be expected to result in a confusion of rights. On the 16th of April 1291 Rudolph bought from the abbey of Murbach in Alsace (of which he was “ advocate ”) all its rights over the town of Lucerne and the abbey estates in Unterwalden. It thus seemed probable that the other Forest districts would be shut off from their natural means of communication with the outer world by way of the lake. Rudolph’s death, on the 15th of July of the same year, cleared the way, and a fortnight later (August 1) the Everlasting League was made between the men of Uri, Schwyz and Nidwalden (the words *et vallis superioris, i.e.* Obwalden, were inserted, perhaps between the time of the draw­ing up of the document, the text of which does not mention Obwalden, and the moment of its sealing on the original seal of Nidwalden) for the purpose of self-defence against a common foe. We do not know the names of the delegates of each valley who concluded the treaty, nor the place where it was made, nor have we any account of the deliberations of which it was the result. The common seal—that great outward sign of the right of a corporate body to act in its own name—appears first in Uri in 1243, in Schwyz in 1281, in Unterwalden not till this very document of 1291; yet, despite the great differences in their political status, they all joined in concluding this League, and confirmed it by their separate seals, thereby laying claim on behalf of their union to an independent existence. Besides promises of aid and assistance in the case of attack, they agree to punish great criminals by their own authority, but advise that, in minor cases and in all civil cases, each man should recognize the “ judex ” to whom he owes suit, engaging that the Confederates will, in case of need, enforce the decisions of the “ judex.” At the same time they unanimously refuse to recognize any “ judex ” who has bought his charge or is a stranger to the valleys. All disputes between the parties to the treaty are, as far as possible, to be settled by a reference to arbiters, a principle which remained in force for over six hundred years. “ Judex ” is a general term for any local official, especially the chief of the community, whether named by the lord or by the community; and, as earlier in the same year Rudolph had promised the men of Schwyz not to force upon them a “ judex ” belonging to the class of serfs, we may conjecture from this very decided protest that the chief source of disagreement was in the matter of the jurisdictions of the lord and the free community, and that some recent event in Schwyz led it to insist on the insertion of this provision. It is stipulated also that every man shall be bound to obey his own lord “ convenienter,” or so far as is fitting and right. The *antique. confoederatio* mentioned in this document was probably merely an ordinary agreement to preserve the peace in that particular district, made probably during the interregnum (1254-1273) in the Empire.

*2.* In the struggle for the Empire, which extended over the years following the conclusion of the League of 1291, we find that the Confederates supported without exception the anti-Habsburg candidate. On the 16th of October 1291 Uri and Schwyz allied themselves with Zürich, and joined the general rising in Swabia against Albert, the new head of the house of Habsburg. It soon failed, but hopes revived when in 1292 Adolf of Nassau was chosen emperor. In 1297 he confirmed to the free men of Schwyz their charter of 1240, and, strangely enough, confirmed the same charter to Uri, instead of their own of 1231. It is in his reign that we have the first recorded meeting oí the “Landsgemeinde” (or legislative assembly) of Schwyz (1294). But in 1298 Albert of Habsburg himself was elected to the Empire. His rule was strict and severe, though not oppressive. He did not indeed confirm the charters of Uri or of Schwyz, but he did not attack the ancient rights of the former, and in the latter he exercised his rights as a landowner and did not abuse his political rights as empcror or as count. In Unterwalden we find that in 1304 the two valleys were joined together under a common administrator (the local deputy of the count)—a great step forward to permanent union. The stories of Albert’s tyrannical actions in the Forest districts are not heard of till two centuries later, though no doubt the union of offices in his person was a permanent source oí alarm to the Confederation. It was in his time too that the “ terrier ” (or list of manors and estates, with enumeration of all quit rents, dues, &c., payable by the tenants to their lords) of all the Habsburg possessions in Upper Germany was begun, and it was on the point of being extended to Schwyz and Unterwalden when Albert was murdered (1308) and the election of Henry of Luxemburg roused the free men to resist the officials charged with the survey. Despite his promise to restore to the Habsburgs all rights enjoyed by them under his three predecessors (or maintain them in posses­sion), Henry confirmed, on the 3rd of June 1309, to Uri and Schwyz their charters of 1297, and, for some unknown reason, confirmed to Unterwalden all the liberties granted by his pre­decessor, though as a matter of fact none had been granted. This charter, and the nomination of one royal bailiff to administer the three districts, had the effect of placing them all (despite historical differences) in an identical political position, and that the most privileged yet given to any of them—the freedom oí the free community of Schwyz. A few days later the Confeder­ates made a fresh treaty of alliance with Zürich; and in 1310 the emperor placed certain other inhabitants of Schwyz on the fame privileged footing as the free community. The Habsburgs were put off with promises; and, though their request (1311) for an inquiry into their precise rights in Alsace and in the Forest districts was granted, no steps were taken to carry out this investigation. Thus in Henry’s time the struggle was between the Empire and the Habsburgs as to the recognition of the rights of the latter, *not* between the Habsburgs and those dependent on them as landlords or counts.

On Henry’s death in 1313 the electors hesitated long between Frederick the Handsome o£ Habsburg and Louis of Bavaria. the men of Schwyz seized this opportunity for making a wanton attack on the great abbey of Einsiedeln, with which they had a long-standing quarrel as to rights of pasture. The abbot caused them to be excommunicated, and Frederick (the choice of the minority of the electors), who was the hereditary “ advocate ” of the abbey, placed them under the ban of the Empire. Louis, to whom they appealed, removed the ban; on which Frederick issued a decree by which he restored to his family all their rights and possessions in *the three valleys* and Urseren, and charged his brother Leopold with the execution of this order. The Confederates hastily concluded alliances with Glarus, Urseren, Arth and Interlaken to protect themselves from attack on every side. Leopold collected a brilliant army at the Austrian town of Zug in order to attack Schwyz, while a body of troops was to take Unterwalden in the rear by way of the Brünig Pass. On the 15th of November 1315, Leopold with from 15,000 to 20,000 men moved forward along the shore of the Lake of Aegeri, intending to assail the town of Schwyz by climbing the slopes of Morgarten above the south-eastern end of the lake. There they were awaited by the valiant band of the Confederates from 1300 to 1500 strong. The march up the rugged and slippery slope threw the Austrian army into disarray, which became a rout and mad flight when huge boulders and trunks of trees were hurled from above by their foes, who charged down and drove them into the lake. Leopold fled in hot haste to Winterthur, and the attack by the Brünig was driven back by the men of Unterwalden. On the 9th of December 1315 representatives of the victorious highlanders met at Brunnen, on the Lake of Lucerne, not far from Schwyz, and renewed the Everlasting League of 1291. In their main lines the two docu­ments are very similar, the later being chiefly an expansion of the earlier. That of 1315 is in German (in contrast to the 1291 League, which is in Latin), and has one or two striking clauses largely indebted to a decree issued by Zürich on the 24th of July 1291. None of the three districts or their dependents is to recognize a new lord without the consent and counsel of the rest. (This is probably meant to provide for an interregnum in or disputed election to the Empire, possibly for the chance of the election of a Habsburg.) Strict obedience in all lawful matters is to be rendered to the rightful lord in each case, unless he attacks or wrongs any of the Confederates, in which case they are to be