

11 November 1807 (*ibid.*, VIII, 718), Article 66, last paragraph, of the Final Act of the Congress of Vienna of 1815, and the Netherlands-Prussian Convention of 25 May 1816 (Lagemans, No. 43).

The present Netherlands province of North Brabant, governed for a long time by the States General as a *Generalitetsland*, under the direct confederal administration of the “Generalty”, still encompassed at the time a few foreign-ruled enclaves, such as Gemert, Bergen op Zoom, Thorn, and Baarle-Hertog.

Gemert was a Commandery of the Teutonic Order. Comp. the Convention between the States General of the United Netherlands and Leopold of Austria in the name of that Order of 14 June 1662 (Dumont, VI<sup>2</sup>, 421). The marquisate of Bergen op Zoom had in the course of time been a possession of different foreign margraves of high standing, among others, Hohenzollern, de la Tour d’Auvergne, Pfalz-Sulzbach, Pfalz-Zweibrücken. At the time of its final liquidation (Reichsdeputations-Hauptschluss of 1803, § II) it belonged to the Elector of Bavaria, Count Palatine of the Rhine, who then lost it to the Netherlands. See on the history of this marquisate— combined with the seignory of Breda—up to 1287: A.G.KLryn, *Geschiedenis van het Land en de Heeren van Breda tot het tijdstip der afscheiding van Bergen op Zoom* (Breda, 1861) and up to 1567: W.Mo tt, *De rechten van den heer van Bergen op Zoom* (Groningen, 1915).

Thorn was a sovereign ecclesiastical unit, an abbey under the rule of a reichsunmittelbare Abbess. It was secularized in the Napoleonic period.

The two territories of Baarle: Baarle-Hertog (belonging of old to the dukes of Brabant and enclaved in the Netherlands province of North Brabant) and the hamlet of Castelre, part of Baarle-Nassau (belonging to the Prince of Nassau, in his capacity of baron of Breda, for a minute part enclaved in Belgium) have up to the present time escaped all attempts of the Governments concerned to wind them up. As a result, they alone remain as apparently indestructible feudal fossils on the Netherlands-Belgian frontier. Comp. my paper in *The Jurisprudence of the World Court*, vol. II, pp. 353 et seq. An elaborate account of the origin and fortunes of these enclaves has since been given by F. A. BREKELMANS, *De Belgische enclaves in Nederland. Bijdragen tot de rechtsgeschiedenis van Baarle- Hertog en Baarle-Nassau in Bijdr. tot de geschied. van het zuden van Nederland*, vol. IV (Tilburg, 1965).

Mutual claims to yet other enclaves, in the duchy of Guelder, have in the 17th century contributed to the recrudescence of the controversies existing between the Netherlands, on the one hand, and the archbishop of Cologne and the bishop of Münster, on the other, and even led to two wars, the first from 1665 to 1666, and the second from 1672 to 1674. The enclaves concerned were those of Borculoo and Bredevoort.

See on these two territories: H.G.HARXEMA, *De betrekkingen van het bisdom Munster tot de Nederlanden, inzonderheid tot Gelderland, tot aan den vrede van Kleef*, 18 April 1666 (in *Gelre*, 1904 (VII), p. 1); on Bredevoort: J.N. BAXHUIZEN VAN DEN BRINK and B. STECEMAN, *Het Ambt Bredevoort tijdens het*