

**Habsburg H-Net Discussion Network
Hungarian Declaration of Independence, 1849**

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Hungarian Declaration of Independence, April 1849

[Source: Henry M. De Puy, *Kossuth and His Generals* (Buffalo: Phinney & Co., 1852), pp. 202-225. On April 14, 1849, the Hungarian Parliament in Debrecen, following an appeal by Kossuth, unanimously adopted the following declaration: [jpn]]

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**DECLARATION RELATIVE TO THE SEPARATION OF HUNGARY
FROM AUSTRIA**

WE, the legally constituted representatives of the Hungarian nation, assembled in Diet, do by these presents solemnly proclaim, in maintenance of the inalienable natural rights of Hungary, with all its dependencies, to occupy the position of an independent European State -- that the house of Hapsburg-Lorraine, as perjured in the sight of God and man, has forfeited its right to the Hungarian throne. At the same time we feel ourselves bound in duty to make known the motives and reasons which have impelled us to this decision, that the civilized world may learn we have taken this step not out of overweening confidence in our own wisdom, or out of revolutionary excitement, but that it is an act of the last necessity, adopted to preserve from utter destruction a nation persecuted to the limit of the most enduring patience.

Three hundred years have passed since the Hungarian nation, by free election, placed the house of

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Austria upon its throne, in accordance with stipulations made on both sides, and ratified by treaty. These three hundred years have been, for the country, a period of uninterrupted suffering.

The Creator has blessed this country with all the elements of wealth and happiness. Its area of 100,000 square miles presents in varied profusion innumerable sources of prosperity. Its population, numbering nearly fifteen millions, feels the glow of youthful strength within its veins, and has shown temper and docility which warrant its proving at once the main organ of civilization in eastern Europe, and the guardian of that civilization when attacked. Never was a more grateful task appointed to a reigning dynasty by the dispensation of Providence, than that which devolved upon the house of Hapsburg-Lorraine. It would have sufficed to do nothing that could impede the development of the country. Had this been the rule observed Hungary would now rank among the most

prosperous nations. It was only necessary that it should not envy the Hungarians the moderate share of constitution liberty which they timidly maintained during the difficulties of a thousand years with rare fidelity to their sovereigns, and the house of Hapsburg might long have counted this nation among the most faithful adherents of the throne.

This dynasty, however, which can at no epoch point to a ruler who based his power on the freedom of the people, adopted a course toward this nation from father to son, which deserves the appellation of perjury.

The house of Austria has publicly used every effort

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to deprive the country of its legitimate independence and constitution, designing to reduce it to a level with the other provinces long since deprived of all freedom, and to unite all in a common link of slavery. Foiled in this effort by the untiring vigilance of the people, it directed its endeavor to lame the power, to check the progress of Hungary, causing it to minister to the gain of the provinces of Austria, but only to the extent which enabled those provinces to bear the load of taxation with which the prodigality of the imperial house weighed them down; having first deprived those provinces of all constitutional means of remonstrating against a policy which was not based upon the welfare of the subject, but solely tended to maintain despotism and crush liberty in every country of Europe.

It has frequently happened that the Hungarian nation, in spite of this systemized [sic] tyranny, has been obliged to take up arms in self-defense. Although constantly victorious in these constitutional struggles, yet so moderate has the nation ever been in its use of the victory, so strongly has it confided in the plighted word of the king, that it has ever laid down arms as soon as the king by new compact and fresh oaths has guaranteed the duration of its rights and liberty. But every new compact was as futile as those which preceded. Each oath which fell from the royal lips was but a renewal of previous perjuries. The policy of the house of Austria, which aimed at destroying the independence of Hungary as a state, has been pursued without alteration for three hundred years.

It was in vain that the Hungarian nation shed its blood for the deliverance of Austria whenever it was in

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danger; in vain were all the sacrifices which it made to serve the interests of the reigning house ; in vain did it, on the renewal of the royal promises, forget the wounds which the past had inflicted ; vain was the fidelity cherished by the Hungarians for their king, and which, in moments of danger, assumed a character of devotion ; -- they were in vain,

because the history of the government of that dynasty in Hungary presents but an unbroken series of perjured acts from generation to generation.

In spite of such treatment, the Hungarian nation has all along respected the tie by which it was united to this dynasty ; and in now decreeing its expulsion from the throne, it acts under the natural law of self-preservation, being driven to pronounce this sentence by the full conviction that the house of Hapsburg-Lorraine is compassing the destruction of Hungary as an independent state ; so that this dynasty has been the first to tear the bands by which it was united to the Hungarian nation, and to confess that it had torn them in the face of Europe. For many causes a nation is justified, before God and man, in expelling a reigning dynasty. Among such are the following:

When it forms alliances with the enemies of the country, with robbers, or partisan chieftains, to oppress the nation ; when it attempts to annihilate the independence of the country and its constitution, solemnly sanctioned by oaths, attacking with an armed force the people who have committed no act of revolt; when the integrity of a country, which the sovereign has sworn to maintain, is violated, and its power diminished ; when foreign armies are employed to murder the people, and to oppress their liberties.

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Each of the grounds here enumerated would justify the exclusion of a dynasty from the throne. But the House of Lorraine-Hapsburg is unexampled in the compass of its perjuries, and has committed every one of these crimes against the nation; and its determination to extinguish the independence of Hungary has been accompanied with a succession of criminal acts, comprising robbery, destruction of property by fire, murder, maiming, and personal ill-treatment of all kinds, besides setting the laws of the country at defiance, so that humanity will shudder when reading this disgraceful page of history.

The main impulse to this recent unjustifiable course was the passing of the laws adopted in the spring of 1848, for the better protection of the constitution of the country. These laws provided reforms in the internal government of the country, by which the commutation of servile services and of the tithes were decreed; a fair representation guaranteed to the people in the Diet, the constitution of which was, before that, exclusively aristocratical; equality before the law proclaimed; the privilege of exemption from taxation abolished ; freedom of the press pronounced ; and, to stem the torrent of abuses, trial by jury established, with other improvements. Notwithstanding that troubles broke out in every province of the Austrian empire, as a consequence of the French February Revolution, and the reigning dynasty was left without support, the Hungarian nation was too generous at such a moment to demand more privileges, and contented itself with enforcing the administration of its old rights upon a system of ministerial responsibility, and with maintaining

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them and the independence of the country against the often renewed and perjured attempts of the crown. These rights, and the independence sought to be maintained, were, however, no new acquisition, but were what the king, by his oath, and according to law, was bound to keep up, and which had not in the slightest degree been affected by the relation in which Hungary stood to the provinces of the empire.

In point of fact, Hungary and Transylvania, with all their possessions and dependencies, never were incorporated into the Austrian empire, but formed a separate, independent kingdom, even after the adoption of the pragmatic sanction by which the same law of succession was adopted for Hungary which obtained in the other countries and provinces.

The clearest proof of this legal fact is furnished by the law incorporated into the act of the pragmatic sanction, and which stipulates that the territory of Hungary and its dependencies, as well as its independence, self-government, constitution, and privileges, shall remain inviolate and specially guaranteed.

Another proof is contained in the stipulation of the pragmatic sanction, according to which the heir of the crown only becomes legally king of Hungary upon the conclusion of a coronation treaty with the nation, and upon his swearing to maintain the constitution and the laws of the country, whereupon he is to be crowned with the crown of St. Stephen. The act signed at the coronation contains the stipulation that all laws, privileges, and the entire constitution, shall be observed, together with the order of succession. Only one sovereign since the adoption of the pragmatic sanction

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refused to enter into the coronation compact, and swear to the constitution. This was Joseph II, who died without being crowned, but for that reason his name is not recorded among the kings of Hungary, and all his acts are considered illegal, null and void. His successor, Leopold II., was obliged, before ascending the Hungarian throne, to enter into the coronation compact, to take the oath, and to let himself be crowned. On this occasion it was distinctly declared in Art. IC, 1790, sanctioned upon oath by the king, that Hungary was a free and independent country with regard to its government, and not subordinate to any other state or people whatever, consequently that it was to be governed by its own customs and laws.

The same oath was taken by Francis I., who came to the throne in the year 1792. On the extinction of the imperial dignity in Germany, and the foundation of the Austrian empire, this emperor, who allowed himself to violate the law in innumerable instances, had still sufficient respect for his oath, publicly to avow that Hungary formed no portion of the Austrian empire. For this reason Hungary was separated from the rest of the Austrian states by a chain of custom guards along the whole frontier, which still continues.

The same oath was taken on his accession to the throne by Ferdinand V., who, at the Diet held at Pressburg last year, of his own free-will, sanctioned the laws that were passed, but

who, soon after, breaking that oath, entered into a conspiracy with the other members of his family with the intent of erasing Hungary from the list of independent nations.

Still the Hungarian nation preserved with useless

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piety its loyalty to its perjured sovereign, and during March last year, while the empire was on the brink of destruction, while its armies in Italy suffered one defeat after another, and he in his imperial palace bad to fear at any moment that he, might be driven from it; Hungary did not take advantage of so favorable a moment to make increased demands ; it only asked that its constitution might be guaranteed, and abuses rectified -- a constitution, to maintain which fourteen kings of the Austrian dynasty had sworn a solemn oath, which every one of them had broken.

When the king undertook to guarantee those ancient rights, and gave his sanction to the establishment of a responsible ministry, the Hungarian nation flew enthusiastically to his support, and rallied its might around his tottering throne. At that eventful crisis, as at so many others, the house of Austria was saved by the fidelity of the Hungarians.

Scarcely, however, had this oath fallen from his lips when he conspired anew with his family, the accomplices of his crime, to compass the destruction of the Hungarian nation. This conspiracy did not take place on the ground that any new privileges were conceded by the recent laws which diminished the royal authority. From what has been said, it is clear that no such demands were made. The conspiracy was founded to get rid of the responsible ministry, which made it impossible for the Vienna cabinet to treat the Hungarian constitution any longer as a nullity.

In former times a governing council, under the name of the Royal Hungarian Stadtholdership, (*Consilium Locumtenentiale Hungaricum*.) the president of which

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was the Palatine, held its seat at Buda, whose sacred duty it was to watch over the integrity of the state, the inviolability of the constitution, and the sanctity of the laws ; but this collegiate authority not presenting any element of personal responsibility, the Vienna cabinet gradually degraded this council to the position of an administrative organ of court absolutism. In this manner, while Hungary had ostensibly an independent government, the despotic Vienna cabinet disposed at will of the money and blood of the people for foreign purposes, postponing its trading interests to the success of courtly, cabals, injurious to the welfare of the people, so that we were excluded from all connection with the other countries of the world, and were degraded to the position of a colony. The mode of governing by a ministry was intended to put a stop to these proceedings, which caused the rights of the country to moulder uselessly in its parchments; by the change, these

rights and the royal oath were both to become a reality. It was the apprehension of this, and especially the fear of losing its control over the money and blood of the country, which caused the house of Austria to determine to involve Hungary, by the foulest intrigues, in the horrors of fire and slaughter, that, having plunged the country in a civil war, it might seize the opportunity to dismember the lands, and blot out the name of Hungary from the list of independent nations, and unite its plundered and bleeding limbs with the Austrian monarchy.

The beginning of this course was by issuing orders during the existence of the ministry, directing an Austrian general to rise in rebellion against the laws of the

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country, and by nominating the same general Ban of Croatia, a kingdom belonging to the kingdom of Hungary. Croatia and Slavonia were chosen as the seat of military operations in this rebellion, because the military organization of a portion of these countries promised to present the greatest number of disposable troops ; it was also thought, that since a portion of those countries had for centuries been excluded from the enjoyment of constitutional rights, and subjected to a military organization in the name of the emperor, they would easily be induced to rise at his bidding.

Croatia and Slavonia were chosen to begin this rebellion, because, in those countries, the inhuman policy of Prince Metternich had, with a view to the weakening of all parties, for years cherished hatred against the Hungarian nation. By exciting, in every possible manner, the most unfounded national jealousies, and by employing the most disgraceful means, he had succeeded in inflaming a party with rage, although the Hungarians, far from desiring to oppress the Croatians, allowed the most unrestrained development to the provincial institutions of Croatia, and shared with their Croatian and Slavonian brethren their political rights; even going the length of sacrificing some of their own rights, by acknowledging special privileges and immunities in those dependencies.

The ban revolted, therefore, in the name of the emperor. and rebelled, openly, against the king of Hungary, who is, however, one and the same person; and he went so far as to decree the separation of Croatia and Slavonia from Hungary, with which they had been united for eight hundred years, as well as to

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incorporate them with the Austrian empire. Public opinion, and undoubted facts threw the blame of these proceedings on the Archduke Louis, uncle to the emperor; on his brother, the Archduke Francis Charles, and especially on the consort of the last-named prince, the Archduchess Sophia; and, since the ban, in this act of rebellion, openly alledged [sic] that he acted as a faithful subject of the emperor, the ministry of Hungary requested their sovereign, by a public declaration, to wipe off the stigma which these proceedings threw

upon the family. At that moment affairs were not prosperous for Austria in Italy ; the emperor, therefore, did proclaim that the ban and his associates were guilty of high treason, and of exciting to rebellion. But, at the same time that this edict was published, the ban and his accomplices were covered with favors at court, and supplied, for their enterprise, with money, arms, and ammunition. The Hungarians, confiding in the royal proclamation, and not wishing to provoke a civil conflict, did not hunt out those proscribed traitors in their lair, and only adopted measures for checking any extension of the rebellion. But soon afterward, the inhabitants of South Hungary, of Servian race, were excited to rebellion by precisely the same means.

These were also declared, by the king, to be rebels, but were, nevertheless, like the others, supplied with money, arms, and ammunition. The king's commissioned officers and civil servants enlisted bands of robbers, in the principality of Servia, to strengthen the rebels, and aid them in massacring the, peaceable Hungarian and German inhabitants of the Banat. The

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command of these rebellious bodies was farther intrusted to the rebel leaders of the Croats. During this rebellion of the Hungarian Servians, scenes of cruelty were witnessed at which the heart shudders. Whole towns and villages, once flourishing, were laid waste; Hungarians, fleeing before these murderers, were reduced to the condition of vagrants and beggars in their own country; the most lovely districts were converted into a wilderness.

Thus were the Hungarians driven to self-defense; but the Austrian cabinet had dispatched, some time previously, the bravest portion of the national troops to Italy, to oppress the kingdoms of Lombardy and Venice; notwithstanding that our country was, at home, bleeding from a thousand wounds, still she had allowed them to leave for the defense of Austria. The greater part of the Hungarian regiments were, according to the old system of government, scattered through the other provinces of the empire. In Hungary itself the troops quartered were mostly Austrian, and they afforded more protection to the rebels than to the laws, or to the internal peace of the country.

The withdrawal of these troops, and the return of the national militia was demanded of the government, but was either refused or its fulfillment delayed; and when our brave comrades, on hearing the distress of the country, returned in masses, they were persecuted, and such as were obliged to yield to superior force were disarmed and sentenced to death, for having defended their country against rebels.

The Hungarian ministry begged the king earnestly to issue orders to all troops and commanders of

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fortresses in Hungary, enjoining fidelity to the constitution, and obedience to the ministers of Hungary. Such a proclamation was sent to the Palatine, the Viceroy of Hungary, Archduke Stephen, at Buda. The necessary letters were written and sent to the post-office. But this nephew of the king, the Archduke Palatine, shamelessly caused the letters to be smuggled back from the post-office, although they had been countersigned by the responsible ministers, and they were afterward found among his papers, when he treacherously departed from the country.

The rebel ban menaced the Hungarian coast with an attack, and the government, with the king's consent, ordered an armed corps to march through Styria for the defense of Fiume; but this whole force received orders to march into Italy. Yet such glaring treachery was not disavowed by the Vienna cabinet.

The rebel force occupied Fiume, and disunited it from the kingdom of Hungary, and this irruption was disavowed by the Vienna cabinet, as having been a misunderstanding the furnishing of arms, ammunition, and money to the rebels of Croatia was also declared to have been a misunderstanding. Instructions were issued to the effect that, unless special orders were given, the army and commanders of fortresses were not to follow the orders of the Hungarian ministers, but were to execute the orders of the Austrian cabinet.

Finally, to reap the fruit of so much perfidy, the Emperor Francis Joseph dared to call himself King of Hungary in the manifesto of 9th March, wherein he openly declares that he erases the Hungarian nation from the list of the independent nations of Europe, and

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that he divided its territory into five parts, dividing Transylvania, Croatia, Sclavonia, and Fiume from Hungary, creating at the same time a principality for the Servian rebels (the Koïrodina,) [sic; i.e. Voivodina--ed.] and having paralyzed the political existence of the country, declared it incorporated into the Austrian monarchy.

Never was so disgraceful a line of policy followed toward a nation. Hungary, unprepared with money, arms and troops, and not expecting to be called on to make resistance, was entangled in a net of treachery, and was obliged to defend itself against the threatened annihilation with the aid of volunteers, national guards, and an undisciplined unarmed levy, "en masse," aided by the few regular troops which remained in the country. In open battles the Hungarians have, however, been successful, but they could not rapidly enough put down the Servian rebels, and those of the military frontier, who were led by officers devoted to Austria, and were enabled to take refuge behind entrenched positions.

It was necessary to provide a new armed force. The king, still pretending to yield to the undeniably lawful demands of the nation, had summoned a new Diet for the 2d of July, 1848, and had called upon the representatives of the nation to provide soldiers and money for the suppression of the Servian and Croatian rebellion, and the re-establishment of public peace. He at the same time issued a solemn proclamation in his own name, and in

that of his family, condemning and denouncing the Croatian, and Servian rebellion. The necessary steps were taken by the Diet. A levy of 200,000 men, and a subsidy of 40,000,000 of florins were voted as the necessary force, and the bills were

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laid before the king for the royal sanction. At the same moment the Hungarians gave an unexampled proof of their loyalty, by inviting the king, who had fled to Innspruck, to go to Pesth, and by his presence tranquilize the people, trusting to the loyalty of the Hungarians, who had shown themselves at all times the best supports of the throne.

This request was proffered in vain, for Radetzky had in the mean time been victorious in Italy. The house of Hapsburg-Lorraine, restored to confidence by that victory, thought the time come to take off the mask and to involve Hungary, still bleeding from previous wounds, in the horrors of a flesh war of oppression. The king from that moment began to address the man whom he himself had branded as a rebel, as dear and loyal, (Lieber Getreuer;) he praised him for having revolted, and encouraged him to proceed in the path he had entered upon.

He expressed a like sympathy for the Servian rebels, whose hands yet reeked from the massacres they had perpetrated. It was under this command that the ban of Croatia, after being proclaimed as a rebel, assembled an army, and announced his commission from the king to carry fire and sword into Hungary, upon which the Austrian troops stationed in the country united with him. The commanders of the fortresses, Temeswar. Esseg and Karlsburg, and the commanders of the forces in the Banat and in Transylvania, breaking their oaths taken to the country, treacherously surrendered their trusts; a Slovak clergyman, with the commission of colonel, who had fraternized at Vienna with the revolted Czechs, broke into Hungary, and the rebel Croat

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leader advanced with confidence, through an unprepared country, to occupy, its capital, expecting that the army in Hungary would not oppose him.

Even the Diet did not give up all confidence in the power of the royal oath, and the king was once more requested to order the rebels to quit the country. The answer given was a reference to a manifesto of the Austrian ministry, declaring it to be their determination to deprive the Hungarian nation of the independent management of their financial, commercial and war affairs. The king at the same time refused his assent to the laws submitted for approval respecting the troops and the subsidy for covering the expenditure.

Upon this the Hungarian ministers resigned, but the names submitted by the president of the council, at the demand of the king, were not approved of for successors. The Diet

then, bound by its duty to secure the interests of the country, voted the supplies, and ordered the troops to be levied. The nation obeyed the summons with readiness.

The representatives of the people then summoned the nephew of the emperor to join the camp, and as palatine, to lead the troops against the rebels. He not only obeyed the summons, but made public professions of his devotion to the cause. As soon, however, as an engagement threatened, he fled secretly from the camp and the country, like a coward traitor. Among his papers a plan formed by him some time previously was found, according to which Hungary was to be simultaneously attacked on nine sides at once from Austria, Moravia, Silesia, Galicia, Transylvania and Styria.

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From a correspondence with the minister of war, seized at the same time, it was discovered that the commanding generals in the military frontier and the Austrian provinces adjoining Hungary, had received orders to enter Hungary and support the rebels with their united forces.

The attack from nine points at once really began. The most painful aggression took place in Transylvania, for the traitorous commander in that district did not content himself with the practices considered lawful in war by disciplined troops. He stirred up the Wallachian peasants to take up arms against their own constitutional rights, and, aided by the rebellious Servian hordes, commenced a course of Vandalism and extraction, sparing neither women, children, nor aged men; murdering and torturing the defenseless Hungarian inhabitants ; burning the most flourishing villages and towns, among which Nagy-Enyed, the seat of learning for Transylvania, was reduced to a heap of ruins.

But the Hungarian nation, although taken by surprise, unarmed and unprepared, did not abandon its future prospects in any agony of despair.

Measures were immediately taken to increase the small standing army by volunteers and the levy of the people. These troops, supplying the want of experience by the enthusiasm arising from the feeling that they had right on their side, defeated the Croatian armies and drove them out of the country.

The defeated army fled toward Vienna.

One of their leaders appealed, after an unsuccessful flight, to the generosity of the Hungarians for a truce,

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which he used to escape by night and surreptitiously, with his beaten troops; the other corps, of more than ten thousand men, was surrounded and taken prisoners, from the general to the last private.

The defeated army fled in the direction of Vienna, where the emperor continued his demoralizing policy, and nominated the beaten and flying rebel as his plenipotentiary and substitute in Hungary, suspending by this act the constitution and institutions of the country, all its authorities, courts of justice and tribunals, laying the kingdom under martial law, and placing in the hand and under the unlimited authority of a rebel, the honor, the property, and the lives of the people in the hand of a man who, with armed bands, had braved the laws, and attacked the constitution of the country.

But the house of Austria was not contented with this unjustifiable violation of oaths taken by its head.

The rebellious ban was placed under the protection of the troops stationed near Vienna, and commanded by Prince Windischgratz. These troops, after taking Vienna by storm, were led as an Imperial Austrian army to conquer Hungary. But the Hungarian nation, persisting in its loyalty, sent an envoy to the advancing enemy. This envoy, coming under a flag of truce, was treated as a prisoner and thrown into prison. No heed was paid to the remonstrances and the demands of the Hungarian nation for justice. The threat of the gallows was, on the contrary, thundered against all who had taken arms in defense of a wretched and oppressed country. But before the army had time to enter Hungary, a family revolution in the tyrannical reigning

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house was perpetrated at Olmutz. Ferdinand V. was forced to resign a throne which had been polluted with so much blood and perjury, and the son of Francis Charles, who also abdicated his claim to the inheritance, the youthful Archduke Francis Joseph, caused himself to be proclaimed Emperor of Austria and King of Hungary. But no one but the Hungarian nation can, by compacts, dispose of the constitutional throne of Hungary.

At this critical moment the Hungarian nation demanded nothing more than the maintenance of its laws and institutions, and peace guaranteed by their integrity. Had the assent of the nation to this change in the occupant of the throne been asked in a legal manner, and the young Prince offered to take the customary oath that he would preserve the Constitution, the Hungarian nation would not have refused to elect him King, in accordance with the treaties extant, and to crown him with St. Stephen's crown before he had dipped his hand in the blood of his people.

He, however, refusing to perform an act so sacred in the eyes of God and man, and in strange contrast to innocence natural to youthful breasts, declared in his first words, his intention of conquering Hungary, which he dared to call a rebellious country, although he

himself had raised rebellion there, and of depriving it of that independence which it had maintained for a thousand years, to incorporate it into the Austrian monarchy.

And he has but too well labored to keep his word. He ordered the army under Windischgratz to enter Hungary, and at the same time, directed several corps

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of troops to attack this country from Galicia and Styria. Hungary resisted the projected invasion, but being unable to make head against so many armies at once, on account of the devastation carried on in several parts of the interior by the excited rebels, and being thus prevented from displaying its whole power of defense, the troops were at first obliged to retire. To save the capital from the horrors of a storm like that to which Prague and Vienna had mercilessly been exposed, and not to stake the fortunes of a nation - which deserved a better fate -- on the chances of a pitched battle, for which there had not been sufficient preparation, the capital was abandoned, and the Parliament and national government removed, in January last, to Debreczin, trusting to the help of a just God, and to the energies of the nation, to prevent the cause from being lost, even when it should be seen that the capital was given up. Thanks be to Heaven, the cause was not lost!

But even then an attempt was made to bring about a peaceful arrangement, and a deputation was sent to the generals of the perjured dynasty. That dynasty, in its blind self-confidence, refused to enter into any negotiation, and dared to demand an unconditional submission from the nation. The deputation was detained, and one of the number, the former president of the ministry,* was thrown into prison. The deserted capital was occupied, and turned into a place of execution; apart of the prisoners of war were there con signed to the scaffold, another part were thrown into

* The Count Louis Batthyani.

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dungeons, while the remainder were forced to enter the ranks of the army in Italy.

The measure of the crimes of the Austrian house was, however, filled up, when -- after its defeat -- it applied for help to the Emperor of Russia ; and, in spite of the remonstrances and protestations of the porte, and of the consuls of the European powers at Bucharest, in defiance of international rights, and with signal danger to the balance of power in Europe, caused the Russian troops stationed in Wallachia to be led into Transylvania, for the destruction of the Hungarian nation.

Three months ago we were driven back upon the Theiss; our arms have already recovered all Transylvania; Clausenburg, Hermanstadt, and Cronstadt are taken; one portion of the troops of Austria is driven into the Bukovina ; another, together with the Russian force

sent to aid them, is totally defeated, and to the last man obliged to evacuate Transylvania, and to fly into Wallachia. Upper Hungary is cleared of foes.

The Servian rebellion is suppressed; the forts of St. Tama's and the Roman intrenchment [sic] have been taken by storm, and the whole country between the Danube and the Theiss, including the county of Bacs, has been recovered for the nation. The general of the perjured house of Austria has been defeated in five battles, and with his whole army he has been driven back upon and even across the Danube. Framing our conduct according to these events, and confiding in the justice of Eternal God, we, before the world, and relying on the natural rights of the Hungarian nation, and on

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the power it has developed to maintain them, further impelled by that sense of duty which urges every nation to defend its existence, do hereby declare and proclaim in the name of the nation legally represented by us, the following:

1st. Hungary, with Transylvania, as legally united with it, and its dependencies, are hereby declared to constitute a free, independent, sovereign state. The territorial unity of this state is declared to be inviolable, and its territory to be indivisible.

2d. The house of Hapsburg-Lorraine -- having, by treachery, perjury, and levying of war against the Hungarian nation, as well as by its outrageous violation of all compacts, in breaking up the integral territory of the kingdom, in the separation of Transylvania, Croatia, Slavonia, Fiume, and its districts from Hungary -- further, by compassing the destruction of the independence of the country by arms, and by calling in the disciplined army of a foreign power, for the purpose of annihilating its nationality, by violation both of the Pragmatic Sanction and of treaties concluded between Austria and Hungary, on which the alliance between the two countries depended -- is, as treacherous and perjured, forever excluded from the throne of the united states of Hungary and Transylvania, and, all their possessions and dependencies, and is hereby deprived of the style and title, as well as of the armorial bearings belonging to the crown of Hungary, and declared to be banished forever from the united countries and their dependencies and possessions. They are therefore declared to be deposed, degraded, and banished from the Hungarian territory.

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3d. The Hungarian nation, in the exercise of its rights and sovereign will, being determined to assume the position of a free and independent state among the nations of Europe, declares it to be its intention to establish and maintain friendly and neighborly relations with those states with which it was formerly united under the same sovereign, as well as to contract alliances with all other nations.

4th. The form of government to be adopted for the future will be fixed by the Diet of the nation.

But until this shall be decided, on the basis of the ancient and received principles which have been recognized for ages, the government of the united countries, their possessions and dependencies, shall be conducted on personal responsibility, and under the obligation to render an account of all acts, by Louis Kossuth, who has by acclamation, and with the unanimous approbation of the Diet of the nation, been named Governing President, (Gubernator,) and the ministers whom he shall appoint.

And this resolution of ours we shall proclaim and make known to all the nations of the civilized world, with the conviction that the Hungarian nation will be received by them among the free and independent nations of the world, with the same friendship and free acknowledgment of its rights which the Hungarians proffer to other countries.

We also hereby proclaim and make known to all the inhabitants of the united states of Hungary and Transylvania, and their dependencies, that all authorities, communes, towns, and the civil officers both in the counties and cities, are completely set free and released

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from all the obligations under which they stood, by oath or otherwise, to the said house of Hapsburg-Lorraine, and that any individual daring to contravene this decree, and by word or deed in any way to aid or abet any one violating it, shall be treated and punished as guilty of high treason. And by the publication of this decree, we hereby bind and oblige all the inhabitants of these countries to obedience to the government now instituted formally, and endowed with all necessary legal powers.

DEBRECZIN, April 14, 1849

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