

CHAPTER IV

"The Defensive Treaty concluded in the year 1700, between his late Majesty, King William, of ever-glorious memory, and his present Swedish Majesty, King Charles XII. Published at the earnest desire of several members of both Houses of Parliament.

'Nec rumpite foedera pacis, Nec regnis præferte fidem.' --SILIUS, *Lip.* II.

"*Article I.* Establishes between the Kings of Sweden and England 'a sincere and constant friendship for ever, a league and good correspondence, so that they shall never mutually or separately molest one another's kingdoms, provinces, colonies, or subjects, wheresoever situated, *nor shall they suffer or agree that this should be done by others, etc.'*

"*Article II.* 'Moreover, each of the Allies, his heirs and successors, shall be obliged to take care of, and promote, as much as in him lies, the profit and honour of the other, to detect and give notice to his other ally (as soon as it shall come to his own knowledge) of all imminent dangers, conspiracies, and hostile designs formed against him, to withstand them as much as possible, and to prevent them both by advice and assistance; and therefore *it shall not be lawful for either of the Allies, either by themselves or any other whatsoever, to act, treat, or endeavour anything to the prejudice or loss of the other, his lands or dominions whatsoever or wheresoever, whether by land or sea; that one shall in no wise favour the other's foes, either rebels or enemies, to the prejudice of his Ally,' etc.*

"*Query I.* How the words marked in italics agree with our present conduct, when our fleet acts in conjunction with the enemies of Sweden, *the Czar commands our fleet, our Admiral enters into Councils of War, and is not only privy to all their designs, but together with our own Minister at Copenhagen* (as the King of Denmark has himself owned it in a public declaration), *pushed on the Northern Confederates to an enterprise entirely destructive to our Ally Sweden, I mean the descent designed last summer upon Schonen?*

"*Query II.* In what manner we also must explain that passage in the first article by which it is stipulated that one Ally shall not either by themselves or any other whatsoever, act, treat, or endeavour anything to the loss of the other's lands and dominions; to justify in particular our leaving in the year 1715, even when the season was so far advanced as no longer to admit of our usual pretence of conveying and protecting our trade, which was then got already safe home, eight men-of-war in the Baltic, with orders to join in one line of battle with the Danes, whereby we made them so much superior in number to the Swedish fleet, that it could not come to the relief of Straelsund, and whereby *we chiefly occasioned Sweden's entirely losing its German Provinces, and even the extreme danger his Swedish Majesty ran in his own person, in crossing the sea, before the surrender of the town.*

"*Article III.* By a special defensive treaty, the Kings of Sweden and England mutually oblige themselves, 'in a strict alliance, to defend one another mutually, as well as their kingdoms, territories, provinces, states, subjects, possessions, as their rights and liberties of navigation and commerce, as well in the Northern, Deucalidonian, Western, and Britannie Sea, commonly called the Channel, the Baltic, the Sound; as also of the privileges and prerogatives of each of the Allies belonging to them, by virtue of treaties and agreements, as well as by received customs, the laws of nations, hereditary right, against any aggressors or invaders and molesters in Europe by sea or land, etc.'

"*Query.* It being by the law of nations an indisputable right and prerogative of any king or people, in case of a great necessity or threatening ruin, to use all such means they themselves shall judge most necessary for their preservation; it having moreover been a constant prerogative and practice of the Swedes, for these several hundred years, in case of a war with their most dreadful enemies the Muscovites, to hinder all trade with them in the Baltic; and since it is also stipulated in this article that amongst other things, *one Ally ought to defend the prerogatives belonging to the other, even by received customs, and the law of nations: how come we now,*

the King of Sweden stands more than ever in need of using that prerogative, not only to dispute it, but also to take thereof a pretence for an open hostility against him?

"*Articles IV., V., VI., and VII.* fix the strength of the auxiliary forces England and Sweden are to send each other in case the territory of either of these powers should be invaded, or its navigation 'molested or hindered' in one of the seas enumerated in Article III. The invasion of the *German* provinces of Sweden is expressly included as a *casus foederis*.

"*Article VIII.* stipulates that that Ally who is not attacked shall first act the part of a pacific mediator; but, the mediation having proved a failure, 'the aforesaid forces shall be sent without delay; nor shall the confederates desist before the injured party shall be satisfied in all things.'

"*Article IX.* That Ally that requires the stipulated 'help, has to choose whether he will have the above-named army either all or any, either in soldiers, ships, ammunition, or money.'

"*Article X.* Ships and armies serve under 'the command of him that required them.'

"*Article XI.* 'But if it should happen that the above-mentioned forces should not be proportionable to the danger, as supposing that perhaps the aggressor should be assisted by the forces of some other confederates of his, then one of the Allies, after previous request, shall be obliged to help the other that is injured, with greater forces, such as he shall be able to raise with safety and convenience, both by sea and land....'

"*Article XII.* 'It shall be lawful for either of the Allies and their subjects to bring their men-of-war into one another's harbours, and to winter there.' Peculiar negotiations about this point shall take place at Stockholm, but 'in the meanwhile, the articles of treaty concluded at London, 1661, relating to the navigation and commerce shall remain, in their full force, as much as if they were inserted here word for word.'

"*Article XIII.* '... The subjects of either of the Allies ... shall no way, either by sea or land, serve them (the enemies of either of the Allies), either as mariners or soldiers, and therefore it shall be forbid them upon severe penalty.'

"*Article XIV.* 'If it happens that either of the confederate kings ... should be engaged in a war against a common enemy, or be molested by any other neighbouring king ... in his own kingdoms or provinces ... to the hindering of which, he that requires help may by the force of this treaty himself be obliged to send help: then that Ally so molested shall not be obliged to send the promised help....'

"*Query I.* Whether in our conscience we don't think the King of Sweden most unjustly attacked by all his enemies; whether consequently we are not convinced that we owe him the assistance stipulated in these Articles; whether he has not demanded the same from us, and why it has hitherto been refused him?

"*Query II.* These articles, setting forth in the most expressing terms, in what manner Great Britain and Sweden ought to assist one another, can either of these two Allies take upon him to prescribe to the other who requires his assistance a way of lending him it not expressed in the treaty; and if that other Ally does not think it for his interest to accept of the same, but still insists upon the performance of the treaty, can he from thence take a pretence, not only to withhold the stipulated assistance, but also to use his Ally in a hostile way, and to join with his enemies against him? If this is not justifiable, as even common sense tells us it is not, how can the reason stand good, which we allege amongst others, for using the King of Sweden as we do, *id est*, that demanding a literal performance of his alliance with us, *he would not accept the treaty of neutrality for his German provinces*, which we proposed to him some years ago, a treaty which, not to mention its partiality in favour of the enemies of Sweden, and that it was calculated only for our own interest, and for to prevent all disturbance in the empire, whilst we were engaged in a war against France, the King of Sweden had so much less reason to rely upon, as he was to conclude it with those very enemies, that had every one of them broken

several treaties in beginning the present war against him, and as it was to be guaranteed by those powers, who were also every one of them guarantees of the broken treaties, without having performed their guarantee?

"*Query III.* How can we make the words in the 7th Article, *that in assisting our injured Ally we shall not desist before he shall be satisfied in all things*, agree with our endeavouring, to the contrary, to help the enemies of that Prince, though all unjust aggressors, not only to take one province after the other from him, but also to remain undisturbed possessors thereof, blaming all along the King of Sweden for not tamely submitting thereunto?

"*Query IV.* The treaty concluded in the year 1661, between Great Britain and Sweden, being in the 11th Article confirmed, and the said treaty forbidding expressly one of the confederates *either himself or his subjects to lend or to sell to the other's enemies, men-of-war or ships of defence*; the 13th Article of this present treaty forbidding also expressly the subjects of either of the Allies *to help anyways the enemies of the other, to the inconvenience and loss of such an Ally*; should we not have accused the Swedes of the most notorious breach of this treaty, had they, during our late war with the French, lent them their own fleet, the better to execute any design of theirs against us, or had they, notwithstanding our representations to the contrary, suffered their subjects to furnish the French with ships of 50, 60, and 70 guns! Now, if we turn the tables, and remember upon how many occasions our fleet has of late been entirely subservient to the designs of the enemies of Sweden, even in most critical times, and that *the Czar of Muscovy has actually above a dozen English-built ships* in his fleet, will it not be very difficult for us to excuse in ourselves what we should most certainly have blamed, if done by others?

"*Article XVII.* The obligation shall not be so far extended as that all friendship and mutual commerce with the enemies of that Ally (that requires the help) shall be taken away; for supposing that one of the confederates should send his auxiliaries, and should not be engaged in the war himself, it shall then be lawful for the subjects to trade and commerce with that enemy of that Ally that is engaged in the war, also directly and safely to merchandise with such enemies, for all goods not expressly forbid and called contraband, as in a special treaty of commerce hereafter shall be appointed.

"*Query I.* This Article being the only one out of twenty-two whose performance we have now occasion to insist upon from the Swedes, the question will be whether we ourselves, in regard to Sweden, have performed all the other articles as it was our part to do, and whether in demanding of the King of Sweden the executing of this Article, we have promised that we would also do our duty as to all the rest; if not, may not the Swedes say that we complain unjustly of the breach of one single Article, when we ourselves may perhaps be found guilty of having in the most material points either not executed or even acted against the whole treaty?

"*Query II.* Whether the liberty of commerce one Ally is, by virtue of this Article, to enjoy with the other's enemies, ought to have no limitation at all, neither as to time nor place; in short, whether it ought even to be extended so far as to destroy the very end of this Treaty, which is the promoting the safety and security of one another's kingdoms?

"*Query III.* Whether in case the French had in the late wars made themselves masters of Ireland or Scotland, and either in new-made seaports, or the old ones, endeavoured by trade still more firmly to establish themselves in their new conquest, we, in such a case, should have thought the Swedes our true allies and friends, had they insisted upon this Article to trade with the French in the said seaports taken from us, and to furnish them there with several necessaries of war, nay, even with armed ships, whereby the French might the easier have annoyed us here in England?

"*Query IV.* Whether, if we had gone about to hinder a trade so prejudicial to us, and in order thereunto brought up all Swedish ships going to the said seaports, we should not highly have exclaimed against the Swedes, had they taken from thence a pretence to join their fleet with the French, to occasion the losing of any of our dominions, and even to encourage the invasion upon us, have their fleet at hand to promote the same?

"*Query V.* Whether upon an impartial examination this would not have been a case exactly parallel to that we insist upon, as to a free Trade to the seaports the Czar has taken from Sweden, and to our present behaviour, upon the King of Sweden's hindering the same?

"*Query VI.* Whether we have not ever since Oliver Cromwell's time till 1710, in all our wars with France and Holland, without any urgent necessity at all, brought up and confiscated Swedish ships, though not going to any prohibited ports, and that to a far greater number and value, than all those the Swedes have now taken from us, and whether the Swedes have ever taken a pretence from thence to join with our enemies, and to send whole squadrons of ships to their assistance?

"*Query VII.* Whether, if we inquire narrowly into the state of commerce, as it has been carried on for these many years, we shall not find that the trade of the above-mentioned places was not so very necessary to us, at least not so far as to be put into the balance with the preservation of a Protestant confederate nation, much less to give us a just reason *to make war against that nation, which, though not declared, has done it more harm than the united efforts of all its enemies?*

"*Query VIII.* Whether, if it happened two years ago, that this trade became something more necessary to us than formerly, it is not easily proved, that it was occasioned only by the Czar's forcing us out of our old channel of trade to Archangel, and bringing us to Petersburg, and our complying therewith. So that all the inconveniences we laboured under upon that account ought to have been laid to the Czar's door, and not to the King of Sweden's?

"*Query IX.* Whether the Czar did not in the very beginning of 1715 again permit us to trade our old way to Archangel, and whether our Ministers had not notice thereof a great while before our fleet was sent that year to protect our *trade to Petersburg*, which by this alteration in the Czar's resolution was become as unnecessary for us as before?

"*Query X.* Whether the King of Sweden had not declared, that if we would forbear trading to *Petersburg*, etc., which he looked upon as ruinous to his kingdom, he would in no manner disturb our trade, neither in the Baltic nor anywhere else; but that in case we would not give him this slight proof of our friendship, he should be excused if the innocent came to suffer with the guilty?

"*Query XI.* Whether, by our insisting upon the trade to the ports prohibited by the King of Sweden, which besides it being unnecessary to us, hardly makes one part in ten of that we carry on in the Baltic, we have not drawn upon us the hazards that our trade has run all this while, been ourselves the occasion of our great expenses in fitting out fleets for its protection, and by our joining with the enemies of Sweden, fully justified his Swedish Majesty's resentment; had it ever gone so far as to seize and confiscate without distinction all our ships and effects, wheresoever he found them, either within or without his kingdoms?

"*Query XII.* If we were so tender of our trade to the northern ports in general, ought we not in policy rather to have considered the hazard that trade runs by the approaching ruin of Sweden, and *by the Czar's becoming the whole and sole master of the Baltic, and all the naval stores we want from thence?* Have we not also suffered greater hardships and losses in the said trade from the Czar, than that amounting only to sixty odd thousand pounds (whereof, by the way, two parts in three may perhaps be disputable), which provoked us first to send twenty men-of-war in the Baltic with order to attack the Swedes wherever they met them? And yet, did not this very Czar, this very aspiring and dangerous prince, *last summer command the whole confederate fleet*, as it was called, *of which our men-of-war made the most considerable part? The first instance that ever was of a Foreign Potentate having the command given him of the English fleet, the bulwark of our nation;* and did not our said men-of-war afterwards convey his (the Czar's) transport ships and troops on board of them, in their return from Zealand, *protecting them from the Swedish fleet*, which else would have made a considerable havoc amongst them?

"*Query XIII.* Suppose now, we had, on the contrary, taken hold of the great and many complaints our merchants have made of the ill-usage they meet from the Czar, to have sent our fleet to show our resentment against that prince, to prevent his great and pernicious designs even to us, *to assist Sweden pursuant to this Treaty*, and effectually to restore the peace in the North, would not that have been more for our interest, more necessary, more honourable and just, and more according to our Treaty; and would not the several 100,000 pounds these our Northern expeditions have cost the nation, have been thus better employed?

"*Query XIV.* If the preserving and securing our trade against the Swedes has been the only and real object of all our measures, as to the Northern affairs, how came we the year before the last to leave eight men-of-war in the Baltic and at Copenhagen, when we had no more trade there to protect, and how came Admiral Norris last summer, although he and the Dutch together made up the number of twenty-six men-of-war, and consequently were too strong for the Swedes, to attempt anything against our trade under their convoy; yet to lay above two whole months of the best season in the Sound, without convoying our and the Dutch merchantmen to the several ports they were bound for, whereby they were kept in the Baltic so late that their return could not but be very hazardous, as it even proved, both to them and our men-of-war themselves? Will not the world be apt to think that the hopes of forcing the King of Sweden to an inglorious and disadvantageous peace, by which the Duchies of Bremen and Verden ought to be added to the Hanover dominions, or that some other such view, foreign, if not contrary, to the true and old interest of Great Britain, had then a greater influence upon all these our proceedings than *the pretended care of our trade*?

"*Article XVIII.* For as much as it seems convenient for the preservation of the liberty of navigation and commerce in the Baltic Sea, that a firm and exact friendship should be kept between the Kings of Sweden and Denmark; and whereas the former Kings of Sweden and Denmark did oblige themselves mutually, not only by the public Articles of Peace made in the camp of Copenhagen, on the 27th of May, 1660, and by the ratifications of the agreement interchanged on both sides, sacredly and inviolably to observe all and every one of the clauses comprehended in the said agreement, but also declared together to ... Charles II., King of Great Britain ... a little before the treaty concluded between England and Sweden in the year 1665, that they would stand sincerely ... to all ... of the Articles of the said peace ... whereupon Charles II., with the approbation and consent of both the forementioned Kings of Sweden and Denmark, took upon himself a little after the Treaty concluded between England and Sweden, 1st March, 1665, to wit 9th October, 1665, guarantee of the same agreements.... Whereas an instrument of peace between ... the Kings of Sweden and Denmark happened to be soon after these concluded at Lunden in Schonen, in 1679, which contains an express transaction, and repetition and confirmation of the Treaties concluded at Roskild, Copenhagen, and Westphalia; therefore ... the King of Great Britain binds himself by the force of this Treaty ... that if either of the Kings of Sweden and Denmark shall consent to the violation, either of all the agreements, or of one or more articles comprehended in them, and consequently if either of the Kings shall to the prejudice of the person, provinces, territories, islands, goods, dominions and rights of the other, which by the force of the agreements so often repeated, and made in the camp of Copenhagen, on the 27th of May, 1660, as also of those made in the ... peace at Lunden in Schonen in 1679, were attributed to every one that was interested and comprehended in the words of the peace, should either by himself or by others, presume, or secretly design or attempt, or by open molestations, or by any injury, or by any violence of arms, attempt anything; that then the ... King of Great Britain ... shall first of all, by his interposition, perform all the offices of a friend and princely ally, which may serve towards the keeping inviolable all the frequently mentioned agreements, and of every article comprehended in them, and consequently towards the preservation of peace between both kings; that afterwards if the King, who is the beginner of such prejudice, or any molestation or injury, contrary to all agreements, and contrary to any articles comprehended in them, shall refuse after being admonished ... then the King of Great Britain ... shall ... assist him that is injured as by the present agreements between the Kings of Great Britain and Sweden in such cases is determined and agreed.

"*Query.* Does not this article expressly tell us how to remedy the disturbances our trade in the Baltic might suffer, in case of a misunderstanding betwixt the Kings of Sweden and Denmark, by obliging both these Princes to keep all the Treaties of Peace that have been concluded between them from 1660-1670, and in case

either of them should in an hostile manner act against the said Treaties, by assisting the other against the aggressor? How comes it then that we don't make use of so just a remedy against an evil we are so great sufferers by? Can anybody, though ever so partial, deny but the King of Denmark, though seemingly a sincere friend to the King of Sweden, from the peace of Travendahl till he went out of Saxony against the Muscovites, fell very unjustly upon him immediately after, taking ungenerously advantage of the fatal battle of Pultava? Is not then the King of Denmark the violator of all the above-mentioned Treaties, and consequently the true author of the disturbances our trade meets with in the Baltic? Why in God's name don't we, according to this article, assist Sweden against him, and why do we, on the contrary, declare openly against the injured King of Sweden, send hectoring and threatening memorials to him, upon the least advantage he has over his enemies, as we did last summer upon his entering Norway, and even order our fleets to act openly against him in conjunction with the Danes?

"*Article XIX.* There shall be 'stricter confederacy and union between the above-mentioned Kings of Great Britain and Sweden, for the future, *for the defence and preservation of the Protestant, Evangelic, and reformed religion.*'

"*Query I.* How do we, according to this article, join with Sweden to *assert, protect, and preserve the Protestant religion*? Don't we suffer that nation, which has always been a bulwark to the said religion, most unmercifully to be torn to pieces?... *Don't we ourselves give a helping hand towards its destruction*? And why all this? Because our merchants have lost their ships to the value of sixty odd thousand pounds. *For this loss, and nothing else, was the pretended reason why, in the year 1715, we sent our fleet in the Baltic, at the expense of £200,000;* and as to what our merchants have suffered since, suppose we attribute it to our threatening memorials as well as open hostilities against the King of Sweden, must we not even then own that that Prince's resentment has been very moderate?

"*Query II.* How can other Princes, and especially our fellow Protestants, think us sincere in what we have made them believe as to our zeal in spending millions of lives and money for to secure the Protestant interest only in one single branch of it, *I mean the Protestant succession here*, when they see that that succession has hardly taken place, before we, only for sixty odd thousand pounds, (for let us always remember that this paltry sum was the first pretence for our quarrelling with Sweden) go about to undermine the very foundation of that interest in general, by helping, as we do, entirely to sacrifice Sweden, the old and sincere protector of the Protestants, to its neighbours, of which some are professed Papists, some worse, and some, at least, but lukewarm Protestants?

"*Article XX.* Therefore, that a reciprocal faith of the Allies and their perseverance in this agreement may appear ... both the fore-mentioned kings mutually oblige themselves, and declare that ... they will not depart a tittle from the genuine and common sense of all and every article of this treaty under any pretences of friendship, profit, former treaty, agreement, and promise, or upon any colour whatsoever: but that they will most fully and readily, either by themselves, or ministers, or subjects, put in execution whatsoever they have promised in this treaty ... without any hesitation, exception, or excuse....

"*Query I.* Inasmuch as this article sets forth that, at the time of concluding of the treaty, we were under no engagement contrary to it, and that it were highly unjust should we afterwards, and while this treaty is in force, which is eighteen years after the day it was signed, have entered into any such engagements, how can we justify to the world our late proceedings against the King of Sweden, which naturally seem the consequences of a treaty either of our own making with the enemies of that Prince, *or of some Court or other that at present influences our measures*?

"*Query II.* The words in this article ... how in the name of honour, faith, and justice, do they agree with the *little and pitiful pretences* we now make use of, not only for not assisting Sweden, pursuant to this treaty, *but even for going about so heartily as we do to destroy it*?

"*Article XXI.* This defensive treaty shall last for eighteen years, before the end of which the confederate kings may ... again treat.

"*Ratification of the abovesaid treaty.* We, having seen and considered this treaty, have approved and confirmed the same in all and every particular article and clause as by the present. We do approve the same for us, our heirs, and successors; assuring and promising our princely word that we shall perform and observe sincerely and in good earnest all those things that are therein contained, for the better confirmation whereof we have ordered our great seal of England to be put to these presents, which were given at our palace of Kensington, 25th of February, in the year of our Lord 1700, and in the 11th year of our reign (Gulielmus Rex).[22]

"*Query.* How can any of us that declares himself for the late happy revolution, and that is a true and grateful lover of King William's for ever-glorious memory ... yet bear with the least patience, that the said treaty should (that I may again use the words of the 20th article) be *departed from, under any pretence of profit, or upon any colour whatsoever*, especially so insignificant and trifling a one as that which has been made use of for two years together to employ our ships, our men, and our money, *to accomplish the ruin of Sweden*, that same Sweden whose defence and preservation this great and wise monarch of ours has so solemnly promised, and which he always looked upon to be of the utmost necessity for to secure the Protestant interest in Europe?"

FOOTNOTE:

[22] The treaty was concluded at the Hague on the 6th and 16th January, 1700, and ratified by William III. on February 5th, 1700.