

free: Because the Article thereof hath the force of a Condition. Sponson is a promise undertaken by Persons of subordinate Authority, as Generals, about some things not contained in their Instructions from their Prince or State, for the performance whereof they engage themselves, or give hostages, till it be confirmed by the Supreme power. I find it doubted how far the sponson stands bound where the matter engaged for is refused to be complied with by the Prince or State? Whether to make it up or to restore all things to the same state, and condition they were in before the agreement? To give up their own bodies and the hostages to the will of the Enemy? Grotius (lib 2. cap. 12. p. 16.) delivers his opinion thus: The first is most agreeable to the Civil Law of the Romans; the second to equity and Reason; and the third most approved of by use and Custom. But by no means are they King or People, obliged by such sponsons. Quæst. 1. p. 1. Notice given to the Supreme power of an agreement so made, silence doth argue their consent: It is answered, that silence of it self is not sufficient to prove a consent without some other thing or deed which probably would not have intervened had not the engagement been approved of. But consent and ratification may be justly inferred from such thing or deed which in all probability cannot be attributed to any other cause. Grot. Ibid. Cap. 15. p. 1. 1. 1.

~~Embassadors are persons employed by one State to another for the procuring peace, ending & maintaining a peace, and a profitable correspondence of Commerce betwixt different Nations, great privileges have been granted to them. 1. An Ambassador sent by one Sovereign power to another, whether friend or enemy, regularly ought to be admitted: and if he be given us the opportunity, rather than what he receives from his Master, the subject never so unpleasant, he is not to be quarrelled, but the prince that sent him, should ever be not to be understood as having any such privilege to send him, and to be admitted, for these may be just causes for a Prince to refuse access to an Ambassador, or either in consideration of his Master, if an enemy, or in his own account, if his Character in that respect be such as a Prince or State cannot in honor or safety, as he comes as a spy to betray the secrets of their Allegiance, which was the case of the Jews, and to Jerusalem. 2. Grot. lib. 2. cap. 12. p. 17. An Ambassador, after admittance may be committed to Prison, if he behave himself seditionously. Grot. lib. 2. cap. 12. p. 17. 2. cap. 13. or keep him without bail, as was done by the Emperor to an Ambassador. But it is not necessary that all Ambassadors should be treated as such. The first entry of an Ambassador into a country, is to be the custom of the country, and not the will of the prince. Grot. lib. 2. cap. 12. p. 17. 3. The words of the Ambassadors are to be taken as the words of the Prince.~~

An Ambassador is a person sent by one Sovereign Independent Prince or State to another with a legal commission and proper Instructions to negotiate, conduct, manage, and conclude, Amicia, Imporia, or publick affairs, which cannot with safety be committed to common Expresses and Letters sent by couriers. I call an Ambassador a person sent by one Sovereign Prince or State to another. Because such is usually with supreme power and authority can properly send and receive Ambassadors, and if there be not appointed in the person or persons sending and the prince or State to which the Ambassador is sent, the Embassy is void and of no effect. Grot. lib. 2. cap. 12. p. 17. 4. The number so great, can send or receive an Ambassador, and if a Prince does it, he will be guilty of High Treason. Grot. lib. 2. cap. 12. p. 17. 5. Roman Civil Law lib. 1. Book 2. tit. 42. p. 1. 1. A King who is deposed of his Kingdom and legally kept prisoner in another Princes Kingdom retains his Ambassadors. But a Prince kept prisoner in another Princes Kingdom retains that privilege if he be not deposed and hath preserved his Royalty, Camden lib. 157.

Embassadors are either ordinary or extraordinary. ordinary Ambassadors are those who reside steadily in the place where they are sent for an indefinite time; to maintain a mutual good understanding, look to the interest of the Prince and transact such affairs as may occur. So that their business arising from Emergent occasions is uncertain: But commonly the protection and affairs of merchants, and perhaps diving into the policy and secrets of the State is their main care. Extraordinary Ambassadors are made and employed upon some particular affairs, as Condolements, congratulations, marriages or a peace &c.

a person appointed for an Embassy cannot well decline the office, without favour, or violence to the common wealth and a contempt of his Prince; unless he can lawfully excuse himself upon the account of his incapacity for it, because of his great age, and want of health, or want of proper abilities to discharge that honorable function, or for that he would not be very acceptable to such a Prince or State, Grot. lib. 2. cap. 12. p. 17. The personal abilities and qualifications of the Prince or State that sends him, however it is generally thought that he ought to have the following Qualities and Talents. 1. He should be prudent and discreet in his speech and behaviour, resolute and bold as circumstances require; and secret in matters of Importance. 2. A man of probity, and Integrity, that will affirm nothing but what he does not certainly know to be true; and will not betray his Masters Interest and Secrets, nor be guilty of any excess there. 3. A person well versed not only in the Civil Law and Law of Nations, but also in the History, Customs, strength, constitutions and policy of States, especially of that country to which he is sent. 4. One that hath an excellent Genius of wit, so as to be able to propound, and give proper answers to all matters and Questions put to him; and is eloquent or can express himself handsomely. 5. An Ambassador ought to be a person grave, serious, seldom obtains upon those things that are just and reasonable. 6. It is Expedient that all Ambassadors should be persons of some Birth, or distinction at least in the world: because for in Princes think themselves slighted and despised, when those of mean Extraction or low Birth are sent to them with the high Character of Ambassadors. And the Princes may be clothed with Embassies; yet it is more advisable to send Ambassadors, who having an Interest in their own Country, are presumed to manage affairs with more care, fidelity and affection.