

HANDBOOKS PREPARED UNDER THE DIRECTION OF THE  
HISTORICAL SECTION OF THE FOREIGN OFFICE.—No. 27

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LUXEMBURG  
AND  
LIMBURG

LONDON:

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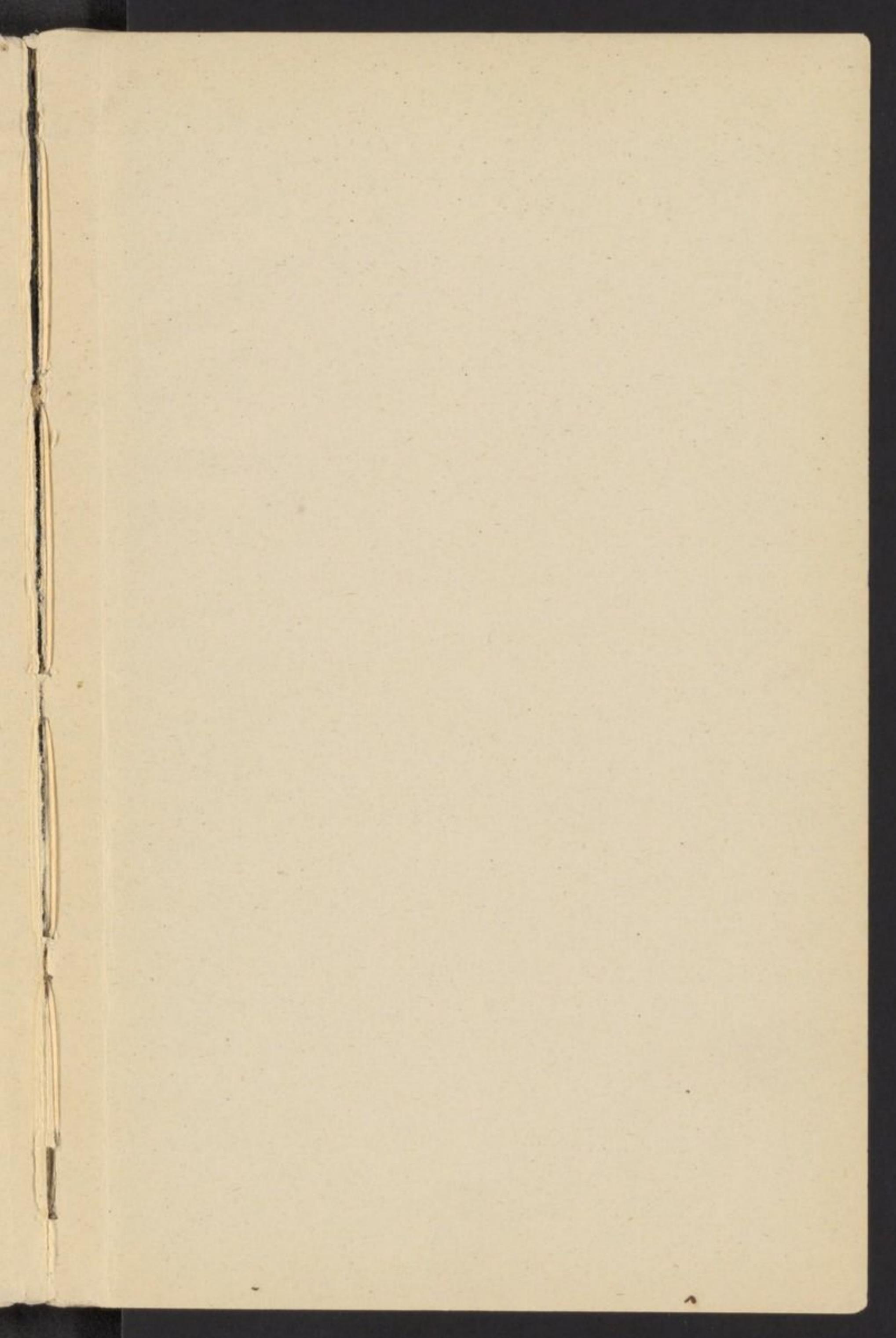


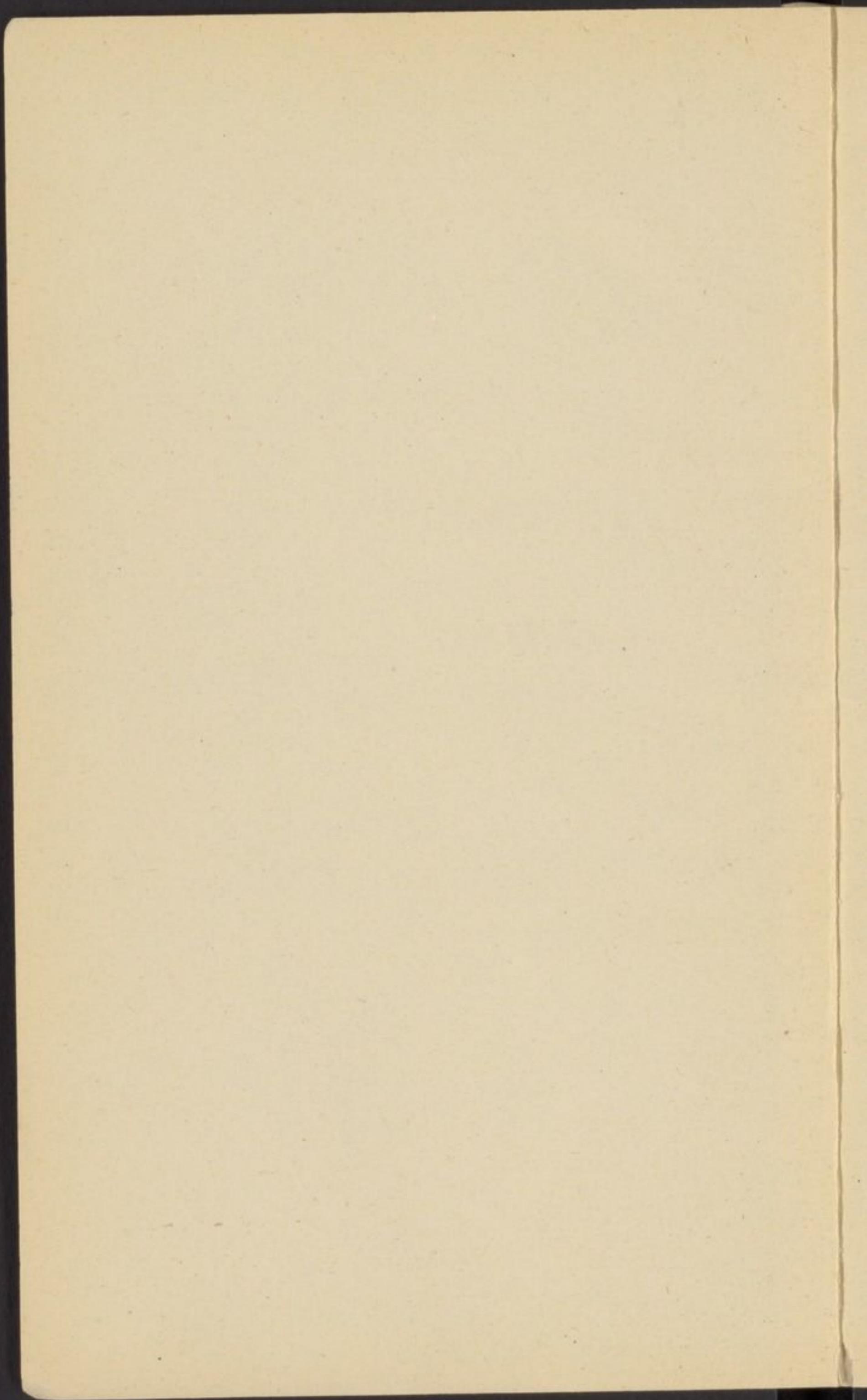
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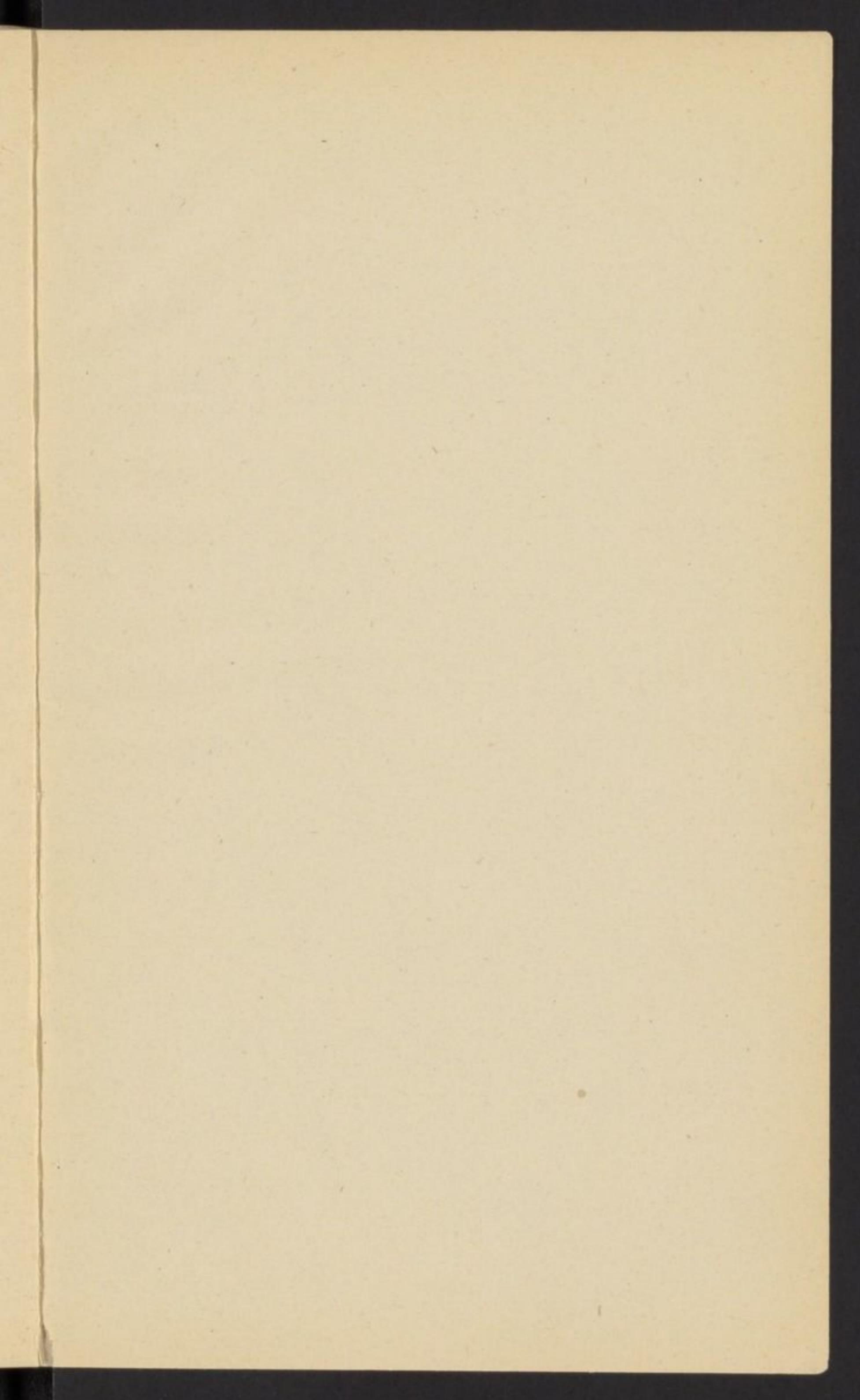


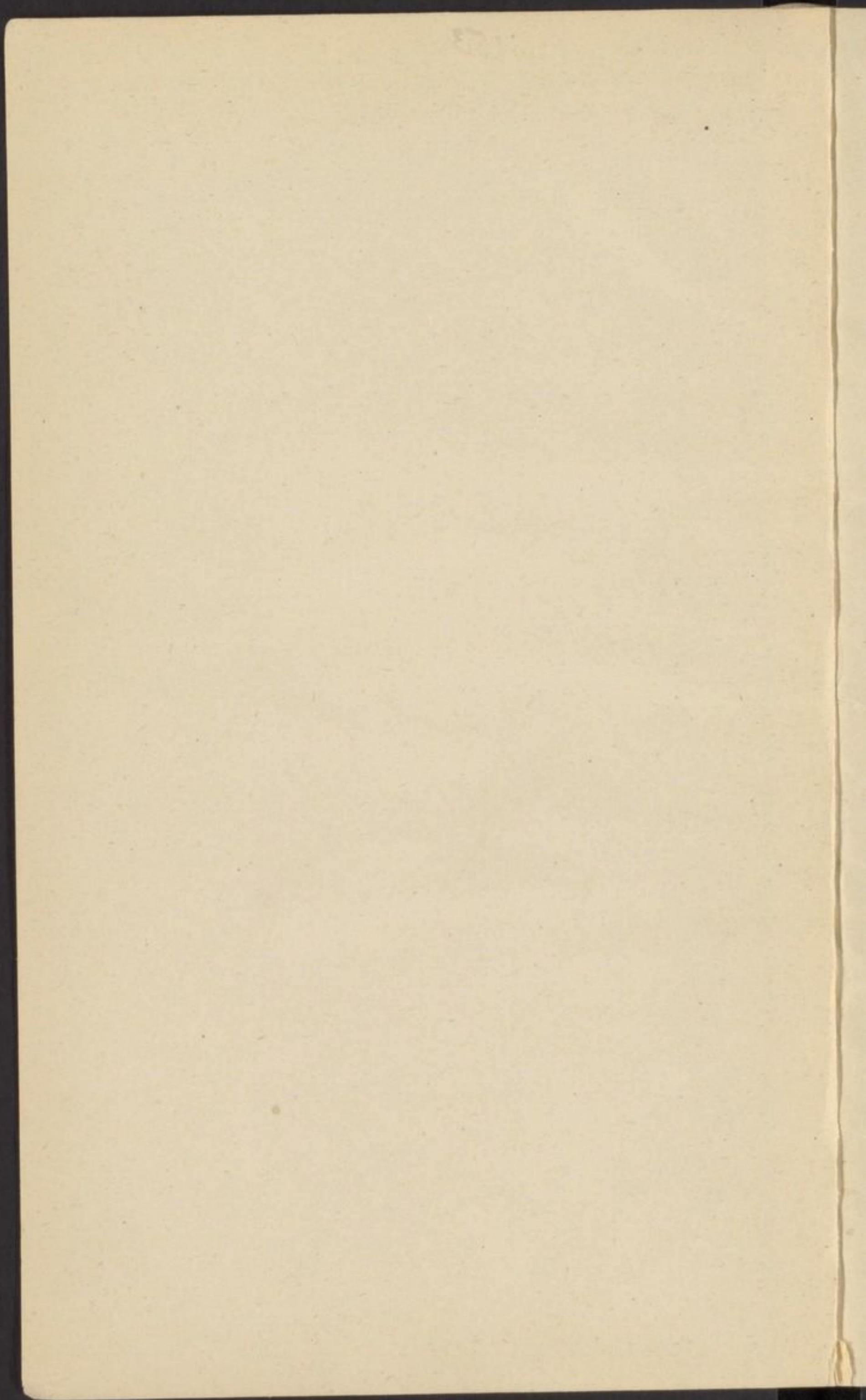
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HANDBOOKS PREPARED UNDER THE DIRECTION OF THE  
HISTORICAL SECTION OF THE <sup>gr. Brit.</sup> FOREIGN OFFICE.—No. 27

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LUXEMBURG  
AND  
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LONDON:  
PUBLISHED BY H.M. STATIONERY OFFICE.

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## Editorial Note.

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IN the spring of 1917 the Foreign Office, in connection with the preparation which they were making for the work of the Peace Conference, established a special section whose duty it should be to provide the British Delegates to the Peace Conference with information in the most convenient form—geographical, economic, historical, social, religious and political—respecting the different countries, districts, islands, &c., with which they might have to deal. In addition, volumes were prepared on certain general subjects, mostly of an historical nature, concerning which it appeared that a special study would be useful.

The historical information was compiled by trained writers on historical subjects, who (in most cases) gave their services without any remuneration. For the geographical sections valuable assistance was given by the Intelligence Division (Naval Staff) of the Admiralty; and for the economic sections, by the War Trade Intelligence Department, which had been established by the Foreign Office. Of the maps accompanying the series, some were prepared by the above-mentioned department of the Admiralty, but the bulk of them were the work of the Geographical Section of the General Staff (Military Intelligence Division) of the War Office.

Now that the Conference has nearly completed its task, the Foreign Office, in response to numerous enquiries and requests, has decided to issue the books for public use, believing that they will be useful to students of history, politics, economics and foreign affairs, to publicists generally and to business men and travellers. It is hardly necessary to say that some of the subjects dealt with in the series have not in fact come under discussion at the Peace Conference; but, as the books treating of them contain valuable information, it has been thought advisable to include them.

It must be understood that, although the series of volumes was prepared under the authority, and is now issued with the sanction, of the Foreign Office, that Office is not to be regarded as guaranteeing the accuracy of every statement which they contain or as identifying itself with all the opinions expressed in the several volumes; the books were not prepared in the Foreign Office itself, but are in the nature of information provided for the Foreign Office and the British Delegation.

The books are now published, with a few exceptions, substantially as they were issued for the use of the Delegates. No attempt has been made to bring them up to date, for, in the first place, such a process would have entailed a great loss of time and a prohibitive expense; and, in the second, the political and other conditions of a great part of Europe and of the Nearer and Middle East are still unsettled and in such a state of flux that any attempt to describe them would have been incorrect or misleading. The books are therefore to be taken as describing, in general, *ante-bellum* conditions, though in a few cases, where it seemed specially desirable, the account has been brought down to a later date.

G. W. PROTHERO,

*General Editor and formerly*

*Director of the Historical Section.*

*January 1920.*

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(A) LUXEMBURG

I. POLITICAL HISTORY

CHRONOLOGICAL SUMMARY

- 1308 Henry IV, Count of Luxemburg, elected Emperor.
- 1354 The Emperor Charles IV grants his Luxemburg dominions to his half-brother Wenceslas with the title of ' duke '.
- 1355 Wenceslas marries Jeanne, heiress of Brabant and Limburg. They grant the Charter known as the *Joyeuse Entrée*.
- 1383 Death of Wenceslas without issue.
- 1390 Jeanne bequeaths Brabant and Limburg to her niece, Margaret, Countess of Flanders, wife of Philip the Bold, Duke of Burgundy.
- 1406 Death of Jeanne. Anthony, second son of Philip and Margaret, succeeds to duchies of Brabant and Limburg. He marries Elizabeth of Görlitz, Duchess of Luxemburg.
- 1415 Anthony killed at Agincourt.
- 1441 His nephew and heir, Philip the Good, purchases Luxemburg from Elizabeth of Görlitz.
- 1465 The States-General of the Burgundian Netherlands (including Luxemburg) meet at Brussels.
- 1548 Treaty of Augsburg. The seventeen provinces of the Netherlands (of which Luxemburg was one) recognized as a political unity and declared ' henceforth free and independent of the Emperor and Empire '.
- 1555 In presence of the States-General, Charles V resigns the sovereignty of the Netherlands to his son Philip.
- 1598 The States-General of the Belgic Provinces (including Luxemburg) take the oath of allegiance to Albert and Isabel.
- 1633 Isabel dies without issue (Albert died in 1621). The sovereignty of the Spanish Netherlands reverts to Philip IV.

- 1700 Charles II of Spain, having no issue, bequeaths his dominions, including the Netherland Provinces, to Philip of Anjou.
- 1702 War of the Spanish Succession.
- 1713 and 1714. By the Treaties of Utrecht and Rastatt the Emperor Charles VI of Austria becomes sovereign of the Spanish Netherlands, henceforth known as the Austrian Netherlands.
- 1795 Conquest of the Austrian Netherlands by the French.
- 1814 Conference of Châtillon, Feb.—March. First Treaty of Paris, May 30. Protocol, June 14. Treaty of the VIII Articles, June 20. The Belgic Provinces, with the exception of Luxemburg, added to Holland to form the kingdom of the Netherlands. Luxemburg created a Grand Duchy under the sovereignty of the House of Orange-Nassau and included in the German Confederation. The town of Luxemburg declared to be a federal fortress.
- 1815 May 31, Treaty between the four Great Powers and the Netherlands. The King-Grand Duke treats Luxemburg as part of Belgium.
- 1816 June 26, Treaty between Prussia and the Netherlands.
- 1830 Luxemburg takes part in the Belgian revolt against Dutch domination. Conference of London meets (November).
- 1831 Bases of separation agreed on, Jan. 20. Leopold elected King of the Belgians, June 4. Treaty of the XVIII Articles, June 26. Treaty of the XXIV Articles, Oct. 14. Signed Nov. 15.
- 1833 May 31, Convention between Great Britain, France, and Holland.
- 1838 King William declares his readiness to accept the separation.
- 1839 April 19, Treaty of peace and separation between Holland and Belgium signed. Part of Luxemburg ceded to Belgium in exchange for a portion of Belgian Limburg.
- 1840 King William I abdicates. William II becomes Grand Duke.
- 1845 Luxemburg admitted to the German Zollverein.
- 1848 A new Constitution granted.
- 1849 William III succeeds his father.

- 1850 The King-Grand-Duke appoints his brother Henry Stadholder of Luxemburg.
- 1856 Revision of the Constitution.
- 1857 Railway Convention between the French Compagnie de l'Est and the Compagnie Guillaume-Luxembourg.
- 1867 Conference of London (May). Treaty between the signatory Powers (May 11). Luxemburg's connexion with the German Confederation dissolved; the Grand Duchy declared to be a neutral State under the collective guarantee of the Great Powers; the fortress of Luxemburg dismantled.
- 1868 Final revision of the Constitution. Council of State created. The French Compagnie de l'Est obtains control of all Luxemburg railways.
- 1871 Rights of the Compagnie de l'Est transferred to Prussia.
- 1890 William III dies without male heirs. The Grand Duchy passes to the next male agnate of the Nassau family, Adolphus, Duke of Nassau-Weilburg.
- 1902 Renewal of the Railway Convention between Prussia and Luxemburg.
- 1905 Adolphus dies and is succeeded by his son William.
- 1912 Death of William without male heirs. His daughter Marie Adelaide becomes Grand Duchess.
- 1914 Aug. 1, Violation of Luxemburg's neutrality and occupation of the Grand Duchy by the German army.

i. *The Duchy of Luxemburg, 1354-1814*

LUXEMBURG in the thirteenth century was one of the feudal States of the Netherlands, Pays-Bas or Low Countries, as that region of Europe was called, which lies around the lower courses and the mouths of the rivers Rhine, Meuse, and Scheldt. The duchy of Lower Lorraine, which in later Carolingian times had covered the greater part of this territory, had been gradually split up into a number of duchies, counties, and lordships, practically independent though owning a shadowy vassalage to the Empire. Over these the dukes of Brabant, who claimed to be the representatives of the dukes of Lower

Lorraine, had, after the battle of Woeringen<sup>1</sup> (1288), acquired a recognized supremacy. They had annexed the duchy of Limburg and forced the neighbouring States, including the county of Luxemburg, which was poor and thinly populated, to acknowledge their suzerainty. The position of Luxemburg was, however, considerably changed by the election of Count Henry IV (1308) to the imperial dignity as the Emperor Henry VII.

His grandson, the Emperor Charles IV, granted his Luxemburg dominions with the title of duke to his half-brother, Wenceslas, in 1354. This Wenceslas married Jeanne, the heiress of Brabant and Limburg; and thus in 1355, on the death of his father-in-law, the three duchies were united under the same rulers. It was on this occasion that the Estates of Brabant extorted from them the concession of the famous charter, known as the *Joyeuse Entrée*, guaranteeing their rights and liberties against arbitrary government. This marriage had no issue, so that Brabant and Luxemburg were again for a while separated. Wenceslas died in 1383; and Jeanne, by an Act dated September 28, 1390, bequeathed Brabant and Limburg to her niece, Margaret of Maele (in her own right Countess of Flanders), the wife of Philip the Bold, Duke of Burgundy, with succession to Margaret's second son Anthony. On the death of the aged duchess in 1406, Anthony accordingly became Duke of Brabant and Limburg; and three years later, by his marriage with Elizabeth of Görlitz, the heiress of Luxemburg, the three duchies were once more united. Anthony was killed at Agincourt (1415), leaving no children. It was not till 1441 that his nephew, Philip the Good, who had in 1419 succeeded to the Burgundian inheritance,

<sup>1</sup> In this battle John the Victorious, Duke of Brabant, slew Henry, Count of Luxemburg, in single combat.

was able, by purchase from the Duchess Elizabeth, to add Luxemburg to a dominion already extending over almost the whole of the Netherlands.

From this date onwards, Luxemburg ceases to have an independent history. The duchy became a province of the Burgundian territory in the Netherlands. The Burgundian dukes and their successors ruled this territory, as sovereigns, by a number of distinct titles; but they regarded it as a political entity, and it was their settled policy to strive, so far as local conditions permitted, to make it so. This was shown by the creation of a Council of State attached to the person of the prince and of a central court of justice, and by the summoning of the States-General, the first important meeting being that held at Brussels by Philip the Good (1465), to receive his son, Charles the Bold, as their future sovereign. In these meetings of the States-General, representatives of all the provinces sat as a visible symbol of their union under the common sovereign.

This union was not weakened but cemented by the loss of the French fiefs of the House of Burgundy on the death of Charles the Bold (1477), and by the marriage of his heiress with Maximilian of Austria. The inheritance which Mary of Burgundy transmitted to her Habsburg descendants was the sovereignty of the Netherlands; and both her son, Philip the Fair, and her grandson, the Emperor Charles V, were born and educated in the Netherlands. During the reign of Charles (1506-55), the Netherlands were treated as a practically autonomous State under the successive governorships of his aunt, Margaret (1507-30), and of his sister, Mary (1530-55). Of this State Luxemburg was an integral part. The proofs of this are indisputable. In the Treaty of Augsburg (1548), by which Charles regulated the relations of his Netherland do-

minions to the Empire, he described himself as their sovereign under seventeen different titles. Among these the title 'Duke of Luxemburg' takes the third place. In this treaty the Netherlands, regarded as a political unity, formed the Burgundian Circle (*Kreis Burgund*), and were declared to be 'henceforth free and independent of the Emperor and Empire' except as regards contributions for mutual defence. The Augsburg treaty was in reality the final severance of the shadowy ties of vassalage between Luxemburg and her sister provinces, on the one hand, and the Empire on the other; for the contributions were never paid, nor was the obligation at any time pressed. It was from the first a dead letter.

At the important meeting of the States-General, summoned to Brussels for the occasion of Charles's abdication (October 26, 1555), the list of the seventeen provinces represented contains the duchy of Luxemburg third in order. Forty-three years later the States-General were again summoned to Brussels (August 27, 1598), to take the oath of allegiance to Albert and Isabel on their accession to the sovereignty by the deed of renunciation executed by Philip II on his death-bed. In the interval the Northern Provinces had revolted and formed themselves into an independent republic; nevertheless seventeen benches were placed in the hall as in 1555, but six remained empty. Of the eleven sets of delegates who took the oath, those of the four duchies, Brabant, Limburg, Luxemburg, and Gelderland, as usual, came first, the last-named being represented by one only of its four quarters. With this historic gathering begins the separate history of the Belgian, thenceforward known as the Spanish, Netherlands.

Charles II, the last sovereign in the male line of the Spanish Habsburgs, by his will dated October 2, 1700,

left his dominions to Philip, Duke of Anjou. In his bequest the King mentions Luxemburg as part of his possessions in the Netherlands. The words are :

‘ à ses duchés de Brabant, de Limbourg, de Luxembourg, de Gueldres, à la Flandre et à toutes les autres provinces, états, domaines et seigneuries, qui lui appartenaient dans les Pays-Bas.’

The fortune of war transferred the sovereignty to the Austrian Habsburgs. By the Treaty of Utrecht (April 11, 1713), supplemented by the Treaties of Rastatt (September 7, 1714) and of Antwerp (November 15, 1714), the Emperor Charles VI entered into possession of

‘ les Pais-Bas communement appelez Espagnols tel que feu le Roy Catholique Charles II les a possédez ou dû posséder conformément au traité de Ryswick ’ ;<sup>1</sup>

i. e. those territories specified in the clause of the will quoted above.

The ‘ Austrian ’ Netherlands after their conquest by the French revolutionary armies were, by the decree of October 1, 1795, incorporated in the French Republic and divided into nine departments. Luxemburg formed the Département des Forêts with parts of those of Ourthe and of Sambre-et-Meuse. By the Treaty of Campo Formio, October 17, 1797 (Article III), and again by the Treaty of Lunéville, February 9, 1801 (Article II), this annexation was confirmed by the Austrian Government, Luxemburg having no special mention, but being treated as a constituent part of the ‘ Pays-Bas Autrichiens ’.

## ii. *The Grand Duchy of Luxemburg, 1814–30*

During the period 1814 to 1839 the history of the gradual evolution of Luxemburg from the position of

<sup>1</sup> Treaty of Utrecht, Art. VIII; of Rastatt, Art. XIX.

a Belgian province to that of a distinct and independent principality demands full treatment.

The months of January, February, and March, 1814, witnessed the expulsion of the French armies from the Netherlands; and the Prince of Orange, with the support of Great Britain and Prussia, was enthusiastically acclaimed by the Dutch people as their ruler, with the title of Sovereign Prince of the United Netherlands. At the Conference of Châtillon (February 2 to March 15) it was agreed by the representatives of the Great Powers that Holland should receive an 'increase of territory'. This proposal had already been the subject of negotiations between Great Britain and the Prince of Orange and other Powers. By the Treaty of Paris (May 30, 1814) this increase of territory was definitely sanctioned.

'La Hollande, placée sous la souveraineté de la maison d'Orange, recevra un accroissement de territoire'; and by a secret article this increase is to include 'les pays compris entre la mer, les frontières de la France telles qu'elles se trouvent réglées par le présent traité, et la Meuse', which 'seront réunis à toute perpétuité à la Hollande'. Further, 'les frontières sur la rive droite de la Meuse seront réglées selon les convenances militaires de la Hollande et de ses voisins'; and 'les pays allemands sur la rive gauche du Rhin qui avaient été réunis à la France depuis 1792 serviront à l'agrandissement de la Hollande et à des compensations pour la Prusse et autres Etats allemands'.

The question, therefore, of Luxemburg, Namur, and Liège was left open; and, with Prussia as a competitor for the possession of the territory between the Meuse, the Moselle, and the Rhine, the prospects of the frontiers of Holland being extended to Cologne and Düsseldorf, as at one time contemplated, became very doubtful. At the Conference of London the complete union of Holland and Belgium was finally settled in the protocol signed by the plenipotentiaries of the four Powers, dated June 14, 1814.

Article I of this protocol expressly states that this union is being effected by the Powers for political reasons, to secure the equilibrium of Europe, 'en vertu de leur droit de conquête de la Belgique'. That this bald and almost brutal statement of the principle on which the Allies were settling the future destiny of the Belgian territory was due to Prussian pressure and instigation, is proved by a study of the diplomatic correspondence of this time, and by the fact that the Provisional Government of Belgium had been in the hands of Prussian Commissioners. Prussia had no wish to see the 'increase of territory' include any portion of Rhenish territory, for it was precisely in the lands which lie between the Rhine, the Moselle, and the Meuse that she desired to consolidate her own possessions. Tentative proposals were already being made by Prussia to the newly acknowledged Sovereign Prince of the United Netherlands for the cession of his Nassau principalities in return for an equivalent elsewhere.

The final settlement of boundaries was left to the Congress which met in Vienna in October 1814. The claims of Prussia for territorial aggrandizement from the first disturbed the harmony of the negotiations. Foiled in its intention of annexing Saxony by the opposition of Great Britain, France, and Austria, the Prussian Government sought compensation on the Rhine, and obtained it. The return of Napoleon from Elba (March 8) hushed all disputes and hastened the various settlements. The treaty between the four Great Powers and the Netherlands bears the date May 31, 1815. It was the ratification of arrangements that had already been agreed upon in principle. This is shown by the fact that on March 16 the Prince of Orange, on being certified of the news of Napoleon's return, issued a proclamation

by which he assumed the title of King of the Netherlands and Duke of Luxemburg. It contains the important words :

‘ Nous prenons, pour nous-même et pour les princes qui, après nous, monteront sur le trône, la dignité royale et le titre de Roi, en ajoutant cependant à ce dernier celui de duc de Luxemburg, à cause des relations particulières que cette province<sup>1</sup> est destinée à avoir avec l’Allemagne.’

His act met with the approval of the representatives of the Powers assembled at the Congress, and was finally ratified by the treaty between Austria, Great Britain, Prussia, and Russia with the Netherlands of May 31, 1815, in which Articles III, IV, V, and VI<sup>2</sup> fully define and explain the somewhat enigmatical reference to Luxemburg contained in the proclamation. By these articles the part of the ancient duchy of Luxemburg lying between the boundary of the new kingdom (as defined in Article II) and the courses of the rivers Moselle, Sure, and Oure, was given to the King of the Netherlands as an hereditary sovereign possession, with the title of Grand Duke of Luxemburg, in exchange for his ancestral possessions of Nassau (Dillenburg, Siegen, and Dietz), which were ceded to the King of Prussia. The Grand Duchy was to form one of the States of the Germanic Confederation; and the Grand Duke was to have the prerogative and privileges attaching to a German prince. The right of succession was to be regulated by the ‘Nassauischer Erbverein’ of 1783.<sup>3</sup> The town of Luxemburg was to be considered, ‘sous le rapport militaire’, as a fortress of the Germanic Confederation, the Grand Duke having the right to nominate the governor and military commandant, subject to the approbation of the executive power of the Confederation.

<sup>1</sup> Dutch version—*Landschap*.

<sup>2</sup> See Appendix, No. 2.

<sup>3</sup> See Appendix, No. 1.

By this transaction the Prussian Government revealed the reason why the words—in appearance so needlessly offensive—‘*en vertu de leur droit de conquête de la Belgique*’ were added to Article I of the protocol of June 14, 1814. Luxemburg in 1815 was, as it had always been since the time of Philip the Good, one of the Belgic provinces, and had been by a succession of treaties recognized as an integral part of the Spanish and Austrian Netherlands, i. e. of Belgium. Nevertheless, though Article I of the Treaty of May 31, 1815, declares that ‘*les ci-devant provinces belges*’ shall form, with the ancient United Provinces under the sovereignty of the Prince of Orange-Nassau, the kingdom of the Netherlands, the province of Luxemburg is deliberately cut out from that kingdom and is then offered as compensation for the hereditary German possessions (coveted by Prussia) of the very prince from whose sovereignty the province had been filched.

The part played by King William in this transaction is explicable. His personal relations with Prussia were of the closest kind. His mother was the sister of Frederick William II, his wife of Frederick William III. Prussian arms had restored his father, the Stadholder William V, to power in 1787; and he himself had spent many years of his exile at Berlin. It must be remembered that the kingdom of the Netherlands was created by the Powers as a barrier against French aggression; but, in order that it should be an effective barrier, it was necessary that it should have behind it the support of a great military Power. This was supplied by the strengthening of the position of Prussia in the Rhenish provinces. In these circumstances the cession of his hereditary Nassau principalities by William to a Power on whose friendliness he could rely was justified. His whole subsequent conduct shows that, in accept-

ing in exchange, with the title of Grand Duke, the Belgian province of Luxemburg, and allowing the newly-created Grand Duchy to be considered as one of the States of the Germanic Confederation, he acted with two motives : (1) to maintain his personal *status* as a German prince with a voice in the Diet ; (2) to have the right of calling upon the Germanic Confederation to defend the Grand Duchy against French invasion. Hence that clause of the Treaty of May 31, 1815 :

‘ La ville de Luxembourg sera considérée, sous le rapport militaire, comme forteresse de la Confédération ; ’

and the subsequent arrangement of the treaty between Prussia and the Netherlands (November 8, 1816), containing the words :

‘ La garnison de Luxembourg sera composée de Hollandais et de Prussiens. Le roi des Pays-Bas cède à S. M. le roi de Prusse le droit de nommer le gouverneur militaire et le commandant de la forteresse de Luxembourg, la souveraineté territoriale appartenant au roi des Pays-Bas.’

This arrangement had behind it the precedent of the Barrier Treaty of 1715 ; and its object was the same, viz. to prevent the passage of a French army of invasion by this oft-trodden route. That King William did not regard his assumption of the title of Grand Duke of Luxemburg with its accompanying conditions as implying that Luxemburg had ceased to be a Belgian province or an integral portion of the kingdom of the Netherlands, his actions during the whole period of the existence of that kingdom abundantly prove.

The so-called ‘ Eight Articles of London ’, which defined the conditions of the future union of Holland and Belgium in one kingdom, were agreed to by the representatives of the Great Powers, Austria, Great

Britain, Prussia, and Russia, on June 21, 1814. The proclamation by which William assumed the title of King of the Netherlands and Duke of Luxemburg was dated March 16, 1815. On April 22, 1815, a commission, consisting of twelve Hollanders and twelve Belgians, was appointed to consider what modifications of the Fundamental Law of Holland<sup>1</sup> were necessary in order to comply with the conditions of the Eight Articles of London. In order that the commission should be in every respect representative, it contained twelve Protestants and twelve Catholics, while the secretary was a Jew.

The new Fundamental Law, which was the result of their labours, met with much opposition in Belgium; and, as described elsewhere,<sup>2</sup> it was only by a very doubtful manœuvre that its acceptance by the Belgian notables was obtained. It is most important to emphasize the fact that, from the outset, Luxemburg was treated as an integral part of Belgium and of the kingdom of the Netherlands. The notables of Luxemburg were called up to vote with those of the other provinces for or against acceptance of the new Fundamental Law; and they were alone in giving a unanimous vote in its favour. Again, by one of the provisions of the proposed Constitution, Holland and Belgium were assigned an equal number of representatives in the Second Chamber of the States-General—fifty-five to each of them. Of these fifty-five, it is significant that four were representatives of Luxemburg. These deputies took their seats in the Chamber and the oath of allegiance to the King; and all legislative acts, including the imposition of taxes, applied to Luxem-

<sup>1</sup> This had been drawn up by a previous commission and was accepted by the notables of the Northern Netherlands on March 29, 1814.

<sup>2</sup> See *Belgium* (No. 26 of this series), § II, p. 41 *seq.*

burg exactly in the same way as to the other parts of the kingdom. The fusion was complete. There was no attempt to conceal it; all the European Powers were aware of it; no one protested, not even Prussia. This is brought out very clearly in the Boundary Treaty between the King of Prussia and the King of the Netherlands, signed at Aix-la-Chapelle on June 26, 1816, as Articles I and II demonstrate.<sup>1</sup>

A reference to Article IV of the Treaty of May 31, 1815, shows that the boundary between Prussia and the Grand Duchy of Luxemburg, as fixed at Vienna, is the same boundary as that fixed by the Treaty of June 26, 1816, between Prussia and the kingdom of the Netherlands. As a proof that this is not due to any slip in drafting Article II of this latter treaty, Articles V and XXVIII<sup>2</sup> may be referred to. Thus, in 1816, Prussia acquiesced officially in regarding the Grand Duchy of Luxemburg as a part of the kingdom of the Netherlands.

That the King never contemplated or desired at this time any separation of Luxemburg from the kingdom is manifested in the Act of May 25, 1816, by which an indemnity elsewhere was given to his second son, Frederick, whom he had at first intended to nominate as his successor to the Grand Duchy. His reason for this step is stated thus:

‘Comme nous avons jugé convenable, dans l'intérêt général du royaume, d'y réunir le Grand-Duché et de le placer sous les mêmes lois constitutionnelles . . .’<sup>3</sup>

### iii. *The Grand Duchy of Luxemburg, 1830-9*

The arrangements made by the Congress of Vienna for a united Netherlands were rudely interrupted by

<sup>1</sup> See Appendix, No. 5.

<sup>2</sup> Ibid.

<sup>3</sup> For the text of this Act, see J. B. Nothomb, *Essai sur la Révolution belge*, i. 123, note.

the Belgian revolution of July 1830. Volunteers from Luxemburg had taken an active part in the rising and in the combats with the Dutch forces. The Conference of the Five Powers, which met at London at the request of King William, early in November, was not long in agreeing in principle to the independence of Belgium. The protocol of December 20, 1830, announced formally that the Conference would occupy itself in making arrangements for securing that independence, but made a reservation which was to be the cause of much bitter dispute and heart-burning :

‘ Ces arrangements ne peuvent affecter en rien les droits que le roi des Pays-Bas et la Confédération Germanique exercent sur le Grand-Duché de Luxembourg.’

Confronted with Articles III, IV, V, and VI of the Treaty of May 31, 1815,<sup>1</sup> the Conference was bound to make this reservation, although the Grand Duke of Luxemburg had himself for fifteen years been deliberately ignoring them. In the 11th protocol, dated January 20, 1831,<sup>2</sup> the Conference laid down the bases of separation between Holland and Belgium ; and again the Grand Duchy of Luxemburg was regarded as a question apart :

‘ Le Grand-Duché de Luxembourg, possédé à un titre différent par les princes de la maison de Nassau, fait et continuera à faire partie de la Confédération Germanique.’

On June 4 Leopold of Saxe-Coburg was elected King of the Belgians by the National Congress, but his position was difficult. His recognition by the Powers depended on his acceptance of the conditions laid down by the Conference of London as to the bases of separation ; on the other hand, the Belgian Congress had protested strongly against certain of those conditions, notably that which declared the question of

<sup>1</sup> See Appendix, No. 2.

<sup>2</sup> See Appendix, No. 9.

Luxemburg to have been already settled by the Treaty of May 31, 1815. The Congress therefore pressed the King-elect, then in London, to do his utmost to obtain a modification of the protocol of January 20 in regard to this matter. These representations induced the Conference to make a concession, which found expression in Article III of the Preliminary Treaty of June 26, 1831,<sup>1</sup> commonly known as the Treaty of the XVIII Articles.

On June 27, 1831, Prince Leopold announced that he would accept the crown as soon as the Congress had adopted the Treaty of the XVIII Articles. The treaty was adopted on July 9; and on July 21 King Leopold took the oath to the Constitution. On this occasion both the president of the National Congress, M. de Gerlache, who administered the oath, and the secretary, M. Nothomb, who presented the roll, were Luxemburgers. There was a general expectation that 'moyennant de justes compensations', Luxemburg, except its connexion with the Germanic Confederation, would remain an integral part of Belgium.

The reply of King William was the invasion of Belgium (Aug. 2). The country was quite unprepared. After ten days' campaigning, the Prince of Orange found himself at Louvain. French intervention alone saved Belgium from conquest. The Conference met again at London to consider the new situation. The action of William was condemned, but the Powers were weary of the whole affair, and Belgium had to pay the penalty of defeat. A new treaty of separation, that of the XXIV Articles, was agreed upon on October 14 and declared to be irrevocable. Article II of this treaty assigned to Belgium the north-western and larger part of Luxemburg in exchange for an important cession in Limburg. The south-eastern part, con-

<sup>1</sup> See Appendix, No. 10.

taining the town of Luxemburg, was to form, as before, a Grand Duchy under the sovereignty of the King of Holland, and to remain a State of the Germanic Confederation. Article V laid upon the King the task of coming to an understanding with the agnates of the House of Nassau<sup>1</sup> and with the Germanic Confederation on this arrangement. The treaty, though in many points less favourable than that of the XVIII Articles, was accepted by Belgium on November 15.<sup>2</sup> But the King of Holland was obstinate, and refused to ratify the treaty or recognize its stipulations. In particular, he took no steps to secure the consent of the Nassau agnates or of the Germanic Confederation to the proposed division of Luxemburg.

In these circumstances the *status quo* was maintained. Year after year passed, and Luxemburg was treated as before 1830, being administered as a Belgian province, and sending its representatives to the Chambers. William had really been waiting for events to lead to a reopening of the questions decided by the Treaty of the XXIV Articles, but, finding at last that, instead of the position becoming more favourable, both he himself and Holland were placed at a disadvantage by the continuance of the *status quo*, he suddenly (March 14, 1838) gave instructions to his minister in London, Dedel, to inform Palmerston that he was ready to sign the treaty.

The news of this step aroused much feeling in Belgium. Not only were the Belgians required to give up the south-eastern part of Luxemburg which the Treaty of the XXIV Articles had assigned to King William in his capacity as Grand Duke, but also the portion of Limburg which was the compensation granted by that treaty for the cession of western Luxemburg

<sup>1</sup> For this treaty, signed on June 27, 1839, see Appendix, No. 13.

<sup>2</sup> See Appendix, Nos. 11 and 12.

to Belgium. The people of Luxemburg and of Limburg,<sup>1</sup> without a dissentient voice, protested against being torn away from their intimate and close connexion of many centuries with the rest of the Belgic provinces—a connexion which had become even closer and more intimate since the revolution of 1830. Both the Legislative Chambers supported this protest with such a concentrated intensity of patriotic fervour, that nothing but the firm attitude adopted by the Great Powers prevented the outbreak of hostilities with Holland. King Leopold did his utmost to secure some modification of the conditions imposed by the Treaty of the XXIV Articles, pleading that Article V of the Convention of May 21, 1833, between France, Great Britain, and Holland—which declared that

*'les hautes parties contractantes s'engagent à s'occuper sans délai du traité définitif, qui doit fixer les relations entre les États de S. M. le roi des Pays-Bas, grand-duc de Luxembourg, et la Belgique—'*

implied the possibility of a modification; and that, in any case, the refusal of the King of Holland for five years after this date to sign any treaty recognizing the independence of Belgium had taken away from the Treaty of the XXIV Articles its claim to be final and definitive. A pecuniary indemnity was offered.

The discussions went on for many months, but the decision of the Five Powers was unshakable, and Belgium was compelled to give way. By the treaty signed in London on April 19, 1839,<sup>2</sup> the Grand Duchy of Luxemburg, as it exists to-day, was finally separated from that part of the ancient duchy which remained a

<sup>1</sup> For Dutch relations with Luxemburg and Limburg, and especially for the cession of the latter to Holland, see below, p. 34.

<sup>2</sup> See Appendix, No. 12.

Belgian province, and became a sovereign State of the Germanic Confederation under the rule of William, King of Holland, as head of the house of Orange-Nassau.

iv. *The Grand Duchy of Luxemburg, 1839-1914*

The first years of grand-ducal rule were a period of transition. King William I abdicated and was succeeded by his son, William II (October 7, 1840). The government of the Grand Duchy was entrusted to a college of five ministers nominated by the sovereign, the president of the college being styled the Governor. The Governor, as the representative of the sovereign, with the assistance of his colleagues, virtually controlled the administration, though interfering as little as possible with the traditional local self-government. The Grand Duchy was admitted (February 8, 1845) into the German Zollverein, and has hitherto remained a member of it. In 1848 a constituent assembly was summoned, to which wide powers were conceded; and William II granted to Luxemburg a new Constitution on liberal principles. This Constitution, which came into force on July 9, 1848,<sup>1</sup> was framed on the lines of that of Belgium. The powers of the sovereign were restricted, and a large share of the government was entrusted to a single Chamber on the principle of one member for 3,000 inhabitants. The representation of Luxemburg in the German Diet was fixed at three members; but the Assembly, in giving them their mandate, required them to vote against any decisions which might infringe the nationality or independence of the land or the political and civil rights of its inhabitants, or the full right of the Grand Duchy to regulate its own

<sup>1</sup> See Appendix, No. 15.

trade relations. All decisions of the Diet affecting Luxemburg were to have the consent of the Grand Duke and of the representative Chamber.

The accession of William III (1849) led to a policy of reaction, and to the placing of the executive power in the hands of the King-Grand-Duke. The Constitution of 1848 was in 1856 revised in this sense, and a Council of State (*Staatsrat*)<sup>1</sup> was created. Luxemburg continued under autocratic rule until 1868. In 1850 the King had appointed his brother Henry as Stadholder (prince-lieutenant) in the Grand Duchy; and Luxemburg was fortunate in the choice, for Prince Henry, who filled that office for more than twenty years, used his powers wisely and sympathetically for the welfare of the little State with whose interests he identified himself.

The year 1867 saw Luxemburg drawn into the vortex of European politics. The war between Prussia and Austria in the summer of 1866 had left Prussia completely victorious. Austria was driven out of Germany, and the Germanic Confederation was dissolved. With its dissolution the bonds which united the Grand Duchy to it ceased to exist. The Prussians, however, in spite of protest, continued to maintain their garrison in the town of Luxemburg, although it could no longer be regarded as a fortress of the Confederation. For this there was a reason. The Prussian success had been very galling to French susceptibilities. Napoleon III, on the outbreak of the war, had expected a long and balanced conflict in which, at the decisive moment, France could intervene to her own

<sup>1</sup> The *Staatsrat*, which must not number more than fifteen members, nominated by the sovereign, was created to fulfil many of the duties of a Second Chamber and had considerable powers, especially in revising all legislative proposals and in the administration of laws, and as a Court of Appeal in constitutional disputes.

advantage. The rapidity of the Prussian triumph upset this plan; and the Emperor began to seek for some territorial compensation by diplomatic means.

He had been led to think, through certain vague promises made by Bismarck before the war, that Prussia would acquiesce in some territorial compensation being acquired by France in return for her recognition of Prussian predominance in Germany. Accordingly, in February 1867, overtures were made by the French Government to King William III for the sale of the Grand Duchy for 4,000,000 or 5,000,000 francs. At the same time secret negotiations were opened with Belgium for the cession of Luxemburg to that country in exchange for the restoration of the French frontier as fixed by the Treaty of Paris, 1814. The Belgian ministry would have nothing to do with the proposal. King William listened more readily, but was very mistrustful of the attitude of Prussia. Prince Bismarck, however, in his intercourse with the French ambassador, Benedetti, seemed rather to encourage the negotiation than otherwise, and on March 26 the Prince of Orange was sent to Paris with authority to conclude the transaction, subject to the official consent of Prussia being obtained. On April 3 the contracting parties were informed that the cession of Luxemburg was equivalent to a declaration of war with Prussia.

The object of Bismarck in these months of crooked intrigue and ambiguous diplomacy was achieved. Napoleon III had been led into a position from which he could withdraw only by a humiliating failure or by a premature declaration of war. He accepted the inevitable. The negotiation with King William was dropped; and Napoleon contented himself with demanding that the fortress of Luxemburg should be evacuated by the Prussian troops, and that the Grand Duchy should be declared neutral territory. A con-

ference of the signatories of the Treaty of 1839, summoned by the Grand Duke, met in London on May 7 to consider the Luxemburg question. The deliberations were short, and on May 11 a treaty<sup>1</sup> was signed. By this treaty (Article II) it was declared that the Grand Duchy, as defined by the Treaty of April 19, 1839, should be 'henceforth a State perpetually neutral... under the collective guarantee of the signatory Powers'. By Article III, it was declared that, as the Grand Duchy was neutralized, the maintenance or establishment of fortresses on its territory had no object; and that the town of Luxemburg, considered in the past (in the military sense) a federal fortress, should cease to be so. By Article IV the King of Prussia undertook to evacuate the fortress of Luxemburg. By Article V the Grand Duke was to demolish the fortifications of Luxemburg and not to rebuild them. By Article VI the Grand Duchy was declared to be free from the ties which united it to the Germanic Confederation. By this treaty the danger of war was for the time averted. Great Britain and Russia were anxious for peace; and Prussia, in these circumstances, consented to make the apparent concessions to France which the treaty embodied.<sup>2</sup> This treaty, and the changed relations of the Grand Duchy to the German Confederation, led to a final revision of the Constitution, for the outlines of which see below (p. 26).

The neutrality of Luxemburg differs in practice from that of Belgium and Switzerland, in that the former country is to all intents and purposes unarmed. The

<sup>1</sup> See Appendix, No. 16.

<sup>2</sup> The signatory Powers gave a *collective* guarantee to maintain the neutrality of Luxemburg. In the case of Belgium, *les cinq puissances lui garantissent cette neutralité perpétuelle* (Eighteen Articles, art. 6). It was a collective *and* several guarantee.

fortress of the city of Luxemburg was demolished, in accordance with the treaty of 1867, and Art. V of that treaty precludes its restoration. The treaty forbids the maintenance of any military force in the city of Luxemburg, except for the preservation of order. In practice the small force covered by this exception is all that the Grand Duchy possesses.

Having failed to obtain possession of Luxemburg through a bargain with the King of Holland, Napoleon III determined to forward French interests in the Grand Duchy in another way. By a convention dated June 6, 1857, which was to last for forty-five years, the Compagnie Guillaume-Luxembourg had farmed the working of the railways of the Grand Duchy to the French Compagnie de l'Est for a rental payment (*redevance*) based upon the receipts per kilometre. This did not prove satisfactory to the shareholders of the Guillaume-Luxembourg; and in 1858 they demanded a fixed instead of a variable rental. The French Government offered to guarantee the Compagnie de l'Est the payment of a fixed sum, considerably in excess of what was justified by the receipts, on condition that the Guillaume-Luxembourg conceded to the French Company the working of all the lines with which the Grand Ducal Company was connected, including certain lines in Belgian territory. The agreement was concluded on January 21, 1868, and approved by a law of the same year; and the Compagnie de l'Est obtained for forty-five years from 1857 the right of working the whole of the Luxemburg railways with their Belgian dependencies, at a rental of 3,000,000 francs per annum, under the guarantee of the French Government.

In 1870 the war between Prussia and France broke out, and, fortunately for the Grand Duchy, there was no attempt on the part of either of the contending

Powers to infringe its neutrality.<sup>1</sup> But the railway convention had not escaped the notice of Prince Bismarck; and, in negotiating the Treaty of Frankfort, he insisted on the rights acquired by the French Company being transferred to the Prussian Government. The French plenipotentiaries had no alternative but to give their consent; and by Article VII of the Annexe to the Treaty of Frankfort (May 10, 1871) the transfer was effected. No indemnity was offered to the French Compagnie de l'Est, nor was the consent of the Luxemburg Government obtained till the following year. At the expiration of the term of forty-five years the convention (of 1857) with the Grand Duchy was renewed (November 11, 1902). In the interests of the neutrality of Luxemburg, it was expressly laid down by the agreement of June 11, 1872, that these railways should not be used for the transport of war material, and this undertaking was renewed in 1902.<sup>2</sup>

The history of Luxemburg from 1867 to 1914 was one of peaceful progress. The death of King William III (November 23, 1890) without male heirs left the succession to the Grand Duchy, in accordance with the Nassauischer Erbverein<sup>3</sup> of June 30, 1783, to the next male agnate of the Nassau family, Adolphus, Duke of Nassau-Weilburg. The Grand Duke Adolphus appointed his son William regent on April 1, 1902. William became Grand Duke on November 17, 1905; but with him the male line of the Nassaus became extinct. This case is specially provided for by Article XLII of the Nassau Pact of 1783: 'That, in the event of the extinction of males, the rights of succession pass to the daughter or nearest heiress of the last

<sup>1</sup> See Appendix, No. 17.

<sup>2</sup> Wampach, *Le Grand-Duché de Luxembourg et l'invasion allemande*, pp. 13-15.

<sup>3</sup> See Appendix, No. 1.

male.' The Grand Duke, however, thought it well to have the rights of succession of his daughter Marie Adelaide confirmed by the Representative Chamber. This was done by a statute which gave to her hereditary claim the force of law (July 10, 1907). Marie Adelaide became Grand Duchess on February 26, 1912.

On August 1, 1914, at 7 p.m., forty-eight hours before the declaration of war by Germany against France, German soldiers penetrated into the territory of the Grand Duchy. Since that date it would be impossible to say how many hundreds of thousands of German troops and what vast quantities of war material have passed over the Luxemburg railways, although by the convention of November 11, 1902, the Prussian Government undertook not to make use of these lines for the conveyance of munitions of war.

## II. SOCIAL AND POLITICAL CONDITIONS

### (1) RELIGIOUS

THE population of Luxemburg is almost wholly Roman Catholic, and mostly devout. The Protestants, chiefly immigrants, number about 3,300, and there are 1,200 Jews. Until 1912 religious instruction in the primary schools was compulsory and directed by the priests. In 1912, however, the Liberal-Socialist party succeeded in passing a Bill, which received the assent of the Grand Duchess, making religious instruction practically optional according to the wish of the parents.

The duchy of Luxemburg was formerly included in various dioceses, Trèves, Liège, Reims, Verdun, Metz, and Cologne. From 1785 to 1801 it was placed under the episcopal jurisdiction of the Bishop of Metz; after 1801 under that of the Bishop of Namur. In 1840 the Grand Duchy was created a Vicariate-Apostolic, and remained so till 1870, when it became a bishopric. Official recognition was given to the new see in 1873.

### (2) POLITICAL

The Grand Duke reigns as a constitutional sovereign, but retains large prerogatives. He is bound by the Fundamental Law of the land, which on his accession he swears to uphold. He cannot promulgate laws or impose taxation without the assent of the elected Legislative Chamber. The Grand Duke is legally irresponsible in the exercise of his prerogatives, as all laws, decrees, &c., must be countersigned by a minister, who

thus assumes responsibility. His chief prerogatives are: the right of absolute veto upon all measures passed by the Legislative Chamber; the nomination of the Executive Ministry; the nomination of the Council of State (*Staatsrat*), which exercises in many ways the functions of a Second Chamber. The Grand Duke likewise appoints every year the President of the Council, and has the right to dissolve it or the Legislative Chamber. The dissolution of the Council, however, practically does not take place except on the occasion of the accession of a new sovereign.

The Council (*Staatsrat*) consists of not more than fifteen members: a Committee of Seven (*Ausschuss für Streitsachen, Comité des contentieux*) forms a Supreme Court of Appeal. The Council acts as a Chamber of revision for legislative measures passed by the elected Chamber, and possesses a suspensory veto for six months. The appointments are of unlimited duration. Every Councillor must dwell in the country, be possessed of civil and political rights, and be thirty years of age. Members of the Committee of Seven must be jurists and live in the capital.

The Executive Government (*Ministerrat, Conseil de gouvernement*) consists of three or four ministers. The head of the Government (*Staatsminister, Président du Conseil*) has more extended powers than his colleagues (*Generaldirectoren, Directeurs-généraux*), but each is largely independent in the conduct of his own department. A minister cannot hold any other office, nor can he be a member of the Legislative Chamber or any public body. The Ministry initiates legislation and prepares the budget; and a minister may, if called upon to do so, speak in defence of his proposals in the Chamber.

The Legislative Chamber is chosen on the principle that there should be one member for every 5,000

electors. No member can represent less than 4,000 or more than 5,500 electors. Members are elected for six years, but half the Chamber is re-elected every three years. Without entering into detail about the franchise laws and regulations, it may be stated broadly that every Luxemburger of twenty-five years of age, an inhabitant of the Grand Duchy and paying to the State not less than 10 francs in direct taxation, has the right to vote.

Although the Council of State and the Ministry are nominated bodies over which the Representative Chamber has no direct control, the people, through its representatives, has considerable power in the State, as the consent of the majority of the Representative Chamber is requisite for the passing of all legislation and for all taxation. It has the right to discuss and inquire into the conduct of affairs by Ministers and an unlimited right of interpellation. Ministers must be present to answer questions when the Chamber desires their attendance.

### (3) MILITARY ORGANIZATION

By the London Treaty of May 11, 1867, Luxemburg was made a neutral State under the collective guarantee of the Great Powers, and was forbidden to keep an army on foot or to erect fortifications in the city of Luxemburg. Only a small body of troops was permitted for the maintenance of internal order there. The armed force consisted, before the outbreak of war, of two companies, commanded by a major, one for garrison service in the capital, the other to furnish a corps of gendarmerie. In 1910 the first company numbered 6 officers and about 200 men; the gendarmerie, 2 officers and 135 men. No other military force is maintained.

## (4) PUBLIC EDUCATION

Education in Luxemburg is well organized. Primary education is carried on both in public and private schools, but both have a State subsidy and are subject to State inspection. The public schools are maintained and erected at the charges of the Communes and are supervised by a local committee, consisting of the Burgomaster, the Curé, and one or three members (according to the population) chosen by the Communal Council. All private schools require a governmental permit, which may at any time be withdrawn if the conditions on which it was granted are not fulfilled. All children must attend school from the age of 6 years, for six continuous years. The subjects taught are Religion, German, French, Arithmetic, History, and Singing; and for girls, Domestic Work.

There is also primary education provided for adults in higher-grade primary schools. These, with the consent of the Government, can be opened for one or more communes.

There is no university in Luxemburg, but a Gymnasium with a seven-years' course for *Humaniora*; and there are Commercial and Technical Schools with a six-years' course for modern languages and science, and with special departments for training in various branches of commerce and trade.

An Education Commission, consisting of the Director-General as president, the Bishop or his representative, three members nominated by the sovereign, the Chief Inspector, the Director of the normal schools and the District Inspectors, meets annually to discuss and supervise the working of the Education System, while ordinary supervision and control are carried on by a Committee of the Commission.

There are 800 primary schools and 700 'adult' schools in Luxemburg. The Gymnasia at Luxemburg,

Diekirch, and Echternach, the first with well-organized industrial and commercial sections, are excellent. At Ettelbrück is a large agricultural institute.

(5) LANGUAGE; PUBLIC OPINION

The population, which in 1910 numbered 259,889, speaks a mixture of dialects, chiefly Low-German, partly Walloon. By Article XXIX of the Fundamental Law of October 17, 1868, the use of the French or German language is officially permitted to every Luxemburger, and instruction in both languages is given in every school. The Luxemburg people, however, still cling to their old connexion with Walloon Belgium; and writers<sup>1</sup> who have in recent years visited the country testify to their deep-seated hatred of the Prussian. This hatred is the chief characteristic of the Luxemburger's national sentiment, as is evidenced by the popular patriotic song, which declares 'Prussians we will not become'; and there can be no doubt that the people of this small frontier-land have, during the eighty years of their existence as a separate sovereign State, become attached to their independence.

<sup>1</sup> *The Grand Duchy and its People*, by G. Renwick, 1913, p. 19 :  
'There is no one a Luxemburger hates quite so much as a Prussian.'  
*In Luxemburg in the War*, by Gribble, 1915, *passim*.

(B) LIMBURG

i. Limburg, 1830-9

The Treaty of the XVIII Articles (June 26, 1831) was only accepted by the Belgian Congress under pressure from King Leopold, and on the understanding that Luxemburg might be the subject of a financial compensation. King William, however, refused to sign the treaty and invaded Belgium, with the result that a fresh treaty, that of the XXIV Articles, was drawn up (October 14). This treaty divided Luxemburg into two parts—the north-western or Walloon portion being given to Belgium. The Grand-Duchy was thus reduced to about one-half of its former area. In compensation for this loss the King-Grand-Duke received a territorial indemnity in Limburg,

‘ soit en sa qualité de Grand-duc de Luxembourg, soit pour être réuni à la Hollande ’.

The boundaries of this territory cut out from Belgian Limburg were thus defined :—

‘ (1) On the right bank of the Meuse to the ancient Dutch *enclaves* shall be added all the territory between the river to the west, the Prussian frontier to the east, the province of Liège to the south, and Dutch Gelderland to the north.

‘ (2) The ancient Dutch *enclaves* on the left bank of the Meuse shall be given to Belgium, with the exception of Maestricht with a belt of land 2,558 yards in depth (*un rayon de territoire de 1,200 toises*), and all that lies to the north of a line joining the southernmost point of North Brabant to a point on the Meuse where the *arrondissements* of Ruremonde and Maestricht meet.’

This compromise pleased nobody. The Belgians wished to have the whole of Luxemburg in exchange

for a money indemnity ; and they not only strongly protested against the cession of an important portion of Limburg, which placed both banks of the Meuse under Dutch control, and created a long tongue of foreign territory cutting off the north-east of Belgium from access to Germany, but also advanced claims to the possession of Maestricht itself.

King William, on the other hand, was required by Article V of the treaty to come to an understanding with the Germanic Confederation and the Nassau agnates (see above, p. 17) upon these territorial arrangements. But he had already by a Note delivered to the Conference (September 24) made the declaration :

‘ Le Roi . . . a fait émettre à la Diète de Francfort un vote conforme à ceux de l’Autriche et de la Prusse ; mais, attendu qu’il y allait de ses intérêts les plus directs et ceux de ses augustes agnates, Sa Majesté n’a pas hésité à faire connaître publiquement et solennellement son intention de ne se prêter à des cessions dans le Grand-Duché que moyennant des indemnités territoriales complètes.’

Again the Dutch plenipotentiaries, in a Note addressed to the Conference (November 14), after being informed that the Belgians had accepted the XXIV Articles, set forth the arguments against the treaty from the Dutch point of view. In this Note the following passage is important :

‘ Dans l’estimation des bonnes frontières qu’ils procureraient à la Hollande, il semble que la couronne royale des Pays-Bas a été confondue avec la couronne Grand-ducale de Luxembourg, réunies pour le présent sur la tête du même Prince, mais assujetties à la chance d’une séparation future.<sup>1</sup> Or, il est aussi peu admissible d’identifier ces deux couronnes. . . . Il est évident, d’après les XXIV Articles, que le Grand-duc de Luxembourg lui-même ne recevrait qu’une indemnité très partielle pour la cession demandée de la majeure partie de ses

<sup>1</sup> This took place in 1890, owing to the death of William III without leaving heirs male (see above, p. 24).

états, et que la Hollande perdrait ses enclaves sur la rive gauche de la Meuse, et dans la province de Liège, pour n'obtenir d'autres avantages que de voir le territoire séparant les enclaves, qui lui restent, entre les mains du Grand-duc de Luxembourg.'

The position taken and maintained by the German Diet is clearly expressed in the following extract from the protocol of its sitting on August 11, 1831 :

'La Diète, pleine de confiance dans les intentions de la Conférence, se plaît à croire que, dans le cours ultérieur des négociations, les droits de la Confédération germanique, ainsi que ceux de la maison de Nassau, sur le Grand-duché de Luxembourg seront strictement maintenus, et qu'il ne sera arrêté aucune disposition par laquelle les relations du Grand-duché puissent subir, pour le fond ou pour la forme, un changement quelconque sans le consentement de S. M. le Roi des Pays-Bas, comme Grand-duc de Luxembourg, et de la Confédération germanique.'

In these circumstances it is no wonder that the XXIV Articles were not accepted by King William, or that the assent of the Diet or of the Nassau agnates was not given, and that the ratification by Belgium was only obtained by King Leopold's threat of abdication. The Dutch king's refusal was absolute; and by the Convention of London (May 21, 1833) the maintenance of the *status quo* was agreed upon, until a definitive treaty should be signed. This state of things lasted until March 14, 1838, both Luxemburg and Limburg being meanwhile treated as parts of the Belgian kingdom. In that year the patience of the Dutch people gave way; and King William, seeing the futility of further delay, suddenly announced his adherence *pleinement et entièrement* to the Treaty of the XXIV Articles. The Conference reassembled at London; and an offer of the Belgian Government to pay 60 million florins in lieu of territorial cessions having been rejected both by the Grand Duke and by the Diet, the treaty was at last signed, April 19, 1839.

The exchange, however, of a part of Luxemburg for a part of Limburg raised fresh difficulties. In the session of the Germanic Diet held on May 11, 1839, the envoy of Bavaria, in giving the assent of his Sovereign to the exchange of territory, made the reservation :

‘ Que toutes les parties du territoire de Limbourg, qui doivent constituer le dédommagement dû à la Confédération germanique pour la partie cédée de Luxemburg, seront incorporées à la Confédération.’

But this demand conflicted with antecedent Dutch rights. Limburg, originally a part of the duchy of Lower Lorraine, became a separate county in 1065, and was elevated to the rank of a duchy by the Emperor Henry V in 1106. As the result of a disputed succession, John the Victorious, Duke of Brabant (after the battle of Woeringen, 1288), united in his person the two duchies. They passed, through succession in the female line, to Philip the Good, Duke of Burgundy, and Limburg was henceforth reckoned second among the seventéen provinces of the Burgundian Netherlands. During the War of Dutch Independence, the town of Maastricht was taken by Frederick Henry of Orange (1632) ; and by the Treaty of Münster (1648) this town, together with the Limburg counties of Daelhem and Falkenburg, became a possession of the States-General ; and the Dutch title to this Limburg territory was confirmed by the subsequent Treaties of Nymegen (1678), of Ryswyck (1697), of Utrecht (1713), and of Fontainebleau (1785). There were also the claims of the Nassau agnates under the family compact to be considered. A convention between the Grand Duke of Luxemburg and the Duke of Nassau (June 27, 1839) settled these claims by the payment of a pecuniary indemnity of 750,000 florins. This was followed by a decree of the Germanic Diet (September 5, 1839) incorporating the whole of the newly-created duchy of Limburg in the

Confederation. The Dutch Foreign Minister, in a communication addressed to the Second Chamber of the States-General (November 1, 1839), stated that the envoy of Holland had proposed to the Diet at its sitting of August 16 that the ceded part of Limburg should be perpetually united to Holland—

‘de manière que cette partie, à l’exception des villes et forteresses de Maestricht et de Venloo avec leurs rayons, appartiendrait en même temps à la Confédération germanique.’

This statement of August 16 was followed by another made to the Diet by King William’s envoy on September 5—equally contradictory in terms :

‘Que S. M. le roi des Pays-Bas, en compensation de la partie du Luxembourg cédée à la Belgique, voulait passer avec tout le duché de Limbourg dans la Confédération germanique, sous la réserve toutefois d’introduire dans son nouveau duché les lois et l’administration hollandaises ’ ; adding : ‘ que cette circonstance n’empêchait aucunement l’application à ce duché de la Constitution fédérale.’

The Diet, commenting upon this declaration, remarks :

‘ La diète est convaincue que la sagesse de S. M. saura prévenir toutes les anomalies qui pourraient résulter de cette mesure.’

## ii. *Limburg*, 1839-67

In 1840 a revision of the Fundamental Law of Holland was necessary, owing to the separation from Belgium. No deputies were summoned from Limburg. The new Constitution, however, promulgated on September 14, was on September 24 made to apply to that duchy, which became, in fact, a Dutch province.

This double allegiance, by which the Limburgers had to pay contributions both to Holland and to the Confederation, to furnish military contingents for two different sovereign authorities, and to send deputies

both to the States-General and to the Diet, was impossible. In 1848 a vigorous diplomatic correspondence arose on the subject. Petitions were sent to both the King and the Diet; and both adhered to their totally divergent views as to the constitutional position of the duchy. In reply to a petition from Maastricht the King replied:

‘Que les vues, intentions et desseins de S. M. en ce qui concerne le Limbourg en général et la ville de Maestricht en particulier, lesquels ont été récemment communiqués, soit par S. M. elle-même, soit en son nom, à une commission prise dans votre sein, n’ont pas changé depuis. . . . Le conseil de régence pourra y trouver les marques les plus évidentes de l’intérêt que prend S. M. à la conservation de la province, avec sa capitale, et de la sollicitude qui l’anime pour le bien-être de ses habitants.’

On the other hand, by a unanimous vote, the German National Assembly at Frankfort passed a resolution (November 24, 1848), thus strongly expressed:

‘Le pouvoir central est chargé de protester contre l’introduction de la nouvelle loi fondamentale néerlandaise dans le duché de Limbourg et de s’y opposer par tous les moyens qui lui paraîtront convenables.’

The acuteness of the controversy, however, died down; and after the troublous period of European revolutionary movements in 1848–9, with the restoration of the Germanic Confederation in 1850, a *modus vivendi* was agreed upon. The double allegiance of Limburg continued until, with the victory of Prussia over Austria and her allies in 1866, the Confederation was dissolved. At the Conference of London, in May 1867, upon the Luxemburg question, the Powers declared Limburg henceforth to be an integral part of the kingdom of the Netherlands; and the connexion of the duchy with Germany ceased.

## APPENDIX

### EXTRACTS FROM TREATIES, CONVENTIONS, PROTOCOLS, &c.

#### No. 1

THE NASSAU FAMILY TREATIES OF 1783 AND 1814. [See  
Martens, vol. ii, p. 405, and vol. xiii, p. 23]

Lorsqu'en 1255 la maison de Nassau se partagea en deux lignes qu'on distingue par les noms de leurs souches, Walram et Otton, il fut convenu que, malgré le partage des terres, les possessions actuelles et futures de la maison seroient regardées comme un seul état, et que par conséquent il y auroit à jamais confraternité héréditaire entre ces branches. Ce principe fut confirmé et plus complètement expliqué par un pacte que les différentes branches conclurent en 1736, et qui fut renouvelé et modifié en 1783. Ce dernier reçut l'approbation de l'empereur. Comme la branche aînée avoit ainsi un droit acquis sur la succession des possessions de la branche cadette, il falloit lui conserver ce droit en le transférant au duché de Luxembourg, donné à la maison d'Orange en échange de ses possessions nassoviennes... La Maison d'Orange renonça à tout ce qu'elle avoit possédé jusqu'alors comme branche cadette de la Maison de Nassau. Ces possessions servirent à la Prusse pour former des échanges avec la branche aînée de cette maison, afin de se conformer au principe admis à Vienne, qui vouloit, qu'exclue de la Meuse, elle seroit maîtresse des deux rives du Rhin dans la plus grande étendue possible.

Schoell, *Hist. abrégée des Traités de Paix*, vol. xi,  
pp. 122-3.

## No. 2

TREATY BETWEEN GREAT BRITAIN, AUSTRIA, PRUSSIA, AND  
RUSSIA AND THE NETHERLANDS, SIGNED AT VIENNA,  
MAY 31, 1815

ART. III. La partie de l'ancien Duché de Luxembourg comprise dans les limites spécifiées par l'article suivant, est également cédée au Prince Souverain des Provinces-Unies, aujourd'hui Roi des Pays-Bas, pour être possédée par Lui et Ses Successeurs en toute perpétuité et Souveraineté. Le Souverain des Pays-Bas ajoutera à Ses titres celui de Grand-Duc de Luxembourg, et la faculté est réservée à Sa Majesté de faire, relativement à la Succession dans le Grand-Duché, tel arrangement de famille entre les Princes Ses Fils, qu'Elle jugera conforme aux intérêts de Sa Monarchie et à Ses intentions paternelles.

Le Grand-Duché de Luxembourg, servant de compensation pour les principautés de Nassau-Dillenburg, Siegen, Hadamar et Dietz, formera un des États de la Confédération Germanique et le Prince, Roi des Pays-Bas, entrera dans le système de cette Confédération comme Grand-Duc de Luxembourg avec toutes les prérogatives et privilèges dont jouiront les autres Princes Allemands.

La Ville de Luxembourg sera considérée, sous le rapport militaire, comme forteresse de la Confédération. Le Grand-Duc aura toutefois le droit de nommer le Gouverneur et Commandant militaire de cette forteresse, sauf l'approbation du pouvoir exécutif de la Confédération, et sous telles autres conditions qu'il sera jugé nécessaire d'établir en conformité de la Constitution future de ladite Confédération.

ART. IV. Le Grand-Duché de Luxembourg se composera de tout le Territoire situé entre le Royaume des Pays-Bas, tel qu'il a été désigné par l'article II, la France, la Moselle, jusqu'à l'embouchure de la Sure, le cours de la Sure, jusqu'au confluent de l'Oure, et le cours de cette rivière jusqu'aux limites du ci-devant Canton Français de St. Vith, qui n'appartiendra point au Grand-Duché de Luxembourg.

ART. V. Sa Majesté le Roi des Pays-Bas renonce à perpétuité pour lui et ses Descendants et Successeurs, en faveur de Sa Majesté le Roi de Prusse, aux Possessions Souveraines que la

Maison de Nassau-Orange possédait en Allemagne, et notamment aux principautés de Dillenburg, Dietz, Siegen et Hadamar, y compris la Seigneurie de Beilstein, et telles que ces possessions ont été définitivement réglées entre les deux branches de la Maison de Nassau par le Traité conclu à la Haye le quatorze Juillet mil-huit-cent-quatorze; Sa Majesté renonce également à la principauté de Fulde et aux autres districts et territoires qui Lui avaient été assurés par l'article XII du recès principal de la députation extraordinaire de l'Empire, du vingt-cinq Février mil-huit-cent-trois.

ART. VI. Le droit et l'ordre de Succession établi entre les deux branches de la Maison de Nassau, par l'Acte de mil-sept-cent-quatre-vingt-trois, dit *Nassawischer Erbverein*, est maintenu et transféré des quatre principautés d'Orange-Nassau au Grand-Duché de Luxembourg.

ART. IX. Il sera nommé incessamment par Sa Majesté le Roi de Prusse, et Sa Majesté le Roi des Pays-Bas, une Commission pour régler tout ce qui est relatif à la cession des possessions Nassoviennes... Une partie des susdites possessions étant échangée contre des possessions du Duc et Prince de Nassau, Sa Majesté le Roi de Prusse s'engage, et Sa Majesté le Roi des Pays-Bas consent, à faire transférer l'obligation stipulée par le présent Article sur Leurs Altesses Sérénissimes le Duc et Prince de Nassau pour la partie desdites possessions qui sera réunie à Leurs états.

(The Articles III, IV, V, and VI of this Treaty form Articles LXVII, LXVIII, LXX, and LXXI of the Act of the Congress of Vienna, June 9, 1815.)

### No. 3

#### CONVENTION BETWEEN PRUSSIA AND THE DUKE OF NASSAU, MAY 31, 1815

The Orange-Nassau principalities of Dietz, Hadamar, and Dillenburg and part of Siegen ceded by the King of the Netherlands to Prussia are transferred to the elder branch of the House of Nassau in exchange for other territories possessed by them.

*Note.*—The Duchy of Nassau was annexed to Prussia by a royal decree dated September 20, 1866.

## No. 4

## LOI FONDAMENTALE DES PAYS-BAS DU 24 AOÛT 1815

ART. I<sup>er</sup>. . . . Le Grand-Duché de Luxembourg, tel qu'il est limité par le traité de Vienne, étant placé sous la même souveraineté que le royaume des Pays-Bas, sera régi par la même loi fondamentale, sauf ses relations avec la Confédération germanique.

## No. 5

BOUNDARY TREATY BETWEEN PRUSSIA AND THE  
NETHERLANDS, JUNE 26, 1816

ART. I. Les limites fixées par le présent traité déterminent les frontières entre les deux États . . .

ART. II. La ligne de démarcation commencera sur la Moselle, au point où sur la rive droite cette rivière quitte les limites de la France, descendra la Moselle jusqu'à l'embouchure de la Sure, remontera la Sure jusqu'à l'embouchure de l'Oure, suivra également en remontant le cours de l'Oure jusqu'au point où ce ruisseau atteint les limites du ci-devant canton de St. Vith . . . (Cf. Act of Congress of Vienna, Art. LXVIII.)

ART. V. Oberbillig, situé sur la rive droite de la Moselle, appartiendra au royaume des Pays-Bas . . . la commune de Vianden, située à cheval sur l'Oure, appartiendra également au royaume des Pays-Bas.

ART. XXVIII. L'île de Rémichen, dépendante de la commune du même nom, appartiendra au royaume des Pays-Bas.

## No. 6

BOUNDARY TREATY BETWEEN PRUSSIA AND THE NETHER-  
LANDS, NOVEMBER 8, 1816 [Hertslet, vol. i, p. 489]

ART. V. His Majesty the King of the Netherlands, Grand Duke of Luxemburg, concedes to His Majesty the King of Prussia the right of appointing the Governor and Commandant of that fortress [Luxemburg], and agrees that the garrison in general, as well as each particular description of force, shall be composed of three-fourths Prussian and one-fourth Belgic troops [*Troupes de pays-Bas*], thus relinquishing the right of appointment secured to His Majesty by Article LXVII of the Act of the Congress of Vienna.

## No. 7

ACT OF INDEMNITY TO PRINCE FREDERICK OF THE NETHER-  
LANDS, MAY 25, 1816

[For full text see Nothomb, *Essai sur la révolution belge*,  
vol. i, p. 123, note.]

Nous avons jugé convenable, dans l'intérêt général du royaume, d'y réunir le Grand-Duché et de le placer sous les mêmes lois constitutionnelles.

## No. 8

DECREE ESTABLISHING A SEPARATE ADMINISTRATION FOR  
THE GRAND DUCHY OF LUXEMBOURG, DECEMBER 31,  
1830.

Nous, Guillaume, etc., etc.

Prenant en considération que l'insurrection armée des provinces méridionales du royaume s'est étendue jusqu'au Grand-Duché de Luxembourg, et qu'elle s'y répand, peu à peu, de plus en plus.

Qu'en conséquence il est devenu impossible de gouverner celui-ci, conformément à la loi fondamentale du royaume, conjointement avec les fidèles provinces septentrionales. Vu le traité de Vienne, du 9 juin 1815, par lequel le Grand-Duché de Luxembourg Nous a été cédé, en pleine propriété et souveraineté comme État faisant partie de la Confédération germanique et entièrement séparé des provinces qui composent le royaume des Pays-Bas, et ce en compensation de nos principautés de Nassau-Dillenburg, Siegen, Hadamar et Dietz, cédées à Sa Majesté le Roi de Prusse ; Eu égard à Notre disposition d'établir une administration séparée pour Notre Grand-Duché ; Voulant prendre les mesures nécessaires pour séparer également ici l'administration de Notre Grand-Duché de Luxembourg d'avec celle des provinces septentrionales de Notre Royaume ;

Avons arrêté et arrêtons :

Art. I<sup>er</sup>. A partir du 1<sup>er</sup> janvier 1831, Notre Grand-Duché de Luxembourg sera gouverné par Nous, distingué et séparé du royaume des Pays-Bas.

## No. 9

ELEVENTH PROTOCOL OF THE CONFERENCE OF LONDON,  
JANUARY 20, 1831

ART. I. Les limites de la Hollande comprendront tous les Territoires, Places, Villes et Lieux, qui appartenoient à la ci-devant République des Provinces Unies des Pays-Bas, en l'année 1790.

ART. II. La Belgique sera formée de tout le reste des territoires qui avoient reçu la dénomination du Royaume des Pays-Bas dans les Traités de l'année 1815, sauf le Grand-Duché de Luxembourg, qui, possédé à un titre différent par les Princes de la Maison de Nassau, fait, et continuera à faire, partie de la Confédération Germanique.

## No. 10

TWENTY-FIRST PROTOCOL OF THE CONFERENCE OF LONDON,  
JUNE 26, 1831. THE XVIII ARTICLES

ART. III. Les 5 Puissances emploieront leur bons offices pour que le *status quo* dans le Grand-Duché de Luxembourg soit maintenu, pendant le cours de la négociation séparée que le Souverain de la Belgique ouvrira avec le Roi des Pays-Bas et avec la Confédération Germanique, au sujet du dit Grand-Duché, négociation distincte de la question des limites entre la Hollande et la Belgique. Il est entendu que la forteresse de Luxembourg conservera ses libres communications avec l'Allemagne.

## No. 11

## TREATY OF NOVEMBER 15, 1831. THE XXIV ARTICLES

The articles dealing with Luxemburg are textually repeated in the treaty of April 19, 1839. See below.

## No. 12

TREATY OF APRIL 19, 1839, BETWEEN HOLLAND AND  
BELGIUM

ART. I. . . . Le territoire belge comprendra en outre, la partie du Grand-duché de Luxembourg indiquée dans l'art. II.

ART. II. S. M. le roi des Pays-Bas, Grand-duc de Luxembourg, consent à ce que, dans le Grand-duché de Luxembourg, les

limites du territoire belge soient telles qu'elles vont être décrites ci-dessous.

A partir de la frontière de France entre Rodange, qui restera au Grand-duché de Luxembourg, et Athus, qui appartiendra à la Belgique, il sera tiré, d'après la carte ci-jointe, une ligne qui, laissant à la Belgique la route d'Arlon à Longwy, la ville d'Arlon avec sa banlieue, et la route d'Arlon à Bastogne, passera entre Messancy, qui sera sur le territoire Belge, et Clémancy, qui restera au Grand-duché de Luxembourg, pour aboutir à Steinfort, lequel endroit restera également au Grand-duché. De Steinfort cette ligne sera prolongée dans la direction d'Eischen, de Hecbus, Guirsch, Ober-Pallen, Grende, Nothomb, Parette et Perlé, jusqu'à Martelange; Hecbus, Guirsch, Grende, Nothomb et Parette devant appartenir à la Belgique, et Eischen, Ober-Pallen, Perlé et Martelange au Grand-duché. De Martelange, ladite ligne descendra le cours de la Sure, dont le thalweg servira de limite entre les deux États, jusque vis-à-vis Tintange, d'où elle sera prolongée aussi directement que possible vers la frontière actuelle de l'arrondissement de Diekirch, et passera entre Surret, Harlange, Tarchamps, qu'elle laissera au Grand-duché de Luxembourg, et Honville, Livarchamps et Loutremange, qui feront partie du territoire Belge: atteignant ensuite aux environs de Doncols et de Soulez, qui resteront au Grand-duché, la frontière actuelle de l'arrondissement de Diekirch, la ligne en question suivra ladite frontière, jusqu'à celle du territoire Prussien. Tous les territoires, villes, places et lieux situés à l'ouest de cette ligne, appartiendront à la Belgique, et tous les territoires, villes, places et lieux situés à l'est de cette même ligne, continueront d'appartenir au Grand-duché de Luxembourg.

Il est entendu qu'en traçant cette ligne et en se conformant autant que possible à la description qui en a été faite ci-dessus, ainsi qu'aux indications de la carte jointe, pour plus de clarté, au présent article, les Commissaires démarcateurs, dont il est fait mention dans l'art. VI, auront égard aux localités, ainsi qu'aux convenances qui pourront en résulter mutuellement.

ART. III. Pour les cessions faites dans l'article précédent il sera assigné à S. M. le roi des Pays-Bas, Grand-duc de Luxembourg, une indemnité territoriale dans la province de Limbourg.

## No. 13

TREATY BETWEEN THE KING-GRAND-DUKE AND THE AGNATES  
OF NASSAU OF JUNE 27, 1839*Translation from the German Original*

Since in consequence of the regrettable events of the year 1830, the cession of a part of the Grand Duchy of Luxemburg became a political necessity for H.M. the King of the Netherlands and has actually by the second article of the Treaty concluded at London on the 19<sup>th</sup> April of the present year been ceded, His Majesty acting in conformity with the Family Compact of 1783 sought the consent of His Illustrious Agnates and therefore . . . were named as plenipotentiaries on behalf of the negotiations on this matter, who with the reservation of the ratification of their All-highest and highest courts have concluded the following Agreement.

Art. I. The Duke of Nassau promises after reception of the recompense agreed upon in Art. II for himself and for the Hereditary-Prince Adolph of Nassau and the rest of his male descendants, and also for his brother the Prince Frederick of Nassau, to execute a renunciation of the Rights, which in conformity with the *Erbverein* of 1783 and of the Vienna Congress Act of 9<sup>th</sup> June, 1815, belong to the Walram line of the house of Nassau, to the part of the Grand Duchy which H.M. the King of the Netherlands, Grand Duke of Luxemburg, ceded by the Second Article of the London Treaty of 19<sup>th</sup> April, 1839.

Art. II. Since it has been declared by His Netherland Majesty that he is not in the position to offer for it an indemnity in land and people, and at the same time representation has been made of the necessity of removing through the consent of the Agnates a hindrance which stands in the way of the regularization of general and higher interests, the Agnates therefore have been found ready and willing under these pressing circumstances not to insist upon territorial compensation in the province of Limburg, and it has been settled that instead of the same H.M. the King of the Netherlands pay to his Serene Highness the Duke of Nassau a sum of 750,000 guilders (in 24 guilder-standard).

Art. III. This sum of 750,000 guilders (in 24 guilder-standard) shall within three months be paid in good and heavy coinage

free from cost at Wiesbaden or at Frankfurt-am-Main, and in return the formal deeds of consent of the Duke of Nassau, of the Hereditary-Prince Adolph of Nassau, and of Prince Frederick of Nassau shall be handed in.

Art. IV. The Rights of the Walram line of the house of Nassau to the remaining portion of the Grand Duchy of Luxemburg, Town and Confederation-Fortress of this name therein included, remain in their original force and stand under the same guarantees which were granted by the Vienna Congress Act.

## No. 14

CONVENTION FIXING THE BOUNDARY BETWEEN BELGIUM AND  
THE GRAND-DUCHY OF LUXEMBURG, AUGUST 7, 1843

Detailed report of the Boundary-Commissioners appointed under the Treaty of April 19, 1839.

## No. 15

## CONSTITUTION OF JULY 9, 1848

Art. III. Les pouvoirs constitutionnels du Roi Grand-Duc sont héréditaires dans la famille de S.M. Guillaume II, Frédéric Georges Louis, Prince d'Orange-Nassau, Roi des Pays-Bas, Grand-Duc de Luxembourg, conformément au pacte de la Maison de Nassau du 30 juin 1783, et à l'art. 71 du traité de Vienne du 9 juin 1815.

Art. VI. Si à la mort du Roi Grand-Duc Son Successeur est mineur, la Chambre se réunit au plus tard le vingtième jour à l'effet de pourvoir à la régence et, s'il y a lieu, à la tutelle.

Art. VII. Si le Roi Grand-Duc se trouve dans l'impossibilité de régner, le Gouvernement, après avoir constaté cette impossibilité, convoque immédiatement la Chambre, qui pourvoit à la tutelle et à la régence.

Art. LII. Le Roi Grand-Duc peut se faire représenter par un prince du sang, qui aura le titre de Lieutenant (Stadholder) du Roi et résidera dans le Grand-Duché.

*Note.*—Prince Henry, brother of King William III, filled this office from October 24, 1850, to May 1, 1872.

## No. 16

## TREATY OF LONDON OF MAY 11, 1867

S.M. le Roi des Pays-Bas, Grand-Duc de Luxembourg, prenant en considération le changement apporté à la situation du Grand-Duché, par suite de la dissolution des liens qui l'attachaient à l'ancienne Confédération Germanique, a invité l'Empereur d'Autriche, le Roi des Belges, l'Empereur des Français, la Reine du Royaume-Uni de la Grande-Bretagne et d'Irlande, le Roi de Prusse et l'Empereur de toutes les Russies, à réunir Leurs Représentants en Conférence à Londres afin de s'entendre, avec les Plénipotentiaires de S.M. le Roi Grand-Duc, sur les nouveaux arrangements à prendre dans l'intérêt général de la paix.

Et LL. dites M.M., après avoir accepté cette invitation, ont résolu d'un commun accord de répondre au désir que S.M. le Roi d'Italie a manifesté de prendre part à une délibération destinée à offrir un nouveau gage de sûreté au maintien du repos général. En conséquence, LL. M.M., de concert avec le Roi d'Italie, voulant conclure dans ce but un traité, ont nommé pour Leurs Plénipotentiaires . . . Lesquels, après avoir échangé leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des articles suivants :

Art. I<sup>er</sup>. S.M. le Roi des Pays-Bas, Grand-Duc de Luxembourg, maintient les liens qui attachent ledit Grand-Duché à la maison d'Orange-Nassau, en vertu des traités qui ont placé cet État sous la souveraineté de S.M. le Roi Grand-Duc, Ses Descendants et Successeurs.

Les droits que possèdent les Agnats de la maison de Nassau, sur la succession du Grand-Duché, en vertu des mêmes traités sont maintenus.

Les Hautes Parties contractantes acceptent la présente déclaration et en prennent acte.

Art. II. Le Grand-Duché de Luxembourg, dans les limites déterminées par l'Acte annexé aux Traités du 19 Avril 1839, sous la garantie des Cours d'Autriche, de France, de la Grande-Bretagne, de Prusse et de Russie, formera désormais un État perpétuellement neutre.

Il sera tenu d'observer cette même neutralité envers tous les autres États.

Les Hautes Parties Contractantes s'engagent à respecter le

principe de neutralité stipulé par le présent article. Ce principe est et demeure placé sous la sanction de la garantie collective des Puissances signataires du présent Traité, à l'exception de la Belgique, qui est elle-même un État neutre.

Art. III. Le Grand-Duché de Luxembourg étant neutralisé, aux termes de l'article précédent, le maintien ou l'établissement de places fortes sur son territoire devient sans nécessité comme sans objet.

En conséquence, il est convenu d'un commun accord que la ville de Luxembourg, considérée par le passé, sous le rapport militaire, comme forteresse fédérale, cessera d'être une ville fortifiée.

S.M. le Roi Grand-Duc se réserve d'entretenir dans cette ville le nombre de troupes nécessaires pour y veiller au maintien du bon ordre.

Art. IV. Conformément aux stipulations contenues dans les art. II et III, S.M. le Roi de Prusse déclare que ses troupes actuellement en garnison dans la Forteresse de Luxembourg recevront l'ordre de procéder à l'évacuation de cette place immédiatement après l'échange des ratifications du présent Traité . . .

Art. V. S.M. le Roi Grand-Duc, en vertu des droits de souveraineté qu'il exerce sur la ville et forteresse de Luxembourg, s'engage de son côté à prendre les mesures nécessaires afin de convertir ladite place forte en ville ouverte, au moyen d'une démolition . . .

S.M. le Roi Grand-Duc promet en outre que les fortifications de la ville de Luxembourg ne seront pas rétablies à l'avenir, et qu'il n'y sera maintenu ni créé aucun établissement militaire.

Art. VI. Les Puissances signataires du présent Traité constatent que la dissolution de la Confédération Germanique ayant également amené la dissolution des liens qui unissaient le Duché de Limbourg collectivement avec le Grand-Duché de Luxembourg à ladite Confédération, il en résulte que les rapports, dont il est fait mention aux art. 3, 4, et 5 du Traité du 19 Avril 1839, entre le Grand-Duché et certains territoires appartenant au Duché de Limbourg, ont cessé d'exister, les-dits territoires continuant à faire partie intégrante du Royaume des Pays-Bas,

## No. 17

DECLARATIONS MADE BY FRANCE AND PRUSSIA TO RESPECT  
THE NEUTRALITY OF LUXEMBURG, JULY 17, 1870*Lord A. Loftus to Earl Granville*BERLIN, *July 17, 1870.*

MY LORD,

Baron Thile informed me to-day that he had received a telegram from M. Föhr, the Representative of the Grand Duchy of Luxemburg at this Court, stating that the French Government had officially notified their intention to respect the Neutrality of the Grand Duchy, provided it was likewise respected by Prussia.

His Excellency, by order of Count Bismarck, immediately replied that the North German Government would also respect the neutrality of the Grand Duchy as long as it was respected by France.

## No. 18

DECLARATION OF THE KING-GRAND-DUKE WILLIAM III,  
DATED MAY 22, 1883

Nous, Guillaume III, etc. Vu le traité signé à Londres, 11 mai 1867 . . .

Attendu qu'aux termes de l'art. III dudit Traité la Ville de Luxembourg, considérée jusque-là sous le rapport militaire comme forteresse fédérale allemande, devait cesser d'être une ville fortifiée ; que d'après l'art. V du même Acte, ladite place forte devait être convertie en ville ouverte au moyen d'une démolition . . .

Vu les plans, rapports et documents qui Nous ont été soumis à diverses reprises par Notre Gouvernement du Grand-Duché, et après Nous être assuré par Nous-même de l'état actuel des lieux résultant des travaux importants qui s'étendent sur tous les points du domaine de la ci-devant forteresse ;

Déclarons,

En exécution des dispositions de l'art. V prévisé, qu'il a été pleinement satisfait aux obligations résultant pour le Grand-Duché de Luxembourg dudit Traité, et que les intentions des Hautes Parties Contractantes ont été loyalement remplies.

En foi de quoi Nous avons signé les présentes et chargé Notre Ministre d'État, Président de notre Gouvernement du Grand-Duché, d'en faire la notification aux Puissances qui ont coopéré au Traité de Londres du 11 mai 1867.

Donné en Notre château de Walferdange, le 22 mai de l'an de grâce 1883.

## AUTHORITIES

## LUXEMBURG

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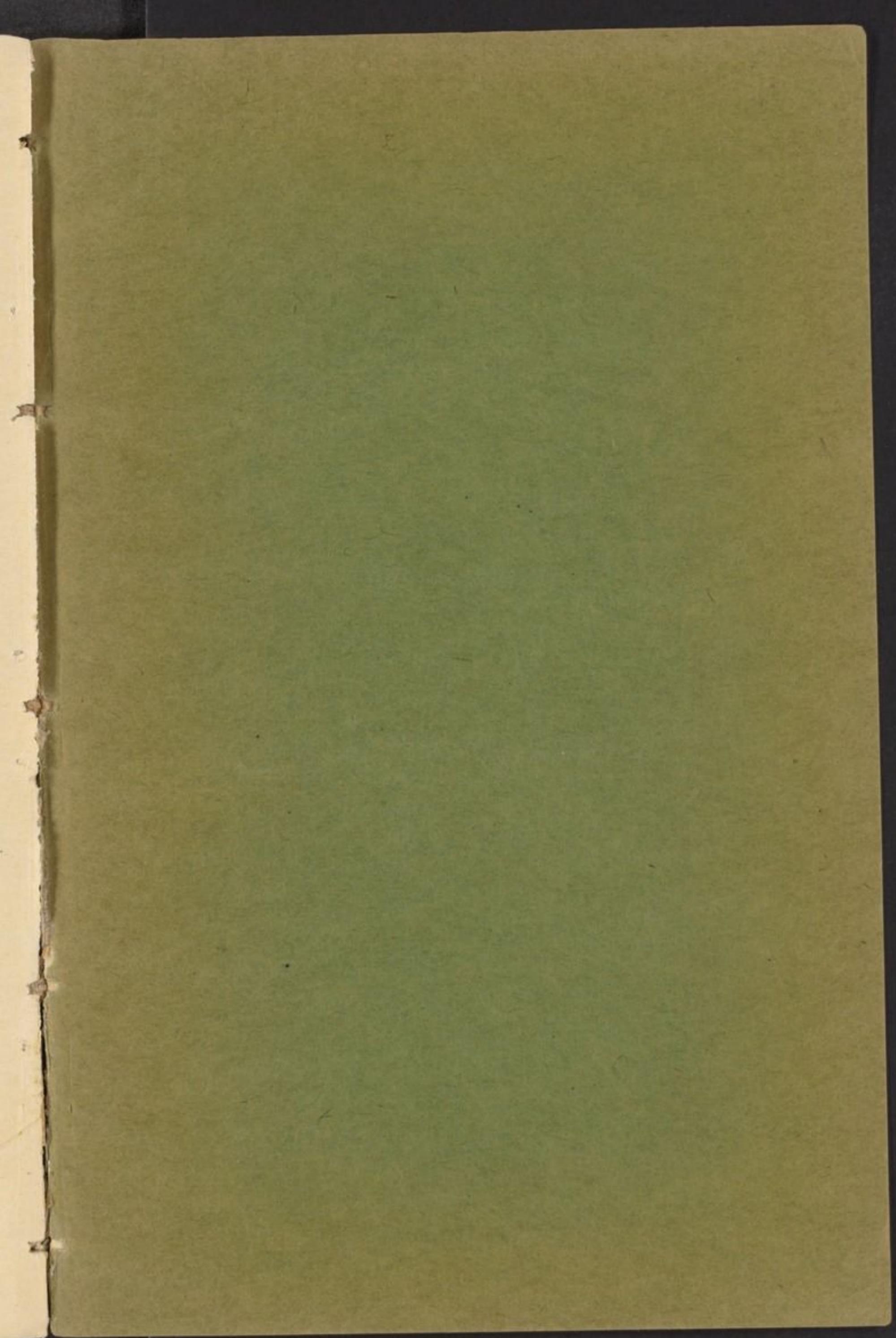
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## MAPS

The Grand-Duchy of Luxemburg is comprised in Sheet 5 of the War Office map of North-west Europe (G.S.G.S. No. 2733), on the scale of 3.95 miles to the inch (revised edition, Feb. 1916), and is to be had from the usual agents.

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