The Article IV. of the Memorandum B. relates to capital borrowed for the construction of works of public and private utility. The proposition made in that paragraph might be accepted, if it contained these words, *capital legally borrowed*.

The arrangement relative to the sequestration imposed in Belgium on the property and hereditary estates of the House of Nassau, is in accordance with the stipulations contained in the propositions of the undersigned. It is however to be distinctly understood, that the palaces situated in Belgium, as well as the rents and sums payable by the Bank of Brussels, in compensation for the civil list, are not considered as hereditary property, and that in every case it is intended to reserve the rights of third parties.

The paragraph 7 gives occasion to the undersigned to remark to the Conference how difficult it has been for the Belgian Government to present any very precise propositions relative to the division of the debt, since *all the documents and papers are at the Hague*. Notwithstanding, however, the absence of these documents, the Belgian Government, desirous of giving information to their Excellencies the Plenipotentiaries of the five Courts upon every point, and of preventing any ulterior discussion, and unfortunate misunderstanding, has drawn up some Articles containing all the elements of the Treaty with regard to the debt. And on this occasion, the undersigned cannot omit to call the attention of their Excellencies the Plenipotentiaries of the five Courts to the numerous omissions of the Memorandum delivered in by the Plenipotentiaries of Holland. In fact, no mention is made therein of alienations of domains, of arsenals, dockyards, and cannon founderies, of the navy, of the objects of arts acquired jointly, of deposits, and securities, of the widows' fund, of the fund *des leges*, of the chest of civil and military retired allowances, of the residue of the liquidation of the French arrear, of the endowment of the legion of honor, nor even of the sums found in the public treasury.

The undersigned would also observe to the Conference, that the choice of the town of the Hague as the seat of the Commission of Liquidation, would entail upon the Belgian Commissioners inconveniences which may readily be appreciated. Besides, the documents are not at the Hague only, as is affirmed by the note to which the present is an answer:—there are many, and those the most essential ones, at the town of Amsterdam; their number is not so considerable as to render their removal difficult.

With regard to §8, the undersigned refers to Article 13 of the 18 Propositions made by the Conference on the 26th of June last, and accepted by the national Congress of Belgium on the 9th of July. According to the said Article 13, the provisional quota of Belgium is to be fixed by the Commissioners of Liquidation, after the division of the debt shall have been determined conformably to Article 12.

The undersigned, having thus discussed all the points of the note B, delivered in by the Dutch Plenipotentiaries, conceives that he has demonstrated that the arrangement proposed with regard to the debt, is entirely inadmissible.

(Signed) SYLVAIN VAN DE WEYER.

No. 45.

Protocol of a Conference held at the Foreign Office, on the 30th of September, 1831.

Present;

The Plenipotentiaries of
Austria;
France;
Great Britain;
Prussia; and
Russia;

THE Plenipotentiaries of the five Courts having assembled, proceeded to the examination of the financial questions which it is essential to settle between Holland and Belgium.

After having constantly demanded from the Belgian Government since the month of December, 1830, positive information as to the public debt of the United Kingdom of the Netherlands, and having obtained only vague and imperfect statements, which the Belgian Plenipotentiary has nevertheless declared to be all that it was in his power to furnish, the Conference, considering that official information in this respect is indispensably necessary, and that all the documents which shew the amount of the interest and charge of the public debt of the kingdom of the Netherlands are exclusively in the possession of the Dutch Government, has agreed to address the annexed letter (A) to the Plenipotentiaries of His Majesty the King of the Netherlands, requesting them to communicate to the Conference on these important points, official details of which they can guarantee the correctness.

ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 45.

Letter addressed by the Conference to the Plenipotentiaries of the Netherlands, dated London, September 30, 1831.

Gentlemen,

THE Conference of London being at this moment engaged upon those financial questions which it is important to settle between Holland and Belgium, and the Government of His Majesty the King of the Netherlands being in possession of all the documents which shew the amount of the public debt of the United Kingdom of the Netherlands, we request your Excellency to have the goodness to communicate to us official information, the correctness of which you may be able to guarantee to us :

1st. As to the amount and the annual interest of the different debts contracted since the union of Belgium with Holland, by the United Kingdom of the Netherlands, in virtue of laws passed by the States General.

2nd. As to the amount of charge on account of the total debt of the United Kingdom of the Netherlands, according to the last Budgets passed by the States General.

We should feel much obliged to your Excellencies if you would have the goodness moreover to communicate to us in writing, the assurance which you have given us verbally, that no sequestration has been imposed in Holland on any property or hereditary estate whatever, during the troubles which have occurred in the Kingdom of the Netherlands.

(Signed) ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 46.

Protocol of a Conference held at the Foreign Office, on the 1st of October 1831.

Present :

The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.

THE Plenipotentiaries of the five Courts having assembled, judged it necessary to record in the present Protocol the annexed letter (A. B.) which

they addressed on the 28th ultimo, to the Dutch Plenipotentiaries and to the Belgian Plenipotentiary, in order to ascertain their respective ideas with regard to the mode of settling several questions of secondary interest which result from the separation of Belgium from Holland.

The Plenipotentiaries agreed likewise to annex to the present Protocol the answers which they have just received from the Dutch Plenipotentiaries and from the Belgian Plenipotentiary. (C. D.)

(Signed) ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 46.

Letter addressed by the Conference to the Plenipotentiaries of the Netherlands, dated London, September 28, 1831.

IN addition to the communications which the Plenipotentiaries of His Majesty the King of the Netherlands have addressed to the Conference, under date of the 25th and 26th of this month, upon the most important points of the Treaty which is definitively to regulate the separation of Belgium from Holland, it is necessary for the undersigned, in order to be enabled to complete the work which is the object of their endeavours, also to ascertain their ideas upon all the other points which they may be of opinion should be included in the Treaty in question. The Undersigned have therefore the honour to invite the Plenipotentiaries of His Majesty the King of the Netherlands to communicate to them the desired information, drawn up in the form of Articles, with the least possible delay.

The Undersigned, &c.
(Signed) ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex B. to Protocol No. 46.

Letter addressed by the Conference to the Belgian Plenipotentiary, dated London, September 28, 1831.

IN addition to the communications which the Plenipotentiary of the Belgian Government has addressed to the Conference, under date of the 25th and 26th of this month, upon the most important points of the Treaty, which is definitively to regulate the separation of Belgium from Holland, it is necessary for the undersigned, in order to be enabled to complete the work which is the object of their endeavours, also to ascertain his ideas upon all the other points which he may be of opinion should be included in the Treaty in question. The undersigned have therefore the honour to invite the Plenipotentiary of the Belgian Government to communicate to them the desired information, drawn up in the form of Articles, with the least possible delay.

The Undersigned, &c.
(Signed) ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex C. to Protocol No. 46.

Letter addressed to the Conference by the Plenipotentiaries of the Netherlands, dated 1 October, 1831.

THE Undersigned, Plenipotentiaries of His Majesty the King of the Netherlands received in the night of the 29th of September, the Note which the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia did them the honor to address to them under that date, inviting them to make known their sentiments upon all the other points which they conceive ought to be included in the definitive Treaty of separation between Holland and Belgium.

In doing justice to the anxiety and the unwearied diligence of the Conference in their endeavour to regulate such important interests by a mutual agreement, the undersigned cannot but feel some difficulty in entering into more details than they have already given, before they know how their Excellencies have received the Draft which they had the honor to communicate to them on the 5th of September, and the observations made in their answers of the 26th of the same month.

In fact, the moderate demands made by Holland since the month of January last, both with regard to the limits, and as to the division of the debt, demands founded on the principle of strict justice, that in separating herself from the community, her condition should not become less favourable than it was on joining it, have been constantly presented by the undersigned as a whole, of which the admission could not be abstractedly judged.

The result of this observation is, that it would be difficult for them to hazard any further ideas, the utility or propriety of which, it would appear, could only be decided by the nature of the communications which they hope soon to receive, and by the actual words of the Articles, which will form the Treaty to be concluded between the King their August Master and the five Powers, according to the full powers which the undersigned have been enabled to lay before the Conference, ever since the beginning of the month of August. In consideration of this reservation, which includes that of His Majesty's rights both as King of the Netherlands and Grand Duke of Luxemburg, the undersigned hasten, in acceding to the wishes of their Excellencies, to communicate to them herewith certain Articles which should form part of the Treaty above alluded to.

They have the honour, &c.

(Signed) FALCK.

H. DE ZUYLEN DE NYEVELT.

ARTICLE

The Port of Antwerp, in conformity with the stipulations of the 15th Article of the Treaty of Paris of the 30th of May, 1814, shall continue to be solely a Port of commerce.

ARTICLE

A negociation shall be opened without delay for regulating the free navigation of the Scheldt, according to the terms of the Act of the Congress of Vienna.

ARTICLE

Works of public or private utility, such as canals, roads, or others of a similar nature, constructed either wholly or in part at the expense of the Kingdom of the Netherlands, shall belong, with the advantages and charges thereunto attached, to the country in which they are situated. It is understood that the capitals

borrowed for the construction of those works, and specifically charged thereupon, shall be comprized in the said charges, so far as they have not yet been repaid, and without giving rise to claims on account of re-payments already made.

ARTICLE

The sequestrations imposed in Belgium, during the troubles, on the property and hereditary estates of the House of Orange, or on any others, shall be taken off without delay, and the enjoyment of the property and estates above-mentioned shall be immediately restored to their lawful owners.

ARTICLE

If the inhabitants and proprietors of the countries, of which the separation takes place in consequence of the present Treaty, should wish to transfer their residence from one country to the other, they shall be at liberty, during a year and a half, to date from the ratification of the present Treaty, to dispose of their property, moveable and immoveable, of whatever nature the same may be, to sell it, and to carry away the produce of the sale, either in money, or in any other shape, without hindrance, and without the payment of any other duties than those which under the existing laws are now in force upon changes and transfers.

It is understood that the collection of the *droit d'aubaine et de détraction* upon the persons and property of the Dutch in Belgium, and of Belgians in Holland, is abandoned, both now and for the future.

ARTICLE

The character of a subject of the two Governments, with regard to property, shall be acknowledged and maintained.

ARTICLE

No person shall be molested or disturbed in any manner whatever, on account of any part which he may have taken directly or indirectly in political events.

ARTICLE

The pensions and allowances of expectants, of persons unemployed or retired, shall in future be paid on either side to all those individuals entitled thereto, both civil and military, conformably to the laws in force previous to the 1st of November, 1830.

It is agreed that the allowances to Belgians shall remain at the charge of the Belgian Treasury, and those to the Dutch, at the charge of the Dutch Treasury.

Civil and military pensioners, and those entitled to allowances of expectants, of persons unemployed and retired, or placed in retirement after the late events or the present Treaty, shall have the right of voluntarily choosing their residence in either of the two countries, provided they make a declaration to that effect within the year and a half mentioned above.

Annex D. to Protocol No. 46.

Letter addressed to the Conference by the Belgian Plenipotentiary, dated London, 30 September, 1831.

THE Undersigned, Plenipotentiary of His Majesty the King of the Belgians, having received from their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, a note dated the 29th instant, in

which their Excellencies invite the undersigned to communicate to them his ideas upon all the points which should be included in the Treaty of separation between Belgium and Holland, and which have not been mentioned in his communications of the 23rd and 26th of September, has the honour to forward to their Excellencies a third series of notes, equally drawn out in Articles, supported by a short exposition of their objects, and of which the principal elements have been drawn from the preliminaries of the 26th of June.

The undersigned is anxious to transmit this portion of the work to their Excellencies, reserving to himself to complete it by a further communication, and to bring before the Conference all the information necessary to lead to a definitive arrangement with the least possible delay.

The undersigned, &c.

(Signed) SYLVAIN VAN DE WEYER.

Annex to the Note of 30 September.

“The reciprocal evacuation of the territories, towns, and fortresses, shall take place ten days after the ratification of the definitive Treaty.”

This stipulation is necessary, to put an end, as speedily as possible, to a state of anxiety, and of absolute suspension of business, which is so detrimental to commerce and industry in the towns whose fate has been so long doubtful.

“No inhabitant of the towns, fortresses and territories reciprocally evacuated, shall be disturbed or molested, for his past political conduct.”

Strictly, this Article contains no other precise or positive clause than the engagement to institute no process, either criminal or correctional, under pretext of political crimes or offences of which it may be pretended that, since the revolution of September, 1830, inhabitants of the ceded territory may have been guilty, in the eyes of the Government definitively placed in possession of the town or district in which they reside. But Belgium does not understand that she is to be limited on her part to this compulsory respect for the species of amnesty agreed upon.

“In all the countries evacuated, the inhabitants, if they think proper, shall preserve for two years after the ratification of the treaty, the power of disposing of their property, and of removing to another territory, without any hindrance whatever.”

This power, according to existing laws, cannot be contested: The Dutch and the Belgians have the right of selling their property, of quitting their country, and of requesting letters of naturalization from another nation. But it is desired to prevent, by this Article, the enactment of prohibitory laws upon this subject after the conclusion of the Treaty.

“The port of Antwerp, in conformity with the 15th Article of the Treaty of Paris of the 30th of May, 1814, shall continue to be solely a port of commerce.”

The above Article needs no explanation; it merely renews a covenant which has been established in the public law of Europe.

“ The pilotage, the buoyage, the police, and all that concerns the navigation and the conservation of the channels of the Scheldt below Antwerp, shall be subject to a joint superintendence, with no other duties than those which were established and levied in 1814 previous to the union of Belgium and Holland.

“ Belgian fishermen shall have the right of fishery in the waters of the Scheldt, from Antwerp down to the sea.

“ Belgian vessels, going from Antwerp, may proceed to the Rhine by the navigable channels which lead the most directly to that river. These vessels shall be subject, for the passage, to the regulations settled for the navigation of the States bordering upon the Rhine, and they shall continue to be subject to these regulations for navigation upon the Rhine. Dutch vessels may navigate the Scheldt and the Meuse in conformity with the same regulations.

“ The use of the canals from Ghent to Terneuse, and from the Zuid-Willems-Vaart, shall be common to the inhabitants of both countries. The regulations, for the parts of those canals situated in each of the respective countries, shall be applicable to the inhabitants of the two countries, who shall not be affected by any particular or distinctive measure.”

Belgium being a State bordering upon the Rhine, by the possession of the detached territory of Zevenaer, has the right of participation in the advantages of the regulation respecting that river. As a State bordering upon the Meuse, she may claim this right because the Meuse flows into the Rhine.

The Meuse and the Scheldt both traverse the Belgian territory. The communication between these rivers is established by means of channels formed by the Rhine and the Meuse, on each of which Belgium can claim the right of a Power bordering upon the river. She is, therefore, authorized to claim the passage of the channels which flow from her territory, and to procure the shortest passage by the channels which connect the Meuse with the Scheldt; whether those channels proceed from the Meuse or from the Rhine.

Upon the two joint canals, the position of the two States should be determined by the Treaty to be equal.

“ The sequestrations imposed upon private property in both countries, shall be immediately taken off, under reservation of the rights of third parties.”

It is evident that the possessors of hereditary estates, sequestrated in consequence of the revolution, may have contracted, in the same countries in which those estates are situated, engagements either towards personal creditors, or by taking part in acts for which they remain sureties, or legally responsible. It is therefore not possible to give to such proprietors, by a removal of sequestrations without reserve, the power of nullifying the securities possessed by third parties.

“ The communications of the fortress of Luxembourg with Germany, shall remain as they were on the 30th September, 1830.”

These communications, regulated under the auspices of the Allied Powers after the campaigns of 1814 and 1815, form a part of the existing public Law.

“ All archives, maps, plans and documents whatsoever, belonging to Belgium, or concerning her Government, shall be faithfully given up three months after the ratification of the present Treaty.”

It is notorious that papers and documents of that nature have found their way to Holland by the establishment of all the central Administrations of the Netherlands at the Hague, and that besides, deeds, archives and documents, even municipal ones, were transferred to that Capital at the commencement of the revolution of 1830. Nothing, therefore, can be more just than the restitution of these documents, which will be henceforth useless to the Government of Holland.

There remain, the independence and the neutrality of Belgium, of which the recognition, already realized, should however be placed at the commencement of the Treaty.

No. 47.

Protocol of a Conference held at the Foreign Office on the 5th of October, 1831.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Powers having assembled, recorded, by the present Protocol, the accompanying declaration (A) made by the Plenipotentiaries of His Majesty the King of the Netherlands, relative to the demand which the Conference had addressed to them in order to obtain a prolongation of the suspension of hostilities established from the 10th of this month, between Holland and Belgium.

His Majesty the King of the Netherlands having consented that this suspension of hostilities should be prolonged until the 25th of this month, it was agreed that this determination of His Majesty the King of the Netherlands should be made known to the Belgian Government, and that the five Powers should engage that Government to prolong on its part the suspension of hostilities for the same period.

(Signed) ESTERHAZY. WESSENERG.
TALLEYRAND,
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 47.

Letter addressed to the Conference by the Plenipotentiaries of the Netherlands, dated London, the 5th October, 1831.

THE undersigned, Plenipotentiaries of His Majesty the King of the Netherlands hastened to convey to the knowledge of their Government the desire expressed to the second of the undersigned by their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, assembled in Conference in London, in their sitting of the 28th of September last, the tendency of which was to obtain from the King a declaration that on the 10th of October His Majesty would not avail himself of his right to recommence hostilities against the Belgians, but that he would consider the armistice prolonged to a period to be fixed by himself. They also at the same time informed their Court of the assurance which their Excellencies were so good as to give on that occasion, that the Conference being actively engaged upon the draft of a definitive Treaty, entertained every hope, that before the 10th of October, the Cabinet of the Hague would receive on its part a communication of results which were satisfactory, and adapted to tranquillize it. The Government of the Netherlands having considered, with that attention which it unceasingly devotes to all the communications which proceed from the five Powers, whether it could on this occasion fulfil the wish of the Conference, has declared that in several respects a prolongation of the armistice would be unfavourable to its interests. The Belgians would in fact thereby obtain a delay which would be useful in augmenting and organizing their military force

The season, already advanced, will soon increase to the Dutch army, the difficulties of an aggressive war, while at the same time the frost will render their means of defence more precarious. To prolong the uncertainty in which Holland finds itself involved, is to subject her loyal and faithful inhabitants to new trials, after so many sacrifices already borne for the preservation and well being of the country.

In fact, before the next meeting of the States-general, the Government of the Netherlands must ascertain, with precision, the political situation of the kingdom, and what that leaves to be feared or hoped for ; and the same epoch, destined to regulate the public service for the following year, requires that its resources and its exigencies should be accurately known.

Notwithstanding these considerations, the weight and importance of which will not escape their Excellencies the Plenipotentiaries of the five Powers, the King, wishing to give to the Powers represented in the Conference of London, a further pledge of the desire which constantly animates him to cooperate with them as far as depends upon him, in putting an end to a crisis which the Belgian insurrection has excited in Europe, has determined, upon the above-mentioned desire of the Conference, to prolong for fifteen days the suspension of hostilities between Holland and Belgium, so that it shall cease on the 25th of October at noon.

The undersigned are charged to communicate this decision of their Sovereign to the Conference of London, and to express to it at the same time the confidence of the Government of the Netherlands, of seeing between this and the 25th of October, the conclusion of a definitive arrangement, which may fully realize the bases of separation already adopted between His Majesty and the five Powers, and including more especially the question of the limits, the public debt, and the Grand Duchy of Luxemburg.

The undersigned, in executing by the present note the orders of their Court, avail themselves eagerly of this occasion to renew to their Excellencies the Plenipotentiaries assembled in Conference in London, the assurance of their high consideration.

(Signed) FALCK.
H. DE ZUYLEN DE NYEVELT.

No. 48.

Protocol of a Conference held at the Foreign Office, on the 5th of October 1831.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

The Plenipotentiaries being assembled, took note of the accompanying letter (A.) by which the Plenipotentiaries of His Majesty the King of the Netherlands have communicated to the Conference, in reply to that which had been addressed to them on the 30th of September, two statements (B. C.) of which the former shews the amount and the annual interest of the debt contracted since the union of Belgium and Holland, by the United Kingdom of the Netherlands, in virtue of the laws passed by the States-General, and the second, the amount of the charge for the service of the whole debt of the United Kingdom of the Netherlands, according to the late budgets agreed to by the States-General.

Considering that the Plenipotentiaries of the Netherlands guarantee the correctness of these statements, and that consequently, if they should be found incorrect notwithstanding so formal a guarantee, the five Powers would thereby have a right to consider as null and void the results of calculations founded upon those statements, the Conference proceeded to the consideration of the course to be adopted in order to effect an equitable division of the debts and charges above-mentioned between Holland and Belgium.

In this labour, the Conference in the first place referred to the principles of the 6th Article of the Protocol of the 21st July, 1814, annexed to the general Act of the Congress of Vienna, which declares, with reference to Holland and Belgium, that "as the charges ought to be common as well as the advantages, the debts contracted up to the time of the union by the Dutch provinces on the one hand, and by the Belgian provinces on the other, shall be at the charge of the General Treasury of the Netherlands."

The Conference, acknowledging according to this principle, that Holland possessed during the union a right to the contribution of Belgium towards the payment of the aggregate debt of the Kingdom of the Netherlands, and that there should be a perfectly equal division of charges and advantages between the two Countries, was unanimously of opinion that it would be contrary to this fundamental principle to value the particular advantages which either Holland or Belgium has derived from loans made during the union, or to specify the charges to which those loans have been appropriated; and that therefore no rule can be followed for the division of the debt contracted in common, but the proportion of the respective population, or that of the taxes paid by the provinces of which Holland and Belgium will be composed on their separation.

This latter proposition having appeared the most just, inasmuch as it is founded upon the proportion which each of the two countries really contributed to the payment of the mutual debt, contracted during the union; and the Conference having proved, both by the Protocol No. 12 of the 27th January, 1831, and by the annexed letter (D) of the Dutch Plenipotentiaries, that according to an average of the budgets of the Kingdom of the Netherlands for 1827, 1828, and 1829, the two great divisions of that Kingdom contributed towards the payment of the direct and indirect taxes and the excise, the one for $\frac{1}{3}$, and the other for $\frac{2}{3}$, the Plenipotentiaries of the five Powers adopted this calculation, keeping in mind always that the average in question should, in equity, be reduced in favour of Belgium, because, according to the territorial arrangements agreed upon, Holland will occupy possessions which did not belong to her in 1790.

The Conference therefore judged it equitable that the debt contracted during the union, by the Kingdom of the Netherlands, should be divided between Holland and Belgium in the proportion of $\frac{1}{3}$, or an exact half to each.

The annual interest upon the total amount of the above debt, amounting in round numbers to 10,100,000 florins of the Netherlands, the debt of Belgium under this head will appear to be 5,050,000 florins.

Moreover, the Austro-Belgian debt having belonged exclusively to Belgium before her union with Holland, it was deemed equally just that this debt should be borne exclusively by Belgium for the future.

The interest at $2\frac{1}{2}$ per cent. upon the portion of this debt called *active*, as well as the fund set apart for the redemption of that portion called *deferred debt*, being estimated in round numbers at 750,000 Netherland florins of annual interest, Belgium will have to support under this second head, another debt of 750,000 florins of interest.

The Conference, constantly actuated, by rules of equity, found that, according to the principles and views by which it is guided, a further debt, which was originally borne by Belgium previous to her union with Holland, namely, the debt inscribed for Belgium in the Great Book of the French Empire, and which, according to its budgets, *would appear* to amount to 4,000,000 of francs; or 2,000,000 florins of the Netherlands of annual interest, should also be placed to the charge of the Belgian treasury. The debt, therefore, with which Belgium would

be charged under this third head, would amount to 2,000,000 Netherland florins of annual payment.

In fine, considering the advantages of commerce and navigation, the enjoyment of which Holland is bound to give to the Belgians, and the sacrifices of different kinds which the separation has entailed upon her, the Plenipotentiaries of the five Powers were of opinion that there ought to be added to the three heads above described, a sum of 600,000 florins of interest, which would form, with those debts, a total of 8,400,000 Netherland florins.

Therefore, according to the unanimous opinion of the Conference, Belgium should remain definitively charged with an annual interest of 8,400,000 florins on account of the division of the public debt of the United Kingdom of the Netherlands.

On the other hand, the Plenipotentiaries of the five Powers observed that the *Syndicat d'Amortissement* instituted in the Kingdom of the Netherlands, having contracted debts of which half the interest has been charged to Belgium, but having also, by the nature of its institution, to render accounts, from which may result a balance to be received, Belgium ought to share in such balance as soon as it may be established, by means of a settlement, in the same proportion in which she has contributed to the payment of the direct and indirect taxes and excise of the Kingdom of the Netherlands.

It was agreed that the Article respecting the division of the debt, in the definitive arrangement on which the Conference is engaged, should be drawn up conformably to the principles laid down in the present Protocol.

The reasons which induced the Conference to come to these resolutions, were, that founding its decisions upon equity, and considering the amount of the charges for the service of the total debt of the United Kingdom of the Netherlands, it ascertained that this amount is in round numbers 27,700,000 florins of annual interest, and that consequently Belgium, during the union, contributed to the payment of that interest in the proportion of $\frac{1}{3}$, that is to say, to the amount of 14,000,000 florins; that now, with the advantage of neutrality, she will have to pay, for her portion, but 8,400,000 florins annually; and that on the other hand, by the mode of division adopted by the Conference, Holland herself obtains considerable indemnities which ought to satisfy the various claims which she has preferred.

(Signed)

ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Memorandum to be annexed to Protocol No. 48.

7th October, 1831.

THE Plenipotentiaries of the five Powers having again taken into consideration, in the Conference of this day, the subject of the division of the debt between Holland and Belgium, judged it necessary to explain themselves to each other upon two passages in the Protocol No. 48.

After these explanations, it was agreed that by the passage which begins with the words: "Considering that the Plenipotentiaries of the Netherlands guarantee the correctness of these statements," &c. is to be understood that if, notwithstanding the positive guarantee of the Plenipotentiaries of the Netherlands, the statements which they have laid before the Conference of London should contain any *essential* inaccuracies, the Conference shall, in that case have the right of effecting a *proportional* arrangement in the calculations which have been framed upon those statements.

The second passage which has been considered of such a nature as to require elucidation, is that which begins with the words: "the debt inscribed for Belgium in the great book of the French Empire," and which concludes with the words: "which would form with those debts, a total of 8,400,000 Netherland florins."

The Plenipotentiaries of the five Powers agree that if in this passage they mentioned the 4,000,000 of francs of interest inscribed for Belgium in the Great Book of the French Empire, it was in order to explain more clearly their idea respecting the charges towards the payment of which Belgium contributed before her union with Holland, without the necessity of altering the calculations of the Conference for any particular considerations connected with the nature or subsequent settlement of those 4,000,000 of francs of interest. It remains generally understood, that the sum of annual interest with which Belgium will remain charged, has been fixed at 8,400,000 florins of the Netherlands, in consideration of the debt contracted in common by Holland and Belgium during their union, the debt called Austro-Belgic, the charge entailed upon Belgium whilst forming part of the French Empire, the advantages of navigation and commerce which she will obtain, and of the sacrifices of different kinds brought upon Holland by the separation.

It was resolved that the present Memorandum should be annexed to the Protocol No. 48.

(Signed) ESTERHAZY. WESSENERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to the Protocol No. 48.

Note addressed to the Conference by the Plenipotentiaries of the Netherlands.

London, 1st October, 1831.

IN reply to the letter which your Excellencies did us the honour to address to us under date of the 30th September, we hasten to transmit to you the two accompanying statements signed by us.

We add to them the official assurance, that during the troubles which have befallen the Kingdom of the Netherlands, no sequestration has been placed in Holland upon any property or hereditary estates whatever.

(Signed) FALCK.
H. DE ZUYLEN DE NYEVELT.

Annex B. to the Protocol No. 48.

No. 1.—Statement of debts contracted from the formation of the Kingdom of the Netherlands up to 1830.

Inscriptions in the Great Book at 2½ per cent.

FOR private claims settled by the
Treasury f. 14,136,836

There is reason to believe that the claims known by the name of Arrears of the Netherlands, (*Nederlandsche Achterstand*) arose nearly in equal proportions from the Northern and Southern Provinces, but this fact may be verified at a future period.

		f. 14,136,836	
	In virtue of the Laws of		
31 December, 1819	. . . . .	23,083,000	} the amount redeemed having been deducted.
24 December, 1820	. . . . .	7,788,000	
22 August, 1822	. . . . .	56,902,000	
27 December, 1822	. . . . .	67,292,000	
3 May, 1825	. . . . .	12,605,000	
		f. 181,806,836	
	From which must be deducted the sum cancelled by the Law of 24th Decem- ber, 1829	14,000,000	
	Remainder	<u>167,806,836</u>	

Bonds of the Syndicat d'Amortissement, at 4½ per cent.

In virtue of the Laws of
27 December, 1822 f. 110,000,000

N. B.—The redeemable annuities upon
the estates, founded upon the same
Law, (*Domein Losrenten*) coming
within the operation of this parti-
cular obligation, are here mentioned
for the purpose of record.

at 3½ per cent.

27 May, 1830. f. 30,000,000

At the desire of their Excellencies the Plenipotentiaries of the five Powers assembled in Conference in London, the Undersigned, Plenipotentiaries of His Majesty the King of the Netherlands, certify that the preceding statement is accurate and true; all the *data* being compared with the documents which have been sent to them officially from the Hague.

(Signed)

FALCK.

H. DE ZUYLEN DE NYEVELT.

London, the 1st October, 1831.

Annex C. to the Protocol No. 48.

No. 2.—Statement of the Charge for the Public Debt of the Kingdom of the Netherlands.

THE Undersigned, Plenipotentiaries of His Majesty the King of the Netherlands, anxious to answer the question put to them on that subject on the part of the Conference, certify the following statement of the charge which the Treasury of the Netherlands has borne under the head of the public debt, in virtue of the late budgets agreed to by the States-General, to be conformable to the official vouchers in their possession.

Interest of the debt at $2\frac{1}{2}$ per cent.	19,272,275
Of which fl. 167,806,836 of debt at $2\frac{1}{2}$ per cent. was contracted during the union, according to the certificate of this day No. 1, and which creates an interest of fl. 4,195,145, which is here referred to by way of explanation.	
<i>Syndicat d'amortissement</i> , at $4\frac{1}{2}$ per cent.	4,950,000
Bonds at $3\frac{1}{2}$ per cent.	1,050,000
Sinking fund	2,500,000
	<hr/>
	f. 27,772,275
	<hr/>

Done at London, 1st October, 1831.

(Signed) FALCK.
H. DE ZUYLEN DE NYEVELT.

Annex D. to Protocol No. 48.

Letter addressed to the Conference by the Plenipotentiaries of His Majesty the King of the Netherlands.

Gentlemen,

London, 4th October, 1831.

WE fully guarantee the accuracy of the calculation given in the 1st section of the letter which you did us the honour to address to us, and also the truth of the accounts alluded to in the 2nd section.

Consequently, the direct and indirect taxes, and the excise for the service of the years 1827, 1828, and 1829, give an average of payments for Holland of $\frac{1}{3}$, and for Belgium of $\frac{1}{3}$ of the above-mentioned taxes; and that, according to the recent budgets, the debts contracted during the union, give the following totals:—

Debts at $2\frac{1}{2}$	fl. 167,806,836
4 $\frac{1}{2}$	110,000,000
3 $\frac{1}{2}$	30,000,000

N. B.—Also the redeemable bonds secured upon landed estates.

(Signed) H. DE ZUYLEN DE NYEVELT.
For M. Falck and himself.

No. 49.

Protocol of a Conference held at the Foreign Office, on the 14th of October, 1831.

Present:

The Plenipotentiaries of
Austria ;
France ;
Great Britain,
Prussia ; and
Russia.

THE Plenipotentiaries of the five Powers, after having maturely examined, during a series of Conferences, all the communications which have been made

to them, by the Plenipotentiaries of His Majesty the King of the Netherlands, as well as by the Belgian Plenipotentiary; after having devoted the most serious attention to all the propositions, and to all the information which they have received from the two parties; definitively agreed upon the Articles hereunto annexed (A.) as effecting the separation of Belgium from Holland, and regulating all the questions to which that separation gives rise, as well as the independence and neutrality of Belgium.

They also agreed that the said Articles should be communicated to the Plenipotentiaries of the two parties, by means of the annexed notes (B. C. D. E.) in which will be pointed out the imperious necessity of the decisions made by the Conference.

(Signed) ESTERHAZY. WESSEMBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 49.

Articles of Separation of Belgium from Holland.

ARTICLE I.

The Belgian territory shall be composed of the provinces of

South Brabant,
Liege,
Namur,
Hainault,
West Flanders,
East Flanders,
Antwerp, and
Limbourg;

such as they formed part of the United Kingdom of the Netherlands constituted in 1815, with the exception of those districts of the province of Limbourg which are designated in Article IV.

The Belgian territory shall, moreover, comprise that part of the Grand Duchy of Luxemburg which is specified in Article II.

ARTICLE II.

His Majesty the King of the Netherlands, Grand Duke of Luxemburg, consents that in the Grand Duchy of Luxemburg, the limits of the Belgian territory shall be such as will be hereinafter described, viz. :

Commencing from the frontier of France between *Rodange*, which shall remain to the Grand Duchy of Luxemburg, and *Athus*, which shall belong to Belgium, there shall be drawn, according to the annexed map, a line which, leaving to Belgium the road from *Arlon* to *Longwy*, the town of *Arlon* with its district, and the road from *Arlon* to *Bastogne*, shall pass between *Mesancy*, which shall be on the Belgian territory, and *Clemancy*, which shall remain to the Grand Duchy of Luxemburg, terminating at *Steinfort*, which place shall also remain to the Grand Duchy. From *Steinfort* this line shall be continued in the direction of *Eischen*, *Hebus*, *Guirsch*, *Oberpalen*, *Grende*, *Nothomb*, *Parette*, and *Perlé*, as far as *Martelange*: *Hebus*, *Guirsch*, *Grende*, *Nothomb*, and *Parette*, being to belong to Belgium, and *Eischen*, *Oberpalen*, *Perlé*, and *Martelange*, to the Grand Duchy. From *Martelange* the said line shall follow the course of the *Sure*, the water way (*thalweg*) of which river shall serve as the limit between the two States, as far as opposite to *Tintange*, from whence it shall be continued, as directly as possible, towards the present frontier of the *Arrondissement* of *Diekirch*. and shall pass between *Surret*, *Harlange*, and *Tarchamps*, which places shall be left to the Grand Duchy of Luxemburg, and

Honville, Livarchamp, and Loutremange, which places shall form part of the Belgian territory. Then having, in the vicinity of *Doncols* and *Soulex*, which shall remain to the Grand Duchy, reached the present boundary of the *Arrondissement of Diekirch*, the line in question shall follow the said boundary to the frontier of the Prussian territory. All the territories, towns, fortresses, and places situated to the west of this line, shall belong to Belgium; and all the territories, towns, fortresses, and places situated to the east of the said line, shall continue to belong to the Grand Duchy of Luxemburg.

It is understood, that in marking out this line, and in conforming as closely as possible to the description of it given above, as well as to the delineation of it on the map, which, for the sake of greater clearness, is annexed to the present Article, the Commissioners of demarcation, mentioned in Article V, shall pay due attention to the localities, as well as to the mutual necessity for accommodation which may result therefrom.

ARTICLE III.

In return for the cessions made in the preceding Article, His Majesty the King of the Netherlands, Grand Duke of Luxemburg, shall receive a territorial indemnity in the province of Limburg.

ARTICLE IV.

In execution of that part of Article I, which relates to the province of Limburg, and in consequence of the cessions made by His Majesty the King of the Netherlands in Article II, His said Majesty shall possess, either in his character of Grand Duke of Luxemburg, or for the purpose of being united to Holland, those territories, the limits of which are hereinafter described.

1^o. *On the right bank of the Meuse*: to the old Dutch *enclaves* upon the said bank in the province of Limburg, shall be united those districts of the said province upon the same bank, which did not belong to the States General in 1790; in such wise that the whole of that part of the present province of Limburg, situated upon the right bank of the Meuse, and comprised between that river on the west, the frontier of the Prussian territory on the east, the present frontier of the province of Liege on the south, and Dutch Guelderland on the north, shall henceforth belong to His Majesty the King of the Netherlands, either to be held by him in his character of Grand Duke of Luxemburg, or in order to be united to Holland.

2^o. *On the left bank of the Meuse*: commencing from the southernmost point of the Dutch province of North Brabant, there shall be drawn, according to the annexed map, a line which shall terminate on the Meuse below *Wessem*, between that place and *Stevenswaardt*, at the point where the frontiers of the present *Arrondissement of Ruremond* and *Maestricht* meet, on the left bank of the Meuse; in such manner that *Bergerot, Stamproy, Neer Itteren, Ittervoord, and Thorne*, with their districts, as well as all the other places situated to the north of this line, shall form part of the Dutch territory.

The old Dutch *enclaves* in the province of Limburg, upon the left bank of the Meuse, shall belong to Belgium, with the exception of the town of *Maestricht*, which, together with a radius of territory, extending twelve hundred *toises* from the outer glacis of the fortress on the said bank of this river, shall continue to be possessed in full sovereignty and property by His Majesty the King of the Netherlands.

ARTICLE V.

His Majesty the King of the Netherlands, Grand Duke of Luxemburg, shall come to an agreement with the Germanic Confederation, and with the Agnates of the House of Nassau, as to the application of the stipulations contained in Articles III. and IV. as well as upon all the arrangements which the said Articles may render necessary, either with the above-mentioned Agnates of the House of Nassau, or with the Germanic Confederation.

ARTICLE VI.

In consideration of the territorial arrangements above stated, each of the two parties renounces reciprocally, and for ever, all pretensions to the territories, towns, fortresses, and places situated within the limits of the possessions of the other party, such as those limits are described in Articles I, II, and IV.

The said limits shall be marked out in conformity with those Articles, by Belgian and Dutch Commissioners of demarcation, who shall meet as soon as possible in the town of Maestricht.

ARTICLE VII.

Belgium, within the limits specified in Articles I, II, and IV, shall form an independent and perpetually neutral State. It shall be bound to observe such neutrality towards all other States.

ARTICLE VIII.

The drainage of the waters of the two Flanders shall be regulated between Holland and Belgium, according to the stipulations on this subject, contained in Article VI of the definitive Treaty, concluded between His Majesty the Emperor of Germany and the States General, on the 8th of November, 1785; and in conformity with the said Article, Commissioners to be named on either side, shall make arrangements for the application of the provisions contained in it.

ARTICLE IX.

The provisions of Articles 108 to 117 inclusive, of the General Act of the Congress of Vienna, relative to the free navigation of navigable rivers, shall be applied to those navigable rivers which separate the Belgian and the Dutch territories, or which traverse them both.

So far as regards specially the navigation of the Scheldt, it shall be agreed that the pilotage and the buoing of its channel, as well as the conservation of the channels of the Scheldt below Antwerp, shall be subject to a joint superintendence; that this joint superintendence shall be exercised by Commissioners, to be appointed on both sides for this purpose; that moderate pilotage dues shall be fixed by mutual agreement; and that such dues shall be the same for the Dutch as for the Belgian commerce.

It is also agreed that the navigation of the intermediate channels between the Scheldt and the Rhine, in order to proceed from Antwerp to the Rhine, and *vice versa*, shall continue reciprocally free, and that it shall be subject only to moderate tolls, which shall provisionally be the same for the commerce of the two countries.

Commissioners on both sides shall meet at Antwerp in the space of one month, as well to determine the definitive and permanent amount of these tolls, as to agree upon a general regulation for the execution of the provisions of the present Article, and to include therein a provision for the exercise of the right of fishing and of trading in fish throughout the whole extent of of the Scheldt, on a footing of perfect reciprocity in favour of the subjects of the two countries.

In the mean time, and until the said regulations shall be prepared, the navigation of the navigable rivers abovementioned shall remain free to the commerce of the two countries, which shall adopt provisionally, in this respect, the tariffs of the Convention signed at Mayence, on the 31st March, 1831, for the free navigation of the Rhine, as well as the other provisions of that Convention, so far as they may be applicable to those navigable rivers which divide the Dutch and Belgian territories, or traverse both.

ARTICLE X.

The use of the canals which traverse both countries shall continue to be free and common to the inhabitants of both. It is understood that they shall en-

joy the use of the same reciprocally, and on equal conditions, and that on either side moderate duties only shall be levied upon the navigation of these canals.

ARTICLE XI.

The commercial communications through the Town of Maestricht, and through Sittardt, shall remain entirely free, and shall not be impeded under any pretext whatsoever.

The use of the roads which, passing through these towns, lead to the frontiers of Germany, shall be subject only to the payment of moderate turnpike tolls, for the repair of the said roads, so that the transit commerce may not experience any obstacle thereby, and that by means of the tolls abovementioned these roads may be kept in good repair, and fit to afford facilities to that commerce.

ARTICLE XII.

In the event of a new road having been constructed, or a new canal cut, in Belgium, terminating at the Meuse, opposite the Dutch canton of Sittardt, in that case, Belgium shall be entitled to demand of Holland, who, on the other hand, shall not in that case refuse her consent, that the said road, or the said canal, shall be continued, according to the same plan, and entirely at the cost and charge of Belgium, through the canton of Sittardt, to the frontiers of Germany. This road or canal, which shall be used only as a commercial communication, shall be constructed, at the option of Holland, either by engineers and workmen whom Belgium shall obtain permission to employ for that purpose in the canton of Sittardt, or by engineers and workmen to be furnished by Holland, and who shall execute the works agreed upon at the expence of Belgium, the whole without any charge whatsoever to Holland, and without prejudice to her exclusive rights of sovereignty over the territory which may be traversed by the road or canal in question.

The two parties shall fix, by mutual agreement, the amount and the mode of collection of duties and tolls which should be levied upon the said road or canal.

ARTICLE XIII.

§ 1. From and after the 1st of January 1832, Belgium, with reference to the division of the publick debt of the United Kingdom of the Netherlands, shall remain charged with the sum of 8,400,000 Netherland florins of annual interest, the capital of which shall be transferred from the debit of the Great Book at Amsterdam, or from the debit of the general treasury of the United Kingdom of the Netherlands, to the debit of the Great Book of Belgium.

§ 2. The capitals transferred, and the annuities inscribed upon the debit of the Great Book of Belgium, in consequence of the preceding paragraph, to the amount of the total sum of 8,400,000 Netherland florins of annual interest, shall be considered as forming part of the Belgick National Debt; and Belgium engages not to admit, either at present or in future, any distinction between this portion of her public debt arising from her union with Holland, and any other Belgick national debt already created, or which may be created hereafter.

§ 3. The payment of the above-mentioned sum of 8,400,000 Netherland florins of annual interest, shall take place regularly every six months, either at Brussels or at Antwerp, in ready money, without deduction of any kind whatsoever, either at present or in future.

§ 4. In consideration of the creation of the said sum of 8,400,000 florins of annual interest, Belgium shall be released from all obligation towards Holland, on account of the division of the public debt of the United Kingdom of the Netherlands.

§ 5. Commissioners to be named on both sides, shall meet within the space of fifteen days in the town of Utrecht, in order to proceed to a settlement of the accounts of the fund of the *Syndicat d'Amortissement*, and of the Bank of Brussels, charged with the service of the general Treasury of the United

Kingdom of the Netherlands. No additional charge shall result to Belgium from this settlement; the sum of 8,400,000 florins of annuities comprehending the whole of the charge which she is to take upon herself. But if it should appear from such settlement, that there is a balance to be received, Belgium and Holland shall share the same in the proportion of the taxes paid by each of the two countries during their union, according to the budgets voted by the States General of the United Kingdom of the Netherlands.

§ 6. In the settlement of the administration of the sinking fund, shall be comprised the credits secured on the public lands, called *Domein los renten*. These are alluded to in the present Article only for the purpose of record.

§ 7. The Dutch and Belgian Commissioners mentioned in § 3 of the present Article, and who are to meet in the town of Utrecht, shall, in addition to the settlement with which they are charged, proceed to the transfer of the capitals and annual interest which, upon the division of the public debt of the United Kingdom of the Netherlands, are to fall to the charge of Belgium, up to the amount of 8,400,000 florins of annual interest,

They shall also proceed to deliver up the archives, maps, plans, and other documents whatsoever which belong to Belgium, or which relate to her administration.

ARTICLE XIV.

Holland having, since the 1st of November, 1830, exclusively made all the necessary advances to meet the charge of the whole of the public debt of the Kingdom of the Netherlands, and having still to make those advances, for the half-year ending the 1st of January, 1832, it is agreed that the said advances, calculated from the 1st of November, 1830, to the 1st of January, 1832, for fourteen months, at the rate of 8,400,000 Netherland florins per annum, with which Belgium remains charged, shall be reimbursed by thirds to the Dutch Treasury, by the Treasury of Belgium. The first third of this reimbursement shall be paid by the Belgian to the Dutch Treasury on the 1st of January, 1832, the second on the 1st of April, and the third on the 1st of July, of the same year. On the two last thirds, interest at the rate of five per cent. per annum shall be paid to Holland, until they are completely discharged at the aforesaid periods.

ARTICLE XV.

The port of Antwerp, in conformity with the stipulations of the 15th Article of the Treaty of Paris, of the 30th of May 1814, shall continue to be solely a port of commerce.

ARTICLE XVI.

Works of public or private utility, such as canals, roads, or others of a similar nature, constructed wholly or in part at the expence of the United Kingdom of the Netherlands, shall belong, together with the advantages and charges thereunto attached, to the country in which they are situated.

It is understood that the capitals borrowed for the construction of these works, and specifically charged thereupon, shall be comprised in the aforesaid charges, in so far as they may not yet have been repaid, and without giving rise to any claim on account of re-payments already made.

ARTICLE XVII.

The sequestrations which may have been imposed in Belgium, during the troubles, for political causes, on any property or hereditary estates whatsoever, shall be taken off without delay, and the enjoyment of the property and estates above-mentioned shall be immediately restored to the lawful owners thereof.

ARTICLE XVIII.

In the two countries of which the separation takes place in consequence of the present Articles, inhabitants and proprietors, if they wish to transfer their

residence from one country to the other, shall during two years, be at liberty to dispose of their property, moveable or immoveable, of whatever nature the same may be, to sell it, and to carry away the produce of the sale, either in money or in any other shape, without hindrance, and without the payment of any duties other than those which are now in force in the two countries upon changes and transfers.

It is understood that the collection of the *droit d'aubaine et de détraction* upon the persons and property of Dutch in Belgium, and of Belgians in Holland, is abandoned, both now and for the future.

ARTICLE XIX.

The character of a subject of the two Governments, with regard to property, shall be acknowledged and maintained.

ARTICLE XX.

The stipulations of Articles from 11 to 21, inclusive, of the Treaty concluded between Austria and Russia, on the 3d May 1815, which forms an integral part of the general Act of the Congress of Vienna, stipulations relative to persons who possess property in both countries, to the election of residence which they are required to make, to the rights which they shall exercise as subjects of either State, and to the relations of neighbourhood in properties cut by the frontiers, shall be applied to such proprietors, as well as to such properties, in Holland, in the Grand Duchy of Luxemburg, or in Belgium, as shall be found to come within the cases provided for by the aforesaid stipulations of the Acts of the Congress of Vienna. The *droits d'aubaine et de détraction*, being henceforth abolished, as between Holland, the Grand Duchy of Luxemburg, and Belgium, it is understood that such of the abovementioned stipulations as may relate to those duties, shall be considered null and void in the three countries.

ARTICLE XXI.

No person in the territories which change domination, shall be molested or disturbed in any manner whatever, on account of any part which he may have taken, directly or indirectly, in political events.

ARTICLE XXII.

The pensions and allowances of expectants, of persons unemployed or retired, shall in future be paid, on either side, to all those individuals entitled thereto, both civil and military, conformably to the laws in force previous to the 1st November 1830.

It is agreed that the above mentioned pensions and allowances to persons born in the territories which now constitute Belgium, shall remain at the charge of the Belgian Treasury; and the pensions and allowances of persons born in the territories which now constitute Holland, shall be at the charge of the Dutch Treasury.

ARTICLE XXIII.

All claims of Belgian subjects upon any private establishments, such as the widows' fund, and the fund known under the denomination of the *fonds des leges*, and of the chest of civil and military retired allowances, shall be examined by the Mixed Commission of Liquidation mentioned in Article XIII, and shall be determined according to the tenour of the regulations by which these funds or chests are governed.

The securities furnished, as well as the payments made, by Belgian accountants, the judicial deposits and consignments, shall equally be restored to the parties entitled thereto, on the presentation of their proofs.

If, under the head of what are called the *French liquidations*, any Belgian subjects should still be able to bring forward claims to be inscribed, such claims shall also be examined and settled by the said Commission.

ARTICLE XXIV.

Immediately after the exchange of the Ratifications of the Treaty to be concluded between the two parties, the necessary orders shall be transmitted to the Commanders of the respective troops, for the evacuation of the territories, towns, fortresses and places which change domination. The civil authorities thereof shall also, at the same time, receive the necessary orders for delivering over the said territories, towns, fortresses, and places to the Commissioners who shall be appointed by both parties for this purpose.

This evacuation and delivery shall be effected so as to be completed in the space of fifteen days, or sooner if possible.

(Signed)	ESTERHAZY. WESSENERG. TALLEYRAND. PALMERSTON. BULOW. LIEVEN. MATUSZEWIC.
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Annex B. and C. to the Protocol No. 49.

Note addressed by the Conference to the Plenipotentiaries of the Netherlands, and to the Belgian Plenipotentiary.

London, 15 October, 1831.

THE undersigned, Plenipotentiaries &c. after having maturely weighed all the communications which have been made by their Excellencies the Plenipotentiaries of His Majesty the King of the Netherlands, and by the Belgian Plenipotentiary, upon the mode of concluding a definitive Treaty relative to the separation of Belgium and Holland, have seen with regret that in those communications there is no agreement between the opinions and the wishes of the parties directly interested.

The undersigned, not being able to leave any longer in doubt, questions, the solution of which have become necessary for the repose of Europe; forced to resolve these questions by the necessity of averting the incalculable miseries of general war; enlightened, moreover, upon all the points in discussion by the information given to them by the Plenipotentiaries of the Netherlands and of Belgium; have only acted according to the duty which their Courts had to perform towards themselves and towards other States, and which duty all efforts at direct conciliation between Holland and Belgium have left hitherto incomplete; they have only submitted to the supreme necessity of the most important interests of Europe; they have only yielded to the most imperious exigency, in settling the conditions of a definitive arrangement, which Europe, the friend of peace, and having the right to insist upon its being preserved, has for a year sought in vain in the propositions made by the two parties, or agreed upon successively by one and rejected by the other.

In the conditions included in the annexed 24 Articles, the Conference of London has been obliged solely to regard the principles of equity. It has followed the impulse of its eager desire to conciliate interests with rights, and to ensure to Holland as well as to Belgium, reciprocal advantages, good frontiers, an undisputed state of territorial possession, a mutually beneficial freedom of trade, and a division of debt, which, succeeding to an absolute community of charges and advantages, must divide them for the future, less in accordance with the detailed calculations of which not even the materials are supplied, less according to the strict letter of Conventions and Treaties, than conformably to the principles of that *equity* which is adopted as the basis of the whole arrangement, and the desire to lighten the burdens and to encourage the prosperity of both States.

In inviting the Plenipotentiaries of His Majesty the King of the Netherlands (*the Belgian Plenipotentiary*) to sign the above-mentioned Articles, the undersigned have to observe:

1. That these Articles will have the full force and validity of a solemn Convention between His Majesty the King of the Netherlands (*Belgium*) and the five Powers.
2. That the five Powers guarantee their execution.

3°. That being once accepted by the two parties, they are destined to be inserted word for word in a positive Treaty between Holland and Belgium, which shall only include in addition, stipulations relative to the peace and friendship which shall henceforth subsist between the two countries and their Sovereigns.

4°. That this Treaty, signed under the auspices of the Conference of London, shall be placed under the formal guarantee of the five Powers:

5°. That the Articles in question form a whole, and admit of no division.

6°. Lastly, that they contain the *final* and *irrevocable* decision of the five Powers, who by mutual agreement have resolved to take upon themselves to induce the full and entire acceptance of the said Articles by the adverse party, should either chance to reject them.

The undersigned avail themselves of this occasion, &c.

(Signed) ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex D. to Protocol No. 49.

Note addressed by the Conference to the Plenipotentiaries of the Netherlands.

London, 15th October, 1831e

THE undersigned, &c., after having communicated to their Excellencies the Plenipotentiaries of His Majesty the King of the Netherlands, the 24 Articles annexed to their note of this day; and after having declared that these Articles formed the final and irrevocable decisions of the Conference of London, have still a duty to fulfil towards the Plenipotentiaries of the Netherlands, and they acquit themselves of it with a frankness, of which the motives cannot but be appreciated.

The five Powers, reserving to themselves the task, and taking upon themselves the engagement to procure the adhesion of Belgium to the Articles in question, even should she commence by rejecting them; guaranteeing, moreover, their execution; and being convinced that these Articles, founded upon unquestionable principles of equity, offer to Holland all the advantages which she has any right to claim; cannot but now declare their firm determination to oppose, by all means in their power, any renewal of the struggle, which now having become useless, would be the source of great misery to both countries, and would threaten Europe with a general war; the prevention of which, is the first duty of the five Powers.

The undersigned &c.

(Signed) ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

*Annex E. to Protocol No. 49.**Note addressed by the Conference to the Belgian Plenipotentiaries.**London, 15th October, 1831.*

THE undersigned, &c. after having communicated to the Belgian Plenipotentiary the 24 Articles annexed to their note of this day, and after having declared that these Articles formed the final and irrevocable decisions of the Conference of London, have still a duty to fulfil towards the Belgian Plenipotentiary, and they acquit themselves of it with a frankness, of which the motives cannot but be appreciated.

The five Powers, reserving to themselves the task, and taking upon themselves the engagement, to procure the adhesion of Holland to the Articles in question, even if she should commence by rejecting them; guaranteeing, moreover, their execution; and being convinced that these Articles, founded upon unquestionable principles of equity, offer to Belgium all the advantages which she has any right to claim; cannot but now declare their firm determination to oppose, by all means in their power, any renewal of the struggle which, now having become useless, would be the source of great misery to both countries, and would threaten Europe with a general war, the prevention of which is the first duty of the five Powers. But the more expedient this determination may be in order to satisfy Belgium as to her future prospects, and as to the circumstances which there give rise to considerable alarm, the more the five Powers are justified in employing all the means in their power to procure the assent of Belgium to the Articles abovementioned, if, contrary to all expectation, she should refuse to adopt them, and, in order to put an end to the sacrifices which such a resolution on her part would impose upon Holland.

The Undersigned, &c.

(Signed)

ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 50.

PROTOCOL of a Conference held at the Foreign Office, on the 24th of October, 1831.

Present:

*The Plenipotentiaries of
Austria;
France;
Great Britain;
Prussia; and
Russia.*

THE Plenipotentiary of His Britannic Majesty opened the Conference by reading the annexed despatch (A.) from Sir Charles Bagot, relating to the explanations which had taken place between that Ambassador and the Minister for Foreign Affairs of His Majesty the King of the Netherlands, on the subject of the wish expressed by the Plenipotentiaries of the five Courts, that hostilities between Holland and Belgium should not be renewed on the 25th instant.

The Plenipotentiaries of the five Courts, considering that it appears from the communications of Sir Charles Bagot, that His Majesty the King of the Netherlands, has caused it to be declared by His Minister for Foreign Affairs, that,—

“The Powers were free to arm themselves against the King’s measures, when he should take them; and equally free to arm themselves against his silence; that the King was in no way bound to give notice of what might be his intentions, when the armistice should have expired; and that, even if he was, much might arise, at any hour, in a time like the present, to change the intentions which His Majesty might have made known.”

Considering, that by one of their notes of the 14th instant, the Conference of London had already announced, that the five Courts would oppose themselves to the renewal of hostilities, by all the means in their power.

Considering, that the declarations made in the name of His Majesty the King of the Netherlands, do not leave any other alternative to the Conference of London, than to act in accordance with its above-mentioned note, and to prepare itself to oppose the renewal of hostilities, which His Majesty has expressly reserved to himself the right of resuming:

Considering, moreover, that it appertains to the functions and duties of the Conference to provide the necessary means for that object:

The Plenipotentiaries of the five Courts decided, that the Government of His Britannic Majesty should be invited to station immediately, a naval force on the coasts of Holland; that that force should not have instructions to act as long as hostilities should not have been resumed against Belgium, by His Majesty the King of the Netherlands:

But that if they should be resumed, that force should immediately take such measures as should be most fitting to re-establish, as soon as possible, a complete cessation of hostilities.

The Plenipotentiaries of the five Powers moreover agreed, that if these first measures should be insufficient, the Conference should decide upon all such, as may still be judged necessary for the same purpose.

Finally, it was decided, that the present Protocol should be communicated to the Plenipotentiaries of His Majesty the King of the Netherlands, in London, as well as to the Ambassadors and Ministers of the five Powers, at the Hague.

(Signed) ESTERHAZY.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol 50.

Copy of a Despatch addressed by Sir Charles Bagot, to Viscount Palmerston, dated the Hague, October 21, 1831.

[See original Protocols, page 151]

No. 51.

PROTOCOL of a Conference held at the Foreign Office, on the 9th of November, 1831

Present:

*The Plenipotentiaries of
Austria;
France;
Great Britain;
Prussia; and
Russia.*

THE Plenipotentiaries of the five Powers having assembled at the Foreign Office on the 8th instant, took into their consideration the two accompanying notes (A. B.) which had been addressed to them on the evening before by the Plenipotentiaries of His Majesty the King of the Netherlands.

Considering the note which has special reference to the 24 Articles of the 14th October last, is the more important, as it treats of the possibility of a resumption of hostilities on the part of Holland against Belgium, and that by this very circumstance it embraces the object of the second note of the Plenipotentiaries of His Majesty the King of the Netherlands, the Plenipotentiaries of the five Courts were of opinion, that the note in question ought alone to demand the particular attention of the Conference, but that it was to be wished that the Conference, before replying to it, should enter into some explanations with the Dutch Plenipotentiaries.

It was accordingly agreed to address to them the accompanying invitation (C.)

In consequence of this invitation, the Dutch Plenipotentiaries repaired to the Conference, but having declared that they were not authorized to add to their note any official explanations, the Plenipotentiaries of the five Courts decided to return to them, in writing, the answer of which the draft is annexed to the present Protocol (D.)

(Signed)	ESTERHAZY.	WESSENBURG.
	TALLEYRAND.	
	PALMERSTON.	
	BULOW.	
	LIEVEN.	MATUSZEWIC.

Annex A. to Protocol No. 51.

Note addressed by the Plenipotentiaries of His Majesty the King of the Netherlands to the Conference.

London, 7th November, 1831.

BY the two notes which the undersigned Plenipotentiaries of His Majesty the King of the Netherlands have had the honour to receive from the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, assembled in Conference at London, their Excellencies transmitted to them the conditions of a definitive arrangement between Holland and Belgium, contained in 24 Articles, and have declared their determination to oppose, by every means in their power, the renewal of a struggle which having become at the present moment without an object, would be the source of great evils for the two countries, and would menace Europe with a general war, to avoid which, is the first duty of the Conference.

The undersigned having, without any delay, brought these communications to the knowledge of their Court, are directed to announce to their Excellencies, that the King considers himself fortunate in being able to give to the five Powers a new pledge of his sincere desire to contribute to the maintenance of peace, by announcing that, although His Majesty must reserve to himself the right to employ his military means, whenever their employment shall be judged necessary to the interests of the Kingdom, he has no intention at present to recommence hostilities.

The King congratulates himself likewise on discovering in the contents of the 24 Articles a proof of the care which the five Powers continue to devote to the preservation of the general peace, and of their desire to terminate, by a fitting arrangement between Holland and Belgium, the state of uncertainty, the prolongation of which might compromise its maintenance. But His Majesty, while appreciating at their true value their constant solicitude for the general wellbeing, and however strong may be His desire to cooperate with them to attain the object of their wishes, his duties towards his faithful subjects do not permit him to allow his Plenipotentiaries to depart from the course in which the present negotiation has constantly been carried on from its origin until a very recent period.

According to the 4th paragraph of the Protocol of Aix-la-Chapelle, of the 15th November, 1818, particular assemblies of the Plenipotentiaries of the signing Powers, should they have for their object affairs specially connected with the interests of other States of Europe, cannot take place except in consequence of a formal invitation from those States which are interested in the said affairs, and under the express reserve of their right to participate in them either directly or by their Plenipotentiaries. This stipulation superabundantly guarantees to His Majesty the same rights as to the other Powers, and places His Majesty, with respect to the Courts represented in the Conference of London, in a totally different position from that occupied by the authority which has established itself in Belgium through insurrection. It is this same stipulation which originated the intentions announced by the Conference, as soon as they had assembled at the invitation of the Government of the Netherlands, and subsequently repeatedly expressed, and particularly in Protocols No. 1, 11, 12, and 19, which are in close connection with the eight Articles of London. Finally, the full powers which the undersigned had the honour to transmit to the Conference on the 4th of August, and which were accepted by them, authorizes the undersigned to discuss, to agree upon, and to sign with them a Treaty of separation between Holland and Belgium.

The undersigned, resting upon these powers, and in accordance with the renewed instructions received from their Court, have the honour to declare to their Excellencies, that they are ready to discuss the modifications which the 24 Articles above mentioned are to undergo, in conformity with the principles heretofore adopted, and to conclude and sign with them a Treaty of Separation suited to maintain Holland in the rank which the patriotism and the devotion of her inhabitants procured for her in past ages; and which, under the present system of Europe, she undoubtedly deserves to retain on account of the loyalty, courage, and perseverance manifested by the existing generation.

The undersigned having thus fulfilled the orders of their Sovereign, avail themselves, &c.

(Signed)

FALCK.

H. DE ZUYLEN DE NYEVELT.

Annex B. to Protocole No. 51.

Note addressed to the Conference by the Plenipotentiaries of His Majesty the King of the Netherlands

London, November 7, 1831.

THE undersigned, Plenipotentiaries of His Majesty the King of the Netherlands, have had the honour of receiving from the Plenipotentiaries of Austria, France, Great Britain, Prussia and Russia, assembled in Conference in London, the 50th Protocol stating, " that the declarations made in the name of the King, left no other alternative to the Conference than to prepare itself to oppose the renewal of hostilities, which the King has reserved to himself the right of resuming; that it appertains to the functions and duties of the Conference of London to provide the necessary means for that object; that the Plenipotentiaries of the five Powers had decided that the Government of His Britannic Majesty should be invited to station immediately a naval force on the coasts of Holland; that that force should not have instructions to act as long as hostilities should not be resumed by the King against Belgium; that if they should be resumed, that force should immediately take such measures as should be most fitting to re-establish, as soon as possible, a complete cessation of hostilities; that the Plenipotentiaries of the five Powers had moreover agreed, that if these first measures should be insufficient, the Conference would decide upon all such as might still be judged necessary for the same purpose."

The Undersigned, having brought this Protocol under the consideration of their Court, have been ordered to express to the Conference of London, the astonishment and the painful impression which its contents have caused to their Sovereign. In consequence of a proposal from the Conference, the King consented to a cessation of hostilities from the 29th of August to the 10th of October, and in compliance with the wishes of the Conference subsequently expressed, this cessation of hostilities was prolonged by His Majesty to the 25th of October. Under these two circumstances, the King shewed anew his pacific intentions, and his eagerness to co-operate with the views of the five Powers. The Conference not having raised the question of a fresh prolongation of the armistice, the English Ambassador, in accordance with the instructions of his Court, manifested a desire, on the 20th of October, to know the intentions of the King respecting the renewal of hostilities at the expiration of the time fixed. He was unable to satisfy this wish, because at that time, the moment was not arrived for the Netherland Government to take a resolution, which, if it had been taken, was liable to modification, by circumstances occurring from the 20th to the 25th of October, and an explanation on this point would have been, under another form, a second prolongation of the armistice. The official answer given verbally to the Ambassador confined itself to stating, " That the King having as yet made no determination, the required explanation could not be given." His Excellency has pointed out this circumstance with precision in his despatch, and the result of his letter evidently is, that the details which follow apply to a confidential interview between him and the Minister for Foreign Affairs, of which the Ambassador, as might be expected, gave an account to his Government, but which was never intended to be annexed to a Protocol. His Excellency's despatch itself contains the proof of an error in the reasoning of the Protocol, in which it is stated " that the King had declared by his Minister for Foreign Affairs, that the Powers were free to take up arms against the King's measures, when he should take them; and equally free to arm themselves against his silence; that the King was in no way bound to give notice of what might be his intentions, when the armistice should have expired; and that even if he was, much might arise, at any hour, in a time like the present, to change the intentions which His Majesty might have made known." In fact, these words are represented in the despatch as a reply to some

observations mentioned in the Ambassador's report. His Majesty, therefore, not having been able to know before hand the said observations, it follows that the reply could not be considered as a declaration made in the King's name, a declaration which it would have been difficult to reconcile with *official* forms, while, on the contrary, the subject could not but draw forth some *confidential* remarks between two people, placing in each other a mutual confidence, though called upon to support different interests. As soon as the object of the declaration, "That explanation might be given," had been accomplished, the interview of the Minister for Foreign Affairs with the British Ambassador was so little deemed to be official, that the Minister abstained from replying to the mention of the five Powers, made on the part of the Ambassador, because the official demand had been made not in the name of the Conference of London, but in that of the *English Government*.

The above mentioned report does not appear then to be of a nature to have called for the use to which it has been put, and the complication which has resulted from it cannot be imputed to the Hague. Until now, the five Powers had declared that they did not permit the renewal of hostilities; which declaration was confirmed towards Holland, when in the month of August they thought fit to enforce the negotiation by military means, but which has had no result towards Belgium, notwithstanding the daily infractions of the armistice which that country allowed herself. As to sending a fleet to the coast of Holland, it appears to render illusory, the demand first to conclude, then to prolong the armistice; as it matters but little, to demand or propose that which it is decided shall be obtained by force; and, besides, this measure is occasioned, not by the actual or the announced renewal of hostilities, but by the uncertainty only which exists on that subject, whilst no precaution of that description is taken against the same uncertainty as relates to Belgium.

It must be remembered that from the 23d of October, the English Ambassador at the Hague had been informed that an order of the day was about to be issued to the army, stating that hostilities were not likely soon to be recommenced. This order of the day appeared in fact on the 25th, before the Protocol of the 24th was known at the Hague.

In this state of things, the King, who, in not causing hostilities to be recommenced, has pursued the same steady course from which he has never yet deviated, can the less bind himself by engagements respecting the eventual renewal of them, as nothing guarantees the conduct of the Belgians, and as His Majesty cannot acknowledge it to be among the attributes of other Powers, to restrict the rights of peace or war, which every independent Sovereign possesses.

Having acquitted themselves of the orders transmitted to them by their Government, the undersigned, &c.

(Signed)

FALCK.

H. DE ZUYLEN DE NYEVELT.

Annex C to Protocol No. 51.

Note addressed by the Conference to the Netherland Plenipotentiary.

Foreign Office, November 8, 1831.

THE Undersigned, Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia have had the honor of receiving the two notes addressed to them by the Netherland Plenipotentiaries on the 7th instant.

In reply to the note which relates to the 24 Articles communicated by the undersigned to the Netherland Plenipotentiaries on the 15th of last October,

the undersigned take the liberty of requesting their Excellencies to join them in Conference at the Foreign Office, to-morrow, at two o'clock p m.

The undersigned, &c.

(Signed) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex D. to Protocol No. 51.

Note addressed by the Conference to the Plenipotentiaries of His Majesty the King of the Netherlands, London, Nov. 9, 1831.

THE undersigned Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, in consequence of the verbal explanations which they had in the course of yesterday with the Plenipotentiaries of the King of the Netherlands, consider it their duty to address to their Excellencies the following communication.

A mature examination of the Note of the Netherland Plenipotentiaries, dated the 7th instant, relative to the 24 Articles which were transmitted to them by the Conference of London, on the 15th October last, induces the undersigned to call their attention to a passage in this note, where it is said, that His Majesty the King of the Netherlands reserves to himself the right of renewing hostilities against Belgium, if the interest of his kingdom should render it necessary, although His Majesty has at present no intention of resuming them.

By the note of the undersigned, dated the 15th October last, the five Courts, without having even pretended to contest the right of peace or war which the King fully possesses, as an independent Sovereign, declared that a renewal of hostilities on his part against Belgium, by compromising their own interests, intimately connected with European interests of the highest order, would force them to use all the means in their power to bring about in this case the immediate cessation of a struggle, which had become without an object, since by the same note the five Courts took the solemn engagement to obtain the adhesion of Belgium to the before-mentioned 24 Articles.

This engagement of the five Courts is fulfilled. The undersigned have the certainty that Belgium is about to adhere to the 24 Articles purely and simply, without any modification. The five Courts find themselves then doubly authorized to reiterate their preceding declaration, a declaration the more positive and the more legitimate, as, if on the one hand the great interests which have been spoken of above, oblige them to oppose a renewal of hostilities by Holland against Belgium, on the other hand they have guaranteed, and still guarantee, to His Majesty the King of the Netherlands, that hostilities shall not be renewed by Belgium against Holland.

Two other points of the note of their Excellencies, Messrs. de Falck and de Zuylen de Nyevelt, require some observations on the part of the undersigned.

The Protocol of Aix-la-Chapelle, invoked by the Netherland Plenipotentiaries, lays down, it is true, that "in the case where meetings of Sovereigns or of Plenipotentiaries should have for their object, affairs specially connected with the interests of other States of Europe, they should only take place in consequence of a formal invitation from those States which are interested in the said affairs, and under the express reserve of their right to participate in them, either directly, or by their Plenipotentiaries." But the Protocol of Aix-la-Chapelle, does not prescribe the forms of this participation.

It leaves consequently, to the Conference of London, a full liberty as to the mode which it should adopt for its communication with the Netherland Plenipotentiaries, and for their co-operation in its labours. Making use of this indisputable latitude, the Conference of London requested their Excellencies to reduce the demands of their Government to writing. It also requested them to reply, in writing, to the demands and to the observations of the opposite party, without ever refusing to them the means of making known, with that frankness which belongs to relations of confidence, their thoughts and their wishes upon all the points which it was necessary to regulate.

After having thus complied with the stipulations of the Protocol of Aix-la-Chapelle, in the discussion of the questions under litigation, the Conference of London has finally executed the clauses of that Act, which could be applied to the ultimate concurrence of the Netherland Plenipotentiaries, by inviting them to sign with them the 24 Articles, joined to their Note of the 15th October. The Protocol of Aix-la-Chapelle, does not then seem to them to afford the foundation for any legitimate complaint.

With reference to that part of the note of the Netherland Plenipotentiaries, which specially regards the 24 Articles, the undersigned trust that they have not mistaken the real sense of the declarations made in the name of the Government of His Majesty, in finding therein an adhesion to the general system of pacification established by those Articles, and they sincerely congratulate themselves upon this agreement.

The undersigned will even add, that it would be possible to put it into the form which the Government of His Netherland Majesty would consider the most preferable, and that if they thought proper to adopt the form of a Convention with the five Powers, that Convention would then contain the 24 Articles above-mentioned, and a 25th Article, stipulating that the execution of these Articles is guaranteed by the five Powers, to His Majesty the King of the Netherlands.

On the other hand, the undersigned owe it to the frankness which characterizes the policy of their Courts, they owe it to the friendship which binds their Sovereigns to the King, to declare to his Plenipotentiaries, that neither the spirit nor the letter of the 24 Articles, can henceforth be subject to any modifications, and that it is even no longer in the power of the five Powers to consent to a single one, whatever satisfaction they might experience in complying with the wishes of the Netherland Government.

By the 24 Articles in question, the five Powers, influenced by that esteem for the Dutch Nation, which the high qualities exhibited by her during the whole course of her history have acquired for her, have had in view to assure to her that honourable place which so justly belongs to her in the European association; and to this effect they flatter themselves with having offered her advantages, which she has never before possessed at any period.

By the adoption of these Articles, His Majesty the King of the Netherlands will fulfil the useful task of consolidating such advantages, and of putting an end to that state of doubt which the Note of his Plenipotentiaries declares to be of a nature to compromise the preservation of the general peace.

It only remains for the King to fulfil the objects of humanity in this respect, and His Majesty will doubtless be of opinion in his wisdom, that the sooner the moment arrives, at which the Articles in question shall receive a solemn sanction, by a transaction between Holland and the five Powers, which would be immediately followed, under their auspices, by a similar transaction between Holland and Belgium, the greater will be the claims which his Majesty will have to the gratitude of his people, and to the consideration of Europe.

The Undersigned, &c.

(Signed)

ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Protocol of a Conference held at the Foreign Office, on the 14th of November, 1831.

Present :

The Plenipotentiaries of

*Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts having assembled in Conference on the 12th Inst., read the annexed note (A.) by which the Belgian Plenipotentiary acquitted himself of the order which he had received, to demand some modifications in the 24 Articles agreed upon in the Conference of London, on the 14th of October last. The Conference having declared that they could make no reserve nor modification in the said Articles, decided upon returning to the Belgian Plenipotentiary the annexed answer (B.), in order to obtain from him a pure and simple adhesion to them.

The verbal explanations of this Plenipotentiary, and the official information received from Belgium, convinced the Conference that this pure and simple adhesion would be immediately given. The Plenipotentiaries of the five Courts resolved, in consequence, to inform the Plenipotentiaries of the Netherlands of the fact, by the annexed note (C.), offering to them the precedence in signing the 24 Articles.

At the Conference of this day, the Belgian Plenipotentiary gave in his above-mentioned pure and simple adhesion, by means of the annexed note (D.), but declared at the same time by a second note (E.), that according to the meaning of the note of the Conference of London, dated October 15, purporting that if the 24 Articles were accepted by Belgium, they *would have the force and validity of a solemn Convention*, the Belgian Government demanded that this *force and validity* should be really given to them, and to that effect, that the 24 Articles should be comprized in a Treaty between the five Powers and Belgium.

At the same Conference, the Plenipotentiaries of the five Courts received the annexed answer (F.) from the Plenipotentiaries of His Netherland Majesty.

Considering then, that the demand of the Belgian Plenipotentiary is incontestably founded upon the engagement taken by the Conference of London in their note of the 15th of October last, *that the 24 Articles, once accepted by Belgium, should have the same force and validity as a solemn Convention*, and that the form of Treaty now demanded by the Belgian Plenipotentiary, might be regarded as absolutely necessary to *give this force and validity* :

That, on the other hand, the answer of the Netherland Plenipotentiaries proves to the Conference of London, that at the end of a month they are still without instructions from their Court upon the 24 Articles :

That the note of the Conference of the 10th of this month, to which they now refer, does not give *a new character to the negotiations*, since, on the contrary, it declares that no modification can be made, either in the substance or the letter of the 24 Articles; and that it confines itself to the mention of a guarantee before assured, and of facilities of form which the Plenipotentiaries of the five Powers have always been eager to offer to the Plenipotentiaries of His Majesty the King of the Netherlands :

That far from being in opposition to one of the clauses of the 19th Protocol of the Conference of London, the Sovereign of Belgium has fulfilled that same clause, by accepting purely and simply the articles carrying into execution the fundamental arrangements to which the said clause refers :

That, besides, the end of the answer of the Netherland Plenipotentiaries tends to establish the principle, that His Majesty the King of the Netherlands has the right of demanding changes in the decisions of the Conference of London, from the moment when Belgium should have adhered to those decisions, and

when the Conference of London should have accepted her adhesion, and that this principle would in consequence render the negotiation interminable :

The Plenipotentiaries of the five Courts have resolved to address to the Belgian Plenipotentiary the annexed note (B.), and to proceed with him to the signature of a Treaty.

(Signed) ESTERHAZY. WESSENERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 52.

Note addressed to the Conference by the Belgian Plenipotentiary.

London, Nov. 12, 1831.

THE undersigned, His Belgian Majesty's Plenipotentiary, has the honour to inform their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia and Russia, that the Government of His Majesty has been authorized by the Chamber of Representatives, and by the Senate of Belgium, to sign and conclude the definitive Treaty of separation between Belgium and Holland, drawn up by the Conference of London on the 14th October, 1831.

In the interest of general peace, and of the perfect harmony which it is desirable to see prevailing between the two nations, His Majesty wishes to avoid all subject of future collision, and to apply in particular cases the rules of justice and equity laid down by the Conference itself. In consequence, the Undersigned has the honor to transmit to their Excellencies the Plenipotentiaries of the five Powers, by order of the King, the following observations and demands, which spring from the very principles established by the Conference, and from the spirit of the 24 Articles.

In invoking the last § of the 2nd Article, in which it is said that Commissioners of demarcation, appointed to trace the line of separation, "shall pay due attention to the localities, as well as to the mutual necessity for accommodation which may result therefrom," His Majesty will insist upon this line being rectified wherever, according to the actual Treaty, iron founderies are separated from the ore necessary for these works, and he demands the free passage of the ore, if the rectification of the line is impossible. Stipulations of this kind are not new, and the annexed note will prove the importance and necessity of them.

The Undersigned will add, that, in the interest of the commerce and industry of the two parts of Luxemburg about to be separated, it is indispensable to stipulate that the inhabitants of the two parts, without being subject to toll dues, may enjoy the free use of the roads and canals, constructed and about to be constructed, to reach the Moselle, the free navigation of which shall be guaranteed to them, in the terms of Article 9 of the Treaty.

Upon the Articles 9 and 10.—As far as regards the navigation of the streams, rivers, and canals, His Majesty feels the necessity of proposing that all ambiguities of expression should be removed which might furnish occasion of eluding the Articles relative to this matter; and he demands that the tolls should be abolished, by means of which the stipulations of the free navigation of all rivers would become vain and illusory, the Rhine included, which river vessels shall have the right of ascending and descending.

In fact the Conference, in stipulating for Belgium the free navigation of streams, rivers, and canals, wished that a real and positive advantage should be the result, and that no measure on the part of Holland should interrupt or render it nugatory. Every toll which would place Holland in a more advantageous position than Belgium, would thus be contrary to the spirit of the Treaty, and to the end which the Conference had in view. The establishment of such

tolls appears the more contrary to the rules established by their Excellencies the Plenipotentiaries, as the Conference has imposed upon Belgium considerable sacrifices for this advantage of free navigation.

His Majesty desires that these stipulations, placed under the guarantee of the five Powers, should receive full and entire execution, and that under no pretext, shall the least interruption be given to the free navigation of the streams, rivers, and canals.

Upon Article 12. This Article, in its actual form, would render equally illusory the advantage which it apparently affords to Belgium. In fact, instead of speaking of a road to be constructed, the Article mentions a road *already made*, which furnishes Holland with a pretext, springing from the letter of the Treaty, to stop the execution of the projected communication. In the second place, the idea of yielding to Holland the selection of engineers and workmen, is perfectly impracticable, in a country where such undertakings are carried on by private companies, which, obtaining a grant from Government to that effect, proceed in their work with that prudence and that economy, which depend in a great measure upon the men employed. In the third place, it would be contrary to equity, that Holland should establish a right of toll on a road entirely constructed at the expence of Belgium. His Majesty proposes then to render that Article in the following manner :

“ In case Belgium should construct a new road, or form a new canal terminating at the Meuse, opposite the Dutch canton of Sittard, Holland shall not under any pretext oppose the continuation of the said canal or road upon the same plan, entirely at the expence of Belgium, by the canton of Sittard to the frontiers of Germany. This road or canal, which shall serve only for commercial communication, and which shall only be subjected to tolls to keep it up, shall be constructed without any expence to Holland, and without prejudice to her exclusive rights of sovereignty over the territory which may be traversed by the road or the canal in question.

Upon Article 13. Concerning the debt, His Majesty, in accepting the proposed bases, appeals to the principle of the Conference, which has itself established that these bases must be considered just, precise, and founded on the rules equity.

In making this declaration, the Government of the King conforms to the principles which have invariably guided the Conference, and which have constantly served as a foundation for all its decisions relative to the debts. In fact, from the 27th January the Plenipotentiaries of the five Powers have only considered the financial arrangements, contained in the Protocol of the same date, as *propositions*. Some doubts having arisen upon this point in the French Cabinet, which had abstained on that account from adhering to the Protocol in question, the Conference hastened to re-assure the French Government, and to declare to its Plenipotentiary in the answer annexed (letter B.) to Protocol No. 20, of the 17th of March, 1831, that “ the arrangement about the debt, against which the French Government thought fit to object, is in fact only a proposition submitted for discussion between the parties interested.” This declaration, so in accordance with the principles of justice, is confirmed in the Protocol No. 22, of the 17th of April, in which it is said that “ the arrangements relative to the division of the debt,—form a simple series of propositions.” Article of the preliminaries of Peace of the 26th of June, is only a confirmation of these principles.

The Conference, in the 48th Protocol, and in the Memorandum which follows that Protocol, dated the 6th and 7th October, lays down a rule according to which, the Plenipotentiaries understand that the division of the debt is to be arranged. In declaring that they have a right to effect a proportionable change in the calculations they have founded upon the statements of the Dutch Plenipotentiaries, if these statements contain essential errors, the Conference have given Belgium the right of raising questions upon that point. And this right Belgium has the more reason to exercise, from the circumstance that she would be the greater sufferer by any errors.

The King's Government is therefore authorised to renew the expression of the reserve adopted by the Conference itself.

It would have been more in conformity with the adopted bases, not to have stipulated for a transfer, and to have obliged Belgium to pay a certain sum direct to Holland. The undersigned makes a proposition in this latter sense to the Conference.

Upon Article 14. It would doubtless appear in conformity with the principles of justice and the rights of nations, that this reimbursement should not be operated without a reduction, destined to serve as an indemnity for the inundations and other ravages occasioned by the rupture of the armistice against all the laws of war.

The undersigned, &c.

(Signed) SYLVAIN VAN DE WEYER.

Annex B. to Protocol No. 52.

Note addressed by the Conference to the Belgian Plenipotentiary.

London, 12 November, 1831.

THE undersigned, Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, have received the note of this day's date, by which the Belgian Plenipotentiary acquits himself of the order he has received to call their attention to several modifications which the Government of Belgium desires to obtain in the 24 Articles which the Conference of London transmitted to the Belgian Plenipotentiary on the 15th ultimo. In reply to this note, the undersigned find themselves obliged to declare to the Belgian Plenipotentiary, that neither the substance nor the letter of the 24 Articles above-named, can henceforth undergo any modification, and that it is no longer in the power of the five Powers to consent to a single one.

The undersigned can only then express to the Belgian Plenipotentiary the hope they entertain, that the Belgian Government will make use of the powers with which it is invested, only to accept the 24 Articles, purely and simply.

The undersigned avail themselves, &c.

(Signé) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex C. to Protocol No. 52.

Note addressed by the Conference to the Netherland Plenipotentiaries.

London, November 12, 1831.

THE undersigned Plenipotentiaries of the five Powers, consider it their duty to inform the Netherland Plenipotentiaries, that they have received official and positive information that the 24 Articles of the 14th October last, have been accepted in Belgium, purely and simply, and without modification.

This circumstance, of which the necessary consequences cannot escape the attention of the Netherland Plenipotentiaries, makes the Conference of London eagerly desirous to learn from them, if, since the last communications made to them, they have not received ulterior instructions from their Court, and authority

to sign the above mentioned 24 Articles with the Conference, under such a form as His Netherland Majesty may judge preferable.

The Conference of London would attach the greatest value to see the Netherland Plenipotentiaries accept the precedence which they hasten to offer them, in signing the 24 Articles in question.

The undersigned, &c.

(Signed) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex D to Protocol No. 52.

Note addressed to the Conference by the Belgian Plenipotentiary.

London, November 14, 1831.

THE Undersigned, His Belgian Majesty's Plenipotentiary, has the honor to inform their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, that His Majesty has received full power to sign and conclude the Treaty in 24 Articles, imposed on Belgium by the Conference of London.

The Undersigned, in transmitting to their Excellencies the Plenipotentiaries of the five Courts, the adhesion of His Majesty the King of the Belgians to the 24 Articles in question, must add that he has received from His Majesty the most positive orders to express to the Conference, that His Majesty considers that it belongs to his duty and to his dignity, to declare in the most formal manner, first, that His Majesty had a right to expect much more favourable terms; and secondly, that these conditions of separation never would have received his consent if the Conference had not announced that they were *final and irrevocable*, and that *the five Powers were, by common consent, resolved to bring about themselves the full and entire acceptance of them, and to use every means in their power to obtain the consent of Belgium.*

His Majesty, desirous of sparing his people all the miseries which would be entailed by the forced execution of the 24 Articles, and not wishing to expose Europe to a general war, yields to the imperious law of necessity, and accepts the hard and onerous conditions which are imposed upon Belgium by the Conference of London. It has required all these considerations, it has, in fine, required a superior force against which resistance would be vain, before His Majesty could resign himself to abandon a generous people, who hailed him upon his accession as their liberator and as their support, and who, during fifteen months, have suffered every privation, and have shewn a boundless devotion in support of a cause, and of a country, to which a cruel necessity forces them no longer to belong. His Majesty makes a sacrifice of his affections and of his most indisputable rights, to the general peace, and to the happiness of the Belgian people.

The Undersigned, &c.

(Signed) SYLVAIN VAN DE WEYER.

*Annex E to Protocol No. 52.**Note addressed to the Conference by the Belgian Plenipotentiary.**London, November 14, 1831.*

THE undersigned, His Belgian Majesty's Plenipotentiary, has hastened to transmit to his Sovereign the 24 Articles, drawn up by their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, assembled in Conference in London.

The undersigned, in the course of the negotiation, has not left their Excellencies ignorant, that according to the internal laws of the country, the King of the Belgians will be under the necessity of addressing himself for the definitive result, to the authorities with whom His Majesty shares the exercise of legislative power.

This form of internal regulation having been gone through, His Majesty, as King of the Belgians, is invested with all the necessary powers definitively to conclude with the five great Powers.

Their Excellencies the Plenipotentiaries must feel, that to give the transaction about to be entered into a more formal character, it would be useful, that by a separate Act, the 24 Articles, which, according to the terms of the first note of October 15, were to have "the force and validity of a solemn Convention between the Belgian Government and the five Powers, and the execution of which was to be guaranteed by them," should this day receive the form and sanction of a definitive Treaty between the five Powers and His Majesty the King of the Belgians, and that Belgium and her Sovereign, who would then make use of the powers he has received from the Belgian Legislative Chambers, should then immediately assume their place within the common circle of recognized Governments.

The undersigned, &c.

(Signed)

SYLVAIN VAN DE WEYER.

*Annex F. to Protocol No. 52.**Note addressed to the Conference by the Netherland Plenipotentiaries.**London, November 14, 1831.*

THE undersigned have had the honour of receiving the note of their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, dated November 12, by which they informed them, that according to official and positive information, the 24 Articles communicated the 15th of October, have been accepted in Belgium purely and simply, and offered them the precedence in signing the Articles in question.

In considering the first part of this note as the continuation of that of November 9th, in which this result had been announced as to be immediately expected, the undersigned, whose attention has been drawn by their Excellencies to the consequences of this event, have to express their gratitude for the precedence offered them in the conclusion of an arrangement which has been the object of the negotiation between the Conference and the undersigned. But in order to attain this end, their Excellencies will agree, without doubt, with the undersigned, that they are obliged to wait for the replies which the abovementioned note from the Conference of November 9th, will have drawn forth at the Hague; which note containing both explanations upon the substance, and propositions as to form,

seems to give to the negotiation a new character, subject from that time to a course peculiar to itself; and as the undersigned have lost no time in transmitting to their Court so important a communication, they will also lose none in communicating to their Excellencies the reception it shall have met with.

Without doubt the King will appreciate the constant efforts of the Representatives of the five Powers to come to an arrangement for the separation of Belgium and Holland; and the form of Convention which their Excellencies have proposed, appears to be desirable.

Nevertheless, whatever value the Government of the King may attach to it, the Undersigned will take the liberty of observing that that which would be a decided step, and an essential modification in the substance and letter of the 24 Articles for Belgium, will only be for Holland, in her ancient and intimate connexion with the five Powers, a simple form, otherwise without any important consequence; from which it would result, that if Belgium, contrary to the principles laid down in the 19th Protocol, thus obtains a premature recognition, the King of the Netherlands would, by that circumstance alone, and independently of his rights of Sovereignty, be obliged not to accept the arrangements of separation, except under such conditions and reserves as would be dictated alike by his high position, and by the interests of Holland.

The undersigned, &c.

(Signed) FALCK.
H. DE ZUYLEN DE NYEVELT.

Annex G. to Protocol No. 52.

Note addressed by the Conference to the Belgian Plenipotentiary.

London, November 14, 1831.

THE Undersigned Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, have received the two notes which the Belgian Plenipotentiary this day addressed to them, notifying on the one hand, the pure and simple acceptance of the 24 Articles, transmitted to the Belgian Plenipotentiary the 15th of last October, on the other, the wish to see the 24 Articles form a Treaty between the five Powers and Belgium.

In acknowledging, by means of this note, the pure and simple acceptance above-mentioned, the undersigned have the honor of informing the Belgian Plenipotentiary, that nothing prevents the 24 Articles receiving the sanction of a Treaty between the five Powers and Belgium.

(Signed) ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 53.

Protocol of a Conference held at the Foreign Office on the 4th of January, 1832.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts, since they received from the Plenipotentiaries of His Majesty the King of the Netherlands the note and the memorandum hereunto annexed sub. lit. A. B., met together several times for the purpose of agreeing upon the answers which should be made to those documents.

In the Conference of this day, these answers, which are annexed hereto sub. litt. C. D., were determined upon, and it was resolved that they should be transmitted to the Plenipotentiaries of the Netherlands.

(Signed) ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 53.

Note addressed to the Conference by the Plenipotentiaries of His Majesty the King of the Netherlands.

London, 14th December, 1831.

THEIR Excellencies the Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, assembled in Conference in London, observed, by the note, dated the 9th of November, with which they honoured the undersigned, Plenipotentiaries of His Majesty the King of the Netherlands, that the Protocol of Aix-la-Chapelle, in decreeing that in the case in which assemblies of Sovereigns, or of Plenipotentiaries, should have for their object affairs specially connected with the interests of other States of Europe, they should only take place under the express reserve of their right to participate in them, either directly or by their Plenipotentiaries, does not prescribe the forms of this participation, and has consequently left to the Conference of London, full liberty, with respect to the mode of its communications with the undersigned, and to their cooperation in its labours. According to the above-named note, the Conference of London, making use of this liberty, has called upon the undersigned to set forth in writing the demands of their Government, and to reply, likewise in writing, to the demands and to the observations of the opposite party, without ever refusing to them, moreover, the means of making known their opinions upon all the points which are to be settled. The Court of the Netherlands congratulates itself the more sincerely on perceiving the approbation by the Conference of London of the appeal, which

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has been made to the Protocol of Aix-la-Chapelle, because the right of all parties to take part in assemblies, in which their interests are under discussion, is therein reserved to them in a very distinct manner. This participation was brought into action at the beginning of the negotiation. At the commencement of the operations of the Conference of London, the Protocol of the 4th November, 1830, represented, that the King of the Netherlands having invited the five Courts to deliberate, in concert with His Majesty, upon the best means of putting an end to the troubles which had broken out in his States, the five Powers, according to the terms of the fourth paragraph of their Protocol signed at Aix-la-Chapelle on the 15th of November, 1818, had invited the Ambassador of the King to join with them in their deliberations. He consequently took the place to which he had a title, at the Conference. After some sittings, however, the Conference no longer informed him of its meetings, and confined itself thenceforth to admitting, from time to time, the Plenipotentiaries of the Netherlands, for the purpose of receiving explanations from them, or to receiving their written communications.

The Government of the Netherlands could not acknowledge that the declaration in writing of its demands, the reply in writing to the demands and to the observations of the opposite party, and some isolated explanations, would be equivalent to the meetings and direct participation required by the Protocol of Aix-la-Chapelle; seeing that personal and regular discussion once discarded, the negotiation lost its natural character, and that many points must in consequence remain imperfectly explained or understood. The step taken in this respect by the Conference cannot, in any manner, prejudice the right of the Plenipotentiaries of the King to assist at its meetings.

With respect to the means which the Plenipotentiaries of the Netherlands have had of making known their opinions upon all the points to be settled, this privilege did not exceed the limits of a consultative voice, and that only with regard to matters previously agitated, and which the undersigned were able to foresee would be discussed in the negotiation. Its application was lost with respect to many points as serious as they were unexpected, which had not been once brought forward, of which it was impossible to foresee that any mention would be made, and upon which the Plenipotentiaries of the King were never consulted; the 24 Articles communicated by their Excellencies to the undersigned contain many such, especially the Articles IX, XI, XII, and the 5th Paragraph of the Article XIII.

The undersigned will confess, with the candour which is due to the Conference, that they have in vain attempted to reconcile with the Protocol of Aix-la-Chapelle, the total absence of the substance and the spirit of the said Protocol, and of the first principles of the law of nations, in certain clauses which the 24 Articles introduced for the first time, and of which the object is nothing less than to share with foreigners the superintendence of the pilotage and of the buoyage upon one of the rivers of Holland; to fix the pilot dues upon this river by common consent with another State; to see the exercise there of the rights of fishing and of trading in fish by foreign subjects; to secure, as a doubtful matter, to the Dutch the right of navigation on their own rivers, in conformity with the reciprocity of the navigation of the intermediate channels between the Scheldt and the Rhine, channels which exist only on the Dutch territory; to confer upon foreigners the right of constructing a road or of cutting a canal, upon the territory of the State; to interdict all hindrance under any pretence, to commercial communications through one of the first fortresses of the Kingdom; and to establish a settlement from which no charge could result to the opposite party.

With respect to the power of resuming hostilities, this question comes within the scope of many negotiations, during which, as long as they have not reached their termination, the parties would run the risk of compromising themselves in contracting positive engagements for an uncertain future. The King, when he reserves to himself the right of eventually recommencing hostilities, only main-

tains his natural position, in the expectation of an arrangement, and makes use of an uncontested right.

In as far as regards particularly the 24 Articles, the undersigned venture to call to mind, that their former declarations did not in the least tend to announce the adhesion of their Sovereign to the general system of pacification established by the said Articles.

In fact, very far from securing to Holland advantages which she has not at any period possessed, not only do they not offer any which she has not possessed before, but they impose upon her, for the sole reason that a country with which she was united separates herself from her, subserviencies in favour of that country, to which neither Holland, nor any other independent State, was ever subjected, and for which no equivalent could be found. They would take away from her even rights and advantages which she enjoyed at former periods, such as that of 1790, in which year the Scheldt was closed; and that of 1815, when she gave up colonies and capitals for the union with Belgium, colonies and capitals which Holland would have the right to regain, and of which she would be deprived, according to the 24 Articles, without any compensation whatever.

The Undersigned have the honour here specially to refer to their note of the 5th of September, and to add that no opposition would be made on the part of Holland to an arrangement which would re-instate her in her position of 1790, or of 1815; but the 24 Articles, far from presenting such a result, would at most leave to Holland an honorary place in the association of Europe.

In the estimate of the advantageous frontiers which they would procure for Holland, it appears that the Royal Crown of the Netherlands has been confounded with the Grand-Ducal Crown of Luxemburg, united at present upon the head of the same Prince, but subject to the chances of a future separation. But, it is as little allowable to identify these two Crowns, as it would be to identify those of Great Britain and Hanover; and to consider as a favour to Holland the arrangements relating to the Grand Duchy of Luxemburg, as it would be to put to the account of England a Treaty concluded by the Hanoverian Government. To adopt an opposite principle, would be to place the King Grand Duke in a false position with regard to Holland, to the Grand Duchy of Luxemburg, to the Germanick Confederation, and to the Agnates of his house.

Moreover, it is evident, that according to the 24 Articles, the Grand Duke of Luxemburg himself would only receive a very partial indemnity for the required cession of the greater part of his States, and that Holland would lose her detached possessions on the left bank of the Meuse, and in the Province of Liege, in order to obtain no other advantage than to see the territory separating the detached possessions which remain to her, in the hands of the Grand Duke of Luxemburg.

By their note of the 12th of November, their Excellencies the Plenipotentiaries of the five Courts had the goodness to inform the undersigned that the 24 Articles had been accepted in Belgium. On the 14th the undersigned had the honour to declare "that if Belgium, contrary to the principles laid down in the 19th Protocol, thus obtained a premature recognition, the King would, by that circumstance alone, and independently of his rights of Sovereignty, be obliged not to accept the arrangements of separation, except under such conditions and reserves as should be dictated alike by his high position, and by the interests of Holland." The following day a formal Treaty was concluded between their Excellencies and the Belgian Plenipotentiary, injuring the rights of the King, and those of Holland and of the Grand Duchy of Luxemburg, and prejudicing also those of the Germanick Confederation, according to which no one of its members can be dispossessed of his territory without his own consent.

The undersigned have received orders to protest in the most formal manner, as they do by the present note, against the said Treaty, which is essentially opposed to Annex A. of the 12th Protocol, and to the 19th Protocol, which determined the position of the King, with regard to the five Powers.

In going back to the origin of the present negotiation, it will be found that the 8 Articles of the 21st of July, 1814, contained the leading features of the union between Holland and Belgium, and of the system of internal policy, which resulted from it. They became binding by the acceptance of the King, as the bases and conditions of the union of Holland and Belgium under his Sovereignty. Now that there is a question of dissolving the union, this dissolution can only be effected by the same means, namely, by a negotiation with His Majesty. Such was the principle of the present negotiations of London; and when the separation was determined upon, it was acknowledged that it was necessary to modify the 8 Articles of 1814, or to substitute for them others conformable to existing circumstances. Annex A. of the 12th Protocol became the second basis of the negotiation, from the moment when the acceptance of the King had given to this act the character of a bilateral engagement between His Majesty and the five Powers.

The 18 Articles brought forward at a later period as preliminaries, were, on the contrary, only propositions, not at all binding upon the Conference, as long as the two parties should not have accepted them. But, Holland having refused them, they left no trace behind them.

In this state of things, the two bases above-mentioned have guided the Government of the King in the examination of the 24 Articles now proposed. The results of this examination are stated in the Memorandum annexed to the present note. They are in conformity with Annex A. of the 12th Protocol.

As to the form, the undersigned gladly accept that proposed by the Conference, of a Convention with the five Powers. If, according to the memorandum alluded to, some subjects mentioned in the 24 Articles, but not relating to the separation or to Annex A. should be passed over in silence in that Treaty, there would be nothing to prevent the discussion of them at a period more or less remote; and in the meanwhile, there would be no obstacle to an immediate disarming by both parties, which, in putting an end to chances of a renewal of hostilities, would contribute effectually to strengthen the maintenance of the general Peace.

The Cabinet of the Hague, endeavouring to remove the difficulties which present themselves, has occupied itself in obviating them, in such a manner as not to injure the true interests of Belgium. It believes that it has discovered in the present communication, a satisfactory solution of those difficulties, and allows itself to hope that the two nations will succeed at a later period, in coming to an understanding by common consent, with regard to their respective interests.

The undersigned request the Plenipotentiaries of the five Powers, assembled in Conference in London, to have the goodness to take the present note, and the memorandum which accompanies it, into their consideration. They flatter themselves that their Excellencies will receive this work with favour, and that they will find therein, the same spirit of conciliation which has constantly guided the Government of the Netherlands. The sacrifices which the King consents to make, but which under no circumstances could be effected, if the accompanying suggestions were not adopted, and the moderation which characterises the present overture, will doubtless tend to convince, more and more, the five Powers represented in the Conference of London, and the whole of Europe, of the sincere desire which the Government of the Netherlands entertains, to remove as much as possible the difficulties which have hitherto impeded the conclusion of a treaty with the five Courts, for the purpose of regulating the separation between Holland and Belgium, and to set aside only such concessions as are incompatible with the independence, the dignity, and the principal interests of Holland.

The undersigned avail themselves of this opportunity to repeat to their Excellencies, the Plenipotentiaries of the five Courts, assembled in Conference in London, the assurances of their highest consideration.

(Signed)

FALCK.

H. DE ZUYLEN DE NYEVELT.

Annex B. to Protocol No. 53.

Memorandum relative to the present negotiation of the Treaty of Separation between Holland and Belgium, and in which the 24 Articles communicated by the Conference of London to the Plenipotentiaries of the Netherlands, are examined with reference to the 8 Articles of 1814, and to Annex A. of the 12th Protocol of the Conference.

IN the territorial question, it is necessary to distinguish between the United Provinces of the Netherlands, the Austrian Netherlands or Belgium, and the German States, and the minor districts. The Grand Duchy of Luxemburg was assigned to the House of Nassau, as an indemnity for its hereditary possessions, of which it made a sacrifice, at the period of the creation of the Kingdom of the Netherlands, and was placed in particular relations with the Germanic Confederation, and with the Agnates of the King Grand Duke. It is just that Holland should again become what she was formerly, with the addition of that which has been obtained by her for valuable consideration, and of a compensation for the ten Cantons. Belgium may be composed of the Austrian Netherlands, excluding the Grand Duchy of Luxemburg, according to Annex A. of the 12th Protocol, but comprising those parts of the German and French territories, which were joined, the former in 1814, and the latter in 1815, to the Kingdom of the Netherlands, subject to the power of assigning to Holland, for her part of the ten Cantons, and for the detached possessions which she will give up, an indemnity, from which there shall result a contiguity between her former territory and her detached possessions, an indemnity which may be composed of districts formerly German or Belgian, but must comprehend the Zuid-Willems-Vaart.

One of the two maps, which accompanied the 24 Articles, assigns by mistake to Belgium, the *commune* of Lommel. In 1790, it formed a part of North Brabant. It is necessary, therefore, that it should remain to Holland.

Articles II, III, IV, V. Although the King Grand Duke has no motive for impairing the integrity of the Grand Duchy of Luxemburg, he would, nevertheless, not object to exchange a part, or even the whole of it, if that would facilitate an arrangement, for another territory entirely equivalent to it, both with respect to population and extent, and contiguous to the Dutch territory, or, in case of a partial exchange, either to the Dutch territory or to that of Luxemburg. His Majesty, however, in order to simplify the Dutch question, and not to confound his duties and his interests as King of the Netherlands and as Grand Duke of Luxemburg, would the more prefer to keep the negotiation, relating to this exchange, separate from that which is to regulate the boundaries between Holland and Belgium, because any modification of the territorial state of the Grand Duchy of Luxemburg, would require, in the first place, an understanding with the Germanic Confederation, and with the Agnates of the House of Nassau; and because a special negotiation with respect to the Grand Duchy of Luxemburg would accelerate the Treaty destined to regulate the separation between Holland and Belgium, to the immediate conclusion of which there appears to be no obstacle.

The obligations of the King Grand Duke towards the Germanic Confederation, and the Agnates of the House of Nassau, being a domestic concern between His Majesty, the Confederation, and the Agnates, appear to be foreign to the Treaty to be concluded. In every case, the reference to Articles III and IV, contained in Article V, ought to have extended to Article II, considering that the consent of the Germanic Confederation and of the Agnates, is as much requisite for the cession of any part whatever of the Grand Duchy of Luxemburg, as for the acceptance of the territory destined to be substituted for it.

It will be necessary to arrange the 6th Article in conformity with the preceding observations.

Article VII.—It is understood, that Belgium could never take advantage of its neutrality to break through its obligations, resulting from the Treaty of separation.

The subject of the Article VIII does not offer any difficulty, although it was not mentioned in Annex A of the 12th Protocol ; but instead of referring to the 6th Article of the definitive Treaty concluded between His Majesty the Emperor of Germany, and the States General on the 8th of November 1785, this reference may be omitted, and the text itself inserted in the Treaty, with the omission of the words “ to the satisfaction of the Emperor,” words which leave too much latitude to the opposite party.

The first paragraph of Article IX does not present any inconvenience, but, in continuing the perusal of this Article IX, the most serious difficulties are met with. There is no example known in the history of Treaties, of an independent State submitting the pilotage and buoyage of one of its own rivers to the joint superintendence of another Government ; of its having consented to fix the pilot dues by common agreement with a foreign State, and, consequently, to cause the duty which its own subjects are to pay, to depend upon the pleasure of one of its neighbours, and to substitute for the principle often adopted, that the foreign flag should be treated as that of the most favoured nation, or in the same manner as the national flag, the opposite principle, that the national flag shall be treated as that of foreigners, and as foreigners shall think fit ; of its having subscribed to a permission to navigate its own rivers, as would be the case if the Government of the Netherlands agreed that the navigation of the intermediate channels between the Scheldt and the Rhine in order to proceed from Antwerp to the Rhine, channels which exist only on the Dutch territory, should remain reciprocally free, and consequently, also free for Dutch vessels ; of its having subjected its own commerce, as far as concerns the navigation of its internal waters, to the same tolls as the commerce of foreigners ; and of its having granted to another State the right of fishing and of trading in fish, throughout the whole extent of one of its rivers, a stipulation, an analogy to which is only to be found on the coasts of certain Colonies.

The Government of the Netherlands cannot subscribe to these clauses, which are derogatory to the rights of Sovereignty belonging to every independent State, and which are foreign to Annex A. of the 12th Protocol.

Moreover, the Act of the Congress of Vienna having regulated every thing which relates to the navigation of the rivers, which are therein mentioned, and in the number of which the Scheldt is included, there is no occasion for detracting from its authority in this respect, and for deviating from it in a manner which would require the consent of all the parties who signed the Act and acceded to it.

Now that the navigation of the Rhine is settled to the satisfaction of all the States situate on its banks, including those represented at the Conference of London, by a recent Convention, which gives the power of favouring the navigation of native subjects in preference to that of other neighbouring States, and to regulate the pilotage and buoyage, without there being any question of a common superintendence in this respect, or of Commissioners appointed for this purpose ; and without mooted the question of fishery and of trading in fish, and without an arrangement with respect to the navigation of the intermediate channels between the Scheldt and the Rhine, it is impossible to discover for what reason there should be a question of making, in favour of Belgium, and to the detriment of the sovereign and territorial rights of Holland, conditions which the Governments of Baden, France, Bavaria, Hesse, Prussia, and Nassau, in the course of a negotiation of fifteen years upon the subject of the navigation of the Rhine, and in the midst of a great divergence of opinions, never claimed on their own account.

Independently of these considerations, policy seems to discountenance any arrangement calculated to multiply the points of contact between nations upon the subject of secondary interests, such as the privilege of fishery, and of trading in fish, given to the respective subjects throughout the whole extent of the Scheldt; a privilege which would inevitably endanger, in the two States, the service of the customs and of the police, and the interests of justice.

With respect to the navigation of the Scheldt, the Government of the Netherlands never had the intention of impeding it, except when the defence of the Kingdom, during the war, for a time required it; and although, by the separation of Holland and Belgium, the 14th Article of the Treaty of Munster again comes into force, Holland considers the freedom of the Scheldt as the immediate consequence of an equitable Treaty of separation. She is ready to occupy herself in fixing the pilotage on the Scheldt at a moderate rate, and to take charge of the conservation of the channels of the said river; and she will not refuse to adopt, provisionally, for the Scheldt, the tariffs of the Convention, relative to the free navigation of the Rhine, signed at Mayence, on the 31st of March, 1831, as well as the other stipulations of that Convention, in as far as they can be applied to the Scheldt; but this assimilation of the navigation of the Scheldt to that of the Rhine, in order to become definitive, will require a special Convention, securing to Holland reciprocal advantages, such as those contained in the Convention of Mayence, founded not only on the Act of the Congress of Vienna, the stipulations of which are still under discussion between the States situate on the banks of the Rhine, but also upon mutual concessions of which no mention was made at the Congress of Vienna, a circumstance which places the Convention of Mayence at once in the light of an emanation from the Act of the Congress of Vienna, and of a common Treaty of Navigation.

The precise wording of the text of Article X, which evidently treats only of the canals which traverse both countries, seems to require, for the interest of both parties, that the last sentence should run thus: "moderate duties only shall be levied upon the navigation of the said canals."

Again, Articles XI and XII relate to points of which no mention is made in Annex A. of the 12th Protocol. They subject the Dutch territory to a second obligation, the less admissible, because the Government of the Netherlands requires none at the hands of Belgium, and because the Treaty of Separation serves to liberate her from that stipulated in Article XIV of the peace of Munster.

Before the union of Holland and Belgium, no obligation of the description of those mentioned in Articles IX, XI, and XII, weighed upon the former. Now that the two countries are separated, Holland does not ask and does not obtain any favour whatever from Belgium; there exists, therefore, no reason whatever for altering, in a disadvantageous manner, the position in which Holland was placed before the union. To stipulate that the commercial communications through the town of Maestricht shall not be obstructed under any pretext, is to render in a great measure illusory the important guarantee, which that fortress offers for the security of Holland. Holland is nevertheless disposed to secure to Belgium all the facilities desirable for establishing its commercial communications with Germany across Limburg, through the towns of Maestricht and Sittard, except in cases in which important objections arise, and to levy no turnpike tolls upon the roads, which in passing through those two towns lead to the frontiers of Germany, and which roads shall be preserved in good condition, subject to a moderate toll.

Moreover, Holland and Belgium might enter into commercial relations established upon principles of reciprocity, and upon the best understanding of the interests of the two countries, after the manner of the reservation in favour

of Portugal, expressed in the 8th Article of the Treaty of amity, navigation, and commerce, between their Majesties the King of the Netherlands, and the Emperor of Brazil, of the 20th of December 1828.

The 1st paragraph of Article XIII charges Belgium, under the head of the division of the public debt, with a sum of 8,400,000 Netherland florins, of annual interest. The Government of the Netherlands cannot admit of a calculation, by which there would be left to the charge of Belgium an annual sum so inferior to that which would weigh upon Holland, and to her just claims; but, with the sincere desire which has never ceased to animate her of arriving at a termination of this negotiation, she will abstain from availing herself of this circumstance to reject the said division of the debt of the State, in consideration of an arrangement, by which the sum above-mentioned should be capitalized under the guarantee of the five Powers, according to the official price current of the debt of the Netherlands in the month of July, 1830, the month which immediately preceded the troubles of Belgium, and without prejudice to any modification which the 5th paragraph of the said Article shall receive. This paragraph, which is not included in Annex A, regulates the settlement of the accounts of the *Syndicat d'Amortissement* and of the bank of Brussels, in such a manner that there cannot result from this settlement any additional charge to Belgium; the sum of 8,400,000 florins of annual interest comprehending the whole of the charge which she is to take upon herself; but it is added, that if it should appear from the said settlement, that there is a balance to be received, Belgium and Holland shall share the same in the proportion of the taxes paid by each of the two countries, during their union. Such a stipulation would be contrary to the nature of every settlement, which it is impossible to represent as being in principle profitable to one of the parties, and burthensome to the other.

It would be still more contrary to the first axioms of finance, that the settlement should be burthensome to Holland without the possibility of its becoming so to Belgium; for there would be no motive to restrain the latter from putting forward her claims, when once she is free from all risk.

These objections might be removed by the substitution for the proposed disparity in the manner of dealing with the parties interested, of a stipulation, ordaining that the settlement of the *Syndicat d'Amortissement* and of the Bank of Brussels, in its character of cashier of the Kingdom, shall be considered merely as a measure of order, but that there shall not result therefrom any increase of charge to either of the parties, without prejudice, however, to the division of the charge of the *Domein los renten* according to the 6th paragraph, in proportion to the security placed upon each territory, either in the price of purchase not yet received for lands already sold, or in lands not hitherto alienated.

Article XIV. limits the period during which Holland has made advances on account of the public debt, to fourteen months, from the 1st of November, 1830, to the 1st of January, 1832. Holland, however, has made three half yearly payments. She is, therefore, prejudiced to the extent of $\frac{1}{3}$. Besides, the 1st of January 1832, being very near at hand, it appears preferable to fix the first half yearly payment of the advances which Holland will have made on account of the public debt, at three months after the ratification of the Treaty, with the addition of the interest, and to determine that Belgium shall then make every three months a half yearly payment of the said advances, with the interest.

Articles XV, and XVI, have not given occasion for any observation.

In Article XVII, it is desired that there should be an insertion of the words, "or private," after the adjective "hereditary," and that there should be the following addition; "The present Article applies to all the property which the House of Nassau possesses in Belgium. The share of the King in the Bank of Brussels, as well as the yearly revenue due to His Majesty

“ from that establishment, are to be placed at the disposal of His Majesty, that that he may possess them agreeably to that statutes of the company.”

The plan proposed in Article XVIII. is accepted.

The character of a subject of the two Governments, with regard to property, mentioned in Article XIX, does not exist in the public law of the Netherlands. The charges inherent upon property have reference only to that property, and not to the character of the proprietor, who, although possessor of landed property in different countries, could only be the subject of one Power. This Article therefore appears admissible, only because it cannot be a precedent for the future.

Although the stipulations of Articles XI. to XXI. inclusive, of the Treaty concluded between Austria and Russia, on the 3rd of May, 1815, may not be all applicable to the institutions of the Netherlands, the adoption of Article XX. will not be attended with important difficulties.

The contents of Article XXI, and XXII, are agreed to.

According to Article XXIII. all claims of Belgian subjects upon private establishments, such as the widows fund, and funds known under the denomination of the *fonds des leges*, and of the chest of civil and military retired allowances, shall be examined by the mixed commission of liquidation, mentioned in Article XIII. and settled according to the tenour of the regulations by which those funds or chests are governed. This system is reasonable; but there could not result from it an obligation upon Holland to contribute to the said funds or chests, if any of them should be found insufficient; and it will be necessary to express this in the Treaty, in such a manner, that the settlement of these funds being made in an amicable and methodical manner between the two countries, shall not entail pecuniary sacrifices upon either of the parties. Nevertheless it appears equitable that the securities given should be restored to the accountants in the respective countries, considering that these funds have been paid into the Treasury of the Kingdom, and comprehended in the general settlement of the debt.

The judicial deposits and consignments shall be restored to those entitled to them by the authorities of the country in which they have been placed, without reference to the place of abode of the depositor.

The same consideration respecting the non-obligation to make good an insufficient fund, presents itself in the last paragraph of Article XXIII, which treats of the settlements called French. In fact, in the case in which the remaining funds of these settlements shall not be adequate to the claims which Belgian subjects might still have to make upon them, the principle invoked in the observations upon Article XIII. might be applied.

Article XXIV. In the case in which the territorial arrangements relative to the Grand Duchy of Luxemburg, should form, as it is desired, the subject of a special negotiation and convention, it will be necessary to amplify the commencement of this Article in the following manner:—“ Immediately after the exchange of the ratifications of the Treaty to be agreed upon between the two parties, including those of the Treaty relating to the territorial arrangements with regard to the Grand Duchy of Luxemburg, the necessary orders shall be sent, &c.”

The space of fifteen days appearing too short for the evacuation and surrender, it shall be fixed at least to a month. It will moreover be necessary to add, “ at the time of the evacuation, the respective troops shall have the power of carrying away the effects belonging to the State.”

Besides the subjects mentioned in the 24 Articles, and in the present memorandum, the King must reserve to himself the right of coming to an understanding with respect to the fortresses upon the south frontier of Belgium, which might be demolished, and to those of which the interests of Holland would require the preservation. The right of His Majesty to assist in regulating this matter,

is secured to him not only by the barrier treaty, which was concluded in the last century with reference to the Republick of the United Provinces, but also by an Act of a recent date, and which relates particularly to the union between Holland and Belgium; the seventh of the eight Articles of London having declared that this point was important to the security and the independence of all the provinces, and of the whole nation.

The preceding observations will shew how much the 24 Articles of the 14th of October, differ from Annex A of the 12th Protocol, and from the principles of the 8 Articles of London. Some of the stipulations of the 24 Articles have been considered particularly inadmissible, because they are foreign to the question of the separation of Holland and Belgium. The King, however, who earnestly desires an immediate Treaty of separation, is equally disposed to enter upon a special negotiation, for the purpose of coming to an agreement upon all the points which will not form a part of the Treaty of Separation, and upon those which are of a nature to call for a further arrangement, calculated to establish a system of navigation, commerce, and good neighbourhood, founded upon the mutual good-will of the two nations, and securing at once the prosperity of Holland and of Belgium.

Annex C. to Protocol No. 53.

Answer to the Note addressed to the Conference by the Netherland Plenipotentiaries, dated the 14th of November, 1831.

London, January 4, 1832.

THE undersigned, Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, have had the honour to receive the note and the memorandum, which their Excellencies the Plenipotentiaries of His Majesty the King of the Netherlands addressed to them on the 14th of December, 1831. The Conference of London earnestly desired to know the opinion of the Cabinet of the Hague upon the 24 Articles which it had conveyed to the knowledge of the Plenipotentiaries of the King, on the 15th October. The last communication from the latter has at length satisfied this reasonable desire. The Conference has with pleasure found therein the expression of the wish of the Netherland Government for an early solution of the important questions, to which, for the last fifteen months, the relative situation of Holland and Belgium has given rise; but the Conference cannot help regretting at the same time, that this communication should not have been made to it at the period when the Plenipotentiaries of the Netherlands addressed to it their note of the 10th November, without being able to add thereto any official explanation. If, instead of the general principle of which the Cabinet of the Hague then claimed the pure and simple adoption, the Plenipotentiaries of the King had been authorized to set forth the particular and, in many respects, conciliatory views, which are declared in their note and in their memorandum of the 14th of December, many doubts would have been cleared up, and many difficulties perhaps removed. The state of things is no longer the same. It is, however, with the hope of doing away with the reasons for the objections which the Plenipotentiaries of the Netherlands have communicated to it, it is with the hope of hastening a happy arrangement, and of attaining the object of peace which is the aim of the Government of the

King as well as of the Conference, that the latter is about to answer the important papers, the contents of which it has weighed with the most mature care.

Without infringing in the smallest degree, by the opinion which it is about to express, upon the rights of His Majesty the King of the Netherlands, as an independent Sovereign, rights which it has a pleasure in acknowledging to their full extent, the Conference cannot subscribe to the interpretation which the Cabinet of the Hague persists in giving to the 4th paragraph of the Protocol of Aix-la-Chapelle, of the 15th November, 1818.

The paragraph in question relates to the assemblies of Sovereigns or Plenipotentiaries among the five Powers who signed that Protocol, and it reserves to those States who had called for the intervention of the five Powers in affairs especially connected with the interests of the said States, the right of taking a part in the assemblies *directly or by their Plenipotentiaries*; that is to say, by the presence of their Sovereigns themselves, or by the mission of persons furnished with powers. This paragraph has not, and cannot have, any other meaning. Moreover, and this cannot be too often repeated, it determines nothing with respect to the forms of the deliberations upon which the five Powers would have to enter with the Plenipotentiaries of the States who may require their intervention. It leaves them, on the contrary, in this respect, at full liberty, and, above all, it grants them a right which it could not even refuse them, the right to come to an understanding among themselves upon the propositions which the intervention would call for on their part, and the right to communicate those propositions jointly. Incontestable in its principle and nature, the right of which mention is now made acquires fresh force, when, with the interests of the States who have called for the intervention, are associated, as in the negotiations of London relative to Belgium, the most important interests of the intervening Powers.

According to this view of the subject, in inviting the Plenipotentiaries of the Netherlands to set forth in writing the claims and wishes of their Government; in urging them to reply to the arguments and demands of the opposite party; in offering to them, moreover, the means of communicating their opinions and wishes upon all the questions which ought to be settled by a final arrangement; in addressing to them, in short, the joint communications of the 15th of October last, the Conference thinks itself authorized in maintaining that it has entirely fulfilled the stipulations of the 4th paragraph of the Protocol of Aix-la-Chapelle.

The note and memorandum of the Plenipotentiaries of the Netherlands, discuss the 24 Articles of the 15th of October, in their relations with the 8 Articles of the Protocol of the 21st of July, 1814, upon which was founded the union of Belgium with Holland, and with the bases of separation annexed to the Protocol of the 27th of January, 1831.

Before, however, the Plenipotentiaries of the five Courts were assembled in in Conference in London, the principle of a separation between Belgium and Holland had been proclaimed in the United Kingdom of the Netherlands. To adopt this principle, was to annul that of the most important stipulations of the Protocol of the 21st of July, 1814, and therefore also to invalidate the authority of that Act.

In making this observation, the Conference is far from willing to cast any blame upon a measure adopted in the midst of circumstances of extreme difficulty. It confines itself to establishing a point of right and of fact, from which it follows that it is *only* with reference to their relation to the *bases of separation* of the 27th of January, 1831, to the Protocol to which they are annexed, and to the proposals accepted by the Government of the King since the commencement of the negotiations of London, that the 24 Articles of the 15th of October last, can and ought to be considered.

The Conference will not hesitate to devote itself to this examination.

It flatters itself that it will prove, in proceeding with it :

That the 24 Articles present only the developement of the bases of separation above-mentioned.

That they contain the application of all the principles in favour of Holland laid down in the Protocol of the 27th of January, 1831.

That these principles have been attended to in favour of the Government of His Majesty the King of the Netherlands.

That in the question of the Grand Duchy of Luxembourg, the Conference, in availing itself of a portion of that Grand Duchy in the exchanges of territory, and in joining this negotiation with the Belgian negotiation properly so called, has only conformed to the authority which it has received from the Diet of the Germanic Confederation, at the request of the Minister himself of His Majesty the King of the Netherlands, Grand Duke of Luxemburg.

That the example of the Kingdom of Hanover does not appear applicable to the case in question.

That the Articles which, according to the note and the memorandum of the Plenipotentiaries of the Netherlands, would introduce stipulations unusual and dangerous to the rights of the Sovereignty of Holland, are easily explained, are not without precedent, and cannot reasonably cause the apprehensions to which they appear to have given rise.

That, lastly, if the Conference has thought it right to secure to Belgium, the means of existence and of prosperity, it has confined itself to following, in this respect, the course pointed out by the Protocol of the 27th of January, 1831, which was accepted by the Netherland Government.

The Plenipotentiaries of His Majesty the King of the Netherlands will find the explanations of these assertions in the accompanying memorandum.

Strong in its conviction that it has fulfilled the engagements contracted by the five Powers with the Netherland Government, full of confidence in the wisdom and in the justice of the King, the Conference flatters itself that that Monarch will take into consideration, the numberless difficulties which it has had to conquer, the events which have marked the course of its labours, the dangers of every description which it has had to overcome, and, lastly, the obligation which was imposed upon it, and of which it has acquitted itself, of preserving that general peace, which the true interests of Holland, and the true interests of Europe, equally require. It flatters itself that the King will acknowledge that it is impossible, in an arrangement of the nature of that with which the Conference has been occupied, to adjust demands essentially opposed to each other, and to reconcile essentially divergent opinions, without establishing a system of compensation; and that he will, in consequence, think it but fair not to form an opinion upon each Article separately, which has been communicated to him, but to consider the Articles as a whole; not to separate from a combination some partial objections, and to aggravate them by the separation, but to examine whether the whole arrangement does not present advantages greatly counterbalancing those inconveniences from which no diplomatic transaction has ever yet been entirely exempt.

After such an examination of the 24 Articles, and of the explanations contained in this day's memorandum, the Conference cannot doubt that the Netherland Government will find, in signing these Articles, all the means of arriving at a termination, which Europe, wearied by shocks and apprehensions, looks to with natural impatience; at an honourable termination, which would put an end to the long state of suspense in which Holland herself has been placed, and would lead, in short, to that mutual disarming, the proposition for which the Conference highly appreciates.

The Conference cannot, in return, too strongly repel the suspicion that it wished to leave henceforth to Holland only an honorary position in the European association. Such a result never entered into the contemplation of the five Courts, and it would be as opposed to their feelings as it would be to their own interests. Again placed involuntarily, and by the force of circumstances,

under the obligation of assisting, as in 1814, in the settlement of the future condition and mode of existence of Belgium, the Courts have not taken improper advantage of their position; and by financial arrangements, which lessen the burthen of the old Dutch debt, by a good boundary, by a compact arrangement of possession, by a contiguity of territory upon both banks of the Meuse, and by a formal guarantee of all these stipulations, they have offered to Holland advantages which might in vain have been sought for in the most glorious periods of her history.

In those memorable times, it was not from an union with Belgium, it was from herself, it was from the noble qualities of the House of Nassau and of the Dutch nation, it was from her own resources, that Holland derived her power.

It rests only with her now to resume the same character; and far from wishing to lower the King of the Netherlands from the high position which he occupies in Europe, the Courts represented at the Conference of London have only had in view the preservation to him of that position, in all its dignity, in all its influence, and in all its consideration.

The Undersigned, &c.

(Signed)

ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex D. to Protocol No. 53.

Memorandum intended to serve as an Answer to that of the Plenipotentiaries of the Netherlands, dated 14th December, 1831.

THE memorandum of their Excellencies the Plenipotentiaries of His Majesty the King of the Netherlands, as well as their note of the 14th of December last, are founded upon two bases, upon the 8 Articles of the 21st of July, 1814, and upon Annex A. of the Protocol of the 27th of January, 1831.

The Conference of London can only acknowledge one of those bases, namely, Annex A. of the Protocol of the 27th of January, 1831, combined with the explanations which its very nature renders necessary, with the principles laid down in the said Protocol, to which His Majesty the King of the Netherlands has given his adhesion, with the propositions subsequently accepted by the Netherland Government, and with the official declarations which that Government has made in documents communicated in its name to the Conference.

The Conference is obliged to reject the first of the bases proclaimed by the Plenipotentiaries of the Netherlands.

1° Because the Netherland Government, in proclaiming of its own accord, prior to the assembling of the Conference of London, the principle of the separation of Holland from Belgium,* has itself annulled the most important part of the 8 Articles of the 21st of July, 1814, which had for their object a *perfect and complete amalgamation* of the two countries.

2° Because the Netherland Government, in declaring afterwards officially, and in positive terms, that it did not find itself in a state to reduce Belgium

* See the Royal Message of the 13th of September, 1830, the vote of the two Chambers of the States General of the 29th and of the 30th of the same month, the Royal Message of the 16th of October following, the Proclamation of His Royal Highness the Prince of Orange of the 5th of October, and the Royal Message of the 18th of October of the same year.

again to subjection without foreign military aid, admitted the impossibility of its executing the 8 Articles.

3° Because having thus, of its own accord, set aside these principles, and having afterwards admitted that it could not fulfil their stipulations, the Netherland Government necessarily deprived itself of the right of appealing to them.

4° Lastly, because Annex A of the Protocol of the 27th of January, 1831, is the last Act concluded between the Netherland Government and the five Powers upon the affairs of Belgium since the signature of the 8 Articles; and because this Act is intended to be substituted for them.

It remains then to be proved that the 24 Articles of the 14th of October, which are derived from Annex A. are in strict conformity with the stipulations and with the principles of the Protocol to which that Annex belongs.

Moreover, propositions relative to exchange of territory, having been subsequently made by the Conference to His Majesty the King of the Netherlands, Grand Duke of Luxemburg, and accepted by him, it remains to be proved that the 24 Articles are also in conformity with those propositions.

The Conference will acquit itself of the duty of affording those proofs, by replying as follows to the observations contained in the memorandum of their Excellencies the Plenipotentiaries of the Netherlands.

Ad. I. In order to render it possible to admit that Holland ought to return to the state in which she was *formerly*, that is to say, in 1790, with the *addition* of that which she has subsequently obtained for a *valuable consideration*, and of a *compensation* for the ten cantons separated from France in 1815, it must be proved that this demand is founded upon the text of the stipulations of Annex A of the Protocol of the 27th of January, 1831.

According to the terms of the 1st Article of that Act, the boundaries of Holland are to include all the territories, towns, fortresses and places which belonged to the former Republic of the United Provinces of the Netherlands in the years 1790.

According to the 2nd Article, Belgium is to be composed of all the remainder of the territories which had received the denomination of the Kingdom of the Netherlands, in the Treaties of the year 1815, excepting the Grand Duchy of Luxemburg.

If the literal sense be reckoned upon, it may be maintained that the first Article only assigns to Holland that which she in strictness possessed in 1790, and that, according to the 2nd Article, Belgium is to obtain in the United Kingdom of the Netherlands, all which Holland did not possess in 1790. This interpretation would have given to Belgium the German detached possessions, which Holland did not possess in 1790, the ten cantons separated from France in 1815, which Holland equally did not possess in 1790, and those rights which Holland did not exercise in the town of Maestricht in the same year.

However, in opposition to this interpretation, Holland brought forward the valuable consideration at which she had obtained the German detached possessions in 1800, the absence of all title on the part of Belgium to the inheritance of the rights which were exercised over the detached possessions and in the town of Maestricht, by Princes of the ancient German Empire, and lastly, the fact, that the ten cantons had not received the denomination of the Kingdom of the Netherlands in 1815, but that they were a joint acquisition of that Kingdom after it had been established.

In the 24 Articles of the 15th of October, the Conference, after having maturely weighed these claims, has, on the one hand, secured to Holland the entire possession of the German detached possessions and of the town of Maestricht, and on the other, left to Belgium the ten cantons separated from France, of which Holland claimed the moiety. But upon this very point the Conference refers to an observation which will be found at the end of the present Memorandum.

Ad. II. The Plenipotentiaries of the Netherlands claim the connecting ground between the ancient territory of the Republic of the United Provinces and the ancient

Dutch detached possessions in Limburg, by means of a territorial indemnity, which should consist of the German and Belgian districts on both banks of the Meuse, and which should include the whole of the course of the Zuyd-Willemswaardt.

It is evidently also Annex A. of the Protocol of the 27th January, 1831, which should decide upon the validity of this claim. But Article IV. does not speak of any territorial indemnity whatsoever in favour of Holland; it provides only for the *reciprocal* exchange of detached possessions (*désenclavement réciproque*), in order to obtain for the two countries the advantage, equally *reciprocal*, of an entire contiguity of possessions.

It is true that the Minister for Foreign Affairs of His Majesty the King of the Netherlands has attempted to prove, in a letter addressed to the Conference on the 12th July last, that this stipulation was for the exclusive interest of Holland, inasmuch as Belgium did not possess detached possessions in the ancient territory of the Republic of the United Provinces. But the state of possession of Belgium had been defined in the eyes of the Netherland Government, and of the five Powers, by the Annex A. above mentioned. Now Article IV. of this Annex, expressly says:—"As it would nevertheless result from the bases laid down in Articles 1 and 2, that Holland and Belgium *would possess detached portions of land within their respective territories:*" the existence of detached Belgian possessions in the Dutch territory was therefore fully admitted in these Articles; and it was by the stipulations included in them, that the promise of procuring for the two countries the exchange of detached possessions and contiguity of territory, was to be fulfilled.

In examining this question, the Conference found but one mode of solving it in conformity with the spirit and the letter of the Article to which it has just referred. This mode consisted in the exchange of a part of Luxembourg for a part of Limburg. But in this respect the Conference found itself restricted by Article III. of Annex A, and did not dissemble, that without an agreement obtained by mutual consent from the Grand Duke and the Germanic Confederation, the Conference could not proceed to the exchange which it deemed indispensable. In this state of things it recorded, in the 36th Protocol, the conviction at which it had arrived, and solicited through the medium of the Germanic Confederation, the double acquiescence which it required. The advances of the Conference were favorably received; the authorities which it required were granted at the request of the Minister himself of His Majesty the Grand Duke at the Confederation; and the powers and instructions of the Diet, were dispatched to the Plenipotentiaries of Austria and Prussia in London. It was not until then that the Conference brought a part of the Grand Duchy of Luxemburg into its plans of territorial exchanges. It thought that it was impossible to shew more respect for the rights which it had recognized, or more solicitude in fulfilling the engagements which it had contracted.

The Plenipotentiaries of the Netherlands demand, in their Memorandum, the *commune* of Lommel, as having belonged to Holland in 1790.

The Plenipotentiaries of the five Courts have followed, in their demarcation of the frontiers, at the point of Lommel, the line which the Plenipotentiaries of the King had traced, in their Memorandum of the 5th September, annexed to Protocol No. 43, in which it is said:—"On the right bank of the Scheldt, the line of demarcation shall be precisely the same as that which separates North Brabant from the provinces of Antwerp *and of Limburg*, as far as the point in this latter line, situated below Valkenswaardt." Now, the *commune* of Lommel is found to form a part of the province of Limburg, having been included in it at the time of the administrative division of the kingdom of the Netherlands; but, to counterbalance this, other territories not belonging to Holland in 1790, were annexed to the province of North Brabant, the whole of which remain to the Government of the Netherlands.

Ad. III. IV. V. and VI. The Conference does not deny that the territories assigned to His Majesty the King of the Netherlands, in Limburg, in con-

sequence of the changes resulting from the 24 Articles of the 14th October, exhibit a difference in extent and population; but it cannot admit that extent and population are the only criterions of the value of a territory. The revenue which it yields to the public treasury, its nature, its situation, and the additional value and security which its acquisition may afford to other territories already possessed, are considerations which cannot in fairness be omitted, in any estimate which may be made of it. But, in the case in question, that part of Luxemburg assigned to Belgium, is notoriously a country, almost throughout its whole extent, poor, arid, and capable of paying to the State but small returns. That part of Limburg which is assigned to Holland is, on the contrary, rich, fertile, industrious, and the imports of which are more productive. It unites the ancient territories of Holland, to which this junction was formerly wanting; it renders them contiguous; consequently it adds to their value, and it adds also to their security, by the facility of communication which it affords with the important fortress of Maestricht; moreover, it gives to Holland a more extended frontier towards Germany, and thus enables it to obtain support from its natural ally. The Conference would have appeared to bring into question the principles of equity, which direct the policy of the King, if they had not been convinced that such considerations would be more than sufficient to counterbalance, in the opinion of His Majesty, the minor differences of population and extent.

It is out of respect for the rights of His Netherland Majesty, and for those of the Germanic Confederation, that the Conference has abstained from pronouncing upon the arrangements which are to take place, in consequence of these changes between His Majesty, the Confederation, and the House of Nassau. No one better than the Grand Duke could in this conjuncture conciliate reciprocal wishes, nor better establish, in concert with the Confederation, and in the most convenient manner, the contiguity of the Dutch possessions. His interests and those of Germany are so identified in this respect, as to render an agreement necessarily easy. No one, moreover, better than the King, could in his justice and wisdom, appreciate the titles of the Agnates of the House of Nassau. Their rights are too remote to give rise to any serious difficulties in the negotiations.

Besides, as long as the Crowns are united, as long as the Sovereignty of Luxembourg and of Holland remains common, none of the inconveniences insisted upon by the Plenipotentiaries of the Netherlands, can be realized.

In support of their assertions they cite the case of Hanover and of Great Britain. But apparently, this example cannot be applied to the question under discussion. Between Hanover in its relations with Great Britain, and the Grand Duchy of Luxembourg in its relations with Holland, the differences are striking. They are at the same time geographical; and, if the term may be used, hereditary.

Luxembourg is not separated from Holland, as Hanover from Great Britain, by a vast extent of sea. It almost touches the territory of Holland; and the case in which the two countries might cease to be under subjection to the same Sovereign, is almost beyond the calculations of human foresight. It would even seem to depend only upon the King himself to render it impossible.

The considerations which have been just referred to here, have produced their effect. The Conference has the strongest reasons for believing that the Germanic Confederation and the Agnates of the House of Nassau, ready to subscribe to the arrangements of the 14th October, only wait for an invitation from the King of the Netherlands, to accede to them.

For all these reasons, a new separate negotiation relative to the Grand Duchy of Luxembourg, would be contrary to the express authority which the Conference has received from His Majesty the King of the Netherlands, Grand Duke, and from the Diet at Frankfort, contrary to the interests of Holland, of which it would endanger the contiguity of possessions, contrary to the progress of a definitive arrangement between the Netherland Government and Belgium.

After having thus proved by the preceding statement :

1° That in the 24 Articles of the 14th October, the Conference of London

has strictly conformed to the territorial stipulations of Annex A. of the Protocol of the 27 January, 1831 :

2° That it has admitted an exchange of a part of Luxemburg for a part of Limburg, only in virtue of full and formal authority given by the Grand Duke and the Germanick Confederation :

3° That it has assured to Holland such a frontier, and such advantages of contiguity, as she never possessed even in the most memorable times of her power :

The other allegations of the Memorandum of the Plenipotentiaries of the Netherlands, will now be examined.

Ad VII. Upon this point the Conference coincide in their opinion. It is evident that neutrality does not give to Belgium, more than to any other neutral State, the right of violating the obligations resulting from treaties.

Ad. VIII. By the reference to the 4th Article of the Treaty of Fontainebleau, of 1785, between the Emperor of Germany and the States General, it was not intended to revive all its expressions, but to stipulate that the provisions of this Article should serve as the basis for a satisfactory arrangement between the two countries; an arrangement to be settled by Commissioners named by both parties.

Ad. IX. It is here that the heaviest accusations are made against the work of the Conference. According to the Memorandum of the Netherland Plenipotentiaries, the 9th Article of the 14th October, would be in opposition to the principles of the law of nations, without an example in history, and contrary to the rights of sovereignty of Holland. It is hoped that these reproaches may be proved to be without foundation. In the first place, so far as relates to the principles of the law of nations, the Netherland Government is not ignorant that the general law of nations is subordinate to the conventional law of nations, and that when a matter is regulated by Conventions, it is by these Conventions alone that it should be judged. Now, since the re-establishment of peace, it is found that the navigation of rivers has been the object of particular stipulations between different States; so that it is not to abstract principles, it is to the Treaties which at the present day form the political code of Europe, that the Article in question should conform. These Treaties have considerably changed the privileges which the general law of nations had attributed to Governments with respect to the navigation of streams and rivers. Governments had the privilege of closing them on their territory to the commerce of other nations. They have renounced it. They had the privilege of arbitrarily regulating the use of them. This privilege has been modified. The same has occurred with regard to those relative to warehousing, breaking bulk, or custom-houses.

Some have been abolished, others changed, and all are subordinate to the European principle of navigation without hindrance. To convince oneself of this fact, to appreciate the difference which exists, with respect to rivers, between the natural rights of States, derived from Sovereignty, and the obligations resulting from Conventions concluded since the general peace, it is sufficient to examine the annexed extract (Annex No. 1,) which comes from the Treaty of Paris, of 30th May, 1814, and from the General Act of the Congress of Vienna, down to the last Convention of Mayence. Nor can it be said that the stipulations of Paris and Vienna, referring to the free navigation of the Scheldt, and to which the Netherland Government has fully adhered, have ceased to be obligatory upon it since the separation of Belgium. On the contrary, they cannot be placed in the same class as the 8 Articles of the 21st July, 1814, which the Netherland Government had declared itself unable to maintain; and they would still be applicable to it, even if they had never possessed Belgium; because a part of the Scheldt, which traverses other States, would still have belonged to Holland. Holland makes therefore no new sacrifice, in renouncing the right of closing this river, and the 14th Article of the Treaty of Munster. It merely fulfills the Treaties of Vienna, which preserve their full force: and the Conference, in enacting the necessary clauses, in order

that the freedom of navigation of the Scheldt might exist in reality as well as by right, does not trench upon the law of nations. It conforms to the public law of Europe. The question relative to the intermediate channels between the Scheldt and the Rhine was without doubt of a more delicate nature. Yet, with respect to this also, the Conference had in its favour the authority of diplomatic acts of a recent date, to which the Netherland Government had been a party. The annexed extract (Annex No. 2,) of a Protocol signed at Mayence on the 30th March, 1831, shows, that although the States bordering on the Rhine, decided upon concluding their last Convention with the Netherland Government, they did not do so without reserving to themselves the power of communicating freely with Antwerp, and with Belgium, by the intermediate channels just referred to. It is not therefore correct to say that the Conference had imagined for the Belgians a privilege which had never been claimed by the States bordering on the Rhine, since Prussia, France, Bavaria, the Grand Duchy of Baden, the Grand Duchy of Hesse, the Duchy of Nassau, have claimed this privilege, and have reserved to themselves the right of obtaining it. It is not correct to say, that the stipulations of the Conference are without example, since the example is at hand; the Netherland Government having engaged (see the accompanying answers of their Commissioner, Annex 3.) to take into consideration, at the time of the negotiation for regulating the navigation of the Scheldt, the reserves above referred to; and Belgium necessarily having hereafter to take a part in these negotiations. It would be giving a meaning that is inadmissible to the perhaps, superfluous word "*reciprocally*,"* which is inserted in the § of the 9th Article relative to the use of the intermediate channels between the Scheldt and the Rhine, to attribute to the Conference the intention of having wished to affirm that Belgium might exercise any right of Sovereignty on these waters, or that the concurrence of the Belgian Government could ever be necessary for the prohibition or permission to vessels under the Dutch Flag to navigate the said channels. Such an idea is at variance with reason; and the intention of the Conference has been to *subject invariably to the payment of moderate tolls by Belgian vessels*, the navigation of the intermediate channels between the Scheldt and the Rhine, and to assimilate in this respect, until the establishment of a mutual agreement, the Belgian merchant flag, to the Dutch merchant flag.

The Conference has not gone beyond this. It has had no intention of derogating from the special rights of the States bordering on the Rhine, rights which lie beyond its competency; and finally, it has so much respected the Sovereignty of the King of the Netherlands, that in devising temporary arrangements, it has subjected the definitive state of things which is to result from the 9th Article, to ulterior negotiations between the two parties.

There is no doubt that their mutual agreement may improve the temporary stipulations of this Article, may better fulfil its object, and may obviate inconveniences by aid of experience, or the reciprocal interests of the two people.

This agreement should regulate also the mode of joint superintendence in question, for the *pilotage* and *buoyage*. It is true that Article 12 of the Convention of Mayence confines itself to assimilating, with respect to the tonnage, pilotage, lighthouse and other dues, the vessels of the States bordering on the Rhine to Dutch vessels; but this assimilation is of real value on the Rhine, because the commerce of the principal towns of Holland is carried on upon this river, and in vessels to which the Netherland Government are interested in affording facilities. The same interest does not exist on the Scheldt; the same assimilation upon it might therefore be insufficient, and the *pilotage*, as well as the *buoyage*, seems to require an additional guarantee. The Conference had moreover understood that Holland claimed the right to close the Scheldt. It has been informed, that for want of maintaining buoys, the navigation of the channels of this river was beginning to become difficult. It is not therefore surprising that it has thought stipulations necessary, for preventing the revival of such

* Text of Article 9. "It is also agreed, that the navigation of the intermediate channels " between the Scheldt and the Rhine, in order to proceed from Antwerp to the Rhine, and ~~vice~~ " *versa*, shall continue reciprocally free."

difficulties. The Conference has nevertheless reserved to the two parties the means of settling the most convenient arrangements in this respect.

By Article 9, the two parties are to come to an understanding upon the exercise of the right of fishing, and of trading in fish in the Scheldt. The Scheldt fishery has for a number of years formed the only means of existence of a poor class of the inhabitants of Antwerp, whom the Netherland Government, even in its present state of relations with Belgium, does not appear to have deprived of this sole resource. *A fortiori*, therefore, the Conference could not believe, that it would be refused to her under relations of peace and good neighbourhood. It could not believe but that the two States, in conducting the ulterior negotiations contemplated in the 9th Article, would find without difficulty the means of preventing by mutual precautions, the exercise of the right of fishing, and of trading in fish, from leading to infractions of the Custom-house regulations.

Ad. X. It is in the manner laid down in the Memorandum of the Netherland Plenipotentiaries, that the conclusion of the 10th Article should be understood, “*moderate duties only shall be levied on the navigation of the said canals.*”

Ad. XI and XII. It has been already observed that the Articles 1 and 2 of Annex A. of the Protocol of 27th January, assigned to Belgium on the left and right bank of the Meuse in Limbourg, the districts which Holland did not possess in 1790. These districts gave to Belgium points of contact with Prussia, between Maestricht and Mook, and consequently the means of establishing the shortest communication which she could have with Germany. When the Conference, for the reasons explained above, offered to Holland all the districts on the right bank of the Meuse, which did not belong to her in 1790, it conceived that it would be committing an act of injustice if, in detaching these territories from Belgium, it had deprived her of all the means of communication and of commerce with Germany, which they presented to her. Hence the conditional power which was left to her of constructing, at her own cost, a commercial road in the canton of Sittard, which had never belonged to Holland, a power, nevertheless, depending upon several conditions, and upon the full and entire reserve of the Sovereignty of His Majesty the King of the Netherlands. Hence also the keeping in repair the present road in these cantons, and the moderate tolls which are to be levied upon them. Hence, finally, the use, on the same conditions, of the road which passes through Maestricht. The Conference cannot admit that the existence in time of peace of a commercial road through a fortress, is inconsistent with the security of the place, or diminishes its value. Strasbourg, Metz, Mayence, Lille, Juliers, Coblenz, Erfurt, Magdebourg, Wittenberg, and several other fortified towns, are traversed by roads open to commerce, without the Powers to which these fortresses belong having ever considered them in danger from that cause. It is understood of itself, that extreme cases, or rather the danger of war, should be excepted; but even this circumstance afforded an additional reason for stipulating for free communications by the canton of Sittard. Furthermore it remained to be considered, whether the commerce of transit does not afford real advantages to the country through which it passes, whether it does not increase its resources, and augment its riches. Finally, the Protocol of the 27th January, 1831, to which the Netherland Government has adhered, contained the following declaration: “It is of consequence,” it is there said, “to the preservation of the balance of Europe, and to the accomplishment of the objects which influence the five Powers, that Belgium, flourishing and prosperous, should find in her new mode of political existence, the resources which she may need in order to sustain it.” Now, would the five Powers have *accomplished these views*; would they have contributed to render Belgium *flourishing and prosperous*, if they had not procured for her *the resources* which the free navigation of the Scheldt, and the free communications with Germany by the most direct channels, offered to her? Could then the five Powers, even when the Netherland Government, by

adhering to the Protocol of the 27th January, had assented to the principle here referred to, could they have refused to the Belgians the facilities of commerce which were the only means for their country to *sustain her new existence*? In this point of view, the Conference has sincerely appreciated the proposal contained in the Dutch Memorandum for a Treaty of commerce and navigation between Holland and Belgium. The conclusion of it would be evidently useful, and would succeed in giving that friendship and accord to their relations, which it is without doubt the intention of the Netherland Government, as well as of the Conference, to establish on a durable footing.

Ad. XIII. The communications of the Conference with the Netherland Plenipotentiaries authorize its persuasion, that in charging Belgium with the payment of an annual interest, a mode of payment was adopted in the important question of the division of the debts, conformable to the wishes of the Netherland Government.

This question has been the object of particular solicitude; and the Conference have determined it with a just conviction of having assured to Holland remarkable advantages, which should more than compensate the stipulation mentioned in the preceding Article.

The offer of commerce with the Dutch colonies having never, according to Annex A. of the Protocol of 27th January, and to the avowal of the Netherland Government, constituted more than a simple proposition for acceptance or refusal by the Belgians, and having been rejected, it can no longer take a place in the negotiation.

On the other hand, the interest of all the debts exclusively Belgian, the payment of the deferred part of the same debts, and the interest of the common debts, divided in the proportion, according to which each of the two countries had contributed to their liquidation during their community, amounted only in round numbers to the annual sum of 5,800,000 florins. This sum has been raised to 8,400,000 florins. The whole difference of 2,600,000 florins of annual interest, alleviates therefore to that extent the burden of the old Dutch debt. It does not belong to the Conference to pronounce upon a foreign debt of the United Kingdom of the Netherlands, regulated by a special convention. But, at all events, it appears to have the right of affirming that, even if a valuation of the annual interest of 8,400,000 florins were made according to the statements of the Protocol of the 27th January, and if it were, in consequence, made to consist of the total interest of the debts which it throws back entirely upon Belgium, of the total interest of colonial sacrifices made by Holland to obtain the union, according to the act which determines the value of those sacrifices, of the proportional interest of the charges which the Protocol of the 27th January designates as common, in dividing them according to the principle of partition above established, finally, even of the interest and of half of the war contributions which the Netherland Government renounced on acquiring the six cantons in the year 1815, this annual interest would still be found to afford to the Netherland Government a full and complete compensation.

The Conference readily admits, that the principle of all liquidation is the division of charges and of advantages, of assets and of debts. But on this occasion all the debts chargeable to Belgium were liquidated and already divided by the settlement of an annual interest of 8,400,000 florins. There remained, therefore, only the assets to be liquidated and divided, if any were found in the accounts of the *Syndicat d'amortissement*, and of the Bank of Brussels, which had acted as the general treasury of the United Kingdom of the Netherlands. Furthermore, the *Syndicat d'Assortissement* had issued bonds to the amount of 110,000,000 florins, at 4 per cent. Belgium repaid her part of this charge in the annual interest of 8,400,000 florins. Should she therefore be deprived of her share of the funds of the *Syndicat*, if such funds exist? The Conference would have appeared unmindful of the character for loyalty and good faith, which distinguishes the policy of the Netherland Government, if in a division of common debts, it had burthened one of the parties with a mass of debts, and had assigned all the assets to the other.

Ad. XIV. Holland, by the 14 Articles, will in fact have discharged the debt of the United Kingdom of the Netherlands for three periods of six months each. But her Plenipotentiaries have always dated their calculations from the 1st November, 1830, admitting that up to that period, the Netherland Government had levied the revenues for the whole of the United Kingdom, and had consequently procured the means of meeting two thirds of the first period of the six months in question. The Netherland Government finds itself thereby possessed of the $\frac{2}{3}$ claimed in their Memorandum.

Ad. XVII. Article 17 comprehends all the private property, moveable or immoveable, which the House of Orange-Nassau possesses in Belgium, and, consequently, that of which the Memorandum of the Netherland Plenipotentiary here speaks.

Ad. XIX. Article 19 is taken verbatim from the general Act of the Congress of Vienna, to which the Government of His Majesty the King of the Netherlands has acceded. Its object is to establish that the possessor of landed property in different States, can be a subject of only one of those States.

Ad. XXIII. The claims of Belgian subjects upon the private establishments enumerated in Article 20, should be liquidated according to the tenor of the rules which regulate these establishments in the United Kingdom of the Netherlands. There can be no doubt that the claims when allowed, should be charged upon the funds with which these same establishments had been endowed during the existence of the United Kingdom, and not that new funds should be furnished to them at the cost of Holland. The same remark applies to the liquidations called *French*, mentioned at the conclusion of Article 3.

Ad. XXIV. The Conference would see no inconvenience in interposing its good offices, in order that the period for reciprocal evacuation might be prolonged from fifteen days to one month. Conformably to general custom, the troops which would evacuate the fortresses or the territories which they occupied, would carry with them those articles which belong to the State, with the exception of such as form a part of the military establishment of the said fortresses.

The Netherland Plenipotentiaries conclude their Memorandum with a reserve relative to the right, which, according to them, the King of the Netherlands would have of coming to an understanding with the Powers, with respect to the fortresses of Belgium, in virtue of the barrier treaty, and of the 7 and 8 Articles of 21st July, 1814.

The Conference cannot admit the validity of those two authorities.

After all the wars which have succeeded to it, the barrier treaty, to be obligatory, should have been renewed at the re-establishment of the general peace: but this was not done.

With respect to the 8 Articles of the 21st July, 1814, the circumstances which invalidated them have already been mentioned in the present Memorandum. Moreover, these Articles formed a whole, and only referred to the state of things which resulted from the union of Holland and Belgium. It would not be possible to isolate one of them, in order to apply it to the separation and independence of the two countries.

Furthermore, the neutrality of Belgium, guaranteed by the five Courts, affords a bulwark to Holland, which ought to assure to her a system of barriers, with this difference, that the barrier treaty imposed upon her the expensive obligation of keeping up garrisons, whilst the neutrality of Belgium, placed under the guarantee of the principal Powers of Europe, allows her the means of reducing, without danger, her military establishment.

The Conference has now answered all the points of the Memorandum of the Netherland Plenipotentiaries. It has lost no time in addressing to them with frankness, all the observations, which in its opinion, prove that it has fulfilled its obligations towards His Majesty the King of the Netherlands:

That in elucidating the provisions of Annex A. of the Protocol of the 27th January, 1831, and the principles laid down in the same Protocol, it has always scrupulously applied them, and sometimes extended them, in favour of Holland :

That in the affairs of the Grand Duchy of Luxemburg, it has confined itself to acting according to the authority freely given to it by the Grand Duke, and by the Germanick Confederation :

That, in short, amongst the objections raised against some of the 24 Articles, there is not one, which may not, after the explanations of the Conference, be easily put aside.

The Conference hopes then, that the Netherland Government will no longer delay to accept the arrangements enacted on the 14th October ; and it submits to it a final consideration.

By the 12th Protocol of the 27th January, 1831, it was provided, that the Sovereign of Belgium should accept the arrangements which resulted from that Protocol.

By Protocol 19, of the 19th of February following, to the authority of which the Netherland Government likewise appeals, this acceptance was confined to the fundamental arrangements, that is to say, to the territorial stipulations of the Protocol of the 27th January, 1831.

By the letter which the Minister for Foreign Affairs of His Majesty the King of the Netherlands addressed to the Conference, on the 12th July, it was declared, that His Majesty took up arms against Belgium, solely for the purpose of obtaining equitable conditions of separation, and treated the Sovereign whom Belgium had elected as an enemy, solely because he had not accepted these conditions, which, according to the same letter, were all to be found in the principles of the Protocol of the 27th January, 1831, and in the provisions of its Annex. (Annex A.)

When such were the engagements, and, consequently, the duties of the Conference ; when such were the declarations of the Cabinet of the Hague ; when these declarations plainly admitted a change of Sovereignty in Belgium, on the equitable conditions laid down in the Protocol of the 27th January ; finally, when the new Sovereign of Belgium, in subscribing to the 24 Articles of the 14th October last, accepted not only territorial, but even financial stipulations, which have been shewn to be entirely in conformity with the principles of this Protocol, and with the provisions of its Annex, could the Conference, without destroying the consistency of its own proceedings, have avoided taking the resolutions it has adopted ?

Annex No. 1.

Treaty of Peace of Paris between the Allies and France.

ARTICLE V.

THE navigation of the Rhine, from the point where it becomes navigable unto the sea, and *vice versú*, shall be free, so that it can be interdicted to no one : and at a future Congress, the principles shall be determined, according to which the duties to be levied by the States bordering on the Rhine may be regulated, in the mode the most impartial, and the most favourable to the commerce of all nations.

The future Congress, with a view to facilitate the communication between nations, and continually to render them less strangers to each other, shall likewise examine and determine in what manner the above provision can be extended to other rivers which, in their navigable course, separate or traverse different States.

2. *Act of the Congress of Vienna.**a—Articles concerning the Navigation of the Rhine.*

ARTICLE II.

THE system that shall be established, both for the collection of the duties and for the maintenance of the police, shall be the same along the whole course of the river, and shall extend also, as far as possible, to those of its branches and tributary streams which, in their navigable course, separate or traverse different States.

3. *b—Articles concerning the navigation of the rivers which, in their navigable course, separate or traverse different States.*

ARTICLE II.

THE navigation along their whole course, of the rivers referred to in the preceding Article, from the point where each of them becomes navigable, to its mouth, shall be entirely free, and shall not, in respect to commerce, be prohibited to any one; it being, however, understood, that the regulations established with regard to the police of this navigation, shall be respected; as they will be framed alike for all, and as favourable as possible to the commerce of all nations.

ARTICLE III.

The system that shall be established, both for the collection of the duties and for the maintenance of the police, shall be, as nearly as possible, the same along the whole course of the river; and shall also extend, unless particular circumstances prevent it, to those of its branches and tributary streams, which, in their navigable course, separate or traverse different States.

ARTICLE IV.

The duties on navigation shall be regulated in an uniform and invariable manner, and with as little reference as possible to the different quality of the merchandise, in order that a minute examination of the cargo may be rendered unnecessary, except with a view to prevent fraud and contravention. The nature of the duties, which shall in no case exceed those now paid, shall be determined by local circumstances, which scarcely allow of a general rule in this respect. The tariff shall, however, be prepared in such manner as to encourage commerce by facilitating navigation, for which purpose the duties established upon the Rhine, and now in force on that river, may serve as an approximative rule for its construction.

The tariff once settled, no increase shall take place therein, except by the common consent of the States bordering on the rivers; nor shall the navigation be burthened with any other duties than those fixed in the regulation.

ARTICLE VII.

There shall no where be established store-house, port, or forced harbour duties: those already existing shall be preserved for such time only as the States bordering on the rivers (without regard to the local interest of the place or the country where they are established) shall find them necessary or useful to navigation and commerce in general.

ARTICLE VIII.

The custom-houses belonging to the States bordering on rivers shall have no connection with the navigation dues. Regulations shall be established to prevent officers of the customs, in the exercise of their functions, throwing obstacles in the way of the navigation; but care shall be taken, by means of a strict police, on the bank, to preclude every attempt of the inhabitants to smuggle goods, through the medium of boatmen.

4. c—*Articles concerning the navigation of the Necker, the Mayne, the Moselle, the Meuse and the Scheldt.*

ARTICLE I.

The same freedom of navigation that has been granted for the Rhine, shall be extended to the Necker, the Mayne, the Moselle, the Meuse, and the Scheldt, from the point where each of them becomes navigable, to their mouths.

ARTICLE VII.

Every thing relating to the navigation of the Scheldt, which may need ulterior arrangement, further than the freedom of navigation on this river, specified in the 1st Article, shall be definitively regulated in a manner the most favourable to commerce, and the most analogous to the regulations established on the Rhine.

Convention and Regulation relative to the Navigation of the Rhine, dated March 31, 1831.

ARTICLE XI.

The Government of the States bordering on the Mayne, the Neckar, and other rivers, which flow into the Rhine, shall be admitted to the enjoyment of the same immunities for their merchandise in the free ports of the Netherlands, and in those to be established on the Rhine, as are granted by the preceding Articles, from the moment at which they shall have established in their respective territories, and on the borders of the said rivers, free ports of the like nature, under the stipulations mentioned in the preceding Article.

ARTICLE XLV.

The number of pilots or navigators on the Rhine is left undetermined.

The pilots or navigators conducting the navigation of the rivers which flow into the Rhine, such as the Neckar, the Mayne, the Moselle and the Meuse, as well as the pilots or navigators of the Scheldt, will be admitted to the navigation of the Rhine, provided that those of the Rhine be reciprocally admitted to the navigation of the said rivers.

It will suffice in this case, that the pilots or navigators establish their rights of navigating one of the said rivers.

Annex No. 2.

Extract from the 512th Protocol (separate) of the sittings of the Central Commission instituted by the Congress of Vienna, for the organization and administration of the navigation of the Rhine.

The following Commissioners being present :

For Baden, M. Buchler.

Bavaria, M. de Nau, *President.*

France, M. Engelhardt.

Grand Ducal Hesse, M. Verdier.

Nassau, M. le Chevalier de Roeseler.

The Netherlands, M. J. Bourcourd.

Prussia, M. Delius.

Mayence, March 30, 1831.

Extract.

Baden, Bavaria, Hesse, and Prussia. The Commissioners of Baden, Bavaria, Hesse, and Prussia have learnt with pleasure, by the preceding communication of the Commissioners of France and the Netherlands, that the trifling difficulties which still existed between the very high Governments of France, and of the Netherlands, relative to the 9th, 10, and 11th Articles of the Treaty, have been obviated by mutual agreement. In which case they find themselves at liberty to make the following declaration, respecting that part of the 510th Protocol left in discussion.

With respect, in the first place, to what regards the wording of Articles 5 and 6, of the Treaty upon the navigation of the Rhine, the Governments of Baden, Bavaria, Hesse, and Prussia, are anxious to give to the Government of His Majesty the King of the Netherlands, a striking proof of their friendly dispositions, by renouncing the mention of Antwerp, without expressing a reserve in the actual Treaty, for the purpose of avoiding all pretext for fresh dilatory discussions. But at the same time they formally declare in this Protocol by these presents, that the omission can only stand good in the case of a continued separation of Antwerp; that all the other stipulations of the Treaty in question, as well as of the Act of the Congress of Vienna, will remain in vigour, provided the Government of the Netherlands is in a condition to fulfil them, and especially that the use of the immediate communication between the waters of the Rhine, and the Scheldt, for the navigation of the commerce of the *States bordering on the Rhine*, is in no manner understood to be renounced.

France.

The Commissioner of France refers to the opinion which he has already delivered in his former votes, that the suppression of the word Antwerp can and ought to be made purely and simply, without, on that account, prejudicing the rights of the respective interested parties, and without a general reserve in this respect constituting a sufficient motive for suspending, or again delaying, the conclusion of the regulation now under discussion.

Nassau.

Adhering willingly to the collective vote which precedes, concerning the question of reciprocity between France and the Netherlands, I observe in addition, that, by the presidial proposition of the 31st of January last, I had already delivered a vote for erasing the port of Antwerp from the regulation, but, declaring at the same time, that on that account the reciprocal right ought neither to be questioned or invalidated by either party, seeing that the question relative to this port was merely and simply to be reserved for ulterior negotiations after the conclusion of the Treaty.

I can but repeat in the present instance, this opinion which has obtained the assent of my Court.

Baden, Bavaria, Hesse, and Prussia.

The Government of Baden, Bavaria, Hesse, and Prussia have found in the terms of the 5th and 6th Articles, and by their admission to the free navigation of the intermediate communications formed by the waters of the Rhine and the Scheldt, the satisfactory developments which were judged indispensable for the commercial navigation of their subjects. The stipulations concerted on this subject, formed in this point of view a principal object *as concerns them*. They regret therefore their inability to give up those stipulations within the limits of the territory of the Kingdom of the Netherlands, always, however, without prejudice to the omission of Antwerp; observing at the same time, that the stipulation can only relate to the Rhenish navigation *of their subjects*. Nevertheless, if, under the present circumstances, the Commissioner of the Netherlands should now hesitate to take in the name of his very high Government, the engagements which are in connexion with the commercial navigation of the Scheldt, and specifically of Antwerp; in that case the Commissioners of the said Governments, wishing, on their part, to accelerate as much as possible the conclusion of the Treaty, are ready to accede purely and simply to the omission of the port of Antwerp in the Articles 5 and 6, and, *in maintaining the expressed reserve*, to consent, that the matter be not brought under deliberation until after the complete settlement of the Belgian territorial affairs, and to be then ultimately arranged.

France.

The Commissioner of France, in consistency with his own previous declaration,

must necessarily adhere to the purport of the declaration put forth by his very honorable colleagues of Baden, Bavaria, Hesse, and Prussia.

Nassau.

I observe with pleasure that the relations respecting Antwerp will be deferred to an ulterior discussion, with a reserve for all rights.

Annex No. 3.

Extract from the 512th Protocol (separate) of the sittings of the Central Commission, instituted by the Congress of Vienna, for the organization and administration of the navigation of the Rhine.

The following Commissioners being present ;

For *Baden*, M. Buchler.
Bavaria, M. de Nau, *President*.
France, M. Engelhardt.
Grand Ducal Hesse, Mr. Verdier.
Nassau, M. le Chevalier Roeseler.
The Netherlands, M. F. Bourcourd.
Prussia, M. Delius.

Mayence, 30th March, 1831.

Netherlands.

The Commissioner of the Netherlands has the honour of observing, that, in insisting upon the omission of the port of Antwerp, his Government has in no wise the intention of derogating from the provisions of existing Treaties, and specially of the separate Articles, joined to the Act of the Congress of Vienna, and relative to the navigation of the rivers which traverse their territory, but that, forced by the events which have since occurred in Belgium, it merely renews the offer, spontaneously made during the negotiation upon the navigation of the Rhine, of a free port situated on the Scheldt, and about which there would otherwise have been no question, until the time for the future deliberations relative to the navigation of this latter river.

The Commissioner of [the Netherlands cannot avoid remarking to his very honourable Colleagues, that a passage from the waters of the Rhine into those of the Scheldt with the enjoyment of the conventional and regulating provisions of the Treaty now under deliberation, resulting merely and strictly from the specification of the port of Antwerp, as a free port for the commerce of the Rhine, was the *means* for arriving at a definite *end*, and this *end* being no longer in view, there exists, as a matter of course, no obligation on the part of his Government to furnish these means ; and less so, as it would be anticipating the ulterior arrangements of which the port of Antwerp may be the object.

The Commissioner of the Netherlands furthermore takes the liberty of referring to his declaration relative thereto, contained in the 507th, and to the proposal of an additional Article, contained in the 510th Protocol (separate.)

In conformity with the conclusion of the preceding declaration, and taking into consideration the sense of his own declaration in the 507th Protocol, the Commissioner of the Netherlands, persuaded that his Government will not refuse to devise at the proper time and place, the means of satisfying the reserve expressed on the part of his Colleagues, although it appears to him to be foreign to the object of the present Convention, or to enter on this head at the proper time, upon ulterior negotiations with the different States, bordering on the same river, declares that he is ready to assist at the signature and conclusion of the Convention and of the regulation upon the navigation of the Rhine.

No. 54.

PROTOCOL of a Conference held at the Foreign Office, on the 11th of January, 1832.

Present :

*The Plenipotentiaries of
Austria ;
France :
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, having assembled, the Plenipotentiary of His Britannic Majesty announced to the Conference, that although the information which had reached him from the Ministers of His Majesty accredited to the Courts, parties to the Treaty of the 15th November, gave him every reason to expect the speedy arrival of the ratifications of those Courts, it appeared to him nevertheless to be desirable, considering the delays occasioned at this period of the year by the difficulty of communication, to prorogue the period fixed for the exchange of the said ratifications to the 31st of the present month ; with a view of enabling the more distant Courts to effect the exchange in question simultaneously with the other Courts.

The Plenipotentiaries of Austria, of Prussia, and of Russia, declared, that sharing the expectation announced above, by the Plenipotentiary of His Britannic Majesty ; knowing moreover, how great a value is attached by their Courts to a simultaneous exchange of the ratifications, and being even directed to express their wishes on this head, they fully acceded to the proposition to prorogue the period fixed for the said exchange, to the 31st of January.

The Plenipotentiary of France, on his part declared, that in accordance with the spirit of conciliation which had guided him ever since the first meeting of the Conference, he accepted the proposition to delay for a fortnight the period of the exchange of the ratifications, though it was not his intention, by that act, in any way to prejudice the orders which he might receive between the present time and the period fixed.

The proposition to adjourn the period for the exchange of the ratifications of the Treaty of the 15th November, having been agreed to by all the Plenipotentiaries present, it was resolved to communicate it to the Belgian Plenipotentiary, who was introduced, and who made the accompanying declaration. (A.)

(Signed) ESTERHAZY. WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN.

Annex A. to Protocol No. 54.

Declaration addressed to the Conference by the Belgian Plenipotentiary, dated London, January 11, 1832.

THE undersigned, Plenipotentiary of His Majesty the King of the Belgians, having received the communication from their Excellencies the Plenipotentiaries of Austria, of France, of Great Britain, of Prussia, and of Russia, of a Protocol signed by them on the 11th of January, 1832, and in virtue of which, the Courts, parties to the Treaty of November 15, 1831, have agreed, for the reasons stated in that Act, to postpone to the 31st of January, 1832, the period of the exchange of the ratifications of that Treaty, declares that he adheres, in the name of His Majesty the King of the Belgians, to the contents of that Protocol, and consents to the said delay.

(Signed) SYLVAIN VAN DE WEYER.

Protocol of a Conference held at the Foreign Office, on the 31st of January, 1832,

Present :

*The Plenipotentiaries of
Austria;
France;
Great Britain;
Prussia, and
Russia.*

THE Plenipotentiaries of the five Courts assembled for the execution of the Protocol No. 54, of the 11th instant.

At the opening of the Conference, the Plenipotentiaries of Austria, of Prussia, and of Russia, announced that they had not yet received the final orders of their Courts, with regard to the exchange of the ratifications of the Treaty signed on the 15th of November, 1831, but in the expectation of receiving those orders, they requested that the Protocol should remain open for them, if the other Courts should proceed this day to the exchange of the ratifications of the said Treaty.

The Plenipotentiaries of France and of Great Britain, declared, that notwithstanding the value which their Governments attached to the ratifications being simultaneous, they thought themselves obliged to proceed on their part to the exchange, without further delay; having reason to fear that if, by a further adjournment, they allowed doubts to be formed as to their intentions in that respect, the consequences of such uncertainty would be of a nature to compromise the general peace. The two Plenipotentiaries added, that that determination of the French Government, and of the Government of His Britannic Majesty, would in no way lessen, either their constant desire, or their firm expectation of maintaining the same accordance of views and principles, the same union with the Courts, to which their distance from England, and the correspondence which had grown out of the Treaty of November 15, had not yet allowed sufficient time, either for transmitting the acts of ratification which were still expected, or the order to exchange those which had already arrived. That accordance and that union were duly appreciated by the French Government, and by the Government of His Britannic Majesty, who found in them one of the guarantees of the peace of Europe.

In answer to that declaration, the Plenipotentiaries of Austria, of Prussia, and of Russia, expressed the sincere satisfaction they felt at the explanations with which the French Plenipotentiary, and the Plenipotentiary of His Britannic Majesty, had accompanied the communication of the resolution taken by their Governments. The Plenipotentiaries of Austria, Prussia, and Russia could assure them, that the three Courts would be deeply sensible of those explanations; that they experienced in the same degree the desire to maintain that union, the beneficial effects of which had been so justly pointed out; that they would make every effort to preserve it; and that desiring solely the confirmation of the general peace, they would make it the constant object of their policy.

In consequence of the determinations expressed in the present Protocol, it was resolved that the Plenipotentiaries of the five Powers should acquaint the Belgian Plenipotentiary, that in consideration of some of the Plenipotentiaries not having yet received the acts of ratification of their Courts, or the order to exchange them, the Conference had decided that the Protocol of the exchange of ratifications should remain open for the said courts.

That communication, having been made during the sitting of the Conference to the Belgian Plenipotentiary, he placed in its hands the annexed declaration. (A.)

The sitting terminated by the exchange of the ratifications of the Treaty signed at London the 15th of November, 1831, between the Plenipotentiary of

France, the Plenipotentiary of Great Britain, and the Belgian Plenipotentiary respectively.

(Signed) ESTERHAZY. WESSENBERG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 55.

Declaration of the Belgian Plenipotentiary.

London, January 31, 1832.

THE Belgian Plenipotentiary having been informed by the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, that, in consideration of some of them not having yet received the acts of ratification which they expect, or the order to exchange those which had arrived, the Conference of London had decided that the Protocol of the exchange of ratifications should remain open for the said Courts, declares that this measure adopted by their Excellencies the Plenipotentiaries of Austria, of Prussia, and of Russia, offering as it does to the undersigned, as it will without doubt present to his Government, a well-grounded hope of the speedy ratification of the three Courts, he adheres, in the name of His Majesty the King of the Belgians, to the measure in question.

(Signed) SILVAIN VAN DE WEYER.

No. 56.

PROTOCOL of a Conference held at the Foreign Office on the 5th of April, 1832.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts assembled in Conference at the Foreign Office.

The Plenipotentiaries of France and Great Britain opened the Conference, by observing that more than two months had elapsed since the 31st of January, the day upon which they exchanged with the Belgian Plenipotentiary, the acts of the ratification of the Treaty of the 15th of November, 1831.

That the Protocol of the Conference held upon that occasion had been left open for the reasons stated in the same Protocol, in order to reserve to the Courts of Austria, Prussia, and Russia, the opportunity of exchanging equally the acts of their ratifications, without prejudicing the harmony which so happily existed up to that time amongst the five Powers, and upon the preservation of which depended essentially the maintenance of the peace of Europe.

That in deciding to await until the present time some communication on the part of their allies upon the subject of the ratification of the treaty of the 15th of November, the Courts of France and Great Britain have given the strongest proof of the value which they set upon that union, and of their ardent desire to preserve the general peace ; but the communications which the two Courts have recently received incline them to believe that the Plenipotentiaries of their allies have been furnished with the necessary powers for exchanging the ratifications of the Treaty of the 15th of November, and that, as it is urgent, for

the maintenance of the tranquillity of Europe, that the affairs of Belgium should be settled promptly, the Plenipotentiaries of Great Britain and France invite those of Austria, Prussia, and Russia, to declare if they are ready to proceed to the exchange of the ratifications of the Treaty of the 15th of November, and in case they should not be, to explain the circumstances which prevent them,

The Plenipotentiaries of Austria, Prussia, and Russia, hasten to reply to the Plenipotentiaries of France and Great Britain.

They declared that they appreciated at its just value the assurances which the Plenipotentiaries of France and Great Britain had reiterated to them, and that they esteemed themselves happy in having been, since the opening of the Conferences of London, the interpreters of the dispositions not less pacific of the three Powers whom they represent—dispositions which have influenced these Powers, and which will still influence them, to lose no means of maintaining the general peace, and that union of the five Courts, which is its best guarantee.

The Plenipotentiaries of Austria, Prussia, and Russia added, that they were not yet authorized to exchange the acts of ratification of the Treaty of the 15th of November, 1831; that the motives of the three Powers, in delaying the exchange of these ratifications, had been to use all their influence at the Hague to engage His Majesty the King of the Netherlands to accede to the 24 Articles of the 14th of October last, and that in labouring with a sincere zeal to obtain this accession, the three Powers had given the most convincing proof of their desire to co-operate for the accomplishment of the views of their allies, and the preservation of the tranquillity of Europe; that the result of the last measures taken with that view towards His Majesty the King of the Netherlands, and attested by the declarations which had just been delivered on the part of Austria, Prussia, and Russia, to the Government of the Netherlands, is still too recent to have permitted the three Powers to send definitive orders to their Plenipotentiaries at London; but that the Plenipotentiaries hoped to receive these orders directly, and will not fail to communicate them to the Conference.

(Signed) WESSENBURG. NEUMANN.
 TALLEYRAND.
 BULOW.
 PALMERSTON.
 LIEVEN. MATUSZEWIC.

No. 57.

PROTOCOL of a Conference held at the Foreign Office, on the 18th of April, 1832.

Present :

*The Plenipotentiaries of
 Austria ;
 France ;
 Great Britain ;
 Prussia ; and
 Russia.*

THE Conference was opened by a declaration on the part of the Plenipotentiaries of Austria and Prussia, who, in referring to the Protocol No. 56, of the 5th of the present month, announced that they had received from their Courts the definitive orders of which mention was made in the said Protocol. These orders authorizing them to exchange with the Belgian Plenipotentiary the acts of ratification of the Treaty of the 15th of November, 1831, the Plenipotentiaries of Austria and Prussia declared themselves ready to make that exchange.

The Plenipotentiaries of Russia made known that the definitive orders of their Court were not yet arrived, but that they expected to receive them from day to day.

The Plenipotentiaries of Austria and Prussia then expressed the wish that, in consequence of the expectation of the Russian Plenipotentiaries, a delay of some days might be determined upon, in order that all the Courts represented

at the Conference of London might have the opportunity of placing themselves at the same time on the same line, with regard to the Treaty of the 15th of November, 1831.

The Plenipotentiaries of France and of Great Britain, testified the lively satisfaction afforded them by the declaration made by the Austrian and Prussian Plenipotentiaries relative to the power granted them of proceeding to the exchange of the ratifications of the Treaty of the 15th of November, 1831. The Plenipotentiaries of France and Great Britain, appreciated and participated in the sentiments which induced the Austrian and Prussian Plenipotentiaries to express the wish of adjourning the exchange of the ratifications, until the arrival of the instructions which the Russian Plenipotentiaries expected from day to day.

These sentiments had already been expressed in the name of France and Great Britain, in the Protocols No. 54 and 55. But influenced by the motives which had induced them, on the 31st of January, of the present year, to renounce the desire of securing the simultaneous exchange of the ratifications,—motives which have only acquired additional force in the interval which has elapsed since that period,—and convinced that the immediate exchange of the Austrian and Prussian ratifications, would have the most salutary influence on the preservation of the general peace, which, since the opening of the Conferences of London, has formed the constant object of the solicitude of the five Courts, the Plenipotentiaries of France and Great Britain, earnestly entreated the Plenipotentiaries of Austria and Prussia to proceed, without further delay, to the execution of the instructions, the receipt of which, they themselves have announced.

The Plenipotentiaries of Austria and Prussia, impressed with the importance of the considerations set forth by the Plenipotentiaries of France and Great Britain, and wishing on their part to co-operate, by all the means in their power, towards the common object of the five Courts, which the Plenipotentiaries of France and Great Britain had urged upon their attention, consented to carry into effect without further delay, the exchange of the acts of ratification of their Courts.

The Plenipotentiaries of Russia observed, that the whole policy of their Court proved to what degree it shared with its Allies, the desire of maintaining the general peace, and of contributing, by all its means, to the consolidation of that peace which is so essential, but that on the present occasion, in consideration of the absence of definitive instructions, they could only reserve to themselves, as they did on the 31st of January, of the present year, to have the Protocol left open for them until the receipt of the said instructions.

The Belgian Plenipotentiary having been introduced during the sitting, the Austrian and Prussian Plenipotentiaries proceeded to exchange with him the acts of the ratification of the 15th November, 1831, and at the same time, by the express desire of their Sovereigns, recorded in the present Protocol, the following declarations:—

Common Declaration of the Plenipotentiaries of Austria and Prussia.

In proceeding to the exchange of the ratifications of the Treaty of the 15th of November, 1831, the Plenipotentiaries of Austria and Prussia are charged to declare in this Protocol, in the name of their Courts, that the said ratifications are only given under the express reservation of the rights of the Germanick Confederation, relative to the Articles of the Treaty of the 15th of November, which regard the cession and exchange of a part of the Grand Duchy of Luxemburg, forming one of the States of the Confederation.

Declaration of the Plenipotentiaries of Austria.

The Plenipotentiaries of Austria are charged at the same time to record in the present Protocol the following declaration:

In ratifying the Treaty of the 15th of November, 1831, and taking into consideration the necessity of an ulterior negotiation between the Government of His Majesty the King of the Netherlands, and that of the Kingdom of Belgium,

for the conclusion of a Treaty, comprehending the 24 Articles agreed to on the 14th of October, with the modifications which the five Powers may judge admissible, his Imperial Majesty proposes to declare, and does for his part declare, that the arrangement to be stipulated by mutual accord between the above-named high parties, under the auspices of the Conference, shall have the same force and validity as the articles of the Treaty of the 15th of November, and shall be equally confirmed and ratified by the Courts, signing that Treaty.

Declaration of the Minister of Prussia.

His Majesty the King of Prussia having ratified the Treaty of the 15th of November, purely and simply, the Minister of Prussia has orders to announce and make known to the Conference the legitimate views and the just expectation of his Court,—namely,

That the Ministers of the signing Powers should proceed in the first place to consider of such modifications in favour of Holland, as, without infringing the substance of the 24 Articles, may be introduced therein, and which, if the Conference concur therewith, and the new Sovereign of Belgium consent to accept, may be converted into Articles, explanatory and supplementary, and thus have the same force and validity as the others.

Prussia thinks that she can and ought to insist the more upon this point, since, according to the often-repeated assurance of England and France, the proper time for engaging in that important object must necessarily be after the period of the ratification.

Besides, the Treaty of the 15th of November being ratified and signed, the Allies must advise concerning the means of carrying it into execution; but before concerting upon these means, prudence and equity will dictate the previous necessity of endeavouring to accomplish this end by agreeing to some modifications, of which the effect would be, perhaps, to place the contending parties upon the same line.

The Belgian Plenipotentiary being informed of the reservation of the Courts of Austria and Prussia relative to the rights of the Germanic Confederation, made the declaration here annexed. (A.)

(Signed)

WESSENBERG. NEUMANN.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to the Protocol No. 57.

The Belgian Plenipotentiary having considered the reservations made by the Plenipotentiaries of Austria and Prussia in as far as concerns the rights of the Germanic Confederation, refers purely and simply to the guarantee made to Belgium by the five Powers—a guarantee in which the Belgian Plenipotentiary has a full confidence, founded on the engagements contracted by the Treaty of the 15th of November, 1831.

London, April 18, 1832.

(Signed)

SYLVAIN VAN DE WEYER.

No. 58.

PROTOCOL of a Conference held at the Foreign Office, on the 4th of May, 1832.

Present.

The Plenipotentiaries of

Austria;
France;
Great Britain;
Prussia; and
Russia.

THE Plenipotentiaries of the five Courts assembled in Conference.

At the opening of the Conference, the Plenipotentiaries of Russia announced that they had received the final orders of their Court relative to the Treaty of November 15, 1831, and declared themselves ready to proceed to the exchange of the ratifications of that Treaty.

They were authorised by their instructions to declare, moreover, in communicating the act of ratification of His Majesty the Emperor of all the Russias, that the definitive arrangement in question between Holland and Belgium, under the reservation contained in the act of ratification of His Imperial Majesty, is intended by him to be an arrangement by mutual agreement.

The Belgian Plenipotentiary having then been introduced, made the declaration annexed, (A.) after which the Plenipotentiaries of Russia on the one part, and the Belgian Plenipotentiary on the other, proceeded to the exchange of their respective acts of ratification.

(Signed)

WESSENERG. NEUMANN.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 58.

THE Belgian Plenipotentiary having taken cognizance of the reservation inserted in the act of ratification produced by the Plenipotentiaries of Russia, declares that without disputing that the 24 Articles contain points upon the execution of which Belgium and Holland may come to a mutual understanding, and may consult their mutual interests, he nevertheless, and under every circumstance, refers to the engagements entered into with Belgium by the five Powers.

(Signed)

SYLVAIN VAN DE WEYER.

No. 59.

PROTOCOL of a Conference held at the Foreign Office, on the 4th of May, 1832.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

AFTER having concluded the exchange of the ratifications of the Treaty of November 15, 1831, the Plenipotentiaries assembled for the purpose of taking into consideration the course which the five Powers, placed in the same position by the common sanction with which that act is invested, must adopt, in order to lead to its execution.

With this object the Plenipotentiaries were unanimously of opinion that it was the duty of the Conference of London not to swerve from the principles which have directed it up to this time, to devote fresh care to the accomplishment of the work, to which events have called it, and in considering the Treaty of November 15, as the immutable basis of the separation, of the independence, of the neutrality, and of the state of territorial possession of Belgium, to endeavour to bring about between His Majesty the King of the Netherlands, and His Majesty the King of the Belgians, a definitive transaction in the negotiation of which the Conference would endeavour to remove, by arrangements mutually agreed to by both parties, all the difficulties which may arise relative to the execution of the above-mentioned Treaty. In taking this resolution to

fulfil this important task, the Conference felt that before undertaking it, and in order to insure its success, it must recall the principle upon which its deliberations were established from the very day on which it was constituted; it must also make known once more the firm intention of the five Courts to oppose by all the means in their power, the renewal of a struggle between Holland and Belgium; and finally must announce that the five Courts continue to be guarantees of the cessation of hostilities, and to consider themselves obliged not to allow the resumption of them, in virtue of the most solemn engagements, and of the superior interests which are intrusted to them.

Penetrated with this obligation, the Plenipotentiaries declare the determination of the five Courts, with regard to the cessation of hostilities between Holland and Belgium, to be such as they have above described them to be, and drew up the two annexed notes (A. B.) to be transmitted with the present Protocol, to the Plenipotentiaries of His Majesty the King of the Netherlands, and to the Plenipotentiary of the King of the Belgians.

(Signed) WESSENBERG. NEUMANN.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 59.

The undersigned have the honour of communicating to their Excellencies the Plenipotentiaries of His Majesty the King of the Netherlands, the enclosed Protocol, which has just been signed by the Conference of London, in consequence of the exchange of all the acts of ratification of the Treaty of November 15th, 1831.

In addressing this communication to them, the undersigned take the liberty of inquiring from them whether they have received from the King their august Master, the necessary powers and instructions to negotiate and sign, under the auspices of the Conference of London, a definitive Treaty between Holland and Belgium.

The undersigned, &c.

London, May 4, 1832.

(Signed) WESSENBERG. NEUMANN.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex B. to Protocol No. 59.

THE Undersigned, &c. have the honor of communicating to the Plenipotentiaries of His Majesty the King of the Belgians, the inclosed Protocol, which has just been signed by the Conference of London, in consequence of the exchange of all the acts of ratification of the Treaty of November 15th, 1831.

In addressing this communication to him, they hasten to inform him, that they have addressed an official note to the Plenipotentiaries of the Netherlands, in order to enquire from them whether they have received from the King, their August Master, the necessary powers and instructions to negotiate and sign, under the auspices of the Conference of London, a definitive Treaty between Holland and Belgium.

The Undersigned, &c.

London, May 4, 1832.

(Signed) WESSENBERG. NEUMANN.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Protocol of a Conference held at the Foreign Office, on the 11th of May, 1832.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Powers having assembled, directed their attention to the communications addressed to the Conference in the name of Belgium, relative to the abduction and arrest of M. Thorn, Belgian Governor of Arlon, and his delivery into the hands of General Goedecke, who commands in Luxemburg for the King Grand Duke.

Considering that, according to the details contained in the said communication, and the information on the subject previously obtained through the Ambassador of one of the five Powers at the Court of His Majesty the King of the Netherlands, the abduction and arrest of M. Thorn did not take place in consequence of orders from the King ;—that, moreover, he was not taken in arms, but, on the contrary, while the transactions which have taken place with respect to the affairs of Belgium seemed to warrant perfect security on his part;—that further, his delivery into the hands of the Netherland General, took place on a territory declared neutral ; that in conformity with the anterior orders of the Germanic Confederation, that territory was not to be used for enterprises of such a kind ; and that, consequently, the Diet of the Confederation itself could not approve of the act which placed M. Thorn in the hands of General Goedecke ;—and that, finally, the said act constitutes a deed of violence, committed without authority from the King of the Netherlands, and by means which are only calculated to give birth to the most serious disorders,

The Conference of London, impressed with the necessity of preventing any difference which might lead to the resumption of hostilities between Holland and Belgium, deemed it a duty to bring the circumstance above related under the cognizance of the Plenipotentiaries of His Majesty the King of the Netherlands, and to invite them to express to the King Grand Duke the firm confidence of the Conference that His Majesty will not sanction an arrest which he did not order, and that M. Thorn will be set at liberty. On the other hand, the Conference was, on the same grounds, of opinion, that if reprisals have been made by the civil or military authorities of Belgium, the persons who may have been the objects thereof ought also to be set at liberty ; and the Conference resolved to address a demand to that effect to the Belgian Plenipotentiary in communicating to him the present Protocol.

Finally, the Conference being on this occasion informed by the Plenipotentiaries of Austria and Prussia, in the name of the Germanic Confederation, that several individuals, who some months ago formed part of military bands, the organisation of which in the Luxemburg territory was not recognized at the time by the King Grand Duke, nor by the Confederation, are now confined at Namur, resolved to represent to the Belgian Government, that at a time when the affairs of Belgium appear about to be brought to a conclusion, it would be consistent with the principles of mutual oblivion of the past, which characterize the transactions by which the existence of Belgium has been established, to restore those individuals to liberty, and to allow them to return peaceably to their homes.

It was ordered that the present Protocol should be communicated to the Plenipotentiaries of His Majesty the King of the Netherlands, and to the Plenipotentiary of His Majesty the King of the Belgians.

(Signed)

WESSENBURG. NEUMANN.
TALLEYRAND,
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Note addressed by the Conference to the Plenipotentiaries of the Netherlands.

London, May 11. 1832.

THE Undersigned Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, have the honour to communicate to their Excellencies the Plenipotentiaries of His Majesty the King of the Netherlands, the annexed Protocol, which they request them to have the goodness to bring to the knowledge of the Netherland Government.

The Undersigned, &c.

(Signed) WESSENBERG. NEUMANN.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Note addressed by the Conference to the Belgian Plenipotentiary:

London, May 11, 1832.

THE undersigned, Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, have the honor to communicate the enclosed Protocol to the Belgian Plenipotentiary, and request him to have the goodness to bring it to the knowledge of his Government.

The Undersigned, &c.

(Signed) WESSENBERG. NEUMANN.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 61.

Protocol of a Conference held at the Foreign Office, on the 19th of May, 1832.

Present :

*The Plenipotentiaries of
Austria :
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts assembled for the purpose of resuming their Conferences, which had been interrupted by the late ministerial arrangements in England.

Their first care was to direct their attention to the two notes hereunto annexed (A. B.) which had been addressed to them, the one by the Plenipotentiaries of His Majesty the King of the Netherlands, the other by the Plenipotentiary of His Majesty the King of the Belgians, in answer to their communications of the 4th instant.

Previously to taking into consideration the wishes expressed in the latter paper, the Plenipotentiaries of the five Courts thought it necessary to enquire from the Plenipotentiaries of His Majesty the King of the Netherlands, whether they had received any further instructions in consequence of the above-mentioned communications of the 4th of May which were made to them by the Conference of London.

The Plenipotentiaries of His Majesty the King of the Netherlands having been introduced, answered, that they had not yet received any further instructions, but that they expected them without delay.

(Signed) WESSENBURG. NEUMANN-
 TALLEYRAND.
 PALMERSTON.
 BULOW.
 LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 6I.

Note addressed to the Conference by the Plenipotentiaries of the Netherlands.

London, May 7, 1832.

THE Undersigned Plenipotentiaries of His Majesty the King of the Netherlands, have had the honour to receive the note which their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, had the goodness to address to them on the 4th of this month, and to which was added a copy of the Protocol of the Conference of London No. 59.

Those documents were immediately transmitted to the Hague, and the Undersigned will communicate with the same promptitude to their Excellencies the determination which is taken, in consequence, by the Government of the Netherlands.

In the meantime, it is their duty to re-call to the Conference the protest, which, by order of their august Sovereign, they entered in their note of the 14th of December last, with respect to the Treaty of November 15.

It is with infinite regret that they see the Conference disposed to consider the Treaty as the *immutable basis of the separation, of the independence, of the neutrality, and of the state of territorial possession of Belgium*, whilst on their side, they must continue to consider it, as *essentially opposed to Annex A of the 12th Protocol, and to the 19th Protocol*, which settled the position of the King towards the five Powers. These are the terms of that protest, and they renew it as far as is necessary.

A reference to the past is also rendered necessary by that part of the 59th Protocol, in which it is said that the five Courts *continue to be guarantees for the cessation of hostilities*. The undersigned take the liberty of observing, that according to the 34th Protocol, a temporary suspension of hostilities having been considered preferable to an indefinite suspension, the Conference proposed one of six weeks. That period having been consented to by the Government of the Netherlands, was afterwards prolonged to a day named; but since then (the 25th of October 1831) the suspension of hostilities has not been renewed, and, without enquiring how there can be a question of a guarantee of a state of things which no longer exists, the undersigned will confine themselves to declaring that their Sovereign has by no means entered into the solemn engagements mentioned in the new Protocol.

Finally, and in reply to the question contained in the note of the Plenipotentiaries of the five Courts, the undersigned must refer to the contents of their full Powers, of which the Conference has been in possession ever since the month of August 1831, and which point out in what way and for what object they are charged to negotiate with their Excellencies. They would consider themselves doubly fortunate in resuming that negotiation now, since they find recorded in the Protocol, of which they are acknowledging the receipt, the principle upon which the deliberations were established on the very day on which the Conference was constituted. In fact, since the principle is founded on the first step then taken by the King of the Netherlands, there cannot be attributed to the Representatives of the five Courts, without injustice to them, any other idea, than that of definitively settling with the Sovereign himself who requested the co-operation of those Courts, the nature and extent of the changes to be effected in the acts relative to the establishment of his kingdom.

The note which the Conference addressed to the undersigned on the 4th of last January, furnishes them with additional reasons for expecting a happy termination to negotiations resumed on that basis. It admits some favourable explanations and amendments to several of the 24 Articles, which the Government of the Netherlands had considered inadmissible; and the same system of modification, applied to some other points, would lead to the so long desired conclusion of all these discussions, and to the consolidation of the general peace.

The undersigned, &c.

(Signed) FALCK.
H. DE ZUYLEN DE NYEVELT.

Annex B. to Protocol No. 61.

Note addressed to the Conference by the Belgian Plenipotentiary.

London, May 7, 1832.

THE undersigned Plenipotentiary of His Majesty the King of the Belgians, after having proceeded to the exchange of the ratifications of the Treaty of November 15, 1831, with their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, received on the 5th of May the Protocol No. 59 of a Conference held at the Foreign Office on the 4th, together with the letter which accompanied it, which their Excellencies did him the honour to address to him. The undersigned would consider himself wanting in the most indispensable of his duties, if he did not immediately take advantage of the opportunity of expressing, at this time, the opinion of the Government of His Majesty the King of the Belgians relative to the execution of that Treaty.

That execution opens, in its details, the way to partial negotiations, in which the two countries separated by the Treaty, will be able to consult their mutual advantages and interests. But recent experience, which could be supported by other well-known instances, has proved that neither the eagerness of the Cabinet of the Hague to execute the Conventions which have been drawn up, nor its desire to overcome the difficulties in the way of a definitive settlement, ought to be relied on. In fact, five months and more have elapsed since the communication made by the Conference of the 24 Articles of Separation.

The Government of the King could not, therefore, without compromising the fate of the commerce and industry of Belgium, or without prejudicing all the interests of a nation which has made so many and such painful sacrifices to the preservation of the peace of Europe, abandon to fresh doubt, and expose to fresh delay, the final execution of the Treaty of November 15.

The undersigned therefore thinks that the moment has arrived for declaring, that before discussing the execution of the points above-mentioned, it is necessary that the territory irrevocably assigned to Belgium should be completely evacuated, that the citadel of Antwerp should be surrendered to the Belgian military authorities, and the free navigation of the Meuse be restored.

That evacuation is entirely conformable with the views of the five Courts; first, because it was stipulated by the Conference, and consented to by His Majesty the King of Holland, in the month of November, 1830, the period of his signature of the armistice; and, secondly, because the maintenance of the present state of things would preserve *in fact* a state of hostilities of which the five Powers are however endeavouring to prevent the return. For these reasons, and, in order that the engagements contracted by His Majesty the King of Holland may be fulfilled, and that peace may be definitively secured, the undersigned demands, in the name of His Majesty the King of the Belgians, the evacuation of the fortresses, towns, and positions in the Belgian territories occupied by Dutch troops. And in order the better to secure the execution of it, the undersigned will add a proposition for the following measures, namely: that if on the 25th instant, the citadel of Antwerp, and the other positions occupied be not evacuated, and the navigation of the Meuse be not opened, Belgium should be from that time en-

tirely exonerated from all the arrears of the debt, as a very inadequate compensation for the considerable expence in which that country has been involved by the prolongation of a state of war, incompatible with the stipulations of an indefinite armistice. In case of any further delay, His Majesty would, in concert with the five Powers, take such measures as should be considered likely to bring about the execution of the Treaty, without in any way prejudicing the fair indemnity which Belgium has a right to demand for the past, in consequence of the prolonged refusal of His Majesty the King of Holland to adhere to the 24 Articles.

The Undersigned, &c.
(Signed) SYLVAIN VAN DE WEYER.

No. 62.

Protocol of a Conference held at the Foreign Office, on the 29th of May, 1832.

Present :

The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.

THE Plenipotentiaries of the five Courts assembled in Conference.

The Plenipotentiary of the King of the Netherlands having been introduced, declared verbally, in reply to the communication of the Protocol of the 4th of May, that the King, his master, was ready to consent to that Article of the Protocol which relates to the liberation of M. Thorn, provided that the adverse party would previously give the necessary security for carrying into effect the propositions which were made to it in the same Protocol.

The Plenipotentiaries of the five Courts, after having discussed the verbal declaration of the Plenipotentiary of the Netherlands, were of opinion :

1. That that declaration implied the sanction of an act, which the Netherland Government had not avowed up to this time, and of which the Diet of the Germanic Confederation had disapproved ; a sanction resulting from the assimilation of that act to facts, which were far from being of the same character.
2. That the declaration of the Plenipotentiaries of the Netherlands established, between the demand for the liberation of M. Thorn, and the requisitions which the Protocol of the 4th of May addressed to the Belgian Government, a connection which had not existed in the eyes of the Conference, and which it cannot admit.

The Conference in fact, armed with documents which, on the one hand, proved that the arrest of M. Thorn had been effected without the order of the King Grand Duke of Luxemburg, and had not been avowed by the Grand Ducal Government ; and on the other, that the Diet of the Germanic Confederation had disapproved of that arrest, as well as of the means employed to effect it, had expressed its firm confidence that the King would not sanction an act, which he had not authorised, and that M. Thorn would be set at liberty.

In that reliance, in the persuasion that the course it pursued would meet with a favourable reception, and that M. Thorn would therefore be set at liberty, the Conference consented, as a consequence of his liberation which it considered certain, to demand from the Belgian Government the liberation of the individuals who had been arrested by way of reprisal in Belgium.

Further, the Conference, still on the supposition of the previous and immediate liberation of M. Thorn, had also consented to demand, from mere motives of peace and humanity, the liberation of several individuals belonging to armed

bands, the organization of which was neither avowed by the Grand Ducal Government of Luxemburgh, nor by the Germanic Confederation.

In this state of things, the Plenipotentiaries of the five Courts determined to communicate the present explanations to the Plenipotentiaries of the Netherlands, and to renew in the most earnest and serious manner, their demand for the liberation of M. Thorn, a demand which is founded upon the circumstances detailed in Protocol No. 60, of May 4th, as well as upon the acts of the Diet of the Germanic Confederation.

The Plenipotentiaries of the five Courts added, that it could only be in the event of the previous liberation of M. Thorn, that the Conference could undertake to obtain the liberation of the other individuals to whom the Protocol No. 60 of May 4th referred.

(Signed) WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Note addressed by the Conference to the Plenipotentiaries of the Netherlands.

London, May 29, 1832.

THE undersigned, as a sequel to the verbal explanations which they have this day had the honour to enter into with His Excellency the Baron de Zuylen de Nyevelt, conceive themselves bound to communicate to their Excellencies the Plenipotentiaries of His Majesty the King of the Netherlands, the enclosed copy of a Protocol, which they request them to have the goodness to lay before the Netherland Government.

The Undersigned, &c.

(Signed) WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 63.

Protocol of the Conference held at the Foreign Office, on the 31st of May, 1832.

Present :

*The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

The Plenipotentiaries of the five Courts assembled in Conference to consider the annexed note (A) which had just been addressed to them by the Plenipotentiaries of His Majesty the King of the Netherlands, and which the Government of the Netherlands declares to be intended to serve as a final answer to the communication which the Conference made to the Plenipotentiaries of His Majesty the King of the Netherlands, dated the 4th instant.

The Plenipotentiaries of the five Courts having examined the tenor of the note in question, determined to declare to the Netherland Plenipotentiaries, that the *Note verbale* annexed to their note of the 29th instant, and which specifies the demands of the Government of His Majesty the King of the Netherlands, is literally the same as that which was addressed more than two months ago to

Count Orloff at the Hague, and which occasioned on his part, the delivery of his declaration of the 22d of March last.

That the Netherland Plenipotentiaries must judge, according to that circumstance, whether the demands contained in the note in question can be admissible in the eyes of the Courts whose Plenipotentiaries are assembled in Conference in London, and whether those Plenipotentiaries can discover in it a reply to their communication of May 4, or a means of arriving at the settlement of the negotiations which are so essentially connected with the well being of Holland and the peace of Europe; that therefore it remains for the Conference of London to employ itself upon the resolutions which the importance of the circumstances requires at it's hands.

(Signed)

WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN.

NEUMANN.

MATUSZEWIC.

Annex A. to Protocol No. 63.

Note addressed to the Conference by the Plenipotentiaries of the Netherlands.

London, May 29, 1832.

THE Government of the Netherlands, in approving of the contents of the note which the undersigned had the honor to address to the Plenipotentiaries of the five Courts under date of the 7th instant, has charged them to declare, as a final answer to the note of their Excellencies of the 4th, that it remains disposed and ready to continue to negotiate with the Conference, for the purpose of coming to an understanding, as to the conditions upon which Belgium shall be separated from Holland. So long as that object shall not have been gained, there can be no question of the King of the Netherlands recognizing the political independence of a new Belgian State, and the Sovereignty of the Prince of Saxe-Coburg; but the moment these Plenipotentiaries shall have concluded and signed the Treaty of separation with the Plenipotentiaries of the five Courts, His Majesty will by no means object to give directions to conclude and sign with Belgium upon the basis of that Treaty, and he will at the proper time send special instructions and full powers for that purpose.

The undersigned have moreover received orders to recall to the recollection of the Conference, the communications which were addressed to it on the 30th January of this year, and to make known to it, by means of the annexed *note verbale*, the position in which the Government of the Netherlands found itself placed, in consequence of the negotiations which since that period, the Court of Russia has opened in Holland, and to which the Legations of Austria and Prussia at the Hague have declared their consent and adherence.

If contrary to all expectation, an attentive and impartial examination of those documents should not lead to the arrangement desired, the King would continue to invoke the effect of the engagements which the five Powers have contracted towards His Majesty by the Annex A to Protocol No. 12; but the undersigned are disposed to cherish a hope that it will not be long before they hear from the Conference, it's opinion as to the present modified propositions of their Government. It will then be easy to see on what Articles all are agreed, both as to form and as to substance; and what others are of a nature to require fresh explanations. In all cases the answer to be given by the Conference seems to be the best means of giving a favourable direction to the negotiation; and in awaiting that answer with perfect confidence the undersigned avail themselves, &c.

(Signed)

FALCK:
H. DE ZUYLEN DE NYEVELT.

Note Verbale.

1. The alteration of the Article concerning the internal navigation, the pilotage and buoyage duty on the Scheldt, according to the suggestions contained in the Netherland memorandum of December 14, 1831, and in conformity with the 8th Article of the Treaty, proposed on the 30th of January, 1832, by the Plenipotentiaries of the Netherlands.

2. The suppression of the obligation to permit the formation of a road or canal through the province of Limburg.

3. The capitalization of the interest of the debt which shall remain charged upon Belgium, at a fair price of the funds taken even at a lower rate than that demanded in the Article IX of the Treaty proposed on the 30th of January 1832, by the Plenipotentiaries of the Netherlands.

Until the said capitalization, according to the arrangement to be concluded, shall have been executed, the troops of the King of the Netherlands shall continue to occupy the citadel of Antwerp and its dependent forts.

4. The liquidation of the "*Syndicat d'Amortissement*," shall be proceeded with, according to the views detailed in the Netherland Memorandum of December 14, 1831, and in conformity with the 9th Article of the Treaty, proposed on the 30th of January, by the Plenipotentiaries of the Netherlands.

5. In order to secure a contiguity of possession to the Kingdom of the Netherlands, together with a free communication between Bois le Duc and Maestricht, according to Annex A of the 12th Protocol, as well as compensation for the colonies ceded by Holland, for her portion of the ten Cantons, the territorial question in Limburg shall be regulated so that the Dutch territory, instead of extending over the whole of the districts of Maestricht and Ruremonde, with the exception of the Canton of Tongres, shall in any case comprehend the *Commune* of Lommel, the Zuid-Willemsvaardt, together with the *Communes* on the west bank of that canal, and a radius of territory necessary for the security of Maestricht.

6. The total or partial exchange of the Grand Duchy of Luxemburg, if it continues to be desired, shall be reserved for a special and speedy negotiation.

Upon these conditions, His Majesty the King of the Netherlands, will acknowledge the political independence of the New Belgian State, and Prince Leopold of Saxe-Coburg.

An express reservation is made that the present overture shall be considered null and of no effect, in case no understanding should be come to, upon the abovementioned conditions.

Note addressed by the Conference to the Plenipotentiaries of the Netherlands.

Foreign Office, May 31, 1832.

THE undersigned Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, have the honor to communicate to the Plenipotentiaries of His Majesty the King of the Netherlands, the Protocol, copy of which is here inclosed, and seize this opportunity of reiterating to their Excellencies the assurances of their high consideration.

(Signed)

WESSENBURG.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN.

NEUMANN.

MATUSZEWIC.

Protocol of a Conference held at the Foreign Office, on the 10th of June, 1832.

Present :

The Plenipotentiaries of

*Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Powers assembled in Conference. Before determining the ulterior course which they would have to pursue, the Plenipotentiaries remarked that the note presented to them by the Plenipotentiaries of the Netherlands, dated the 29th ultimo, and the *note verbale* annexed thereto, referred in an official manner to a project of a Treaty, communicated by the said Plenipotentiaries of the Netherlands to the Conference of London on the 31st of January, whereby an official character is given to the said project, of which at the time a confidential communication was only made.

This last circumstance had induced the Plenipotentiaries of the five Courts not to give a place to the project in question among the acts of the Conference of London. The Plenipotentiaries of the five Powers even gave no answer thereto, considering that the proposed Treaty was intended merely to regulate the administrative separation and independence of Belgium ; whereas all the negotiations carried on with the Court of the Hague since the month of June, 1831, have had for their object, the adoption by Holland of the conditions of the political separation and independence of the Belgian State, and the recognition of its new Sovereign.

The Netherland project of the 31st of January, suddenly overturned this basis of the labours of the Conference of London ; and this after a period of seven months of discussion, during which His Majesty the King of the Netherlands had not protested against the establishment of a new Sovereignty in Belgium, but simply against certain acts of the new Sovereign of that country ; had allowed, without any protest, a Plenipotentiary from the new Sovereign to be accredited to the Conference, and had even received through his own Plenipotentiaries, communications made to them by the London Conference, of the propositions and observations of the Belgian Plenipotentiaries acting in the name of the King of the Belgians.

Seeing that His Majesty the King of the Netherlands changed thus, at the moment when it was least to be expected, the object of all the negotiations which had been entered into for six months with Holland, and being unable therefore to pursue it, the Plenipotentiaries assembled in Conference in London were almost all obliged to demand fresh instructions from their Courts, who immediately hastened to make known directly to His Netherland Majesty the just surprize and sincere regret which they felt at the confidential project of Treaty of January 31, 1832, a project which appeared to them to be utterly inadmissible.

Nevertheless this same project is now officially appealed to by the Plenipotentiaries of His Majesty the King of the Netherlands ; the Plenipotentiaries of the five Courts find themselves therefore obliged to annex it to this Protocol (A.) for the better understanding of their acts, and in order to prove that the delays which have resulted from the communication of the Netherland project of Treaty of January 31, 1832, cannot in any way be attributed to the Conference of London.

(Signed)

WESSENBERG. NEUMANN.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A to Protocol No. 64.

Note addressed to the Conference by the Plenipotentiaries of His Majesty the King of the Netherlands.

Gentlemen,

London, January, 30, 1832.

THE Note which we have just addressed to your Excellencies, mentions a project of Treaty drawn up with the view of reconciling, as much as possible, the wishes and interests of all parties. It has appeared to us desirable to communicate that paper to you under a separate cover, and in expressing the hope that the adoption of the different Articles which it contains, may soon put an end to all difficulties, and contribute to the consolidation of the general peace, we have the honour of renewing to your Excellencies the assurances of our highest consideration.

(Signed) FALCK.
H. DE ZUYLEN DE NYEVELT.

HIS Majesty the King of the Netherlands having invited the Courts of Austria, France, Great Britain, Prussia and Russia, in their character of signing Powers of the Treaties of Paris, and of Vienna, which established the Kingdom of the Netherlands, to deliberate, in concert with His Majesty, upon the best means of putting an end to the troubles which have broken out in his States, and the above-mentioned Courts having accepted that invitation, their Plenipotentiaries assembled in Conference in London have, by common consent with those of His said Majesty, acknowledged the necessity of reverting to the conditions of the union of Belgium to Holland, established in the Annex to Article VIII. of the Treaty of May 31, 1815, and of deciding upon those of the separation of the two countries.

For this purpose, their Majesties have furnished with full powers, namely; on the one part His Majesty the King of the Netherlands,——and on the other part, His Majesty the Emperor of Austria——His Majesty the King of the French——His Majesty the King of Great Britain and Ireland——His Majesty the King of Prussia——His Majesty the Emperor of all the Russias:——Who, after having exchanged their full powers, found to be in due and proper form, agreed to the following Articles :

ARTICLE I.

The union which has existed between Holland and Belgium, in virtue of the Annex to Article VIII of the Treaty of May 31, 1815, is dissolved. In consequence, the two countries shall cease to form one and the same State, and the arrangements contained in the 8 Articles of the said Annex, have come to an end.

ARTICLE II.

The Belgian territory shall consist of the Provinces of South Brabant, Liege, Namur, Hainault, West Flanders, East Flanders, and Antwerp, together with the district of Hasselt, (the *commune* of Lommel not included) and the canton of Tongres in the Province of Limburg, saving the alterations to be made in the limits by mutual consent, according to the localities and to the mutual advantage of either party.

The Grand Duchy of Luxemburg, held under a different title by the Princes of the House of Nassau, forms, and shall continue to form, part of the Germanic Confederation. The King Grand Duke, however, consents to enter into negotiation with the five Powers, parties to the Treaties of Paris and Vienna, for the exchange of the whole or a part of the Grand Duchy, in consideration of territorial acquisitions equivalent both with reference to population, to extent, and to revenue, and which must be contiguous to the Dutch, or to the Luxemburg territory.

The territories, towns, fortresses, and places occupied by the Belgians, but which, in virtue of the present Treaty, do not form part of Belgium, shall be evacuated within the term of four weeks after the exchange of the ratifications of the present Treaty, or sooner if possible.

ARTICLE III.

Dutch and Belgian Commissioners of demarcation shall assemble as soon as possible in the Town of Maestricht, in order to proceed to define exactly the limits between Holland and Belgium, in conformity with the above Article II.

ARTICLE IV.

Belgium, within the limits specified in Article II, shall form a perpetually neutral State.

It shall be bound to observe the same neutrality towards all other States.

It is understood, that Belgium shall never in any case be permitted to take advantage of her neutrality to fail in the obligations imposed on her by the present Treaty.

ARTICLE V.

Holland will regulate in the most suitable manner, the drainage of the waters in Flanders, so as to prevent inundations as much as possible. She even consents, that for this purpose a sufficiency of ground belonging to her may be made use of on reasonable terms. The sluices which shall be formed for that purpose upon the Dutch territory, shall remain under her Sovereignty, and none shall be constructed in any part of her territory, which could be prejudicial to the defence of her frontiers. Within a month after the exchange of the ratifications, Commissioners shall be named on both sides for the purpose of deciding upon the most suitable spots for the establishment of the said sluices; they shall agree together upon those which shall be subject to a common superintendence.

ARTICLE VI.

The provisions of Articles 108 to 117 inclusive, of the General Act of the Congress of Vienna, relative to the free navigation of navigable rivers and streams, shall be applied to those navigable rivers and streams which separate the Dutch and the Belgian territory, or which traverse them both.

ARTICLE VII.

The use of the canals which traverse both countries, shall continue to be free and common to the inhabitants of both. It is understood that they shall enjoy the use of them reciprocally, and on equal conditions; and that on either side moderate duties only shall be levied upon the navigation of the said canals.

ARTICLE VIII.

The Government of the Netherlands engages to fix the duties of pilotage upon the Scheldt at a moderate rate, and to superintend the conservation of the channels of that river. It will adopt provisionally for the Scheldt, the tariffs of the Convention signed at Mayence, the 31st of March, 1831, relative to the free navigation of the Rhine, as well as the other arrangements of that Convention, in as far as they are applicable; but that assimilation in the navigation of the Scheldt to that of the Rhine, in order to become definitive, will require a specific Convention securing to Holland reciprocal advantages, after the manner of the Convention of Mayence.

ARTICLE IX.

§ 1. From and after the ratification of the present Treaty, Belgium, with reference to the division of the public debt of the Kingdom of the Netherlands, shall remain charged with the sum of 8,400,000 Netherland florins of annual interest.

That sum shall be capitalized under the especial guarantee of their Majesties the Emperor of Austria, the King of the French, the King of Great Britain and Ireland, the King of Prussia, and the Emperor of all the Russias, according to the mean of the official price of the funds of the Netherlands, in the month of July, 1830, the month which immediately preceded the disturbances in Belgium.

In consideration of the said capitalization, Belgium shall be exonerated towards Holland from all obligation arising with reference to the division of the public debt of the Kingdom of the Netherlands.

The manner of the execution of the present § shall be regulated and secured by a special Convention.

§ 2. Commissioners to be named on both sides shall meet within the space of fifteen days in the town of Utrecht, in order to proceed to a settlement of the accounts of the fund of the "*Syndicat d'Amortissement*," and of the Bank of Brussels in its character of treasurer of the kingdom, merely as a matter of form, from which no additional charge shall result to either party; subject nevertheless to a division of the claims upon the domains, called *domein los renten*, in proportion to their extent in each territory, whether the same consist in the purchase money which has not yet been paid upon the estates already sold, or in the estates themselves which have not been alienated up to this time.

ARTICLE X.

Holland having exclusively made all the advances necessary to meet the charge of the whole of the public debt of the Kingdom of the Netherlands, since the payment of the first half year of 1830, it is agreed that the said advances, calculated at the rate of 8,400,000 florins of annual interest, which are now due for three half years, but to which must be added the half years or the months which still may elapse before the final ratification of the present Treaty, shall be added to the capital mentioned in § 1 of the preceding Article, or else be reimbursed separately, by equal instalments, each to consist of 4,200,000 florins, half yearly, to the Dutch treasury, by the treasury of Belgium. In the latter case the first instalment of this reimbursement shall be paid by the Belgian to the Dutch treasury, three months after the ratification of the present Treaty, and the other instalments every three months.

Upon these several sums an interest shall be paid to Holland calculated at the rate of five per cent. per annum, until they are completely discharged at the aforesaid periods.

ARTICLE XI.

The port of Antwerp, in conformity with the stipulations of the 15th Article of the Treaty of Paris of May 30, 1814, shall continue to be solely a port of commerce.

ARTICLE XII.

Works of public or private utility, such as canals, roads, or others of a similar nature, constructed wholly or in part at the expence of the United Kingdom of the Netherlands, shall belong, together with the advantages and charges thereunto attached, to the country in which they are situated.

It is understood that the capitals borrowed for the construction of these works, and specifically charged thereupon, shall be comprized in the aforesaid charges, in so far as they may not yet have been repaid, and without giving rise to any claim on account of re-payments already made.

ARTICLE XIII.

The sequestrations which may have been imposed in Belgium, during the troubles, for political causes, on any property, or private or hereditary estates whatsoever, shall be taken off without delay, and the enjoyment of the property and estates above-mentioned shall be immediately restored to the lawful owners thereof.

The present Article applies to all the property which the House of Nassau possesses in Belgium.

The share of the King of the Netherlands in the bank of Brussels, as well as the annual revenue due to His Majesty from this establishment, shall be placed at the disposal of His Majesty, to be enjoyed in conformity with the statutes of the company.

ARTICLE XIV.

In the two countries of which the separation takes place in consequence of the present Articles, inhabitants and proprietors, if they wish to transfer their residence from one country to the other, shall, during two years, be at liberty to dispose of their property, moveable or immoveable, of whatever nature the same may be, to sell it, and to carry away the produce of the sale, either in money or in any other shape, without hindrance, and without the payment of any duties other than those which are now in force in the two countries upon changes and transfers.

It is understood that the collection of the *droit d'aubaine et de détraction* upon the persons and property of Dutch in Belgium, and of Belgians in Holland, is abandoned, both now and for the future.

ARTICLE XV.

The character of a subject of the two Governments, with regard to property, shall be acknowledged and maintained.

ARTICLE XVI.

The stipulations of Articles from 11 to 21, inclusive, of the Treaty concluded between Austria and Russia, on the 3d May, 1815, which forms an integral part of the General Act of the Congress of Vienna, stipulations relative to persons who possess property in both countries, to the election of residence which they are required to make, to the rights which they shall exercise as subjects of either State, and to the relations of neighbourhood in properties cut by the frontiers, shall be applied to such proprietors, as well as to such properties in Holland, in the Grand Duchy of Luxembourg, or in Belgium, as shall be found to come within the cases provided for by the aforesaid stipulations of the Acts of the Congress of Vienna. The *droits d'aubaine et de détraction*, being henceforth abolished, as between Holland, the Grand Duchy of Luxembourg, and Belgium, it is understood that such of the abovementioned stipulations as may relate to those duties, shall be considered null and void in the three countries.

ARTICLE XVII.

No person in the territories which are separated by the present Treaty, shall be molested or disturbed in any manner whatever, on account of any part which he may have taken, directly or indirectly, in political events.

ARTICLE XVIII.

The pensions and allowances of expectants, of persons unemployed or retired, shall in future be paid, on either side, to all those individuals entitled thereto, both civil and military, conformably to the laws in force previous to the 1st November, 1830.

It is agreed, that the abovementioned pensions and allowances to persons born in the territories which now constitute Belgium, shall remain at the charge of the Belgian Treasury; and the pensions and allowances of persons born in the territories which now constitute Holland, shall be at the charge of the Netherland Treasury.

ARTICLE XIX.

All claims of Belgian subjects upon any private establishments, such as the widows' fund, and the fund known under the denomination of the *fonds des leges*, and of the chest of civil and military retired allowances, shall be examined by the Mixed Commission of Liquidation mentioned in Article IX, and shall be determined according to the tenor of the regulations by which these funds or chests are governed, and in conformity with the state of their finances.

The securities furnished as well as the payments made by Belgian accountants, shall be restored to the parties entitled thereto, on the presentation of their proofs.

The judicial deposits and consignments shall be equally restored to those entitled to them, by the authorities of the country in which they have been made, without reference to the residence of the depositor.

If under the head of what are called the French liquidations, any Belgian subjects should still have to bring forward claims to be inscribed, such claims shall also be examined and settled by the said commission, in proportion to the sums disposable for that purpose.

ARTICLE XX.

Holland and Belgium may secure to each other reciprocally advantages of commerce and of navigation, not granted to the most favoured nations, besides all desirable facilities for commercial communication by land.

ARTICLE XXI.

All questions, not comprised in the present Treaty, which by common agreement, shall be considered as requiring regulation, in consequence of the separation between Holland and Belgium, shall immediately form the subject of special negotiations.

ARTICLE XXII.

In consideration of these stipulations, His Majesty the King of the Netherlands, in order to assist in the endeavour of the five Powers, parties to the Treaties of Paris and of Vienna, to secure the maintenance of the general peace, engages, on condition of reciprocity, to take or to concert immediately with his August Allies, the measures necessary to put an end to the state of war, and to replace his army and his fleet on a peace establishment.

ARTICLE XXIII.

Their Majesties the Emperor of Austria, the King of the French, the King of Great Britain and Ireland, the King of Prussia, and the Emperor of all the Russias, will make use of all their influence and the rights acquired by their position, and by the assembling of their Plenipotentiaries in Conference in London, in order to secure the execution, by the Belgians, of the stipulations of the present Treaty, in as far as concerns them, and so far as the co-operation of Belgium is necessary for that purpose. Failing such execution, the present Treaty shall cease to be binding upon His Majesty the King of the Netherlands, or at least, the obligations which result from it, shall, according to circumstances, be deferred as regards His said Majesty.

The ratifications of the present Treaty shall be exchanged within the term of _____, or sooner if possible.

No. 65.

Protocol of a Conference held at the Foreign Office, on the 11th of June, 1832.

Present :

The Plenipotentiaries of
Austria ;
France ;
Great Britain ;
Prussia ; and
Russia ;

THE Plenipotentiaries of the five Courts assembled in Conference ; and after having on the one hand, discussed the annexed communication (A.) which had been addressed to them by the Plenipotentiaries of His Majesty the King of the Netherlands, in answer to their note of this month, and on the other, several steps taken towards the Conference of London by the Plenipotentiary of His Majesty the King of the Belgians, with the object of hastening the execution of the Treaty of November 15, 1831, they have taken the resolutions laid down in the six papers annexed to this Protocol (B. C. D. E. F. G.)

(Signed) WESSENERG. NEUMANN.
 TALLEYRAND.
 PALMERSTON.
 BULOW.
 LIEVEN. MATUSZEWIC.

Annexe A. to Protocol No. 65.

Note addressed to the Conference by the Plenipotentiaries of His Majesty the King of the Netherlands.

London, June 2, 1832.

THE Undersigned, Plenipotentiaries of His Majesty the King of the Netherlands, received yesterday evening the letter, which their Excellencies the Plenipotentiaries of the five Courts addressed to them on the 31st of May, and which accompanied the Protocol No. 63. The contents of the latter paper imperiously demand from the undersigned some explanations, by means of which, they are thoroughly convinced, that the course pursued by the Cabinet of the Hague will be completely justified.

The *note verbale* annexed to their note of the 29th of May, is in fact, as the Protocol states, literally the same as that which was addressed to Count Orloff, at the close of his stay at the Hague, but it is not less certain, that the statement in Conference of the contents of that *note verbale* was only delayed in consequence of the opinion expressed by the Members of the Conference, as soon as that note was known confidentially here, that it was necessary, above all, that the five Powers should have placed themselves in the same situation,—in other words, that they should all have ratified the Treaty of November 15.

At the Hague, as well as here, the language of the Representatives of the five Courts was the same in that respect, and the Government of the Netherlands had conceived, that it was submitting to the wish of the Conference, by suspending its overtures until a period which the Conference itself seemed to consider as near at hand. Being informed by the communication of the 4th of May, that the event had answered the expectation, the Government of the Netherlands naturally supposed that the transmission of the above-mentioned *note verbale*, containing propositions which had not yet been officially submitted to the Conference, offered the most simple, and at the same time the most regular means

of resuming and of continuing the negotiations, and the undersigned are persuaded, that the Plenipotentiaries of the five Courts, in considering the question in the point of view which has just been pointed out to their Excellencies, will not hesitate to apply themselves, in preference to the resolutions which the end of the Protocol seems to announce, to the formal answer which the Cabinet of the Hague has a right to expect from them.

The Plenipotentiaries, &c.

(Signed)

FALCK.

H. DE ZUYLEN DE NYEVELT.

Annex B. to Protocol No. 65.

Note addressed by the Conference, to the Plenipotentiaries of His Majesty the King of the Netherlands.

London, June 11, 1832.

THE Plenipotentiaries of the five Courts have received the fresh communication which their Excellencies the Plenipotentiaries of His Majesty the King of the Netherlands, addressed to them on the 2d of this month.

In that communication, the Netherland Government seems desirous of laying to the charge of the Conference, all the delays to which the negotiation has been subjected. It will suffice to recall to recollection, in that respect, that the constant refusal of the Government of the Netherlands to yield to the advice and solicitations of the five Courts, had called forth the declaration of Count Orloff, and that of the Ministers of Austria and of Prussia, at the Hague; declarations which have made known, that in the opinion, even of the five Powers, the Cabinet of His Majesty the King of the Netherlands, has lost, without hope of recovery, a last opportunity of the greatest importance to its interests, and that it would be vain again to seek for the means of being of service to them.

In consequence of those declarations, the ratification of the Treaty of November 15, by all the Courts, whose Plenipotentiaries signed that act, took place, and now that it is completed, it is evident that the five Courts could not, under any supposition, lose sight of the engagements which they have contracted towards Belgium and her new Sovereign.

There results from this state of things:—

1°. That a negotiation between the Netherland Government and the Conference, which might be at variance with the engagements above-mentioned, is out of the question.

2°. That the means of still reconciling the views of the two countries, upon the points which the Protocol No. 59, has pointed out as susceptible of further negotiations, can henceforward only be found in a definitive arrangement by mutual consent, between Holland and Belgium; that, consequently, an authority to the Plenipotentiaries of His Netherland Majesty, to negotiate that arrangement, is indispensable; that finally, by pointing out, in its communication of the 4th of last May, the necessity of sending that authority, and by adding to it the Protocol No 59, which sufficiently showed the only points upon which further negotiations by mutual consent, could bear; the Conference has offered to the Court of the Hague, all the facilities which it had in it's power to offer.

The Conference would besides be ready to add to any direct transaction between the five Courts and His Majesty the King of the Netherlands, the final arrangement which should be made between Holland and Belgium, and for which it has requested that the Plenipotentiaries of His Majesty should be furnished with the authority which they require.

But the Conference cannot too often repeat to them, that those are the only facilities which it can offer to His Majesty the King of the Netherlands, and it cannot conceal from him that if no use should speedily be made of them, it

would no longer be in the power of the Conference to prevent the new delays which would succeed to so many others, from drawing upon Holland the most serious consequences; amongst which would appear prominently the refusal which Belgium would with good right make to pay, from the 1st of January, 1832, the arrears of her share of the interest of the debt of the United Kingdom of the Netherlands, forced as she would be to employ the amount of it, for the legitimate defence of her territory.

In order to understand the position in which Holland would then find herself placed, it is sufficient to consider, on the one hand, the gratuitous charges with which she would be burthened for armaments without effect and without object, and on the other, the situation of all the Powers who have contracted engagements towards Belgium, and especially of those which, by their neighbourhood and peculiar position, see their immediate interests compromised in the question; the speedy settlement of which, is more than ever of paramount importance to Europe.

The Plenipotentiaries of the five Courts therefore cannot desist from urging the Netherland Government to send, as speedily as possible, ample full powers to its Plenipotentiaries in London, to negotiate and conclude without delay, under the auspices of the Conference, a final transaction between Holland and Belgium, of which full powers the Conference had expected the arrival, in answer to its communication of the 4th of last month.

The undersigned, &c.

(Signed)

WESSENBERG. NEUMANN.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex C. to Protocol No. 65.

Note addressed by the Conference to the Plenipotentiaries of His Majesty the King of the Netherlands.

London, June 11, 1832.

THE undersigned, in order the better to explain the fundamental basis of the Protocol No. 59, have the honor to communicate to the Plenipotentiaries of His Majesty the King of the Netherlands:

1st. A project of Treaty between the five Powers and His Majesty the King of the Netherlands, which the Conference would be ready to propose to the Netherland Plenipotentiaries, as soon as they should have received the powers which up to this time they do not possess, and of which the Conference makes mention in its Notes of the 4th of May, and in that of this day.

2nd. A project of a direct Treaty between Holland and Belgium, which the Conference would, in the same case, be ready to press upon the two parties.

In communicating these two papers to the Plenipotentiaries of the Netherlands, the Conference would wish to obtain, with as little delay as possible, a specific answer to the following question.

Supposing that Belgium had given her consent to the above mentioned project of a direct Treaty between the two Countries, would that project, as well as that of a Treaty between the five Courts and the King of the Netherlands, obtain the consent of His Netherland Majesty?

The undersigned, &c.

(Signed)

WESSENBERG, NEUMANN.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN, MATUSZEWIC.

*Annex D. to Protocol No. 65.**Note Verbale to the Plenipotentiaries of His Majesty the King of the Netherlands.**London, June 11, 1832.*

THE Conference of London, in its Memorandum of the 4th of January, 1832, explained itself upon several of the Articles which it had proposed to the Plenipotentiaries of the Netherlands, on the 15th of October, 1831. It is understood, that in case of any doubts arising as to the execution, or the sense of the Articles in question, the explanations contained in the Memorandum of January 4, 1832, would comprehend the opinion of the five Courts, as to the reciprocal obligations resulting from those Articles.

(Signed) WESSENBERG. NEUMANN.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

*Annex E. to Protocol No. 65.**Draft of Treaty between the Courts of Austria, France, Great Britain, Prussia, and Russia, on the one part, and His Majesty the King of the Netherlands, on the other.*

(Preamble.)

HIS Majesty the King of the Netherlands having invited the Courts of Austria, France, Great Britain, Prussia, and Russia, in their character of Powers, parties to the Treaties of Paris, and of Vienna, which established the United Kingdom of the Netherlands, to deliberate, in concert with His Majesty, upon the best means of putting an end to the troubles which have broken out in his States, and the above-named Courts having accepted that invitation, their Plenipotentiaries assembled in Conference in London, have, by mutual agreement with those of His said Majesty, admitted the necessity of reverting to the Conditions of the Union of Belgium to Holland, established by the Treaty of Vienna, of May 31, 1815, and by the Act of the 21st July, 1814, which is annexed to it, and of deciding upon the conditions of the separation of the two Countries.

For this purpose, their Majesties have named as their Plenipotentiaries, on the one part—

H. M. The Emperor of Austria, M M.
H. M. The King of the French, M.
H. M. The King of Great Britain and Ireland, M.
H. M. The King of Prussia, M.
H. M. The Emperor of all the Russias, M. M.

And on the other part,

H. M. The King of the Netherlands, M. M.,

Who, after having exchanged their full powers, found to be in due and proper form, have agreed to the following Articles :

ARTICLE I.

The Union which has existed between Holland and Belgium, in virtue of the Treaty of Vienna of May 31, 1815, is acknowledged to be dissolved.

ARTICLE II.

Belgium shall form an independent and neutral state. The limits of her territory, and the conditions of her separation from Holland, are settled by the

Articles annexed to the present Treaty, which shall have the same force and validity as if they formed an integral part of it, and which shall be converted immediately into a Treaty between Holland and Belgium, which Treaty shall be signed by the Plenipotentiaries of His Majesty the King of the Netherlands, and by a Belgian Plenipotentiary, under the auspices and the guarantee of the Courts of Austria, France, Great Britain, Prussia, and Russia.

ARTICLE III.

The present Treaty shall be ratified, and the ratifications of it shall be exchanged at London, within the period of six weeks, or sooner if possible.

Annex F. to Protocol No. 65.

Explanatory Articles to follow the 24 Articles, and to have the same force and validity.

ARTICLE I.

THE mutual evacuation of those territories, towns, fortresses, and places, which change domination, shall be concluded on the 20th of July, of this year, at the latest; and in conformity to general custom, the respective troops, in evacuating the territories and fortresses which they occupy, shall carry with them the Articles belonging to the State which they serve, except such as form part of the military establishment of those fortresses.

ARTICLE II.

Immediately after the evacuation of the respective territories, the two States shall depute Commissioners, who shall meet at Antwerp, there to negotiate and conclude an arrangement by common agreement, according to the mutual advantages of the two Countries, relative to the execution of Articles IX. and XII. of the present Treaty, the execution of the said Articles IX and XII remaining suspended, until the conclusion of that negotiation.

All the modifications or changes which the said Commissioners should agree to make in the above mentioned Articles IX. and XII., would have, in the eyes of the Courts of Austria, France, Great Britain, Prussia, and Russia, the same force and validity as if they had been comprised in the present Treaty.

Moreover, it is understood, that the two parties shall consider as definitively adopted, the principle according to which the provisions of the Articles 108 and 117 inclusive, of the General Act of the Congress of Vienna, relative to the free navigation of navigable rivers, shall be applied to those navigable rivers and streams, which separate the Dutch and Belgian territories, or which traverse them both; and that the free navigation of the navigable rivers and streams which separate the Dutch and the Belgian territories, or which traverse them both, shall remain, provisionally, subject to the duties and tolls which are at present levied on either side.

ARTICLE III.

If the Dutch and Belgian Commissioners who are to meet at Utrecht, can come to an understanding as to the means of capitalising, at a moderate rate according to the mutual advantage of the two Countries, the annual interest of 8,400,000 Netherland florins, with which Belgium remains charged, the arrangements which they should agree upon relative to the said capitalisation, would have, in the eyes of the courts of Austria, France, Great Britain, Prussia, and Russia, the same force and validity as if they made part of the present Articles.

*Annex G. to Protocol No. 65.**Note addressed by the Conference to the Belgian Plenipotentiary.**London, June 11, 1831.*

THE Undersigned, &c. &c. consider it their duty to acquaint the Plenipotentiary of His Majesty the King of the Belgians, in consequence of the questions which he has addressed to them, that the Conference of London, is taking with His Majesty the King of the Netherlands, the steps which it has unanimously decided to be most proper; 1°, to lead as soon as possible to the complete and reciprocal evacuation of the respective territories by Holland and Belgium; 2°, to lead to a state of things which may forthwith secure to Belgium the enjoyment of the navigation of the Scheldt and of the Mense, as well as the use of the existing roads for her commercial communications with Germany, according to the terms of the Treaty of November 15th. 3°, Finally, to establish, as soon as the evacuation shall have been effected on both sides, amicable negotiations between the two Countries, as to the mode of execution, or the modification of the Articles with regard to which difficulties have arisen.

The Undersigned, &c.

(Signed)

WESSENBURG.	NEUMANN.
TALLEYERAND.	
PALMERSTON.	
BULOW.	
LIEVEN.	MATUSZEWIC.

No. 66.

PROTOCOL of a Conference held at the Foreign Office, on the 15th of June, 1832.

Present:

The Plenipotentiaries of
Austria;
France;
Great Britain;
Prussia; and
Russia.

THE Plenipotentiaries of the five Courts having assembled in Conference, read the annexed note, which had been presented to them by the Plenipotentiary of His Majesty the King of the Belgians, relative to the prolonged detention of M. Thorn, and to the fruitlessness of all the steps taken by the Conference of London to obtain the liberation of that individual.

Considering that in fact the last applications of the Conference of London to the Government of His Majesty the King of the Netherlands, have remained for more than fifteen days without result or answer; that, on the other hand, the Germanic Confederation, disapproving both of the detention of M. Thorn, and of the conditions set upon his enlargement by the King, Grand Duke of Luxembourg, according to the verbal declaration of his Plenipotentiary mentioned in Protocol No. 62, has suspended its final determination in expectation of that of the Conference of London; that, finally, the arrest of M. Thorn took place upon a territory within the jurisdiction of, and declared neutral by the Germanic Confederation, and that, by continuing a proceeding which was originally adopted without the orders of the King Grand Duke, it threatens to lead to fresh reprisals of the most serious nature, and to compromise at once both the public tranquillity of the Grand Duchy, and the security of the federal fortress of Luxembourg, the Conference of London has decided to record the following resolutions in the present Protocol.

For the reasons above declared, the Plenipotentiaries of France, Great Britain, and Russia, have invited the Plenipotentiaries of Austria and Prussia,

in their character of organs of the Germanic Diet, to call the attention of that assembly in the most urgent manner, to the indispensable necessity of avoiding serious complications, by taking steps for the liberation of M. Thorn ; and to represent to the Diet, that more than a month having passed in fruitless appeals to the Grand Duke, and on the other hand, M. Thorn having been placed, and still remaining in a state of arrest, in a territory, the neutrality of which has been declared by the Germanic Confederation, it evidently remains only to the Diet, in the legitimate exercise of the power which it knows how to employ so wisely, to confer, as speedily as possible, on the military commander of the fortress of Luxemburg, the necessary authority for the immediate liberation of M. Thorn. That as soon as he shall have been liberated, the Conference of London will apply to the Belgian Government, for the discharge of all the individuals mentioned in Protocols 61 and 62. The Plenipotentiaries of Austria and Prussia declared that they would bring, without the least delay, this application to the knowledge of the Germanic Confederation.

(Signed) WESSENBURG. NEUMANN.
TALLEYRAND.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol 66.

Note addressed to the Conference by the Belgian Plenipotentiary.

THE undersigned Plenipotentiary of His Majesty the King of the Belgians, in order to fulfil the pressing orders which he has just received from his Court, finds himself very reluctantly under the necessity of claiming once more, the attention of the Plenipotentiaries of the five Courts assembled in Conference in London, to a question which has already been deliberated upon in their meetings of the 11th and 29th of May last.

The undersigned, in beginning this communication, has great pleasure in acknowledging the solicitude which the Conference has manifested on this occasion, and he is happy to be able to bear witness to the great satisfaction which his Sovereign likewise entertains on the same account.

The Protocol of the 29th of May last, in which the Plenipotentiaries of the Five Courts, after having explained their motives in drawing up the 60th Protocol, renewed in the *most pressing and solemn manner* the demand for the liberation of M. Thorn, afforded to the Belgian Government a hope that the Cabinet of the Hague would yield *instantly* to the invitation of the Conference.

The Government of Holland, however, remains deaf to this request, as well as to the voice of humanity and justice ; fifteen days have elapsed since the date of the last Protocol ; and M. Thorn, violently dragged from his family and from his duties, injured in his health by long confinement, continues to languish in the prisons of Luxemburg.

In this state of things the Belgian Government feels that it would be deficient in candour and good faith, were it not formally to declare that a further detention of M. Thorn would have the effect of leading to a complication of events, which, in its anxiety for the general peace, it has been constantly labouring to prevent. The Cabinet of the Hague must attribute, therefore, only to itself the lamentable consequences which it will have provoked by a course of conduct as inconsistent with its own real interests as it is offensive to Belgium.

The undersigned, in taking the liberty of recommending the present communication to the serious attention of the Conference, avails himself of the occasion, &c.

(Signed) GOBLET.

London, June 13, 1832.

Note to the Belgian Plenipotentiary, dated June 15, 1832.

THE undersigned Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, have had the honour to receive the note which the Belgian Plenipotentiary addressed to them on the 13th Instant, respecting the prolonged detention of M. Thorn.

In reply to that note the Undersigned hasten to acquaint the Belgian Plenipotentiary, that the Conference of London has taken fresh measures to obtain the immediate liberation of the individual in question, and that with that view it has just drawn up a Protocol (No. 66.) of which a copy is inclosed to the Belgian Plenipotentiary.

The undersigned, &c.
 (Signed) WESSENBERG. NEUMANN.
 TALLEYRAND.
 PALMERSTON.
 BULOW.
 LIEVEN. MATUSZEWIC

No. 67.

PROTOCOL of a Conference held at the Foreign Office, on the 10th of July, 1832.

Present:

*The Plenipotentiaries of
 Austria ;
 France ;
 Great Britain ;
 Prussia ; and
 Russia.*

THE Plenipotentiaries of the five Courts having assembled in Conference, took cognizance of the annexed communications (A. B.) which had been addressed to them by the Plenipotentiary of His Majesty the King of the Netherlands.

After having examined them in several successive Conferences, they agreed to address to the Plenipotentiary of the Netherlands the annexed answer (C.) and to the Belgian Plenipotentiary the note also annexed (D.) to this Protocol.

(Signed) WESSENBERG. NEUMANN.
 BARON DE MAREUIL.
 PALMERSTON.
 BULOW.
 LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 67.

Note addressed to the Conference by the Plenipotentiary of His Majesty the King of the Netherlands.

London, June 30, 1832.

THE Plenipotentiaries of His Majesty the King of the Netherlands have had the honour of receiving the note which their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, had the goodness to address to them on the 11th instant, upon the progress of the negotiation relative to the separation of Holland and Belgium, and they hastened to bring it to the knowledge of their Government.

The Cabinet of the Hague has thought that that note, as far as it relates to the course of the negotiation up to the present time, required the following explanations.

It begins by the observation "that in their last communication the Nether-

“land Government seems desirous of laying to the charge of the Conference all the delays to which the negotiation has been subjected.” Nevertheless, on a re-perusal of the Netherland note of the 2d of June, that reproach does not seem deserved. The Plenipotentiaries of the Netherlands mentioned in it, a definite period, namely, that which immediately followed the delivery to Count Orloff of the *notes verbales*, on which that annexed to the Netherland communication of the 29th of May was founded. In this limited sense, it was thought, and it is still supposed, that the development in Conference of the overtures contained in that note was only retarded by the opinion of the Conference, that, up to the moment of the general ratifications, the Netherland Plenipotentiary could not be heard to any purpose.

The Conference, on the other hand, mentions new delays in addition to those which had already taken place, and which would bring on the most serious consequences for Holland. It appears, beyond a doubt, that it is attempted to lay the delays to the charge of Holland, although she accepted, with the least possible delay, the Annex A. to the 12th Protocol; and, although, when the Netherland Plenipotentiaries presented themselves for the purpose of coming to an explanation upon the 24 Articles, which are diametrically opposed in many respects to that Annex, no inclination was shewn to listen to them.

As to the declarations of Count Orloff, and of the Austrian and Prussian Envoys at the Hague, they were called for solely by the refusal of the Cabinet of the Netherlands to sign the 24 Articles, and not by the contents of the *note verbale*, the chief part of which had been agreed to in the negotiation with Count Orloff, in which agreement the Conference, in discussing that negotiation, doubtless participate, while the other objects of that note were not discussed at the Hague.

A more serious assertion must be taken notice of. Allusion is made in the note to the constant refusal of the Netherland Government to accept the advice and solicitations of the five Courts. That accusation is unfounded. Can the Conference have forgotten, that after more than two months and a half of examination, it was itself which decreed in a solemn, fundamental, and primary act, “the bases of the separation.” and that it was the King, who by his formal adhesion of the 18th of February, 1831, accepted them without delay, and has never ceased to claim their execution?

When the Conference, in the month of June last, and again at a later period, thought that by taking other ground, it could arrive with the Cabinet of the Hague at the desired results, that Cabinet did not hesitate to follow it upon that ground, subject only to the reserve, constantly and explicitly expressed, of still returning to the bases of separation, if the attempts of the Conference, directed to other means, should not end in satisfying the fair claims of the King, and of the Dutch nation.

The proofs of this are as striking as they are numerous, and the official acts from the 18th of February, 1831, up to the month of June, the note of the Cabinet of the Hague of the 12th July, that of the month of August, the attempts at negotiation of the months of September and October, the discussion of the 24 Articles in the memorandum of the 14th December, the answer of the 30th January of this year, and the last notes of the Netherland Plenipotentiaries, prove, and proclaim with the most conclusive evidence, that the Government of the Netherlands has never relinquished the grounds, which the bases of separation secured to them; that, on the contrary, they consider them as their right, and as the link which, since the insurrection, mutually connects the five Courts and the Netherlands; but, that at the same time they have concurred with the Conference, as much as depended upon them, in seeking an arrangement conformable to the wishes of the Powers. When such has been the open and honest conduct of the Cabinet of the Hague; when such has been the unalterable respect which it bears to sacred stipulations; when such are the only engagements which subsist, since the 18th of February, 1831, between the King and the five Courts; mutual engagements, of which His Majesty has always been, and is still, ready to fulfil the conditions,—Holland has

a right utterly to deny the accusation, as unfounded as it is unexpected, of having constantly refused to accede to the advice and to the solicitations of the five Courts.

There is another accusation which the Conference has recorded in its Protocol of the 10th of June, 1832, No. 64; a Protocol which, having evidently publicity for its object, authorizes and requires so much the more from that circumstance, a reply from the Government of the Netherlands, as it could not enter into the intentions of the Conference to express reproaches on their system of politics, without leaving them the power of replying.

The Protocol No. 64. relates to the project of Treaty presented on the 30th of January by the Plenipotentiaries to the Conference. That project, it is there declared, was destined only to establish the separation and administrative independence of Belgium, while all the negotiations entered into with the Court of the Hague since the month of June, 1831, have had for their object to make Holland agree to the conditions of the separation and of the political independence of the Belgian State, and to the acknowledgement of her new Sovereign.

The Netherland project of the 30th January, it is added, overturned at once that basis of the labours of the Conference, and overturned it at the end of seven months of discussions, in which His Majesty the King of the Netherlands had protested, not against the establishment of a new Sovereignty in Belgium, but simply against certain acts of the new Sovereign of that country; had, without any protest, allowed a Plenipotentiary from that Sovereign to be accredited to the Conference, and had even received through his own Plenipotentiaries, the communications which the Conference of London had made to them, of the propositions and observations of the Plenipotentiary of Belgium; and the Plenipotentiaries assembled in Conference at London seeing that His Majesty the King of the Netherlands changed thus, at the moment when it was least to be expected, the object of all the negotiations which had been entered into for six months with Holland, had almost all been obliged to ask for new instructions from their Courts.

Although in the present state of the negotiation, the question just alluded to is now, in a great measure, merely a matter of history, the Government of the Netherlands would think itself wanting in its obligations towards itself and the five Powers, were it to keep silence with regard to the assertions above-mentioned, and it has thought necessary to direct the undersigned to present to their Excellencies the following comparisons:

The first Protocol of the 4th of November, 1830, mentions the invitation of the King, addressed to the five Courts, to deliberate, in concert with His Majesty, upon the best means of putting an end to the disturbances which had broken out in his States. The line of demarcation, says the Protocol of November 17, leaves untouched the political questions.

The Protocol No. 5, having declared that with regard to the question of the flag, it had been decided that it should form the object of a further discussion, the King's Ambassador expressed by note, that that phrase had caused His Majesty as much astonishment as pain, that he was at a loss to conceive for what purpose a paper from the insurgents could have been received and put under deliberation, having for its object the establishment of another flag for Belgium than that of the Netherlands, and that His Majesty neither knew nor recognised such a flag.

In the Protocol No. 7. of the 20th of December, 1830, the Conference, for the first time, used the words of the future independence of Belgium. Two days afterwards the King's Ambassador protested against that Protocol, "inasmuch as both by its provisions and by its expressions, that act infringed the rights of His Majesty." Afterwards the King caused that Protocol to be answered by a declaration, in which His Majesty disputed the right of the Conference to dismember his kingdom, and expressly reserved to himself his own rights, and those of his house, upon Belgium.

The last paragraph of the Protocol No. 12. of the 27th of January, 1831, is thus worded:—"Without in any way deciding upon the question of the Sovereignty of Belgium, the Powers are called upon to declare, that in their

“opinion it is necessary that the Sovereign of that country should conform to the principles of the existence of the country itself; that he should by his personal position ensure the safety of the neighbouring States; that he should, with that view, accept the arrangements recorded in the present Protocol, and be in a situation to secure the peaceable enjoyment of them to his Belgian subjects.”

The Annex to Protocol No. 12. bears the title of “Bases destined to establish the Separation of Belgium from Holland.” There is no question in it either of Sovereignty or political independence. Besides, Prince Leopold of Saxe-Cobourg having accepted the Sovereignty of Belgium, without accepting either Protocol No. 12. or the Annex of January 27, 1831, the King was freed by that fact, as far as regards the Prince, from any engagement which might be attempted to be deduced from his acceptance of that Annex.

The Protocol of May 21, 1831, No. 24. mentioned for the first time, Prince Leopold of Saxe-Cobourg, as likely to be called to the Sovereignty of Belgium. On the same day the King’s Plenipotentiaries declared, that His Majesty abided by the 12th Protocol and by its Annex.

On the 6th of June, 1831, these same Plenipotentiaries protested against some resolutions put forth by Lord Ponsonby at Brussels, relative to a cession of the Grand Duchy of Luxembourg.

Belgian Deputies having arrived in London to offer to Prince Leopold the Sovereignty of Belgium, the Plenipotentiaries of the Netherlands presented on the 22d of June, 1831, a note, containing as follows: “But they are reassured by the thought that the offer of this Sovereignty, as well as the refusal of the Prince elected, or his acceptance, whether pure and simple, or conditional, are all unsanctioned by the Protocols, which confine themselves to tracing the conditions attached to the acknowledgement of the Sovereign. It is not less certain that they are unknown to the King, whom arrangements between the Belgians and a third party cannot concern, and even though the other conditions required by the Conference, should be completely fulfilled, the personage who should accept the Sovereignty of Belgium, without having previously subscribed to the Act of Separation, would place himself by that alone in a hostile position towards His Majesty, and would be considered as his enemy.”

The circumstances just quoted took place, it is true, previously to the end of June, 1831, but they are too intimately connected with the subsequent progress of the negotiation to be passed over in silence, when there is a question of explaining the conduct observed by the Court of the Hague with regard to the question of the sovereignty.

Besides, the letter of the Minister for Foreign Affairs of the Netherlands, of the 12th July, 1831, and consequently of a later date than the month of June, destroys all doubt which might still exist on that subject.

“The new form of preliminaries of a Treaty of Peace, which has been chosen,” he says, “implies a decision of the question of Sovereignty, a question which had remained untouched in the 12th Protocol and in its Annex, A, which treats of separation only. But, supposing even that the King could consent that so important a decision should be placed in the balance of the arrangement between Holland and Belgium, His Majesty could not do so, except in consideration of just equivalents, that is to say, of conditions which justice, the good cause, and the interests of Holland require.”

The Government of the Netherlands relies with confidence on the impartial judgment of history to decide, whether it could be expressed in more explicit terms, that the Sovereignty of Belgium was not renounced, and that in the event of its ever being renounced, it would only be so on condition of receiving fair equivalents; and whether the assertion is founded, that the King, who to this moment has never deviated from that line, protested, not against the establishment of a new Sovereignty in Belgium, but simply against some acts of the new Sovereign.

The letter above quoted finishes with the following paragraphs.

“ As to the choice of a Sovereign for Belgium, the King refers to the declaration of the five Courts in the 12th and 13th Protocols: that in their opinion the Sovereign of that country ought necessarily to conform to the principles of the existence of the country itself, to ensure by his personal position the safety of the neighbouring States; to accept for this purpose, without any restriction, the arrangements recorded in Protocols 11 and 12, and be in a situation to secure to the Belgians the peaceable enjoyment of them. According to this declaration, which has become an engagement towards the King, by his acceptance of the bases of separation recorded in the 12th Protocol, His Majesty, in case a Prince called to the Sovereignty of Belgium should accept that Sovereignty, and should take possession of it without having previously accepted the said arrangements, could not but consider this Prince as placed, by that act alone, in a hostile attitude towards Him, and as his enemy.”

The note and the memorandum of the Plenipotentiaries of the Netherlands of December 14, 1831, in no way deviated from those principles, and the Netherland project of January 30, 1832, was drawn up in the same sense. So far from overturning any basis, it only followed the regular course of the negotiation.

The question of the Sovereignty remained untouched in it, except on the proviso of equivalent conditions, and if the Conference had given the Plenipotentiaries an opportunity of explaining themselves respecting the said project, it is possible and probable that, so early as at the beginning of February, the same results, with regard to that question, would have been arrived at, as those obtained later in the special negotiation at the Hague, where it could not have been foreseen nor supposed, that, in opposition to the example established by the history of all negotiations, in which there was a question of the recognition of insurgent provinces by the legitimate Sovereign, the settlement of that primary question would be taken for granted, and that the King should begin by giving up his rights, without having previously obtained fair conditions for Holland.

A prudent and wise policy rendering this course inadmissible, the question of the Sovereignty could only be broached when the Russian negotiator at the Hague had opened the question of some favourable conditions.

With regard to the protests of the Netherland Cabinet, they have been numerous at different periods of the negotiation: they could leave no doubt as to the opinions of the Government of the Netherlands, and if, notwithstanding the so frequent manifestation of those opinions, illusions have been created upon the subject, they would have been immediately destroyed, but for the almost total abandonment to which the Plenipotentiaries of the Netherlands found themselves latterly condemned, and which appears to have been by no means shared by the Belgians, whose admission, however, to the Conference, could only be considered as an act between third persons, and could no more be considered as a precedent than the mission of the Agents sent by France and England to Brussels, from the very beginning of the insurrection, some of whom have been considered to act on the part of the Conference, or than the direct communication which has existed between the Conference and the insurrectional Government.

At the end of the 64th Protocol, it is said, that several Courts represented in the Conference, had made known directly to the King, the regret which had been caused to them by the confidential project of Treaty of 30th January, 1832, a project which was totally inadmissible in their opinion. The undersigned is authorized to declare, that one of those Courts has expressed its satisfaction that Holland had taken the initiative; that two others have not expressed themselves at all, and that not one has declared that the project was totally inadmissible. It would indeed have been difficult to account for that circumstance, a great number of the Articles of that Treaty having never given rise to any difference of opinion, several others having been drawn up in conformity with the answer of the Conference of January 4, 1832, to which the *note verbale* of the Conference of the 11th of June refers, and others, corresponding with the negotiation of the Count Orloff, at the Hague.

According to Protocol No. 64, the project of Treaty in question was communicated, on the 31st of January, to the Conference of London by the Plenipotentiaries of the Netherlands. It must be permitted to observe, that the letter, by which the Plenipotentiaries addressed that project to the Conference, bears the same date as the Dutch answer, namely, the 30th of January, and that the Plenipotentiaries had the honour of delivering the said letter, project, and reply, to His Excellency Viscount Palmerston, on Monday, the 30th of January, at one P.M. That circumstance has seemed to deserve notice, because there results from it, that the Dutch communication was made previously to the exchange of the ratifications, by France and Great Britain, of the Treaty concluded with Belgium, an exchange which took place without the Plenipotentiaries of the Netherlands having found an opportunity of explaining themselves on the project of Treaty which they had presented, although, according to the invitation made to them, they had presented themselves for that purpose at the Foreign Office, on the 30th January, at four P.M.

The Undersigned Plenipotentiary of His Majesty the King of the Netherlands, having executed the orders of his Court by the preceding explanations upon the course which the negotiations have taken up to the present time, takes this opportunity to renew to their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, the assurance of his highest consideration.

(Signed) H. VAN ZUYLEN VAN NYVELT.

Annex B. to Protocol No. 67.

Note addressed to the Conference by the Plenipotentiary of His Majesty the King of the Netherlands.

London, June 30, 1832.

By the note of the 11th of this month from their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, assembled in Conference in London, the Plenipotentiaries of His Majesty the King of the Netherlands had the honour of receiving a project of Treaty between the five Courts and His Majesty, and a project of a direct Treaty between Holland and Belgium. They also found in it the question proposed to them, whether, on the supposition that Belgium should give her assent to the project of a direct Treaty between the two countries above mentioned, that project, as well as that of a Treaty between the five Courts and the King, would obtain the assent of His Majesty.

The said note and its inclosures having been transmitted to the Netherland Government, the undersigned, Plenipotentiary of His Majesty the King of the Netherlands, has been charged to declare to the Conference as follows :

These projects imply the signature of the 24 Articles, to which the Government of the Netherlands has declared that it cannot accede.

In fact, in Article 2 of the project of Treaty between the five Courts and that of the Netherlands, the 24 Articles, with three explanatory Articles, are quoted as determining the conditions of separation, and as being intended to have the same force and validity as if they formed an integral part of the Treaty between Holland and the five Powers, and, according to the same Article, they will be immediately converted into a Treaty between Holland and Belgium.

The three explanatory Articles are by no means of a nature to remove the obstacles which present themselves to the signature of the 24 Articles.

The first, notwithstanding the period of six weeks fixed for the exchange of the ratifications, establishes the evacuation of the respective territories before the 20th of July,—an evacuation which cannot be consented to, before an understanding is arrived at, as to the conditions of separation.

According to the second explanatory Article, commissioners were to assemble at Antwerp, there to negotiate and conclude an arrangement by mutual consent, according to the reciprocal advantages of the two countries, respecting

the execution of Articles IX and XI, which execution is to remain suspended until the conclusion of that negotiation.

Now, the execution of those Articles implies their existence, and their suspension renders their execution possible at a future period. Besides, the Treaty with the five Powers and that with Belgium would become illusory, if objects such as those contained in Articles IX and XI, in which general principles are concerned, and not details which it might be difficult to arrange on the spot, were postponed to ulterior negotiation. To open such a negotiation in Belgium would be moreover, if there could be a question of such a proceeding, to outrage the dignity of the Netherland Government.

This Article concludes with the stipulation, that the free navigation of the navigable streams and rivers which separate the Dutch territory and the Belgian territory, or which traverse them both, shall remain provisionally subject to the same duties and tolls as are now levied on either side. That stipulation offers no result to Holland, the King having determined to continue for the present a spectator of the navigation of the Scheldt, as since January 1831, there only remained to him that alternative, or that of opposing the navigation of the Scheldt by force of arms, a determination of which the consequence is, that there are now no duties of navigation levied on the Scheldt.

The third Article relates only to the capitalization, and not to the liquidation of the debt. The postponement of those objects to future and indefinite negotiation, is also inadmissible, since the signature of a Treaty containing such a postponement, and that of the Articles IX. and XI., would secure to Belgium the immediate enjoyment of the advantages intended for her, without offering the smallest guarantee for the conditions demanded by Holland.

In a *note verbale* of the 11th of June, the Conference mentions its note of the 4th of January, 1832, in which an explanation is contained of several of the Articles proposed by it on the 15th of October, 1831. The Conference adds that it is understood, that in case of doubts arising as to the execution, or the sense of the Articles in question, the explanations contained in the note of the 4th of January, 1832, would be regarded as the opinion of the five Courts upon the reciprocal obligations resulting from those Articles.

The opinion of the Conference expressed in this *note verbale*, does not seem sufficient to tranquillize Holland as to the execution, in the sense agreed upon, of the Articles, on the subject of which, the memorandum of the 4th of January, 1832, explained itself favourably, namely, the Articles 7, 8, 10, 17, 23, 24, independently of the modification of Article 9, and the omission of the obligation in Limburg, in conformity to the Articles 11 and 12. The following observations upon this subject are submitted.

The Treaty being intended to be definitively executed by Holland and Belgium, and the latter country not having yet given its decided assent to the several explanations, into which the Conference, in its note of the 4th of January, has entered, will probably pay no regard to them, for the simple reason that, as far as concerns those explanations, she is under no engagement.

The Conference having, of its own accord, offered explanations of the Articles 7, 8, 10, 17, 23, and 24, and the Cabinet of the Hague having accepted them by its note of the 30th January, that transaction constitutes between the Cabinet of the Hague, and the Representatives of the five Courts, an engagement which ought necessarily to receive a legal validity, in conformity to diplomatic usage.

If the reciprocal engagements which result from the explained Articles were not to receive that legal form, they would become, in their application, an inexhaustible source of dispute. The Cabinet of the Hague, on all occasions of difference, would have to apply to the five Courts, in order to obtain the application of those explanations, which not being contained in the Articles, might even give rise to differences of opinion amongst the five Courts themselves.

Finally, the opinion of the Conference expressed on the 4th of January, 1832, on the subject of the last of the 24 Articles, according to which opinion, it saw no inconvenience in interposing its good offices for a prolongation of the term of mutual evacuation, after the exchange of the ratifications, from a fortnight to a

month, is in direct opposition to the first explanatory Article which fixes a precise date.

Independently of the observations made by the Court of the Hague upon the 24 Articles, the dates of the 14th no longer correspond with the payments to be made, since Holland has not only already paid the half year due on the first of last January, but has also furnished the funds necessary for the payment of the dividends for the half year ending the 1st July of this year.

For these reasons the answer can not but be negative to the question, whether, if Belgium had given her assent to the above-mentioned project of a direct Treaty between the two Countries, that project, as well as the one of a Treaty between the five Courts and the King, would obtain the assent of His Majesty; but at the same time the Court of the Hague has endeavoured to find means fit, in the present state of the negotiation, to reconcile the respective positions of the parties.

The Government of the Hague thinks it has succeeded by means of the annexed counter project of a Treaty between the King and the five Courts, intended to regulate the separation of Belgium from Holland, and embracing a Treaty to be concluded between Holland and Belgium;—a counter project which the undersigned is ordered to present to the Conference, and which he has now the honour of doing by this note. The Plenipotentiaries of the five Powers assembled in Conference at London, will therein discover a new proof of the positive and sincere desire of the Government of the Netherlands to put an immediate stop to the present difficulties, of which an example would be in vain sought in the annals of diplomacy, without risking the vicissitudes of future negotiations.

The undersigned hopes that their Excellencies, in appreciating the conciliatory sentiments which pervade this project, will deign to honour him with a favourable reply at as early a period as their discussions will permit.

He has received orders to state that these fresh sacrifices which the King has been able to make for the preservation of peace are too heavy and too distressing not to be the last; and he is also to add, in the most positive and formal manner, that if the High Parties should not be able to come to an understanding upon the contents of that project, it must be considered as null and of no effect; that the King in that case expressly reserves to himself the right of maintaining himself by all the means which Providence has placed at his disposal, upon the grounds of the Annex A. to the 12th Protocol, without acknowledging, until he shall have obtained acceptable conditions, either the political independence of Belgium, or Prince Leopold of Saxe-Cobourg; that the King rejects the responsibility of future complications to which the Conference seems to allude, and which His Majesty will not have provoked, and that he will never tamper either with his honor or with the supreme law of independent nations, that sacred and imprescriptible law, from which no State ever deviated with impunity, and which acknowledges no other arbiter for the Government of a free people than its own determination.

The undersigned, &c.

VAN ZUYLEN VAN NYEVELT.

Project of Treaty between His Majesty the King of the Netherlands on the one part, and the Courts of Austria, France, Great Britain, Prussia, and Russia, on the other.

HIS Majesty the King of the Netherlands having invited the Courts of Austria, France, Great Britain, Prussia, and Russia, in their character of signing Powers of the Treaties of Paris and of Vienna, which established the Kingdom of the Netherlands, to deliberate, in concert with His Majesty, on the best means of putting an end to the troubles which have broken out in His States, and the above named Courts having accepted that invitation, their Plenipotentiaries assembled in Conference in London, have, together with those of his said Majesty, taken into consideration the circumstances which have

arisen, and have admitted the necessity of reverting to the conditions of the union of Belgium with Holland, established by the Treaty of Vienna of May 31st, 1815, and by the Act of July 21st, 1814, which is annexed to it, and of deciding upon those of the separation of the two countries.

For this purpose, their Majesties have named as their Plenipotentiaries, viz: on the one part, His Majesty the King of the Netherlands N. N.; and on the other part, His Majesty the Emperor of Austria, N. N.

His Majesty the King of the French, N. N.

His Britannic Majesty, N. N.

His Majesty the King of Prussia, N. N.

His Majesty the Emperor of Russia, N. N.

Who having exchanged their full powers, found to be in due and proper form, have agreed to the following articles.

ARTICLE I.

His Majesty the King of the Netherlands is ready, and engages to cause to be concluded and signed by his Plenipotentiary authorised so to do, on the day on which the present Treaty shall be signed by his said Plenipotentiary, and by those of the Courts of Austria, France, Great Britain, Prussia, and Russia, the Treaty mentioned in the following Article, negotiated and brought to a conclusion, by the mediation and co-operation of the Plenipotentiaries of his high Allies, assembled in Conference in London.

ARTICLE II.

His Majesty the Emperor of Austria, His Majesty the King of the French, His Britannic Majesty, His Majesty the King of Prussia, and His Majesty the Emperor of all the Russias, declare, that the Treaty mentioned in the preceding Article, as negotiated and concluded by the mediation and the co-operation of their Plenipotentiaries in the Conference of London, contains the stipulations which they have desired to see carried into effect for the re-establishment of a good understanding and of peace between the two parties interested, and for the maintenance of the peace of Europe, which Treaty, guaranteed by their said Majesties, is of the following tenor.

TREATY BETWEEN HOLLAND AND BELGIUM.

ARTICLE I.

The Belgian territory shall consist of the provinces of

South Brabant,
Liege,
Namur,
Hainault,
West Flanders,
East Flanders,
Antwerp, and
Limbouurg,

such as they formed part of the Kingdom of the Netherlands, constituted in 1815, with the exception of the districts of the province of Limbouurg, which are designated in Article III.

The Belgian territory shall also comprize that part of the Grand Duchy of Luxemburg which is specified in Article III, on condition of obtaining the consent therein mentioned.

ARTICLE II.

His Majesty the King of the Netherlands, Grand Duke of Luxemburg, consents, subject to the assent of the Agnates of the House of Nassau, and of the Germanic Confederation, that the limits which shall separate the Grand Duchy

of Luxemburg from the Belgian territory, shall be such as they will be described below.

Commencing from the frontier of France between Rodange, which shall remain to the Grand Duchy of Luxemburg, and Athus, which shall belong to Belgium, there shall be drawn, according to the annexed map, a line which, leaving to Belgium the road from Arlon to Longwy, the town of Arlon with its district, and the road from Arlon to Bastogne, shall pass between Mesancy, which shall be on the Belgian territory, and Clemancy, which shall remain to the Grand Duchy of Luxemburg, terminating at Steinfort, which place shall also remain to the Grand Duchy. From Steinfort this line shall be continued in the direction of Eischen, Hecbus, Guirsch, Oberpalen, Grende, Nothomb, Parette and Perlé, as far as Martelange; Hecbus, Guirsch, Grende, Nothomb, and Parette, being to belong to Belgium; and Eischen, Oberpalen, Perlé and Martelange to the Grand Duchy. From Martelange, the said line shall follow the course of the Sure, the water way (*thalweg*) of which river shall serve as the limit between the two States, as far as opposite to Tintange, from whence it shall be continued, as directly as possible, towards the present frontier of the *arrondissement* of Diekirch, and shall pass between Surret, Harlange, and Tarchamps, which places shall be left to the Grand Duchy of Luxemburg, and Honville, Livarchamp and Lou-tremange, which places shall form part of the Belgian territory. Then having, in the vicinity of Doncols and Soulez, which shall remain to the Grand Duchy, reached the present boundary of the *arrondissement* of Diekirch, the line in question shall follow the said boundary to the frontier of the Prussian territory. All the territories, towns, fortresses and places situated to the west of this line, shall belong to Belgium; and all the territories, towns, fortresses, and places situated to the east of the said line, shall continue to belong to the Grand Duchy of Luxemburg.

It is understood that in marking out this line, and in conforming as closely as possible to the description of it given above, as well as to the delineation of it on the map, which, for the sake of greater clearness, is annexed to the present Article, the Commissioners of demarcation, mentioned in Article IV., shall pay due attention to the localities, as well as to the mutual necessity for accommodation which may result therefrom.

His Majesty the King of the Netherlands, Grand Duke of Luxemburg, will take the necessary steps for procuring the consent above-mentioned.

ARTICLE III.

With a view to the execution of that part of Article I relating to the province of Limburg, the territories of that province, of which the boundaries are pointed out below, shall continue to form part of the Kingdom of the Netherlands.

1°. *On the right bank of the Meuse*: to the old detached portions of Dutch territory on the said bank in the province of Limburg, shall be united those districts of the said province on the same bank, which did not belong to the States-General in 1790, in such wise that the whole of that part of the present province of Limburg, situated on the right bank of the Meuse, and comprized between that river on the west, the frontier of the Prussian territory on the east, the present frontier of the province of Liege on the south, and Dutch Guelderland on the north, shall henceforth belong entirely to His Majesty the King of the Netherlands.

2°. *On the left bank of the Meuse*: commencing from the southernmost point of the Dutch province of north Brabant, there shall be drawn, according to the annexed map, a line which shall terminate on the Meuse, below Wesseem, between that place and Stevenswaardt, at the point where the frontiers of the present *arrondissements* of Ruremonde and Maestricht meet on the left bank of the Meuse; in such manner that Bergerot, Stamproy, Neer Itteren, Ittervoordt, and Thorn, with their districts, as well as all the other places situated to the north of that line, shall form part of the Dutch territory.

The old Dutch detached portions of territory on the left bank of the Meuse, shall belong to Belgium, with the exception of the town of Maestricht, which, together with a suitable radius of territory of at least 1,200 *toises*, extending from the outer glacis of the citadel, on the said bank of that river,—a radius which shall be hereafter regulated by the Commissioners for settling

the boundaries mentioned in the following Article, shall continue to be possessed in full sovereignty and property, by His Majesty the King of the Netherlands.

ARTICLE IV.

In consequence of the territorial arrangements above stated, each of the two parties renounces respectively and for ever, all pretension to the territories, towns, fortresses, and places, situated within the limits of the possessions of the other party, such as those limits are described in the Articles 1, 2, and 3. The said limits shall be marked out, in conformity with those Articles, by Netherland and Belgian Commissioners of demarcation, who shall meet as soon as possible in the town of Maestricht.

ARTICLE V.

Belgium, within the limits indicated in Articles 1, 2, and 3, shall form an independent and perpetually neutral State.

It shall be bound to observe such neutrality towards all other States.

It is understood that Belgium can never, in any case, take advantage of her neutrality to violate the engagements resulting from the present Treaty.

ARTICLE VI.

Holland will regulate, in the most suitable manner, the drainage of the waters of the two Flanders, so as to prevent inundations as much as possible. She consents that use shall be made, upon reasonable terms, of a sufficient portion of ground upon her territory for that purpose. The sluices which are to be constructed to that effect on the Netherland territory, shall remain under her sovereignty, and none shall be constructed in any place of her territory which may be prejudicial to the defence of her frontiers. Within the term of a month after the exchange of the ratifications, Commissioners shall be named on either side, who shall be charged to decide upon the spots most suitable for the said sluices; they shall agree together on those which are to be subject to a common direction.

ARTICLE VII.

The provisions of Articles 108 to 117 inclusive, of the general act of the Congress of Vienna, relative to the free navigation of navigable rivers, shall be applied to those navigable rivers which separate the Netherland and the Belgian territory, or which traverse them both.

The Government of the Netherlands engages to establish the duties and the pilotage on the Scheldt at a moderate rate, and to watch over the conservation of the channels of that river. The said duties shall be the same for the Dutch as for the Belgian commerce.

They will also adopt provisionally for the Scheldt the tariffs of the Convention signed on the 31st March, 1831, at Mayence for the free navigation of the Rhine, as well as the other arrangements of that Convention, so far as they are applicable to the Scheldt, but that assimilation of the navigation of the Scheldt to that of the Rhine, to become definitive, will require a special Convention.

ARTICLE VIII.

The use of the canals which traverse both countries shall continue to be free and common to the inhabitants of both. It is understood that they shall enjoy the use of the same reciprocally, and on equal conditions, and that on either side moderate duties only shall be levied upon the navigation of those canals.

ARTICLE IX.

§ 1. From and after the first of July, 1832, Belgium, with reference to the division of the public debt of the kingdom of the Netherlands, shall remain charged with the sum of 8,400,000 Dutch florins of annual interest. Within fifteen days after the ratification of the present Treaty, commissioners from either side shall open a negotiation at Utrecht for capitalizing that sum. In case the commissioners

of the two parties should not be able to agree with regard to that capitalization within two months, and the interest of 8,400,000 florins should therefore remain fixed, all the balances which might result on either side from the liquidation mentioned in § 5 of this article shall be considered as settled, and the liquidation shall only take place as a matter of form. The capital of the said debt shall then be transferred from the debit of the great book of Amsterdam, or from the debit of the general treasury of the Kingdom of the Netherlands, to the debit of the great book of Belgium.

§ 2. In the same case the capitals transferred, and the annuities inscribed on the debit of the great book of Belgium in consequence of the preceding paragraph, to the amount of the total sum of 8,400,000 Netherland florins of annual interest, shall be considered as forming part of the national debt of Belgium, and Belgium engages not to admit, either for the present or in future, any distinction between that portion of her public debt, and any other Belgic national debt already created, or which may be created hereafter.

§ 3. The payment of the sum of 8,400,000 Netherland florins of annual interest shall then take place regularly half-yearly in ready money, either at Brussels or at Antwerp, without deduction of any kind, either at present or in future.

§ 4. In consideration of the creation of the said sum of 8,400,000 florins of annual interest, or of its capitalization, Belgium shall be released from all obligation towards Holland on account of the division of the public debts of the Kingdom of the Netherlands.

§ 5. The commissioners mentioned in § 1 of the present Article, shall proceed to a settlement of the fund of the *Syndicat d'amortissement*, and of the bank of Brussels, in its quality of cashier of the kingdom.

§ 6. The division of the claims upon the domains called "*Domein losrenten*," shall take place in proportion to the security settled upon each territory, either according to the purchase price not yet received of domains already sold, or on the property not yet alienated up to this time.

§ 7. The Netherland and Belgian Commissioners mentioned in § 1 of the present Article, shall proceed, in case of the capitalization not taking place, in addition to the settlement with which they are charged, to the transfer of the capitals and annual interest which, upon the division of the public debt of the Kingdom of the Netherlands, are to fall to the charge of Belgium, up to the amount of 8,400,000 florins of annual interest.

They will also proceed to the mutual delivery of the archives, maps, plans, and other documents belonging to each party respectively, or which relate to their Government.

ARTICLE X.

Holland having exclusively made all the necessary advances to meet the charge of the whole of the public debts of the Kingdom of the Netherlands since the settlement of the first half year of 1830, it is agreed that the said advances, calculated at the rate of 8,400,000 florins of annual interest, shall be added to the capital mentioned in the § 1 of the preceding Article, or be reimbursed separately, in equal instalments, each of the amount of 1,200,000 florins, to the Netherland treasury by the Belgian treasury. In the latter case, the first instalment of that reimbursement shall be paid by the Belgian to the Netherland treasury, three months after the ratification of the present Treaty, and the other instalments every three months.

On these different sums, interest at 5 per cent. per annum, from the 1st of July, 1832, shall be paid to Holland, until they are completely discharged at the aforesaid periods.

ARTICLE XI.

The port of Antwerp, in conformity with the stipulations of the 15th Article of the Treaty of Paris, of May 30, 1814, shall continue to be solely a port of commerce.

ARTICLE XII.

Works of public or private utility, such as canals, roads, or others of a similar nature, constructed wholly or in part at the expense of the Kingdom

of the Netherlands, shall belong, together with the advantages and charges thereunto attached, to the country in which they are situated.

It is understood, that the capitals borrowed for the construction of those works, and specifically charged thereupon, shall be comprised in the aforesaid charges, in so far as they may not yet have been repaid, and without giving rise to any claim on account of repayments already made.

ARTICLE XIII.

The sequestrations which may have been imposed in Belgium, during the troubles, for political causes, upon any property or hereditary estates whatsoever, shall be taken off without delay, and the enjoyment of the property and estates above-mentioned shall be immediately restored to the lawful owner thereof.

The present Article applies to all the property which the house of Nassau possesses in Belgium. The share of the King of the Netherlands in the bank of Brussels, as well as the annual revenue derived by His Majesty from that establishment, shall be placed at the disposal of His Majesty, to be enjoyed by him according to the statutes of the company.

ARTICLE XIV.

In the two countries of which the separation takes place in consequence of the present Articles, inhabitants and proprietors, if they wish to transfer their residence from one country to the other, shall, during two years, be at liberty to dispose of their property, moveable or immovable, of whatever nature the same may be, to sell it, and to carry away the produce of the sale, either in money or in any other shape, without hindrance, and without the payment of any duties other than those which are now in force in the two countries upon changes and transfers.

It is understood that the collection of the *droit d'aubaine et de détraction* upon the persons and property of Dutch in Belgium, and of Belgians in Holland, is abandoned, both now and for the future.

ARTICLE XV.

The character of a subject of the two Governments, with regard to property, shall be acknowledged and maintained.

ARTICLE XVI.

The stipulations of Articles from 11 to 21, inclusive, of the Treaty concluded between Austria and Russia, on the 3d May 1815; which forms an integral part of the general Act of the Congress of Vienna, stipulations relative to persons who possess property in both countries, to the election of residence which they are required to make, to the rights which they shall exercise as subjects of either State, and to the relations of neighbourhood in properties cut by the frontiers, shall be applied to such proprietors, as well as to such properties, in Holland, in the Grand Duchy of Luxembourg, or in Belgium, as shall be found to come within the cases provided for by the aforesaid stipulations of the Acts of the Congress of Vienna.

The *droits d'aubaine et de détraction*, being henceforth abolished, as between Holland, the Grand Duchy of Luxemburg, and Belgium, it is understood that such of the above-mentioned stipulations as may relate to those duties, shall be considered null and void in the three countries.

ARTICLE XVII.

No person in the territories which change domination, shall be molested or disturbed in any manner whatever, on account of any part which he may have taken, directly or indirectly, in political events.

ARTICLE XVIII.

The pensions and allowances of expectants, of persons unemployed or retired, shall in future be paid, on either side, to all those individuals entitled thereto, both civil and military, conformably to the laws in force previous to the 1st November 1830.

It is agreed that the above mentioned pensions and allowances to persons born in the territories which now constitute Belgium, shall remain at the

charge of the Belgian Treasury; and the pensions and allowances of persons born in the territories which now constitute Holland, shall be at the charge of the Netherland Treasury.

ARTICLE XIX.

All claims of Belgian subjects upon any private establishments, such as the widow's fund, and the fund known under the denomination of the *fonds des leges*, and of the chest of civil and military retired allowances, shall be examined by the Mixed Commission of Liquidation mentioned in Article XIII, and shall be determined according to the tenour of the regulations by which these funds or chests are governed.

The securities furnished, as well as the payments made, by Belgian accountants, shall be restored to the parties entitled to them, on presentation of their proofs.

The judicial deposits and consignments, shall equally be restored to the parties entitled thereto by the authorities of the country in which they have been made, without reference to the residence of the depositor.

If, under the head of what are called *the French liquidations*, any Belgian subjects should still be able to bring forward claims to be inscribed, such claims shall also be examined and settled by the said Commission to the extent of the sums disposable for that purpose.

ARTICLE XX.

Immediately after the exchange of the ratifications of the present Treaty, the necessary orders shall be sent to the commanders of the respective troops, for the evacuation of the territories, towns, fortresses, and places which change domination.

The civil authorities thereof shall also, at the same time, receive the necessary orders for delivering over the said territories, fortresses, towns, and places, to the commissioners who shall be appointed by both parties, for that purpose.

This evacuation and delivery shall be effected so as to be completed in the space of four weeks, or sooner if possible.

ARTICLE XXI.

The ratifications of the present Treaty shall be exchanged at London, within six weeks, or sooner if possible.

ARTICLE III.

In consequence of the signature and ratification of the present Treaty, and of that mentioned in Article the Second, the Union which has existed between Holland and Belgium, in virtue of the Treaty of Vienna, of May 31, 1815, is acknowledged to be dissolved.

ARTICLE IV.

The Ratifications of the present Treaty shall be exchanged at London, within six weeks, or sooner if possible.

Annex C. to Protocol No. 67.

Note addressed by the Conference to the Plenipotentiary of His Majesty the King of the Netherlands.

London, July 10, 1832.

THE Undersigned &c. have had the honour to receive the communications which His Excellency the Netherland Plenipotentiary addressed to them on the 30th of June.

Without at present replying to the note of the Baron de Zuylen de Nyevelt, which possesses only an historical interest, but reserving to themselves to revert at a future period to many of the assertions which it contains, and even to the very position which it intends to establish, the Undersigned are impressed with too anxious a desire for peace, and attach too great an importance to arriving as speedily as possible at a settlement of the negotiations of the Conference of London, not to give their immediate and exclusive attention to the means of arriving at that end, and to fulfil, by the solution of the Belgian question, the wishes of all the Cabinets of Europe.

With this view, they will now discuss only that note of His Excellency the Plenipotentiary of the Netherlands, which relates to their proposi-

tions of the 11th of June, and the two projects of treaty by which that note was accompanied.

One of these is a project of a Treaty in Four Articles between the five Courts and Holland. With regard to that project the Conference would have but few remarks to make, and those would apply less to the substance of the proposed stipulations, than to the terms in which they are expressed. The undersigned do not think it necessary to discuss them in the present note, being convinced that if the difficulties related only to those points, they would be easily surmounted by an explanation with His Excellency the Plenipotentiary of His Majesty the King of the Netherlands.

As to the second project which he communicated to them on the 30th of June, the Baron Zuylen de Nyevelt is already acquainted, in consequence of the remarks which have been addressed to him verbally, with the important reasons which render that project incomplete and inadmissible in the eyes of the undersigned.

It offers indeed an almost complete assent to the territorial stipulations urged by the Conference since the 14th of October, 1831, but, on the other hand, it presents omissions upon Articles of equal importance; it deprives Belgium at once not only of her commercial communications, the use of which, in conformity to the last propositions of the undersigned, should form the subject of amicable arrangements, founded on the principle of mutual interest, but of those which former Memoranda of the Cabinet of the Hague were far from refusing; adds burdensome clauses; decrees that Belgium, which has allowed the debts of the *Syndicat d'amortissement* to enter into the calculation of the 8,400,000 Netherland florins of annual interest, shall nevertheless not participate in the assets of that establishment; associates with the private property, of which restitution is to be made, property of a different nature; and, without mentioning other changes which have no relation with the fundamental points, but which would not the less be of consequence, brings forward even as to the forms, obstacles such as the most sincere spirit of conciliation could not remove.

On this subject the undersigned can therefore only refer to the remarks made verbally to His Excellency the Dutch Plenipotentiary, and they can only express the deep regret with which they have learnt that His Majesty the King of the Netherlands has rejected their propositions of the 11th of June.

If the Baron de Zuylen de Nyevelt had been directed to present to them only some observations on the details of the new clauses proposed by the Conference of London, upon the terms which His Majesty the King of the Netherlands would wish to put into more satisfactory relation to the probable period of the ratification of the Treaty which he should have concluded, or upon the navigation dues which he had thought fit not to levy since the month of January, 1831, the undersigned would probably have found means of coming to an understanding with the Dutch Plenipotentiary.

They are the first to acknowledge, that, in order to be executed, Treaties require to be complete, that in order to be complete, they require to be ratified. But in proposing on the 11th of June the date of the 20th of July, for the evacuation of the respective territories, they thought that in the event of their propositions being accepted by His Majesty the King of the Netherlands, the Treaty then concluded between Holland and Belgium would have been ratified long before the 20th of July, by the two contracting parties, and that even the Treaty between the five Powers and Holland, would already have been invested with the last sanction of a majority of the Powers, and could not fail of receiving shortly after, the ratification of the others; they thought that in shortening that period, they would be hastening the moment at which Holland would find herself delivered from those burthens which press upon her; in fact they thought that in securing to her, by the mutual and prompt evacuation of the respective territories, the power of immediately commencing a reduction of her army, which would be essentially advantageous, they would be anticipating the wish which the King must form, in his anxiety for the good of his people.

On the other hand, the Conference of London would assuredly not have proposed that the navigation of the rivers and streams which separate the Dutch territory and the Belgian territory, or which traverse them both, should continue provisionally subject to the duties which are levied on them at this moment, if

they could have known that there existed none, and an observation made to that effect by His Excellency the Baron de Zuylen de Nyevelt, would have been well received by the undersigned.

The same applies to the explanations given by the Conference in their paper of January 4, 1832. The authority of that paper has been appealed to in several circumstances by the two parties. If, therefore, a formal reference to those same explanations, in the immediate transaction which they have to conclude, could contribute to prevent discussions between them, which are always to be deplored, it would not have been difficult to attain that object, since the *note verbale* of the 11th of June seemed formed to answer fully to it.

But the Netherland Plenipotentiary does not confine himself to the objections which have been discussed above, and which would easily have been removed; he has received orders to reject the last propositions of the undersigned, for reasons which the Conference of London cannot consider as just and conclusive.

According to the Netherland Government, the explanatory and supplementary Articles of the 11th of June, would not remove the obstacles, which hitherto prevented His Majesty the King of the Netherlands from acceding to the 24 Articles of October 14th, 1831. But of those obstacles, so far as the Cabinet of the Hague has made them known in its several communications, some bore on the territorial stipulations, and others, upon those stipulations which form the object of the explanatory and supplementary Articles just mentioned.

The first of these are removed by the project of Treaty which the Baron de Zuylen de Nyevelt has been directed to communicate to the undersigned. The second no longer exist, for, in assenting to the propositions of the Conference of the 11th of June, it would not be to the 24 Articles, but in fact to 21 out of the 24 original Articles, that His Majesty the King of the Netherlands would accede. His Majesty would besides agree to three new Articles, the object of which would be to produce, either in the manner of executing the original Articles IX and XII, or in the Articles themselves, or, in fine, relative to the possible capitalisation of the annual interest, which Article XIII. places to the charge of Belgium, such changes by mutual agreement as should be founded on the convenience of both parties. On this subject the intention of the Conference of London is evident, the second and third of the new Articles declaring, that *whatever modifications* the former Articles *shall receive* in consequence of negotiations by the mutual consent of both parties,—*negotiations based on mutual convenience,—shall have, in the eyes of the five Courts, the same force and validity as if they had made part of the Treaty to be immediately concluded.*

Nor is it more correct to affirm that, by those additional Articles, the Conference of London has left undecided the questions of principle. So far from that being the case, the only questions which it has left to be settled, are questions of application and of detail. In fact, it lays down in the second of the Articles in question the two principles which govern the whole; the *first*, that the general dispositions of the Act of the Congress of Vienna, which it quotes, shall be applied; the *second*, that the application in detail of those general dispositions which had been decided in the original Articles of October 14, according to what the Conference considered to be the mutual advantage of the two parties, should be in conformity with what the parties themselves should consider to be so.

Having thus proved that the rejection of the propositions of the 11th of June is founded upon objections, of which some are easily removed, and others are entirely annulled by a more careful examination of those very propositions, it remains only for the undersigned to renew them to the Dutch Plenipotentiary. They beg to acquaint him however, that in the 1st of the additional articles, they have met his objections as to the term originally pointed out for the evacuation of the respective territories, and in the 4th Article they have also fulfilled his request relative to the explanations contained in the memorandum of the Conference of London of the 4th of January, 1832.

The Netherland Plenipotentiary finishes his note by recalling the principle according to which every independent nation is free as to its decisions. That principle is incontestable. But it is not less so that every independent nation,

acquires a true title to general esteem and consideration, by preserving a proper respect for the interests of other States, by attaching a real value to their friendship, by never losing sight, in the midst of the freedom of her decisions, of a provident calculation of the events which would result from her adopting extreme measures, and by proving that she values peace.

The undersigned are happy to think that these truths will not be disavowed by the Cabinet of the Hague.

At the end of twenty months of negotiation, the propositions which they renew to it, are the last which can emanate from the Conference, and require an answer, the importance and necessity of which will be the more felt by the King, as on it depends the future.

The Undersigned, &
 (Signed) WESSEMBERG. NEUMANN.
 BARON DE MAREUIL.
 PALMERSTON.
 BULOW.
 LIEVEN. MATUSZEWIC.

Explanatory Articles to be attached to the 24 Articles, and to have the same force and validity.

ARTICLE I.

IT is understood that in proceeding to the mutual evacuation of the territories, towns, fortresses, and places which change domination, and which must be completed fifteen days at latest after the exchange of the ratifications of the Treaty of this day, the respective troops shall, in conformity with the common usage, carry with them the articles belonging to the State which they serve, except such as form a part of the military establishment of the said places.

ARTICLE II.

Immediately after the evacuation of the respective territories, the two States shall depute Commissioners who shall meet at Antwerp to negotiate and conclude an arrangement with the consent of both parties, according to the mutual advantage of the two countries, relative to the execution of the Articles IX and XII of the present Treaty; the execution of the above-named Articles IX and XII being suspended until the conclusion of that negotiation.

All the modifications and changes which the said Commissioners should agree to introduce into the Articles IX and XII, above-mentioned, shall, in the eyes of the Courts of Austria, France, Great Britain, Prussia, and Russia, have the same force and validity, as if they had made part of the present Treaty.

It is moreover understood that the two parties shall consider as definitively adopted, the principle, according to which the arrangements of the Articles CVIII to CXVII inclusive, of the general Act of the Congress of Vienna, relative to the free navigation of navigable streams and rivers, shall be applied to the navigable streams and rivers which separate the Belgian territory and the Dutch territory, or which traverse them both; and the two States shall provisionally adopt, for the free navigation of the streams and rivers which separate the Dutch territory and the Belgian territory, or which traverse them both, the tariffs of the Convention signed at Mayence on the 31st of March 1831, as well as the other arrangement of the said Convention, in so far as they are applicable to the above-mentioned streams and rivers.

ARTICLE III.

If the Dutch and Belgian Commissioners who are to assemble at Utrecht, can come to an understanding upon the means of capitalizing at a moderate rate, according to the mutual interests of the two Countries, the 8,400,000 Netherland florins of annual interest, with which Belgium remains charged, the arrangements agreed upon with regard to that capitalization, would, in the eyes of the Courts of Austria, France, Great Britain, Prussia, and Russia, have the same force and validity as if they formed part of the present Treaty.

ARTICLE IV.

It is understood that the Articles VII, VIII, X, XI, XVII, and XXIII shall be understood and executed according to the sense of the explanations given with regard to them in the memorandum of the Conference of London of January 4, 1832. It is also understood that the payment of interest mentioned in Article XIII, is to date, not from the 1st of January, but from the 1st of July 1832, and that the 14th Article is to be executed in the following manner.

Holland having exclusively made all the advances necessary for the service of the whole of the public debts of the Netherlands, up to the 1st of July, 1832 inclusive, it is agreed, that the said advances, calculated from the 1st of November, 1830, to the 1st of July, 1832 inclusive, for twenty months, at the rate of 8,400,000 Netherland florins of annual interest with which Belgium remains charged, shall be reimbursed at three instalments to the Dutch Treasury, the first instalment of that payment shall be made by the Belgian Treasury to the Dutch Treasury, three months after the exchange of the ratifications of the present Treaty: the two last instalments shall be paid at intervals of three months after the payment of the first. There shall be secured to Holland interest calculated at the rate of 5 per cent. per annum upon the two last instalments, until the payment of the whole.

Annex D. to Protocol No. 67.

Note addressed by the Conference to the Belgian Plenipotentiary.

THE undersigned, Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia, and Russia, have the honour of acquainting the Belgian Plenipotentiary, that having received some communications from the Plenipotentiary of His Majesty the King of the Netherlands, upon the subject of the steps mentioned in their note to General Goblet of the 11th of June, and having found in those communications an approximation, upon the important question of territory, to the observations upon some of the points contained in their propositions; they have renewed their endeavours, in the most earnest manner, for the object pointed out in their note addressed on the 11th of June to the Belgian Plenipotentiary.

The Undersigned &c.

(Signed)

WESSENBERG.
MAREUIL.
PALMERSTON.
BULOW.
LIEVEN.

NEUMANN.

MATUSZEWIC.

No. 68.

Protocol of a Conference held at the Foreign Office, on the 13th of July, 1832.

Present :

The Plenipotentiaries of

Austria ;

France ;

Great Britain ;

Prussia ; and

Russia.

THE Plenipotentiaries of the five Courts having assembled in Conference, the Plenipotentiaries of Austria and of Prussia announced that they were charged to make known to the Conference of London the determination taken by the Germanic Diet in its sitting of the 28th of June, relative to the detention of M. Thorn, in consequence of the communication which was transmitted to it on the part of the Conference, dated the 15th of June. That resolution is to the following effect :

The Conference of London having addressed itself (see Protocol No. 60 of May 4, 1832) on the one hand to the Netherland Plenipotentiary, for the purpose of obtaining from His Majesty the King of the Netherlands the liberation of M. Thorn, and at the same time having, on the other hand, taken steps with the Belgian Government, by expressing to them a wish that not only the individuals who have been taken in reprisal for the arrest of M. Thorn, but the Luxemburg subjects, also, who are detained at Namur, should be set at liberty, in conformity with the political principle of mutual oblivion of the past:

Moreover, the Netherland Plenipotentiary having declared to the Conference of London (see Protocol No. 62 of May 29), that His Majesty, his August Master, was ready to grant the liberation of M. Thorn, if the opposite party granted the guarantees necessary with reference to the above-mentioned demands addressed by the Conference to the Belgian Plenipotentiary.

It is at present necessary, first of all to know whether the step taken by the Conference towards the Belgian Plenipotentiary, on the 4th of May last, has been received as favourably as the invitation addressed to the Plenipotentiary of His Netherland Majesty. As it is not to be supposed that the friendly measure in question has remained for nearly two months without a satisfactory answer, or without any answer at all, the Germanick Diet only waits for a communication on this subject on the part of the Conference, in order to fulfil the wish, by which it is animated, of avoiding all collision between the Grand Ducal authorities and the Belgian officers, by authorizing the Governor of the Federal Fortress to receive M. Thorn from the hands of the Grand Ducal civil authorities, and to take care that his liberation should take place at the same time at which that of the individuals mentioned in Protocols Nos. 60 and 62 of the Conference shall be carried into effect by the Belgian Government.

The Diet of the Germanick Confederation, which has always lamented the arrest of M. Thorn, an account of the complications which that act threatened to produce, will feel considerable satisfaction in bringing that matter to the desired result, upon the basis of the arrangement above described.

In reply to this declaration, the Plenipotentiaries of France, Great Britain, and Russia, recalled to the Plenipotentiaries of Austria and Prussia, that according to the Protocol No. 62, quoted by the Diet of the Germanick Confederation, the Conference of London had announced, that as soon as M. Thorn should be placed at liberty, they would hasten to take the necessary steps in Belgium for obtaining the immediate liberation of the individuals mentioned in their Protocol No. 60.

The Conference of London could at this moment assure the Diet of the Germanic Confederation, that the measures they will take will then have a speedy success. But the Conference were under the necessity of again urging that the commencement of satisfaction should come from the same side whence came the commencement of injury, and, referring to their opinion laid down in their Protocols No. 60 and 62, it urged the Plenipotentiaries of Austria and of Prussia in the most earnest manner, to obtain as speedily as possible from the justice of the Germanic Diet, upon the faith of the assurance contained in the present Protocol, the despatch of the orders which the Diet proposed giving for the immediate release of M. Thorn, as soon as it had received the communication which it was still expecting from the Conference.

The Plenipotentiaries of Austria and of Prussia declared that they would without delay, bring the wishes of the Conference of London to the knowledge of the Germanic Diet.

(Signed) WESSENBERG. NEUMANN.
MAREUIL.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

No. 69.

PROTOCOL of a Conference held at the Foreign Office, on the 30th of September 1832.

Present:

*The Plenipotentiaries of
Austria;
France;
Great Britain;
Prussia; and
Russia.*

THE Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, assembled in Conference, agreed to annex to the present Protocol, in order that they may form part of the Acts of the Conference of London, the papers enumerated below.

1. The annexed note (A) of the Netherland Plenipotentiary, dated the 20th of September, addressed to the Conference of London.
2. The annexed statement of the British Plenipotentiary (B) of a private and confidential communication which he had made to the Netherland Plenipotentiary.
3. The annexed memorandum (C) upon the situation in which the above-mentioned note places the Conference of London.
4. The annexed series of questions addressed by the Conference of London to the Netherland Plenipotentiary, his answers, the verbal explanations which he has added, and the observations to which they have given rise.

To complete the Acts of the Conference, the Plenipotentiaries of the five Courts have agreed to add to them also:

The annexed note (E) from the Netherland Plenipotentiary, dated the 25th of July last.

The annexed note (F) from the Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Bavaria, at the Court of His Britannick Majesty, addressed to the Conference of London, relative to the navigation of the intermediate channels between the Scheldt and the Rhine, dated the 5th of August.

The annexed note (G) of the Belgian Plenipotentiary, dated the 31st of August, demanding the immediate execution of the Treaty of November 15.

The annexed note (H) from General Goblet, dated the 18th of September, announcing to the Conference the cessation of his functions as Plenipotentiary, and his appointment to the situation of Minister for Foreign Affairs in Belgium.

The annexed note (I) from M. Van de Weyer, dated the 30th of September, announcing that he has received authority to negotiate and sign a direct Treaty between Belgium and Holland.

The annexed note (K) from M. Van de Weyer, announcing that the powers abovementioned will expire on the 10th of October next.

(Signed) WESSENBURG. NEUMANN.
MAREUIL.
PALMERSTON.
BULOW.
LIEVEN. MATUSZEWIC.

Annex A. to Protocol No. 69.

Note addressed to the Conference by the Plenipotentiary of His Majesty the King of the Netherlands.

London, September 20, 1832.

BY their Protocol of the 27th of January 1831, (No. 12.) their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, assembled in Conference in London, fixed the bases destined to establish the separation of Belgium from Holland. They determined that the five Courts, unanimously agreed on the said bases; would communicate them to the parties directly interested; and that they would consider of the best means of causing them to be adopted and executed. The King of the Netherlands, having adhered to these bases, considered them since that adhesion as an act determining the reciprocal obligations between His Majesty and the five Powers, and demanded their being put in execution in Belgium, where they had been rejected.

The Conference at London did not act upon this demand. On the 14th of October 1831, it agreed on a new basis of separation, in 24 Articles, which, as might have been expected, were accepted by Belgium. On the 15th of November 1831, they were included in a Treaty between the Plenipotentiaries of the five Courts and Belgium, and ratified at a later period by the Contracting parties, with reserves on the part of three Powers, admitted by the other two. The King of the Netherlands, without renouncing in any way the right acquired by his accession to the basis of the 27th of January 1831, consented to follow as much as possible the Conference on the new ground it had just chosen; and His Majesty, in adopting the dispositions of the major part of the 24 Articles, confined himself to claim modifications in the contents of some of these Articles.

The desire of the Dutch Government to co-operate in a settlement likely to consolidate the general peace, induced it to contract successively, in the course of negotiation, the circle of the modifications claimed.

By a note of the 30th of June 1832, the undersigned Plenipotentiary of His Majesty the King of the Netherlands had the honour of presenting to the Conference a project of treaty, in which His Majesty the King of the Netherlands consented to obviate the difficulties arising from the two questions specially linked with the rights of the King and with the interest of the nation, that of territory and of the publick debt. The impression made by this project in London seemed favourable. On some observations made by the Conference at the meeting held at the Foreign Office on the 6th of July, and in his note of the 10th of the same month, the undersigned, in consequence of additional instructions from his Court, offered, in a note of the 25th of July, fresh advantages relative to the navigation of the internal waters, and to the commercial communications with Germany through Limbourg. Other remarks had been made to him respecting more particularly the wording of the Netherland project, with which at the same time the Conference was occupied. They also became the subject of a scrupulous examination at the Hague, where, notwithstanding that several modifications proposed in the terms of the project were judged to present serious inconveniences, every effort was made to adopt the greater part of them. In consequence of this desire to overcome these last obstacles, the undersigned was moreover authorized to consent, with a trifling change, to two new paragraphs proposed, relative to the pilotage, the channels, and to the buoyage of the Scheldt; and to the insertion in the Treaty with the five Powers of an Article on the consent of the Agnates of the House of Nassau, and of the Germanick Confederation, to the territorial arrangements; additions to which it was declared in London that the highest importance was attached.

In consequence of this conciliatory course, the proposals from the Cabinet of the Hague were, in their principles and tendency, readily received, and judged fit to bring about a happy termination. Thus from the 20th July the diplomatick meetings opened in that view, and succeeded each other quickly: one result to which the King attached great importance was at once obtained. The direct Treaty between His Majesty and the five Powers, the project of which, delivered on the 30th June, which had already, in the terms of the answer from their Excellencies, dated the 10th of July, received mutual consent with respect to its substance, acquired it also with respect to its form, and the undersigned congratulated himself in having to transmit to his Court the information of a success which, by common consent, replaced the negotiation on the ground which it should never have left, viz., that of mediation.

With respect to the Treaty to be concluded between Holland and Belgium, the communications of the undersigned with His Britannick Majesty's Principal Secretary of State for Foreign Affairs, or with his Excellency Baron de Wessenberg, were no less successful. Every thing thus seemed to presage in the first days of August the termination of the negotiation; and the stipulations respectively agreed to by the Court of the Hague and by the Conference of London, approach each other at present so nearly, that it seemed as if no consideration could delay their being signed. Nevertheless the King regrets to see that hitherto the Conference has adjourned this act so imperiously called for in the interest of the general peace.

At the same time the Government of the Netherlands could not but know a fact, which, though not included in official and diplomatick communications, is no less of publick notoriety,—viz., that while at the Hague there was every leaning to a conciliatory course, revolutionary Belgium, instead of following that example, has shown itself more averse to every arrangement, has refused every negotiation, has begun to raise its pretensions, and daily to multiply fresh demands to such an extent, as not only to reject what the Conference has already considered just and equitable, but even to abandon the very stipulations of the 24 Articles, converted into a Treaty between it and the five Powers.

The Cabinet of the Netherlands, without examining whether this strange phenomenon be owing to the primary principle of the insurrection, which, sprung from disorder, is afraid of finding in an established system, whatever it may be, the germ of its own destruction, or to other causes, has not concealed from itself that a longer silence on its side would expose it to have those sacrifices attributed to weakness, which have been solely dictated by its sincere love of peace.

In this state of things the undersigned has orders to claim from the Conference at London, in as short a term as the matter will allow, the signing of the Treaty of Separation of Holland from Belgium, on the basis of the Netherland notes of the 30th of June and 25th of July, and of those modifications in the wording, to which the undersigned is authorized to agree, and to declare at the same time, in the name of his august Sovereign, that His Majesty, not possessing alone the means of maintaining European and publick law, has been obliged to submit to the dictates of necessity by multiplying his offers, but that the measure of concession is henceforward full, and that the King will never compromise, either the territorial rights and sovereignty of Holland, or the vital principles of the existence of its inhabitants.

Political storms have passed over the head of His Majesty, as they have done over those of his august forefathers. Holland, under their auspices, has passed through centuries of crises, of trials, and of glory; and its experience, dearly purchased, proves that a nation triumphs even over the greatest misfortunes as long as it is not wanting to itself.

The King will take care that the fruits of this experience be not lost; and while he confidently awaits the result of the deliberations of the Conference at London, according to the degree of maturity at which the negotiation

between it and Netherland Government has arrived, His Majesty disclaims all responsibility as to the complications which fresh delays may occasion, and proclaims loudly that he will never sacrifice to the revolutionary phantom the vital interests and rights of Holland; that the free people over whose destinies he is called to preside, confiding in Providence, will be able to resist all that the enemies of publick order and of the independence of nations may desire to prescribe to it; and that, if at the last extremity a cruel destiny should deceive his religious expectation, that fatal issue would, at the same time, drag the European system and the repose of the world in its train.

The undersigned avails himself of this opportunity to reiterate to their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, the assurances of his distinguished consideration.

H. DE ZUYLEN DE NYEVELT.

Annex B. to Protocol No. 69.

Statement made by the British Plenipotentiary to the Conference, dated September 24, 1832.

[See Original Protocols, page 242.]

(Inclosure.)

DRAFT OF TREATY.*

ARTICLE I.

THE Belgian territory shall be composed of the provinces of

South Brabant,
Liege,
Namur,
Hainault.
West Flanders,
East Flanders,
Antwerp, and
Limbourg ;

such as they formed part of the United Kingdom of the Netherlands constituted in 1815, with the exception of those districts of the province of Limbourg which are designated in Article IV.

The Belgian territory shall, moreover, comprize that part of the Grand Duchy of Luxembourg which is specified in Article II.

ARTICLE II.

In the Grand Duchy of Luxembourg, the limits of the Belgian territory shall be such as will be hereinafter described, viz. :

Commencing from the frontier of France between Rodange, which shall remain to the Grand Duchy of Luxembourg, and Athus, which shall belong

* The altered Passages are printed in Italics.

to Belgium, there shall be drawn, according to the annexed map, a line which, leaving to Belgium the road from Arlon to Longwy, the town of Arlon with its district, and the road from Arlon to Bastogne, shall pass between Mesancy, which shall be on the Belgian territory, and Clémancy, which shall remain to the Grand Duchy of Luxembourg, terminating at Steinfort, which place shall also remain to the Grand Duchy. From Steinfort this line shall be continued in the direction of Eischen, Heebus, Guirsch, Oberpalen, Grende, Nothomb, Parette, and Perlé, as far as Martelange: Heebus, Guirsch, Grende, Nothomb, and Parette, being to belong to Belgium, and Eischen, Oberpalen, Perlé, and Martelange, to the Grand Duchy. From Martelange the said line shall follow the course of the Sure, the water way (*thalweg*) of which river shall serve as the limit between the two States, as far as opposite to Tintange, from whence it shall be continued, as directly as possible, towards the present frontier of the *Arrondissement* of Dierkirch and shall pass between Surreet, Harlange, and Tarchamps, which places shall be left to the Grand Duchy of Luxembourg, and Honville, Livarchamps, and Loutremange, which places shall form part of the Belgian territory. Then having, in the vicinity of Doncols and Soulez, which shall remain to the Grand Duchy, reached the present boundary of the *Arrondissement* of Dierkirch, the line in question shall follow the said boundary to the frontier of the Prussian territory. All the territories, towns, fortresses, and places situated to the west of this line, shall belong to Belgium; and all the territories, towns, fortresses, and places situated to the east of the said line, shall continue to belong to the Grand Duchy of Luxembourg.

It is understood, that in marking out this line, and in conforming as closely as possible to the description of it given above, as well as to the delineation of it on the map, which, for the sake of greater clearness, is annexed to the present Article, the Commissioners of Demarcation, mentioned in Article V, shall pay due attention to the localities, as well as to the mutual necessity for accommodation which may result therefrom.

ARTICLE III.

In return for the cessions made in the preceding Article, there shall be assigned to His Majesty the King of the Netherlands, Grand Duke of Luxembourg, a territorial indemnity in the province of Limbourg.

ARTICLE IV.

In execution of that part of Article I, which relates to the province of Limbourg, and in consequence of the cessions specified in Article II, there shall be assigned to His Majesty the King of the Netherlands, either to be held by him in his character of Grand Duke of Luxembourg, or for the purpose of being united to Holland, those territories, the limits of which are hereinafter described.

1°. On the right bank of the Meuse: to the old Dutch *enclaves* upon the said bank in the province of Limbourg, shall be united those districts of the said province upon the same bank, which did not belong to the States General in 1790; in such wise that the whole of that part of the present province of Limbourg, situated upon the right bank of the Meuse, and comprised between that river on the west, the frontier of the Prussian territory on the east, the present frontier of the province of Liege on the south, and Dutch Guelderland on the north, shall henceforth belong to His Majesty the King of the Netherlands, either to be held by him in his character of Grand Duke of Luxembourg, or in order to be united to Holland.

2°. On the left bank of the Meuse: commencing from the southernmost point of the Dutch province of North Brabant, there shall be drawn, accord-

ing to the annexed map, a line which shall terminate on the Meuse below Wessem, between that place and Stevenswaardt, at the point where the frontiers of the present *Arrondissement* of Buremond and Maestricht meet, on the left bank of the Meuse; in such manner that Bergerot, Stamproy, Neer-Itteren, Ittervoord, and Thorne, with their districts, as well as all the other places situated to the north of this line, shall form part of the Dutch territory.

The old Dutch *enclaves* in the province of Limbourg, upon the left bank of the Meuse, shall belong to Belgium, with the exception of the town of Maestricht, which, together with a radius of territory, extending twelve hundred *toises* from the outer glacis of the fortress on the said bank of this river, shall continue to be possessed in full sovereignty and property by His Majesty the King of the Netherlands.

ARTICLE V.

It shall be reserved to His Majesty the King of the Netherlands, Grand Duke of Luxembourg, to come to an agreement with the Germanick Confederation, and with the Agnates of the House of Nassau, as to the application of the stipulations contained in Articles III and IV, as well as upon all the arrangements which the said Articles may render necessary, either with the above-mentioned Agnates of the House of Nassau, or with the Germanick Confederation.

ARTICLE VI.

In consideration of the territorial arrangements above stated, each of the two parties renounces reciprocally, and for ever, all pretension to the territories, towns, fortresses, and places situated within the limits of the possessions of the other party, such as those limits are described in Articles I, II, and IV.

The said limits shall be marked out in conformity with those Articles, by Belgian and Dutch Commissioners of demarcation, who shall meet as soon as possible in the town of Maestricht.

ARTICLE VII.

Belgium, within the limits specified in Articles I, II, and IV, shall form an independent and perpetually neutral State. It shall be bound to observe such neutrality towards all other States.

ARTICLE VIII.

Holland will regulate, in the most suitable manner, the drainage of the waters of the two Flanders, so as to prevent inundations as much as possible. It consents, in that view, that use may be made, upon reasonable terms, of a sufficient portion of its territory. The sluices which are to be constructed to that effect in the Netherlands territory are to remain under its sovereignty; and they are to be constructed at no point of its territory which may be prejudicial to the defence of its frontiers.

Within the term of a month after the exchange of the ratifications of the present Treaty, Commissioners are to be appointed on both sides, who will be charged to determine on the spots most appropriate for the above sluices. They will agree together on those which are to be subject to a common superintendance.

ARTICLE IX.

§ 1. The clauses of the Articles 108—117 inclusive, of the General Act of the Congress at Vienna, relative to the free navigation of the navigable rivers

and streams, are to be applied to the navigable rivers and streams which separate the Belgian territory and the Dutch territory, or which traverse them both.

§ 2. *In what specially concerns the Scheldt, the navigation of that river, in all its course, as well in its eastern as in its western branch, is to remain free to the trade and vessels of every nation; and His Majesty the King of the Netherlands promises to exact from any vessels, whether they ascend or descend that river, either in going from the open sea to Belgium, or in going from Belgium to the open sea, under whatever flag they may be, only a tonnage duty, calculated on the measurement of the said ships, without their ever being, whether in ascending or in descending, either on account of this duty, or under any pretext, subjected to any search, or any examination of their cargo*

§ 3. *This duty, which is never in any case to exceed a florin per ton, the ascent and descent included, is to be provisionally fixed at 60 cents per ton for the ships which, from the open sea, ascending the Scheldt, proceed to Belgium by Bathz; and at 40 cents for those which descend the Scheldt, proceeding from Belgium by Bathz to the open sea.*

With respect to the vessels proceeding from the open sea, or from Belgium by the Scheldt to the Canal of Terneuse, or, vice versâ, from the Canal of Terneuse into Belgium, or into the open sea, they are to be subjected only to one half of the duties fixed above for the ascent and the descent.

This tonnage duty shall be annually paid by His Majesty the King of the Belgians to His Majesty the King of the Netherlands, by means of a sum of 150,000 florins, which will serve as a receipt for every ship indiscriminately; and His Majesty the King of the Belgians shall besides have the faculty of liberating himself for ever from this payment by means of a capitalization.

§ 4. *The Government of the Netherlands promises to fix the pilot duties for the mouths of the Scheldt from the open sea to Flushing, and from Flushing to Bathz, and vice-versâ, according to the tariff existing in 1820, for the mouths of the Meuse, from the open sea to Helvoetsluys, and from Helvoet to Rotterdam, in proportion to the distance.*

These duties are to be the same for ships of every nation. The said Government also promises to place buoys on its coasts at the mouths of the Scheldt, and to insure the conservation of the navigable channels of that river to the extremity of its territory.

The Belgian Government enters into a similar engagement for that portion of the Scheldt which traverses Belgium.

On each side the rate of pilot duties on the Scheldt shall be published immediately after the ratification of the present Treaty.

It will always be allowed to every ship ascending or descending the Scheldt to take what pilot she chooses; and it will be optional, on that account, for each country to establish throughout the whole course of the Scheldt, and on the coasts of the two Countries, between Ostend and the Isle of Schonen, the pilot services it may judge necessary for furnishing pilots.

§ 5. *Each of the two Governments is to appoint, the one at Flushing, the other at Antwerp, Functionaries or Commissioners, ad hoc, who are to be charged to concert all the measures required for the conservation of the channels of the Scheldt, and the placing as well as the keeping up of the buoys which are to indicate them.*

These measures are to be immediately put in execution, should there be occasion, by the Netherlands or Belgian Functionaries or Commissioners, for the parts of the territory which concern them respectively.

§ 6. *It is agreed that the navigation of the intermediate channels between the Scheldt and the Rhine, in order to proceed from Antwerp to the Rhine, and vice-versâ, is to remain free to the Belgian trade; and that it shall be only liable to tolls, which are never to exceed those established for the navigation of the Rhine, the proportion of the distances considered. It is moreover agreed that the Belgians are always to be admitted to the navigation of the said channels on the footing of the most favoured nation.*

§ 7. Commissioners from each side are to meet at Antwerp within a month, for the purpose of agreeing on a general regulation to complete all that relates to the application of the Articles 108 to 117 of the General Act of the Congress of Vienna, to the navigation of the Meuse, and to include in that regulation the exercise of the right of fishing, and of the fishing trade, throughout the extent of the Scheldt, on the footing of a perfect reciprocity in behalf of the subjects of both Countries.

In the meantime, and until the said regulation be determined upon, the navigation of the Meuse and of its branches, remaining free to the trade of both Countries, shall be subjected to the dispositions of the Convention signed at Mayence on the 31st of March 1831, for the navigation of the Rhine, so far as the above dispositions can be applied to the said river.

ARTICLE X.

The use of the canals which traverse both Countries shall continue to be free and common to their inhabitants. It is understood that they shall reciprocally enjoy them on the same terms, and that on each side only moderate duties shall be imposed on the navigation of the said canals.

ARTICLE XI.

The commercial communications between Belgium and Germany by Limbourg shall remain entirely free, and are to be impeded on no pretence.

The use of the roads which, crossing the towns of Maestricht, of Sittardt, and of Venloo, lead to the frontiers of Germany, shall be subject only to the payment of moderate turnpike tolls for the repair of the said roads, so that the transit commerce may not experience any obstacle thereby, and that by means of the above-mentioned tolls these roads may be kept in good repair, and fit to afford facilities to that commerce.

ARTICLE XII.

§ 1. From and after the 1st of July 1832, Belgium, with reference to the division of the publick debt of the United Kingdom of the Netherlands, shall remain charged with the sum of 8,400,000 Netherland florins of annual interest, the capital of which shall be transferred from the debit of the Great Book at Amsterdam, or from the debit of the general treasury of the United Kingdom of the Netherlands, to the debit of the Great Book of Belgium.

§ 2. The capitals transferred, and the annuities inscribed upon the debit of the Great Book of Belgium, in consequence of the preceding paragraph, to the amount of the total sum of 8,400,000 Netherland florins of annual interest, shall be considered as forming part of the Belgick National Debt; and Belgium engages not to admit, either at present or in future, any distinction between this portion of her publick debt arising from her union with Holland, and any other Belgick national debt already created, or which may be created hereafter.

§ 3. The payment of the above-mentioned sum of 8,400,000 Netherland florins of annual interest, shall take place regularly every six months, either at Brussels or at Antwerp, in ready money, without deduction of any kind whatsoever, either at present or in future.

§ 4. In consideration of the creation of the said sum of 8,400,000 florins of annual interest, Belgium shall be released from all obligation towards Holland, on account of the division of the publick debt of the United Kingdom of the Netherlands.

§ 5. Commissioners to be named on both sides, shall meet within the space of fifteen days in the town of Utrecht, in order to proceed to a settlement of the accounts of the fund of the Syndicat d'amortissement and of the Bank

of Brussels, charged with the service of the general treasury of the United Kingdom of the Netherlands. No additional charge shall result to Belgium from this settlement; the sum of 8,400,000 florins of annuities comprehending the whole of the charge which she is to take upon herself. But if it should appear from such settlement, that there is a balance to be received, Belgium and Holland shall share the same in the proportion of the taxes paid by each of the two countries during their union, according to the budgets voted by the States General of the United Kingdom of the Netherlands.

§ 6. In the settlement of the Syndicat d'amortissement shall be comprised the credits secured on the publick lands, called *Domein los renten*. These are alluded to in the present Article only for the purpose of record.

§ 7. The Dutch and Belgian Commissioners mentioned in § 3 of the present Article, and who are to meet in the town of Utrecht, shall, in addition to the settlement with which they are charged, proceed to the transfer of the capitals and annual interest which, upon the division of the publick debt of the United Kingdom of the Netherlands, are to fall to the charge of Belgium, up to the amount of 8,400,000 florins of annual interest.

They shall also proceed to deliver up the archives, maps, plans, and other documents whatsoever which belong to Belgium, or which relate to her administration.

ARTICLE XIII.

Holland having made exclusively, from the 1st of November 1830, all the advances necessary for the service of the whole of the publick debts of the Kingdom of the Netherlands, it is agreed that the said advances, calculated from the 1st of November 1830, to the 1st of July 1832, for 20 months, in the proportion of 8,400,000 florins of the Netherlands of annual interest, with which Belgium remains charged, are to be paid to the Dutch treasury by the Belgian treasury, and that this payment is to take place when the settlement of the Syndicat d'amortissement shall be completed, and, at the same time, that Belgium will receive its share of the assets, which may result from that settlement.

ARTICLE XIV.

The port of Antwerp, in conformity with the stipulations of the 15th Article of the Treaty of Paris, of the 30th of May 1814, shall continue to be solely a port of commerce.

ARTICLE XV.

Works of publick or private utility, such as canals, roads, or others of a similar nature, constructed wholly or in part at the expence of the United Kingdom of the Netherlands, shall belong, together with the advantages and charges thereunto attached, to the country in which they are situated.

It is understood that the capitals borrowed for the construction of these works, and specifically charged thereupon, shall be comprised in the aforesaid charges, in so far as they may not yet have been repaid, and without giving rise to any claim on account of re-payments already made.

ARTICLE XVI.

The sequestrations which may have been imposed in Belgium, during the troubles, for political causes, on any property or hereditary estates whatsoever, shall be taken off without delay, and the enjoyment of the property and estates above-mentioned shall be immediately restored to the lawful owners thereof.

ARTICLE XVII.

In the two countries of which the separation takes place in consequence of the present Articles, inhabitants and proprietors, if they wish to transfer their residence from one country to the other, shall, during two years, be at liberty to dispose of their property, moveable or immoveable, of whatever nature the same may be, to sell it, and to carry away the produce of the sale, either in money or any other shape, without hindrance, and without the payment of any duties other than those which are now in force in the two countries upon changes and transfers.

It is understood that the collection of the *droit d'aubaine et de détraction* upon the persons and property of Dutch in Belgium, and of Belgians in Holland, is abandoned, both now and for the future

ARTICLE XVIII.

The character of a subject of the two Governments, with regard to property, shall be acknowledged and maintained.

ARTICLE XIX.

The stipulations of Articles from 11 to 21, inclusive, of the Treaty concluded between Austria and Russia, on the 3d May 1815, which forms an integral part of the general Act of the Congress of Vienna, stipulations relative to persons who possess property in both countries, to the election of residence which they are required to make, to the rights which they shall exercise as subjects of either State, and to the relations of neighbourhood in properties cut by the frontiers, shall be applied to such proprietors, as well as to such properties, in Holland, in the Grand Duchy of Luxembourg, or in Belgium, as shall be found to come within the cases provided for by the aforesaid stipulations of the Acts of the Congress of Vienna. The *droits d'aubaine et de détraction*, being henceforth abolished, as between Holland, the Grand Duchy of Luxembourg, and Belgium, it is understood that such of the above-mentioned stipulations as may relate to those duties, shall be considered null and void in the three countries.

ARTICLE XX.

No person in the territories which change domination, shall be molested or disturbed in any manner whatever, on account of any part which he may have taken, directly or indirectly, in political events.

ARTICLE XXI.

The pensions and allowances of expectants, of persons unemployed or retired, shall in future be paid, on either side, to all those individuals entitled thereto, both civil and military, conformably to the laws in force previous to the 1st November 1830.

It is agreed that the above mentioned pensions and allowances to persons born in the territories which now constitute Belgium, shall remain at the charge of the Belgian treasury; and the pensions and allowances of persons born in the territories which now constitute Holland, shall be at the charge of the Dutch treasury.

ARTICLE XXII.

All claims of Belgian subjects upon any private establishments, such as the widows' fund, and the fund known under the denomination of the *fonds des leges*, and of the chest of civil and military retired allowances, shall be examined by the Mixed Commission of Liquidation mentioned in Article XII, and shall be determined according to the tenour of the regulations by which these funds or chests are governed.

The securities furnished, as well as the payments made, by Belgian accountants, the judicial deposits and consignments, shall equally be restored to the parties entitled thereto, on the presentation of their proofs.

If, under the head of what are called the French liquidations, any Belgian subjects should still be able to bring forward claims to be inscribed, such claims shall also be examined and settled by the said Commission.

ARTICLE XXIII.

Immediately after the exchange of the ratifications of the *present* Treaty, the necessary orders shall be transmitted to the Commanders of the respective troops, for the evacuation of the territories, towns, fortresses, and places which change domination. The civil authorities thereof shall also, at the same time, receive the necessary orders for delivering over the said territories, towns, fortresses, and places, to the Commissioners who shall be appointed by both parties for this purpose.

This evacuation and delivery shall be effected so as to be completed in the space of fifteen days, or sooner if possible.

ARTICLE XXIV.

In consequence of the stipulations of the present Treaty, there shall be peace and friendship *between his Majesty the King of the Netherlands on the one hand*, and His Majesty the King of the Belgians on the other hand, their heirs and successors, their States and respective subjects, for ever.

ARTICLE XXV.

The present Treaty is to be ratified, and the ratifications exchanged in London, *within the space of one month*, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at London————— in the year of our Lord 1832..

Annex C. to Protocol No. 69.

Memorandum of September 24, 1832.

THE last communication made by the Conference to the Netherland Plenipotentiary is dated the 10th of July. The Conference once more anticipated in it the wishes of the Netherland Government, by modifying, as

much as it was possible for them to do, their propositions of the 11th of June. But they were at the same time obliged to declare :

“That at the end of twenty months of negotiation, the propositions which they then renewed, were the last that could emanate from their hands; and that they, therefore, required an answer, the importance and necessity of which would be the more felt by His Netherland Majesty, as “on it depended the future.”

These propositions have been rejected by the Cabinet of the Hague. By its note of the 25th of July, that Cabinet persists in demanding the simple and unconditional adoption of the project which it had presented on the 30th of June, which had already been decided to be inadmissible by the note of the Conference of the 10th of July, relying principally on the inconvenience and delay which further negotiation might produce; and it insists on a definitive settlement of the points, the adjournment of which had been proposed.

The Conference was determined not to continue officially a dispute which the Cabinet of the Hague appeared to endeavour to make endless.

Nevertheless, the unceasing desire of arriving by conciliatory means at the conclusion of a difference which interests all Europe to so great a degree, had induced the Members of the Conference to endeavour, in private conversations, to bring the two parties to an understanding. The attempt presented difficulties. Belgium, armed with the Treaty concluded with her, demanded its execution; no new negotiation would be listened to until after the evacuation of the citadel of Antwerp. On his side, the King of the Netherlands would not travel out of the circle within which he had intrenched himself. Nevertheless, as his Plenipotentiary had announced, that he had received fresh powers, and as he manifested an inclination to facilitate the settlement of the points, which the Conference could not help considering as requiring alteration; the Conference flattered itself that it had arrived at the point at which only minor difficulties, and difficulties of composition, remained to be overcome. In order to remove them definitively, the direct concurrence of the Belgian Plenipotentiaries became indispensable. The necessity of this was represented to the Belgian Government; and in order to convince it of the favourable chances which the negotiation then offered, the modifications to which the Plenipotentiary of the Netherlands had already yielded, or was ready to yield, were confidentially made known to it. Still that representation had not the desired effect. The Belgian Government declined to declare itself respecting those modifications, alleging that the rejection of the 67th Protocol, by the Cabinet of the Hague, disclosed views on the part of that Cabinet, which rendered all negotiation with Belgium impossible.

In the mean time, the two Governments, both the Dutch and the Belgian, gave daily a display and an activity to their armaments which threatened a speedy explosion.

The newspapers of both countries seized upon questions on which rival interests were opposed; and, in discussing them, disclosed such intentions on the part of the Cabinet of the Hague, with respect to the navigation of the Scheldt, that one can hardly be surprised that remonstrance should have been made in Belgium against the execution of such intentions, and especially against the provisional application of the Tarif of Mayence to the Scheldt. That stipulation being nevertheless inserted in the 9th Article of the Treaty of November 15, it must have been submitted to by Belgium, if the King of the Netherlands had accepted that Treaty. By constantly rejecting it, and by insisting on modifications of the Treaty, especially of Article 9, His Netherland Majesty had himself given an opening to the Belgian Government to insist, on their part, upon the alteration of a stipulation of that same Article, which was considered injurious to the interests of Belgium. Whilst, therefore, in this state of things it was demanded that the navigation of the Scheldt should be free, without being subject to any duties whatever, a totally different doctrine was maintained in Holland.

It was under these circumstances that the British Plenipotentiary, in order to ascertain the real intentions of the Cabinet of the Hague, and to enable him to combat with success the doubts or the pretensions of the Belgian Government

being moreover naturally the mediator between the two parties, after several separate conversations, first with the Plenipotentiaries of Holland and Belgium, then with the members of the Conference itself, framed from his own ideas, and presented confidentially to the Baron de Zuylen, a new statement respecting those disputed points upon which the two parties seemed least likely to come to an understanding.

Lord Palmerston evidently acted with the view of meeting as much as possible, as to the form and the substance, the wishes declared upon that subject by the Netherland Government. What he now proposed differed essentially from the 24 Articles; and being intended to be signed by Holland and Belgium only, after having been settled between Holland and the five Powers, ought, with regard to the form, completely to have satisfied His Netherland Majesty.

If the British Plenipotentiary entered into various details, which the Conference, in order to facilitate the settlement, had thought right to refer to a direct negotiation between the parties interested, it was because the Cabinet of the Hague, in its note of the 30th of June, formally opposed such a delay in the consideration of the objects pointed out in Articles IX and XII, and because in fact the last measures had clearly shown the necessity of entering into the details of the application of the general principles laid down in Article IX, in order to prevent the most serious complications in the execution even of the Treaty to be concluded between Holland and Belgium.

It has appeared a good omen to the Conference, that in this proposition almost all the points mentioned in the note of the Dutch Plenipotentiaries of December 14, as having prevented their Sovereign from accepting the 24 Articles, and which points, in the opinion of some of the Courts, rendered some alterations desirable, have been set aside or amended in such a manner as no longer to form grounds of objection.

In fact, the joint superintendence of the channels of the Scheldt is no longer stipulated; a common consent for fixing the pilotage dues is not required; the assimilation of Belgians to the Dutch, with regard to the navigation of the intermediate channels between the Scheldt and the Rhine, is no longer demanded; and there remains to the Dutch Government every power of favouring Dutch subjects in that navigation. Finally, the compulsion to construct a new road, or to cut a new canal, through the canton of Sittard, determined in Article 12 of the Treaty of November 15, is suppressed. The stipulation relative to the optional capitalisation of the debt of 8,400,000 florins, with which Belgium is charged, is to find a place in the Treaty between the five Powers and the King of the Netherlands.

It appeared impossible that all these modifications should meet with difficulties on the part of the Belgian Government; but it was otherwise with respect to the proposal to substitute the payment of a florin a ton for all the vessels coming from the sea to the port of Antwerp. That proposal appeared hard to the Belgians, who claimed the free navigation of the Scheldt, in the full sense of the term, upon the grounds of the arrangements of Articles 108—117 of the Act of the Congress of Vienna.

Holland, on her side, was desirous of maintaining the provisional application of the Tariff of Mayence; supporting herself by the argument that she had made no difficulties in adhering to the passage relative to it, contained in the 9th Article of the Treaty of November 15.

The difficulty did not fail to present itself. It exists, and means must be found of bringing the two parties to terms upon that question.

Upon that subject an important step has been taken. The Belgian Government having been confidentially informed of the project of Treaty by Lord Palmerston, has thought right no longer to refuse to furnish M. Van de Weyer with the full powers necessary to conclude and sign a definitive Treaty between Belgium and Holland. That Plenipotentiary has just officially announced it.

Whilst this very decisive step was taking place on the part of the Belgian Government, that of the Netherlands, without entering into any discussion of the confidential statements which had been transmitted to it on

the part of the British Plenipotentiary,—without even mentioning them, addressed to the Conference, without any provocation on its part, a fresh note, more bitter than any of its preceding ones,—more foreign than any other to the true spirit of conciliation, and which haughtily demands, without delay, the immediate signature of the Treaty which it proposed to the Conference in its note of the 30th of June, and renewed in that of the 25th of July.

The first effect of that note, which has all the appearance of a manifesto against the Conference, led it to the belief that all measures of conciliation were exhausted,—that there were no longer any means of reconciling the parties, and that its own deliberations must now take another line, and must bear upon another object.

Nevertheless, being ever actuated by the unanimous desire of interposing in so violent a struggle, in order to avert its danger, it has resolved again to make another attempt through the Baron de Zuylen, with the view of assuring itself whether, notwithstanding the unbecoming silence of his Cabinet upon the confidential propositions which he himself transmitted to it, he had not received sufficient instructions and powers to discuss, with the Belgian Plenipotentiary, under the auspices of the Conference, the proposed project, so as to extract from it a definitive arrangement.

In putting this first question to him, it seems indispensable that the Conference should remind M. de Zuylen, that the Treaty of November 15, in the opinion of the five Powers, bestows upon Belgium a positive right, subject only, with reference to some of those Powers, to the effect of the reserves which accompanied their ratifications, which reserves would have their full weight allowed them in the draft to be prepared.

If then M. de Zuylen has sufficient powers to negotiate and conclude on terms similar or analogous to those which he has communicated to his Court, and which Belgium seems disposed to admit, it will still be possible to hope for the settlement of this important matter.

But if M. de Zuylen declares himself to be without sufficient powers, or if, pretending to have them, he still proposes a reference to his Court, or even if he only makes use of them to propose things inadmissible for Belgium, all hope of conciliation seems to become for the present illusory, and it would only remain for the Conference to consider the Belgian question in that point of view, and to concert together upon the future course to be adopted.

Annex D. to Protocol No. 69.

Questions addressed to the Netherland Plenipotentiary in the Conference of 25th of September 1832.

Answers of the Plenipotentiary of His Majesty the King of the Netherlands, read and communicated in Conference, September 26, 1832.

1. Is the Netherland Plenipotentiary furnished with the necessary full powers and instructions to negotiate and sign with the Belgian Plenipotentiary, under the auspices of the Conference, a definitive Treaty between Holland and Belgium?

1. The Plenipotentiary of His Majesty the King of the Netherlands is furnished with the necessary full powers and instructions to sign with a Belgian Plenipotentiary a Treaty of Separation, negotiated and concluded through the mediation of the Courts of Austria, France, Great Britain, Prussia, and Russia.

Annex D. to Protocol No. 69.

Substance of the Explanations given verbally by the Netherland Plenipotentiary in the Conference of September 26, 1832.

Observations made by the Conference upon the Answers given by the Netherland Plenipotentiary to the Questions addressed to him on the 25th of September 1832.

1. The Netherland Plenipotentiary is only authorised to sign with the Belgian Plenipotentiary a Treaty which he shall first have concluded with the five Courts, and he has no full powers to negotiate directly with the Belgian Plenipotentiary under the auspices of the Conference.

1. The Conference asked the Netherland Plenipotentiaries, in their note of the 4th of May, annexed to Protocol No. 59, "whether they had received from the King, their august Master, the necessary powers and instructions to negotiate and sign, under the auspices of the Conference of London, a definitive Treaty between Holland and Belgium."

That question was repeated by the Conference in their note to the said Plenipotentiaries of June 11. The Conference added; "that the means of reconciling the views of the two Countries upon the points which the Protocol No. 59 had pointed out as susceptible of further negotiations, could henceforward only be found in a definitive arrangement by mutual consent between Holland and Belgium, and that consequently an authority to the Netherland Plenipotentiaries to negotiate that arrangement, was indispensable."

The Cabinet of the Hague has never given an official answer to those questions.

Questions addressed to the Netherland Plenipotentiary in the Conference of 25th of September 1831.

Answers of the Plenipotentiary of His Majesty the King of the Netherlands, read and communicated in Conference, September 26, 1832.

2. Is the Netherland Plenipotentiary ready to sign, with the five Powers and with Belgium, a Treaty containing the 24 Articles of the 14th of October 1831 ?

2. The Cabinet of the Hague having on the 14th of December 1831, frankly and explicitly made known the objections which the complete adoption of the 24 Articles of the 14th of October presented to their view, and the Conference having in its answer of the 4th January 1832, done justice to some of those objections, they were put aside by mutual consent, as not being capable of a literal adoption. The further course of the negotiations having more and more narrowed the circle of difficulties, and the Cabinet of the Hague having, by its official propositions of the 30th June and the 25th July last, fulfilled the conditions which the Conference, by its Protocol No. 59, and by its Note of the 10th July, had declared invariable or equivalent thereto, the said Plenipotentiary does not feel himself authorised to sign with the said five Powers and with Belgium a Treaty purely and simply containing the 24 Articles of the 14th October.

3. Is the Netherland Plenipotentiary authorised to adopt the territorial arrangements, such as they are marked out in the 24 Articles of the 14th of October ?

3. The said Plenipotentiary, on transmitting to the Conference the Project of Treaty of the 30th June, proved himself by it to be authorised to adopt the territorial arrangements desired by the Conference, supposing that the faculty left to the King Grand Duke, with reference to Limbourg, within its new limits, should lead positively to the annexation of that province to Holland.

4. In the Treaty which the Netherland Plenipotentiary is ready to sign with Belgium, would he admit the principle that the navigation of the Scheldt shall be free to the ships of all nations, and that those ships shall not be subject to any delay, to any visit or examination of cargo, but merely, without distinction of flag, to a moderate tonnage duty ?

4. A provisional measure, as to the navigation of the Scheldt, having been proposed by the said five Courts in the last paragraph of the 9th Article of the 24, the Cabinet of the Hague has acquiesced in it; and that provisional measure not having been made since the object of any official controversy, the Netherland Plenipotentiary finds himself authorised only to reproduce the same stipulation as he had the honour of transmitting in his project of Treaty of the 30th of June—a stipulation, besides, superabundantly confirmed in the note of the Conference of the 10th of July last.

Substance of the Explanations given verbally by the Netherland Plenipotentiary in the Conference of September 26, 1832.

Observations made by the Conference upon the Answers given by the Netherland Plenipotentiary to the Questions addressed to him on the 25th of September 1832.

2. The Cabinet of the Hague refuses to sign a Treaty containing purely and simply the 24 Articles of October 14.

2. The Conference thought right to address to the Netherland Plenipotentiary the question, whether he was authorised to sign a Treaty which should contain the 24 Articles, not because they had forgotten that His Netherland Majesty had refused the adoption of them to this present time, but because they thought it possible that mature consideration might have brought the Cabinet of the Hague to consider those Articles in a more favourable point of view, and might therefore have disposed it to accept now, what formerly it had rejected.

3. The Cabinet of the Hague is only ready to adopt the territorial arrangements recorded in the 24 Articles, with the reservation of a guarantee with respect to the union to Holland of the indemnity given in Limburg for the cessions made in Luxemburg.

3. In his note of the 25th of July, the Netherland Plenipotentiary truly observed, that a cession in Luxemburg, without the consent of the Germanick Confederation, and of the Agnates of the House of Nassau, *must by its nature be null*. But since the territorial arrangements rest chiefly on the cession mentioned in Luxemburg, it follows that the execution of them depends equally upon the assent of the Germanick Confederation and of the Agnates; and it is with the intention of securing that assent so important and so indispensable, that the Conference took care to offer to the Grand Duke and to his Agnates a territorial indemnity. To pass over this in silence, would be to allow the most powerful means of obtaining that so much desired consent to be lost, and to expose the Conference to the just reproach of having neglected the rights of third parties, and to have failed in the attention due to the Germanick Confederation. To endeavour to go further, and to demand from the Conference a formal guarantee with respect to the union of the indemnity given in Limburg to Holland, would be to endeavour to impose upon the five Powers an obligation which, without being at all necessary for the object, is beyond their engagements.

4. The Netherland Plenipotentiary is not authorised to assent to a definitive arrangement with regard to the navigation of the Scheldt, nor even to admit the principle of such an arrangement; and as to the provisional arrangement, his instructions allow him only to adopt the application of the Tariff of Mayence.

4. The Netherland Plenipotentiary, in demanding the provisional adaptation of the Tariff of Mayence to the Scheldt, as resulting from the last paragraph of the 9th of the 24 Articles, has evidently forgotten that his Court has not only rejected the 24 Articles as a whole, but has protested specially against that very 9th Article, of which he now requires the partial application in his favour.

The Tariff of Mayence, appealed to by the Netherland Plenipotentiary, as it only exhibits figures, can merely offer a reply to the question relative to the levying a duty on tonnage, but not to others, which are essentially connected with it, such as those on the freedom of the navigation of the Scheldt for vessels of all nations, and on their exemption from all visit, search, and examination of cargo.

Questions addressed to the Netherland Plenipotentiary in the Conference of 25th of September 1831.

5. Will the Netherland Plenipotentiary be ready to secure to the Belgians in the said Treaty, the navigation of the intermediate channels between the Scheldt and the Rhine, at a rate which should not exceed that of the tariff, fixed by consent of the States bordering that river, for the navigation of the Rhine, proportion of distances being observed.

6. Will the Dutch Plenipotentiary adopt the arrangement of the 11th Article of the 24 Articles of the 14th of October?

7. If the 12th Article of the 24 Articles should be suppressed, in the Treaty between Holland and Belgium, what would be the compensation which the Dutch Government would offer in return to Belgium?

Answers of the Plenipotentiary of His Majesty the King of the Netherlands, read and communicated in Conference, September 26, 1832.

5. The Plenipotentiary of His Majesty is ready, in conformity with his supplementary note of the 25th July last, and with the explanations to which the diplomatick explanations have subsequently given rise, to secure to the Belgians the passage of the internal waters,

First. Immediately after the exchange of the ratifications.

Secondly. On the footing of the most favoured nation.

Thirdly. According to the existing Tariffs.

Observing, however, that from the month of February, 1831, and on the occasion of the adhesion of the King to the *bases of separation*, the Cabinet of the Hague, anxious to avoid all misunderstanding with regard to the rivers and internal waters, and finding some ambiguity in the framing of the 3d Article of *these bases*, would not consent to their adoption without the qualifying declaration given by Lord Palmerston, in the name of the Conference, destined to prevent all assimilation of the Meuse and the Scheldt with the internal waters, which internal waters, forming a territory exclusively Dutch, remain subject to the legislation of the country to which they exclusively belong.

6. The Conference, in its note of the 10th of July last, having reminded the Cabinet of the Hague, "that anterior memoranda on its part were "far from refusing commercial communications, the "nature and establishment of which should form "the subject of amicable arrangement," the said Cabinet testified an anxiety, conformably to its note of the 14th of December 1831, to which the Conference alluded, to propose the following Article for the regulation of the communications through Limburg:—"There shall be assured to Belgium all "the facilities desirable for establishing her commercial communications with Germany through "Limburg, especially by the towns of Maestricht "and of Sittard, excepting in cases in which important objections arise. The tolls on the "roads which, passing through these two towns, "lead to the frontier of Germany, and which roads "shall be kept in good repair, shall be levied according to a moderate rate only."

7. The undersigned Plenipotentiary has no instructions upon the question; he is ready to apply for them.

Substance of the Explanations given verbally by the Netherland Plenipotentiary in the Conference of September 26, 1832.

Observations made by the Conference upon the Answers given by the Netherland Plenipotentiary to the Questions addressed to him on the 25th of September 1832.

5. The Netherland Government will only allow to the Belgians the navigation of the intermediate channels between the Scheldt and the Rhine, on payment of duties, which it reserves to itself to alter according to circumstances.

5. When in his note of the 25th of July, the Netherland Plenipotentiary had proposed an Article relative to the navigation of the intermediate channels, drawn up in the sense of the declaration which he has just made, it was observed to him that the promise of putting the Belgians on the footing of the most favoured nation had no value, since by his own avowal, with regard to the intermediate channels, there did not yet exist such a nation in Holland. It was also observed to him that the offer of treating the Belgians according to existing Tariffs, would be hardly less illusory, if the promise of not changing them so as to affect one party only, was not added.

The Netherland Plenipotentiary took no notice of these observations, and entrenched himself, on the contrary, in the vicious circle of objections with respect to the river-stipulations of the Treaty of Vienna, setting entirely aside the reservations which the States bordering on the Rhine made at Mayence to secure to themselves, upon the grounds of those stipulations, the passage by the navigable branches which unite the Scheldt to the Meuse and the Rhine, reservations which even latterly have been renewed and recommended to the attention of the Conference by an official letter from the Bavarian Minister in London.

6. The Netherland Government means to subject the passage of the roads of Maestricht and Sittard to duties of transit, and not solely to tolls.

6. It is perhaps desirable here to recal that the Canton of Sittard and other districts of Limburg were originally intended, as not having formed part of Holland in 1790, to remain to Belgium. The Conference having afterwards, in order to facilitate the general arrangement, insisted on the cession of those districts, thought it right to make up to Belgium for the sacrifice which those cessions imposed upon her on the important points of direct communications with Germany. It is with these views that the Conference has thought it just to stipulate for the liberty of transit by the existing roads from Maestricht and from Sittard.

7. The Netherland Plenipotentiary is not authorised to offer any compensation for the suppression of the use of a new road or canal through the Canton of Sittard, as stipulated by Article 12 of the 24 Articles.

7. The right of making a new road or a new canal through the Canton of Sittard was suggested for the same reasons. In offering to Holland to propose the suppression of this right, it was evidently anticipating the wishes of the Netherland Government, and the Conference thought it had a right to expect that the Plenipotentiary of the King would find himself authorised to offer in return some facilities for Belgian commerce.

Questions addressed to the Netherland Plenipotentiary in the Conference of 25th of September 1831

Answers of the Plenipotentiary of His Majesty the King of the Netherlands, read and communicated in Conference, September 26, 1832.

8. Does the Dutch Government adopt the 13th and 14th Articles concerning the debt, such as they are set forth in the 24 Articles, except the changes of date acknowledged to be necessary?

8. The said Plenipotentiary adopts in general the Articles concerning the debt, excepting those alterations in the text which the changes of date, the capitalisation by common consent, the liquidation of the *Syndicat* for form's sake, and a more explicit arrangement in respect to the *Losrenten*, (redeemable bonds) render necessary. As to the Article concerning the arrears, he must renew his protest against a material error which was introduced respecting this point into the calculations of the Conference, in setting out from the date of 1st November 1830, as from a period up to which the whole of the Belgian taxes had been received by the Royal treasury, whilst the Netherland Plenipotentiary had quoted that date as the epoch at which the collection of the said taxes had entirely ceased.

9. If the liquidation of the *Syndicat d'Amortissement* should not take place except as a measure of order, what will be the compensation which the Netherland Plenipotentiary would be authorised to propose to Belgium, for its part in the assets which will result from the liquidation, if it should take place?

9. The demand of compensation for reducing the liquidation of the *Syndicat d'Amortissement* to a measure of form, having given rise to diplomatick explanations, which have followed the delivery of the note of the 25th of July, and the proposition having been made to the Dutch Plenipotentiary that that compensation should be founded on the deduction of part of the arrears, this principle has been adopted by the Cabinet of the Hague. If it be not yet agreed upon as to the proportion of the deduction, it is because the negotiation which the Dutch Plenipotentiary followed up with eagerness has been suddenly paralysed by the communication of the refusal of Belgium to concur in it.

Substance of the Explanations given verbally by the Netherland Plenipotentiary in the Conference of September 26, 1832.

Observations made by the Conference upon the Answers given by the Netherland Plenipotentiary to the Questions addressed to him on the 25th of September 26, 1832.

8. The Netherland Plenipotentiary is again ordered to demand that the liquidation of the *Syndicat d'amortissement* should be considered only as a matter of form, and in return of that concession.

8. To demand that the liquidation of the *Syndicat d'amortissement* should be only a measure of form, while it is notorious that half the debts of that establishment have been placed to the charge of Belgium, and that by the Treaty of November 15, a proportional part of the assets has been secured to her in return, brings on the difficulty of finding some fair compensation.

9. He is authorised to offer an abatement of a part of the arrears due by Belgium, but cannot declare any sum with regard to it.

9. As to the means of compensation, which the Netherland Plenipotentiary says was suggested to him in his conversations with the Members of the Conference, the only reason for such a proposition was to meet as much as possible the wishes of the Cabinet of the Hague. Those wishes in this circumstance seemed likely to be the most easily satisfied, by means of a compensation which should be found in the arrears due by Belgium. The Netherland Plenipotentiary has up to this time refused to declare a sum, on the pretext that Belgium had refused till now to enter into negotiation. That difficulty now recoils upon the Netherland Plenipotentiary, for it is he who at present refuses to enter into negotiation with the Belgian Plenipotentiary.

In summing up these observations, the conviction is arrived at, that the Cabinet of the Hague will not accept the 24 Articles as a whole, and that its refusal bears even upon some essential stipulations. It begins by annexing an important reservation to Articles 1 to 6 inclusive, relative to the territorial arrangements; it protests against the chief part of the stipulations of Article 9, relative to the navigation of the Scheldt, and of the intermediate channels between that river and the Rhine; it pretends to alter the 11th Article so as to render the effect of it illusory; it requires the suppression of Article 12 without compensation; finally, without mentioning other less important modifications which it demands, it alters the stipulations of Articles 13 and 14, relative to the financial arrangements, by refusing to Belgium the share in the assets, which would revert to her on the liquidation of the *Syndicat d'amortissement*,

Annex E to Protocol No. 69.

Note addressed to the Conference by the Plenipotentiary of His Majesty the King of the Netherlands.

London, July 25, 1832.

THE undersigned, Plenipotentiary of His Majesty the King of the Netherlands, having hastened to transmit to his Court the remarks which the Conference of London made to him verbally upon the last propositions of the Netherland Government, in the meeting at the Foreign Office on the 6th instant, together with the note of July 10, of their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, the Cabinet of the Hague has thought that it could not better answer the wishes of the Conference, than by confining its attention, according to the example of the Conference, to the means of arriving as early as possible at the settlement of the negotiation, and by explaining itself solely on the points which have given rise to observations.

The Conference has declared that it has few observations to make upon the project of Treaty in four Articles between the five Courts and the Netherlands; and that as those observations apply less to the substance of the stipulations proposed than to the terms in which they are drawn up, it was convinced that if the difficulties related only to those points, they would easily be removed. The Government of the Netherlands thinks it may thus infer that, except with respect to a revision of the drawing up, that project is agreed upon.

As to the second Article of the project, containing the Treaty with Belgium, their Excellencies observe, that the undersigned is already acquainted, in consequence of the remarks which have been verbally made to him, with the reasons which render that project, in their opinion, inadmissible and incomplete. Their Excellencies doubtless refer to their meeting at the Foreign Office on the 6th of July, at which the undersigned, according to an invitation which had been addressed to him by his Excellency Viscount Palmerston, had the honour to assist. In that Conference, which was marked by a true spirit of conciliation, the Plenipotentiaries, far from endeavouring to prove the inadmissibility of the project of Treaty of June 30, devoted their care to offering, Article by Article, the observations the most suited to get rid of the defects which they thought they saw in it, and to rendering that complete, which, in their opinion, was not so already. They agreed that there were Articles in the Netherland project, the drawing up of which appeared to them preferable to that of the corresponding Articles of October 14, and which they were desirous of preserving. On arriving at the end of the project, after having examined all the Articles, the necessity of a speedy answer was urged in the most conciliatory terms, which gave occasion to the undersigned to express that the King, with reference to the new sacrifices offered in that project of Treaty, was convinced that it would be accepted immediately, and that, under that idea, the undersigned was ready to conclude and to sign; but that he had undertaken speedily to obtain instructions upon the subject of the result which had arisen from the meeting.

That meeting was followed by the note of the Conference of July 10, according to which the Netherland project of Treaty between Holland and Belgian, contains defects in Articles not less essential than the territorial stipulations, deprives Belgium both of the commercial communications, the use of which, according to the last propositions of the Conference, was to form the subject of amicable arrangements founded upon the principle of reciprocal interests; and also of those which former Memoranda of the Cabinet of the Hague were far from refusing; adds burthensome clauses; decrees that Belgium, which has allowed the debts of the *Syndicat d'amortissement* to enter into the calculation of the 8,400,000 Netherland florins of annual interest, shall nevertheless have no share in the assets of that establishment; associates to the private property, the restitution of which is

to take place, property of a different description; and without noticing other alterations which have no reference to fundamental points, but which would not the less be of consequence, raises, even with respect to form, objections which the most sincere spirit of conciliation could not overcome.

The Cabinet of the Hague, in examining those observations, has thought that, in accordance with the wish of the Conference, it ought to compare them with the remarks made verbally to the undersigned at the meeting of the 6th instant, to which the Plenipotentiaries refer in their note. In that comparison it has been again guided by the same spirit of conciliation, which has not ceased to direct its course during the whole of the present negotiation; but it cannot help observing with deep regret, that no account appears to be taken of the immense sacrifices to which the King has consented, that his territorial concessions are merely cursorily noticed, and only for the purpose of disclosing the necessity of fresh concessions, and that the offer to make the capitalisation optional, which is the second point of importance of the negotiation, has met with a silent reception.

The following explanations will prove anew the high importance which the Government of the Netherlands attaches to the termination of the present complications; but if the principle of the Treaty of separation of Belgium from Holland must be to acquiesce in all the demands of the former, and to consider all the sacrifices made by the King as of no value, until His Majesty shall have submitted to pursue to the end the system of all imaginable concessions, then assuredly the very basis of the negotiation would prevent its reaching a successful termination.

The text, proposed in Article 2, of the project of the Treaty between Holland and Belgium, inserted in that of the Treaty with the five Courts, which the undersigned had the honour to present on June 30, appears to settle the territorial question in a manner precisely analogous to the circumstances. As it would be contrary to the engagements of the King Grand Duke to give up part of the Grand Duchy of Luxemburg, without the consent of the Agnates of the House of Nassau, and of the Germanick Confederation, and as a cession, without such consent, of the said portion, of which the King Grand Duke has not the liberty of disposing, would be from its nature void, that cession was proposed on condition of the consent of the Agnates of the House of Nassau, and of the Germanick Confederation; but the King Grand Duke engages to take the steps necessary for procuring it. His Majesty also contracts, with respect to the cession of the part of the Grand Duchy of Luxemburg in question, all the engagements which depend upon him. That consideration explains the reservation proposed in the second Article of the Netherland project of Treaty between Holland and Belgium.

The 3d of the 24 Articles was considered to have lost its application by the the union to Holland of the territory in Limburg. Without mentioning that the King cannot consider as indemnity, a territory which forms part of his States, the decision that that territory shall continue to make part of the Kingdom of the Netherlands, destroys the notion of indemnity. Were it otherwise, the said territory should be considered as united to that of the Germanick Confederation, as indemnity for a cession made by one of its members, and a fresh cession on the part of the Confederation would be necessary to re-unite that territory to the Kingdom of the Netherlands.

The first paragraph of the 4th, and the 5th of the 24 Articles, have also lost their application, by the principle by which it was established, that the territory in question in Limburg shall continue to form part of the Kingdom of the Netherlands, a principle which assigns to the Grand Duchy of Luxemburg a proportional part in the losses which the States of His Majesty incur, and renders the Germanick Confederation no party to the territorial arrangements in Limburg.

As for what remains, the draft proposed on the 30th June, may be considered; with regard to Belgium, as entirely superfluous, and securing to her the same results as that of the Articles 2, 3, 4, and 5, of the 24 Articles.

A clerical error has crept into Article 7 of the Netherland project of Treaty between Holland and Belgium, where, instead of the words "the duties and

the pilotage," it ought to be read according to the text of the Netherland Memoir of December 14, "the duties of pilotage."

Not to leave any doubt respecting the intentions of the Netherland Government, and in order to meet the wishes of the Conference in what regards the relations of navigation and of commerce between Holland and Belgium, the undersigned is authorised to offer the following version of that Article, a version which approaches more nearly to the 9th of the 24 Articles.

"The dispositions of the Articles 108 to 117 inclusive of the general act of the Congress of Vienna, relative to the free navigation of the navigable rivers and streams, shall be applied to the navigable rivers and streams which separate the Netherland territory and the Belgian territory, or which traverse them both.

"The Government of the Netherlands engages to fix the duties of pilotage on the Netherland Scheldt at a moderate rate, and to provide for the conservation of the channels of that river. The said duties shall be the same for Netherland and for Belgian commerce. The Belgian Government enters into a similar engagement with regard to the part of the Scheldt which passes through its territory.

"Until some arrangement shall be agreed upon for the navigation of the rivers and streams above-mentioned, that navigation shall continue free for the trade of both countries, which shall adopt provisionally in that respect the Tariffs of the Convention signed at Mayence on the 31st of March, 1831, for the free navigation of the Rhine, as well as the other dispositions of that Convention, as far as can apply to the navigable streams and rivers which separate the Netherland territory and the Belgian territory, or which traverse them both."

With respect to the commercial relations, the Court of the Netherlands consents to the insertion in the Treaty of the following Article:—

"A negotiation between the Netherlands and Belgium shall be opened as soon as possible, in order to regulate their commercial relations by a Treaty of Navigation and Commerce.

"In the mean time the Dutch shall be admitted to the navigation both of the intermediate channels, and the other Belgian waters, and the Belgians to that of the said waters of Holland. That admission shall take place on the footing of the most favoured nation, according to the respective legislation of the two countries.

"There shall be secured to Belgium all the facilities desirable for establishing her commercial communications with Germany, through Limburg, specifically through the towns of Maestricht and of Sittard, except in cases in which important objections arise. The turnpike tolls on the roads, which traversing those two towns, lead to the frontiers of Germany, and which roads shall be kept in good repair, shall only be levied according to a moderate scale."

The Government of the Netherlands has never entered into the details of the calculation which has induced the Conference to fix the Belgian portion of the publick debt at an interest of 8,400,000 florins, and could not have departed from the basis fixed with regard to the division of the publick debt in Annex A. of the 12th Protocol, without the prospect of a capitalisation at an advantageous rate, and of a liquidation of the *Syndicat d'amortissement* only as a measure of form. It therefore considers that it has a right to insist upon the liquidation of the *Syndicat* as a measure of form, which would moreover be, in the present state of the negotiation, only a compensation for the principle, that the capitalisation of the debt shall be optional, and for the advantages offered to Belgian commerce and navigation. It is the more desirable, as any other liquidation would be productive of almost inextricable complications for the two parties.

The Court of the Netherlands congratulates itself on agreeing entirely with the Conference upon an essential point, namely, that the demand for the evacuation of the territories before the exchange of the ratifications of a Treaty with the King, would be contrary to the intentions of the Conference, and that the hypothetical fixture of a date, had by no means that object in view.

With respect to the form of the Netherland project, it appears to be completely impartial, and to answer the principle of a mutual arrangement between Holland and Belgium. The Cabinet of the Hague, remaining in the conviction, which it has already expressed, upon the necessity of bringing into the text of each Article the explanations given by the Conference in its Memorandum of January 4, is glad to find in the meeting of the 6th of July the pledge of an uniformity of views, the accomplishment of which seems desirable for the greater perspicuity in drawing up the Articles. With respect to the form, the undersigned meant to express no other wish than to see the insertion of the Treaty between Holland and Belgium changed into an Annex; an alteration which will meet with no difficulties on the part of the Government of the Netherlands, provided that Annex be declared an integral part of the Treaty with the five Courts.

The motives which prevent his signing the 24 Articles of October 14, have been already so frequently disclosed that they will not be reverted to. The Cabinet of the Hague too, since the recent declarations of the Conference, must think that it shares in that respect its opinion. In fact, according to those declarations, the Conference considered as immutably decreed, the separation, the independence, the neutrality, and the state of territorial possession of Belgium, and made known that on the other points the negotiations would remain open. Since that time, the Netherland Government, in considering the eventual admission of the four principal points which have just been enumerated, thought fairly to enter into the views of the Conference, by the presentation of a project of Treaty which embraced those other points, and seemed thus to be likely to reconcile all interests. The notion that the Conference requires only the adoption of 21 Articles, and not the acceptance of the 24, seems in the eyes of the Cabinet of the Hague, a fiction which disappears when brought to the test of truth. It would be contrary to the good faith of the Netherland Government to engage in negotiations upon principles which it could not recognise. Such a course would, besides, be so complicated, that at the end of a few months, and in the event of the least change in the persons to be employed in it, it would be difficult to see the way out, or to determine the position of either party. Wisdom requires, that for the future, as little as possible should be left to the chances of future negotiations.

The undersigned flatters himself that in the present note he has overcome the last obstacles which could retard the signature of the Treaty; and he seizes the opportunity of renewing to their Excellencies, &c. &c.

(Signed)

H. DE ZUYLEN DE NYEVELT.

Annex F. to Protocol No. 69.

Note addressed to the Plenipotentiaries of His Britannick Majesty, by the Bavarian Minister in London.

London, August 5, 1832.

THE undersigned Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Bavaria, acquits himself of the orders which have been transmitted to him for that purpose by the King his Master, in calling the attention of Viscount Palmerston, His Britannick Majesty's Principal Secretary of State for Foreign Affairs, to the rights which the States bordering on the Rhine possess to the free navigation of the intermediate channels which are formed by the Rhine and the Scheldt.

Those rights, which are founded upon the express stipulations of the Act of the Congress of Vienna, have already formed the subject of discussion among the Members of the Commission of Mayence. They were already mooted

at the time of the conclusion of the Convention relative to the navigation of the Rhine. At that time the Commissioners of France, of Prussia, of Bavaria, of Hesse, and of Baden, were of opinion that an understanding should also be come to, relative to an arrangement for free communication with the port of Antwerp; but the Netherland Commissioner having expressed a wish that the discussion of that subject should be deferred until after the settlement of the territorial question pending between Holland and Belgium, the Courts interested consented to submit to the wish of the Commissioner of His Majesty the King of the Netherlands; taking the precaution, however, of expressly reserving their rights, and the power of giving effect to them, when the period pointed out should arrive.

The undersigned is directed to have the honour of bringing this state of things, and the existence of the above-mentioned reservation, to the knowledge of Viscount Palmerston, in the hope that his Excellency will turn the attention of the Conference of London to it, in order that, in the arrangements which, under the auspices of the five Powers, may be effected between Holland and Belgium, the interests of the States bordering on the Rhine may be taken into consideration, and that nothing shall be stipulated prejudicial to the rights which those States continue to claim by virtue of Treaties.

The undersigned requests, &c.

(Signed) THE BARON DE CETTO.

Annex G to Protocol No. 69.

Note addressed to the Conference by the Plenipotentiaries of His Majesty the King of the Belgians.

London, August 31, 1832.

THE undersigned Plenipotentiaries of His Majesty the King of the Belgians, having acquainted their Government that the last communications made by one of them to their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, assembled in Conference at London, had remained up to this time unanswered, have been directed to take fresh steps with their Excellencies the Plenipotentiaries of the five Courts, and to address to them the following declaration:

By the 24 Articles of October 14, 1831, the Conference has pronounced a definitive opinion, with regard to the differences which exist between Belgium and Holland; and by subscribing to that act, Belgium has constituted it her public law. The Conference from that time, has ceased to have the power of imposing fresh engagements upon Belgium, with which its agency is exhausted.

The obstacles come only from Holland; it belongs therefore to the Conference to overrule those objections, and to employ every means which may induce the Cabinet of the Hague to adopt the Act to which the Cabinet of Brussels has already submitted.

The Treaty of November 15, 1831, has been invested with the general sanction of the five great Powers; and their successive ratifications have irrevocably fixed the position of Belgium. The Government of the King has been authorised therefore, to demand that it should be put in possession of those portions of territory, the occupation of which, by the Dutch troops, constitutes a permanent act of hostility. The Cabinet of Brussels, knowing thoroughly the guarantees which it requires, and perfectly aware of the caution which it should observe, has determined to take no part in the negotiations upon those secondary questions which are susceptible of negotiations, until after the territorial evacuation shall have taken place: and in this, it has made use of an indisputable right.

It is not less certain that, ever since the 31st of January 1832, Belgium had the right to demand the execution of the Treaty signed on the 15th of November. Nevertheless, she has since then remained deprived of all the advantages of that Treaty; she continues to be forced to maintain armaments, and even to augment them, in consequence of the refusal of the Dutch Government. The Cabinet of the Hague finds itself therefore placed, with regard to Belgium, in the position which the Conference had in view when it declared in its note of the 11th of June, to the Dutch Plenipotentiaries, *that Belgium would have a good right to refuse to pay, from the 1st of January 1832, the arrears of her share of the interest of the debt of the United Kingdom of the Netherlands, forced as she would be, to employ the amount of the same in the legitimate defence of her territory.*

In this state of things, the undersigned are directed to declare to their Excellencies the Plenipotentiaries of the Five Courts, that the Government of His Majesty the King of the Belgians considers itself as freed, from the 1st of January, 1832, from the payment of the arrears of its proportion of the debt, and that the sums which it is forced to employ for the object pointed out by the Conference itself, being far beyond the amount of those arrears, the Cabinet of Brussels reserves the power of indemnifying itself, in a more complete manner, by charging them upon the capital of the annual debt.

The undersigned are, also, directed again to insist upon the necessity of the immediate execution of the Treaty of November 15, by the employment of coercive measures. If, contrary to expectation, that demand should be made in vain, like those which have preceded it, the right of Belgium herself to take the measures most likely to lead to a result so long expected could not be disputed.

The undersigned, &c.

(Signed)

SYLVAIN VAN DE WEYER.
GOBLET.

Annex H to Protocol No. 69.

Note addressed to the Conference by General Goblet.

Brussels, September 18, 1832.

THE King has put a stop to the mission with which I had the honour to be accredited to your Excellencies, by entrusting to me the direction of the Department for Foreign Affairs.

Having no reason for presuming to hope for this fresh proof of the confidence of my Sovereign, I could not, on my departure from London, take leave of your Excellencies. I hasten to supply that omission, by expressing to you the regret which I cannot fail to feel at seeing those relations between us cease, which your Excellencies have made so agreeable by the kind feelings with which you have constantly honoured me. I attach too high a value to them not to request a continuation of them from your Excellencies, and I request you all, and each in particular, to accept the assurances of my highest consideration.

(Signed)

GOBLET.

Annex I to Protocol No. 69.

Note addressed to the Conference by the Plenipotentiary of His Majesty the King of the Belgians.

London, September 20, 1832.

THE undersigned Plenipotentiary of His Majesty the King of the Belgians, has the honour to inform their Excellencies the Plenipotentiaries of Austria,

France, Great Britain, Prussia, and Russia, assembled in Conference at London, that he has been furnished by his Government with full powers to enter into a direct negotiation with the Plenipotentiaries of His Majesty the King of the Netherlands, and to conclude and sign a definitive Treaty between Belgium and Holland. Their Excellencies the Plenipotentiaries of the five Courts will see in this step, a fresh and striking proof of the efforts which His Majesty the King of the Belgians is constantly making, to ward off from Europe the scourge of war, and to terminate by amicable means, differences which a similar disposition in the other party would long since have settled. Nevertheless, in consenting to open a definitive and short negotiation with Holland, His Majesty by no means intends that it should affect or bear any prejudice to his rights: the undersigned has therefore been directed to declare, as he now does by these presents, that His Majesty the King of the Belgians reserves to himself the power of breaking off, whenever he shall think it advisable, the direct negotiations with Holland; maintaining the Treaty of November 15, 1831, which, as regards the five Powers, remains complete and irrevocable; and of claiming from the Conference the execution of the engagements contracted by the Courts which it represents.

The undersigned, in transmitting to their Excellencies the Plenipotentiaries of the five Courts, the expression of those formal and specific reservations, requests them, &c.

(Signed) SYLVAIN VAN DE WEYER.

Annex K to Protocol No. 69.

Note addressed to the Conference by the Plenipotentiary of His Majesty the King of the Belgians.

London, September 28, 1832.

THE undersigned Plenipotentiary of His Majesty the King of the Belgians, had the honour, in his note of the 20th of September last, to inform their Excellencies the Plenipotentiaries of Austria, France, Great Britain, Prussia, and Russia, that he was furnished with full powers to enter into a direct negotiation with Holland, under the auspices of the Conference. The undersigned added in that same note, that if His Majesty the King of the Belgians had, with a view to preserving peace, consented that that negotiation should be opened, it was because every thing seemed to promise that it would lead to a definitive result, and would be of short duration.

The undersigned, now, considers himself obliged to announce *officially* to their Excellencies the Plenipotentiaries of the five Courts, assembled in Conference at London, a circumstance which he did not individually conceal from them, namely, that he is authorized only to enter into negotiation with the Dutch Plenipotentiary before the 10th of next month, and that after that period, the reservations which he has made in the name of His Majesty the King of the Belgians would be immediately acted upon.

The undersigned requests their Excellencies, &c.

(Signed) SYLVAIN VAN DE WEYER.

No. 70.

PROTOCOL of a Conference held at the Foreign Office, on the 1st of October 1832.

Present :

The Plenipotentiaries of

*Austria ;
France ;
Great Britain ;
Prussia ; and
Russia.*

THE Plenipotentiaries of the five Courts of Austria, France, Great Britain, Prussia, and Russia, having met in Conference at the Foreign Office, the Plenipotentiary of France stated :

That at the last meeting he had, in conformity with the orders of his Court, and in consequence of the acknowledged uselessness of any further attempt at negotiation between Holland and Belgium, demanded that the Conference, exclusively engaged in the means of procuring for Belgium the execution of the Treaty concluded with her, should recognize as necessary the employment of coercive measures, which were alone capable of overcoming the resistance of the Dutch Government.

That that demand on his part, supported by the Plenipotentiary of His Britannick Majesty, had induced the Plenipotentiaries of the Courts of Austria, Russia, and Prussia, without discussing the reasons by which they were influenced, to express the desire that some means might be found to bring about the end proposed without an immediate recurrence to the employment of actual force.

That the British Plenipotentiary having then suggested that it would be possible to employ in the first place the measures proposed in the note of the Conference of the 11th of June, that he, the Plenipotentiary of France, had assented to the proposition, reserving to himself to require that they should be so adopted in such a manner as to lead necessarily to the employment of more energetick measures, should they fail of their effect. That in consequence of the preceding discussion, he now presented to the Conference, with the approbation of the Plenipotentiary of His Britannick Majesty, the following draft of a resolution upon which they had determined :—

“ The Plenipotentiaries of the five Courts assembled in Conference have again taken into consideration ;—

“ 1st. The report made to them at the meeting of the 24th of September, by the British Plenipotentiary, of his private and confidential communication to M. le Baron de Zuylen, of the circumstances and motives which had dictated it, and the strict silence which had been observed with respect to it by the Government of the Netherlands.

“ 2d. The note dated September 20, in which the Dutch Plenipotentiary, without replying in any way to the confidential communications which he had himself received and transmitted, renews, in the name of his Court, all its previous recriminations, and calls for the signature of a Treaty of Separation between Holland and Belgium, on the basis of the Netherland notes of June 30 and July 25.

“ 3d. The memorandum of the 24th September, explaining the situation in which the Conference found itself in consequence of the refusals in which the Cabinet of the Hague had persisted.

“ 4th. The series of questions addressed to the Netherland Plenipotentiary in the Conference of the 25th September, with the written replies sent on the

following day, the summary of the explanations which he added verbally, and the observations which were made on the subject of these same replies.

“ After a strict and careful examination of these documents, the Plenipotentiaries of the five Courts remain convinced, that if the refusal of the Cabinet of the Hague to adhere to the 67th Protocol of July 11, had already necessarily suspended all official acts, on the part of the Conference, for the negotiation of a definitive Treaty between Holland and Belgium, the silence observed with respect to the private and confidential communications of the British Plenipotentiary, the repeated presentation by the Government of the Netherlands of a project of a Treaty which the Conference had declared inadmissible, and the last replies made by the Dutch Plenipotentiary to the questions which the Conference had deemed it their duty again to address to him, have equally closed the door to every confidential proceeding, and leave no hope that the Government of the Netherlands can be brought, by ordinary means of negotiation, to a direct reconciliation with Belgium; even after the proofs given that the latter would not have refused to negotiate upon the modifications which were the object of the first demands of Holland, as well as of the reservations and wishes of the Courts of Russia, Prussia, and Austria.

“ Having, therefore, admitted, in consequence of that conviction, that there was a duty which they had to perform, that of procuring for Belgium the execution of the Treaty concluded with her, the Plenipotentiaries of the five Courts have resolved at once to give effect to the threatening declaration contained in their note of the 11th of June, which was expressed in the following terms:

“ ‘ The Conference cannot too often repeat that these are the only facilities
 “ ‘ it can offer to His Majesty the King of the Netherlands; and it cannot
 “ ‘ conceal from him that if no use should speedily be made of them,
 “ ‘ it would no longer be in the power of the Conference to prevent the new
 “ ‘ delays which would succeed to so many others, from drawing upon Hol-
 “ ‘ land *the most serious consequences*; amongst which would appear promi-
 “ ‘ nently the refusal which Belgium would *with good right* make to pay,
 “ ‘ from the 1st January 1832, the arrears of her share of the interest of the
 “ ‘ debt of the United Kingdom of the Netherlands, forced, as she would be,
 “ ‘ to employ the amount of it in the legitimate defence of her territory.’ ”

“ As it is evident that the refusal to adhere to the propositions of the 11th June, renewed on the 11th July, but at the same time declared to be the last which would emanate from the Conference, and the menacing attitude preserved by Holland towards Belgium, have involved the latter, for the purpose of making preparations for the legitimate defence of her territory, in expences of which she has the right to demand the reimbursement, the Conference would not act consistently if it did not declare, as it does by the following resolution:—‘ That Belgium is justified in refusing from the first of January 1832, and until the conclusion of a definitive Treaty with Holland, the payment of her share of the debt of the late United Kingdom of the Netherlands.’ ”

“ Moreover, and as the fundamental basis of the Treaty concluded with Belgium the 15th November last, consists in the settlement of her territory, the Conference cannot refuse to seek means for the purpose of putting her in possession of the city of Antwerp, and of the surrounding points which belong to it. The first which presents itself, without prejudicing the more serious measures indicated in the note of the 11th June, and of which it is necessary expressly to make a reserve, would be to reimburse her, by pecuniary compensation, for the expense of a defence, which the occupation of the citadel of Antwerp by the Dutch renders every day more costly; at the same time that it forms the principal cause of that agitation, which, being propagated from Belgium into the neighbouring countries, keeps Europe in a state of suspense, and deprives her of the advantages she was led to expect from a general disarmament.

“ In consequence, therefore, of these considerations, the Plenipotentiaries of the five Courts declare, that if, on the 15th of the present month, the

citadel of Antwerp, the points adjacent, and other places forming part of the Belgian territory, as defined in the Treaty of the 15th of November, be not evacuated by the Dutch troops, they recognise on the part of Belgium the right of deducting, for every week the evacuation shall be delayed, one million of florins from the arrears of the debt due from her up to the 1st of January 1832, and lastly, from the capital itself of the debt considered to be her share; it being also understood that as soon as the evacuation above-mentioned shall have taken place, Belgium will on her part evacuate Venloo and the other places occupied by her, which are not comprised in the territory which has been assigned to her."

The Plenipotentiary of His Britannick Majesty declared, that he entirely approved of the proposition made by the French Plenipotentiary, and that he found it perfectly conformable with the suggestion he himself made at the last meeting of the Conference.

In reply to the project of resolution proposed by the Plenipotentiaries of France and Great Britain, the Plenipotentiaries of Austria, Prussia, and Russia declared;

1st. That they highly disapprove of the final determinations of the Government of the Netherlands, as referring to propositions which the Conference of London had judged inadmissible; as rejecting now the explanations which confidential communications had demonstrated to be indispensable, and on the subject of which a complete understanding seemed to have been already established with the Plenipotentiary of the Netherlands himself; as insisting on stipulations evidently of an illusory nature; and, finally, as proving, by the answers of the Plenipotentiary of the Netherlands to the questions addressed to him, that he does not in fact possess either real powers or sufficient instructions to resolve the difficulties which impede the settlement of the negotiations of the Conference.

2dly. That on these grounds the Plenipotentiaries of Austria, Prussia, and Russia, are ready to unite with the Plenipotentiaries of His Majesty the King of the French and His Britannick Majesty in order to free Belgium from the payment of the arrears which she owes to Holland since the 1st of January 1832, so as to date the effect of this decision from the 15th of October next, in order that Holland may still have time to estimate the consequences, and adopt a line of conduct likely to realize the pacifick intentions, in the spirit of which the Conference of London assembled.

3dly. That at present the Plenipotentiaries of the Courts of Austria, Prussia, and Russia, do not possess powers which would authorise them either to demand from the Government of the Netherlands the partial execution of a Treaty to which it has not yet acceded, in demanding the previous evacuation of the citadel of Antwerp, or to consent to the weekly deduction proposed with reference to Holland by the Plenipotentiaries of France and Great Britain.

4thly. That in case coercive measures should be put in execution by the French Government and the English Government, the Plenipotentiaries of Austria, Prussia, and Russia could not take part in them; and they would reserve to themselves to explain, each as relates to himself, the motives of this determination of their Courts.

5thly. That in their opinions the course which, according to experience, would seem likely to lead, with the greatest degree of certainty, to the end which the Conference proposes to itself, and the better to convince the Court of the Hague of its true position, of the dangers which surround it, and of the firm desire of Austria, Prussia, and Russia, to arrive as soon as possible at such a conclusion as may satisfy the views of France and Great Britain, as well as the just interests of Belgium, would consist:

In putting before the eyes of the Courts of Vienna, Berlin, and St. Peters-

burgh, the actual state of things, engaging them on the one side to use, for the last time, their influence with His Majesty the King of the Netherlands, in order to obtain his immediate assent to an equitable arrangement; and on the other to adopt, if these new efforts should prove unavailing, all the financial measures pointed out by the Plenipotentiaries of France and Great Britain,—measures which would be so far more efficacious, inasmuch as their unanimous sanction by the five Powers themselves would leave to the Cabinet of the Hague neither doubt nor hope.

Considering, nevertheless, that the distances which separate Vienna and St. Petersburg from London might cause too long a delay at this critical moment, the Plenipotentiaries of Austria, Prussia, and Russia declare, that it would appear to them sufficient to consult the Court of Berlin, and invite it to declare itself, *first*, on a decision by which it may make known to the Cabinet of the Hague the absolute necessity in which it is placed, either to propose within a given time a project of a definitive Treaty between Holland and Belgium, which may settle in the affirmative, in a manner clear and completely satisfactory, all the questions, without a single exception, which have been addressed in the last instance by the Conference of London to the Plenipotentiary of the Netherlands, or to give in its adherence to the 24 Articles of the 14th of October, 1831; *secondly*, to declare the obligation which a rejection of the one or the other of these demands would impose on Austria, Prussia, and Russia, first, to free Belgium from the arrears which it owes to Holland since the 1st of January, 1832, and then to deduct a million of florins per week from the debt of Belgium to Holland, in case that, at the lapse of a given time, the stoppage of the arrears due since the 1st of January, 1832, did not produce the effect anticipated from it, without prejudice to the special measures which France and England may judge indispensable as far as they are concerned, should the weekly deduction also remain without result.

The Plenipotentiaries of Austria and Russia observed, that in consideration of the urgency of the moment, they would consent to conform to the decisions which the Court of Berlin should make known.

The Plenipotentiaries of the three Powers added, that these decisions might be known in London in the space of ten or twelve days, and that they would offer in their eyes two advantages of the highest importance:—They would present the last means of terminating the negotiations by a pacific arrangement, which would reconcile the interests and wishes of all the parties; and even should this chance not be finally realised, the Cabinet of the Hague, seeing perfect agreement established between the five Powers themselves, on the pecuniary measures adopted with respect to Holland, and divested of the illusions with which it too often surrounds itself, could not hesitate to adopt the resolutions which the good of Holland and the good of Europe demand. The questions which occupy the Conference would thus be resolved without interruption or risk to the general peace.

In order to obtain with more celerity answers from Berlin, and to make the importance of these communications the more felt there, the Prussian Plenipotentiary announced that he would entrust them to the first Secretary of the Prussian Legation, who should set out for Berlin this very day on board of the steamer which starts for Hamburgh.

The British Plenipotentiary expressed his regret at not being able to assent to the proposition made by the Plenipotentiaries of Austria, Prussia, and Russia. He was deeply sensible of the advantages which would result from an unanimity of action on the part of the five Powers, if it were possible to obtain it; and he trusted that he had given proof of the importance which he attaches to such unanimity, by the suggestion which he made at the former meeting of the Conference, that recourse should be had in the first instance to pecuniary measures, in preference to any of a more vigorous character, an idea which he had hoped would have met with the active concurrence of the Conference.

But the British Plenipotentiary was convinced that, in the present state of the

negotiation, it is necessary for the maintenance of the peace of Europe, that some decisive measures should be taken by the Powers which have ratified the Treaty of November, and which have guaranteed the execution of its provisions ; and he regretted not to see in the proposition of the Plenipotentiaries of the three Courts any measure suited to the exigency of the case. The tendency of this proposition was to renew negotiations which the experience of many months, and the admission of the Conference itself, have proved to have become hopeless ; to renew them, not by the united weight of the five Courts represented in the Conference, but by the separate action of some of those Courts, and this after the experience on the part of some of those Courts themselves, of the inefficacy of their efforts to sway, by the influence of their counsels, the determinations of the Cabinet of the Hague.

The British Plenipotentiary, then, could not assent to a proposal of which further delay would be the only certain result ; and reserving to the Government of His Britannick Majesty the decision which it may deem right to take in execution of the engagements entered into by His Majesty, he confined himself at present to the expression of his regret, that the Plenipotentiaries of Austria, Prussia, and Russia, should not be prepared to concur in any effectual measures for carrying into execution a Treaty which had now for so many months been ratified by their Courts, and the continued non-fulfilment of which is attended with constant and increasing danger to the peace of Europe.

The Plenipotentiary of His Majesty the King of the French, adhering in all points to the declaration just made by the Plenipotentiary of His Britannick Majesty, expresses with him his regret at not being able to accept the proposition of the Plenipotentiaries of Austria, Prussia, and Russia ; and, persisting in that which he has himself presented to the Conference, reserves to his Government besides, the full power of acting for the execution of the Treaty concluded with Belgium, according to the right which it has required, and as the tenour of its engagements and the interests of France may demand.

(Signed)	WESSENBERG.	NEUMANN.
	MAREUIL.	
	PALMERSTON.	
	BULOW.	
	LIEVEN.	MATUŚZEWIC.

