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Includes some text in French.

Page 99 is incorrectly numbered page 90.

# OFFICIAL PAPERS

RELATIVE TO THE  
DISPUTE

BETWEEN THE COURTS OF  
GREAT BRITAIN AND SPAIN,

ON THE SUBJECT OF  
THE SHIPS CAPTURED IN NOOTKA SOUND,

AND THE  
NEGOCIATION THAT FOLLOWED THEREON;

TOGETHER WITH  
The Proceedings in both Houses of Parliament

ON THE  
KING'S MESSAGE;

TO WHICH ARE ADDED  
THE REPORT OF M. DE MIRABEAU,

AND THE  
SUBSEQUENT DECREES

OF THE  
NATIONAL ASSEMBLY OF FRANCE

ON THE  
FAMILY COMPACT.

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LONDON:

PRINTED FOR J. DEBRETT, OPPOSITE BURLINGTON HOUSE,  
PICCADILLY.



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## INTRODUCTION.

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**F**OR a full statement of the enterprize formed by some British merchants, of opening a trade with the North-West Coast of America, for the purpose of supplying the Chinese market with furs and ginfeng, we refer the reader to “ the Memorial addressed to the Right Hon. William Wyndham Grenville, one of his Majesty’s Principal Secretaries of State, by Lieut. John Mears, and presented to the House of Commons on the 13th of May,” and to “ An Authentic Statement of all the Facts relative to Nootka Sound, by Mr. John Cadman Etches,” both published for John Debrett, Piccadilly, and uniformly printed to bind herewith.

The following is a faithful abstract of these pamphlets.

In the month of March, 1786, Lieutenant Mears dispatched from Bengal the Sea Otter,

and followed himself in a vessel called the Nootka, for Prince William's Sound. The Sea Otter was lost, but the Nootka wintered there, and opened a trade with the natives.— He proceeded to China with his furs, and in January 1788, Mr. Mears, in conjunction with other British traders, purchased two other vessels, the Felice and Iphigenia. With these two he proceeded from China to the port of Nootka. On his arrival he purchased from the Chief of the district a spot of ground, whereon he built a house for the more convenient pursuit of his trade, and hoisted the British colours. He built a vessel there, which he called the North-West America, and having traded along the coast within the limits of  $60^{\circ}$  and  $40^{\circ} 30'$  North, he made formal treaties with the Chiefs of several districts, for free and exclusive trade with the natives; and he returned to China with the Felice, leaving the other vessels to winter at the Sandwich Islands. In China he found Mr. John Cadman Etches, who had also come from a trading voyage to the North-West Coast of America, under licences granted to him and Co. by the East India and South Sea Companies. They entered into co-partnery, and having fitted out two vessels, the Princess Royal and Argonaut, and equipped them

them with proper stores for a three years expedition, they were dispatched under the command of Mr. James Colnett, in the month of April and May, 1789. The North-West America and Iphigenia returned from the Sandwich Islands to Nootka, in April 1789, where they found two American vessels, the Colombia and the Washington. The North-West immediately sailed along the Coast to the North, for the purpose of trade. On the 6th of May, a Spanish ship of war, called the *Princesa*, commanded by Don Stephen Joseph Martinez, mounting 26 guns, anchored in Nootka Sound, and was joined on the 13th by a Spanish snow of 16 guns, called the *San Carlos*. After mutual civilities had passed, Don Martinez informed Capt. Douglas, who commanded the *Iphigenia*, that he had orders to seize all ships and vessels he might find on that coast, and accordingly he seized on the *Iphigenia*, and the crew were carried on board the Spanish ships. He took possession of the house on shore, and hoisting thereon the standard of Spain, took formal possession also of the Coast, declaring that all the line of Coast between Cape Horn and the 60th degree of North latitude belonged to the King of Spain. Capt. Douglas signed a paper, which he afterwards found was an obligation - to pay on demand

mand the value of the ship, cargo, &c. in case the Viceroy of Spain should adjudge her to be lawful prize. The Iphigenia was permitted to quit Nootka, which she did, and returned to China, leaving behind her there the two American vessels which the Spaniards had not molested. The Iphigenia and her companion sailed under Portuguese colours to avoid the high port duties of China. On the return of the North-West to Nootka, she was seized by boats, and towed into the port, her cargo and stores taken out, and some of the crew put in irons. The Princess Royal arrived a few days after, but she was permitted instantly to depart. The skins collected by the North-West were all, except 12 of the best quality, returned to the Princess Royal, for the owners. The Argonaut arrived on the 3d of July, which, after expressions of kindness, and a promise of being unmolested, was seized; her officers and men were made prisoners, and Mr. Colnett, the master, was threatened to be hanged at the yard arm in case of his contumacy, and the treatment he received deprived him of his senses. The Princess Royal appeared again in the Sound on the 13th, and she also was seized. The Argonaut, Princess Royal, and  
North

North-West America were sent as Spanish prizes to San Blas, but assurances were given that they would be delivered up.

Mr. Mears adds the following statement of losses, real and probable.

A STATE-



**A STATEMENT of the ACTUAL and PROBABLE LOSSES sustained by the Affiliated Merchants of London and India, by the Capture of their Ships, as stated by Lieut. Mears.**

ACTUAL LOSSES.		PROBABLE LOSSES.	
	Sp. doll.		Sp. doll.
To Cash paid the Crew of the Iphigenia, on their return to China, being near two years wages, and other incidental expenses incurred, for which vouchers have been obtained	15,534	To the value of the cargo which probably would have been collected by the Iphigenia, 1000 sea otters skins, at 100 dollars per skin	100,000
To cash paid the crew of the North-West America, being near two years wages, on their return to China, for which vouchers have been obtained	3,719	To the value of the cargo which would probably have been obtained by the North-West America, 1000 sea otters skins, at 100 dollars per skin	100,000
To the equipment of the ship Argonaut, for which vouchers have been obtained	39,816	To the value of the cargo which probably have been obtained by the Princess Royal, 1000 sea otters skins, at 100 dollars per skin	100,000
To the equipment of the Princess Royal, for which vouchers are ready to be produced	47,300	To the value of the cargo which probably have been obtained by the Argonaut, 2000 skins, at 100 dollars per skin	200,000
To the cargo of sea otters skins seized on board the Princess Royal, being 473, at 100 dollars per skin	1,200	To the loss and destruction of the commerce of the associated merchants	
To 12 sea otters skins detained for the particular use of Mr. Martinez, at the same valuation	2,000	To the particular loss of the vessel of 30 tons, in frame, on board the Argonaut, and of the furs she would probably have obtained	
To the agent's expenses in returning to England	23,864		
To insurance on the principal stock, at 20 per cent. the usual premium			
To the loss of the officers' charts, journals, nautical instruments, clothing, private goods, &c. the amount of which cannot now be ascertained			
To the amount of wages due to all the servants of the affiliated merchants now in captivity, from the time of their falling to the time of their return	20,000		
To the value of the North-West America, on the Coast of America	153,433		
			500,000

Spanish dollars

Spanish dollars

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# OFFICIAL PAPERS, &c.

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HOUSE OF COMMONS.

WEDNESDAY, 5th MAY, 1790.

**M**R. CHANCELLOR PITT delivered to the House the following Message from His Majesty—

“ GEORGE REX.

“ His Majesty has received information that two  
“ vessels belonging to his Majesty's subjects, and  
“ navigated under the British flag, and two others,  
“ of which the description is not sufficiently ascer-  
“ tained, have been captured at Nootka Sound, on  
“ the North-western Coast of America, by an officer  
“ commanding two Spanish ships of war; that the  
“ cargoes of the British vessels have been seized, and  
“ their officers and crews have been sent as prisoners  
“ to a Spanish port.

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“ The capture of one of these vessels had before  
 “ been notified by the Ambassador of his Catholic  
 “ Majesty by order of his Court, who at the same  
 “ time desired that measures might be taken for pre-  
 “ venting his Majesty’s subjects from frequenting  
 “ those coasts, which were alledged to have been  
 “ previously occupied and frequented by the subjects  
 “ of Spain. Complaints were also made of the  
 “ fisheries carried on by his Majesty’s subjects, in  
 “ the seas adjoining to the Spanish continent, as being  
 “ contrary to the rights of the crown of Spain. In  
 “ consequence of this line of communication, a de-  
 “ mand was immediately made, by his Majesty’s  
 “ order, for adequate satisfaction, and for restitution  
 “ of the vessels previous to any other discussion.

“ By the answer from the Court of Spain, it ap-  
 “ pears, that these vessels and their crews had been  
 “ set at liberty by the Viceroy of Mexico, but this is  
 “ represented to have been done by him, on the  
 “ supposition that nothing but the ignorance of the  
 “ rights of Spain had encouraged the individuals of  
 “ other nations to come to those coasts for the pur-  
 “ pose of making establishments for carrying on  
 “ trade, and in conformity to his previous instruc-  
 “ tions requesting him to shew all possible regard to  
 “ the British nation. No satisfaction was made or  
 “ offered, and a direct claim was asserted by the  
 “ Court of Spain to the exclusive rights of sove-  
 “ reignty, navigation, and commerce, in the terri-  
 “ tories and coasts in that part of the world and  
 “ seas.

“ His

“ His Majesty has now directed his Minister at  
 “ Madrid to make a fresh representation on this sub-  
 “ ject, and to claim such full and adequate satisfaction  
 “ as the nature of the case evidently requires ; and  
 “ under these circumstances, his Majesty having also  
 “ received information, that considerable armaments  
 “ are carrying on in the ports of Spain, has judged  
 “ it indispensably necessary to give orders to make  
 “ such preparations as may put it in his Majesty’s  
 “ power to act with vigour and effect, in support of  
 “ the honour of his crown and the interests of his  
 “ people : and his Majesty recommends it to his  
 “ faithful Commons, on whose zeal and public  
 “ spirit he has the most perfect reliance, to enable  
 “ him to take such measures, and to make such aug-  
 “ mentation of his forces, as may be eventually  
 “ necessary for this purpose.

“ It is his Majesty’s earnest wish, that the justice  
 “ of his Majesty’s demands may ensure, from the  
 “ wisdom and equity of his Catholic Majesty, the  
 “ satisfaction which is so unquestionably due ; and  
 “ that this affair may be terminated in such a manner  
 “ as to prevent any grounds of misunderstanding in  
 “ future, and to continue and confirm that harmony  
 “ and friendship which has so happily subsisted be-  
 “ tween the two Courts, and which his Majesty will  
 “ always endeavour to maintain and improve, by  
 “ all such means as are consistent with the dignity  
 “ of his Majesty’s crown, and the essential interests  
 “ of his subjects.

“ G. R.”

The message was read by the Speaker, the Members standing uncovered.

Ordered (upon the motion of Mr. Pitt) that the message be taken into consideration upon the morrow.

Mr. *Fox* observed that, in consequence of the motion which had just passed, he should remain silent for the present, though very important observations had occurred to him, and must have arisen in the minds of many gentlemen on the subject, comparing it with circumstances which had taken place in the course of the last and the present session of Parliament. He would, however, for the reason already assigned, defer the observations he meant to offer till the next day; not doubting, in the mean time, that there would be a common feeling in the House to support his Majesty in maintaining the honour of his crown and the interests of his people, he should reserve the delivery of his sentiments until their next meeting.

The House adjourned.

#### THURSDAY, 6th MAY.

The order of the day being read for taking into consideration his Majesty's message,

The Speaker read his Majesty's message from the chair.

Mr. Chancellor *Pitt* said, that however natural it might be to look with concern upon the circumstances stated in his Majesty's message,  
and

and all the future possible occurrences to which it might lead, he conceived that he should not do justice to the feelings and public spirit of that House, if he entertained, for a moment, an idea that there could arise any difference of opinion as to the measures which such circumstances would make it necessary to adopt. There was no occasion for him to enlarge upon the facts stated in his Majesty's message; the bare mention of them, he was persuaded, would prove sufficient to induce the House to give their concurrence (and he should hope, their unanimous concurrence) to the motion with which he should have the honour to conclude. These facts were: First, that some of his Majesty's subjects had been forcibly interrupted in a trade which they had carried on, for years, without molestation, in parts of America where they had an incontrovertible right of trading, and in places to which no country could claim an exclusive right of commerce and navigation. They knew that this interruption had been made by a seizure of a ship's cargo and company without any previous notice, and in a moment of profound peace. They knew that the officers and crew had been sent as prisoners of war to a Spanish port, without the pretence of any regular jurisdiction, or without even having gone through the forms of condemnation uniformly resorted to in cases of prize at a time of general hostility. He wished to abstain from using any words of aggravation, but the bare mention of the facts which he had stated, must be sufficient to induce a

British

British House of Commons to demand adequate satisfaction for the injury done to their fellow-subjects, and to resent the indignity offered to the British flag. They knew, likewise, that, on a representation to the Court of Madrid, his Majesty's Ministers had been informed that one vessel had been restored, but that no satisfaction had been made; on the contrary, the restoration was accompanied by a claim on the part of the Court of Spain, the most absurd and exorbitant which could well be imagined; a claim which they had never heard of before, which was indefinite in its extent, and which originated in no treaty, or formal establishment of a colony, nor rested on any one of those grounds on which claims of sovereignty, navigation, and commerce, usually rested. If that claim were given way to, it must deprive this country of the means of extending its navigation and fishery in the Southern Ocean, and would go towards excluding his Majesty's subjects from an infant trade, the future extension of which could not but prove essentially beneficial to the commercial interests of Great Britain. Material, indeed, were the disadvantages which Great Britain would sustain, should the exorbitant claim set up by the Court of Spain be complied with; and thence arose the necessity of the House meeting it as they ought to do, for the purpose of understanding definitely and distinctly what they were to expect from other nations on points so essential to the dignity of his Majesty's crown and the interests of British subjects. It was, therefore, necessary for that House, by  
granting

granting his Majesty an additional force, to enable his Majesty to act with vigour, and effectually to secure the honour of his crown, and the safety, happiness, and prosperity of his people. He hoped, however, that it might not be ultimately necessary to use the force hostilely, but that it would enable his Majesty's Ministers to obtain what the people would expect, such an honourable reparation and satisfaction as would prove ample, on the one hand, and, on the other, lead to such an explanation as should be most likely to produce an amicable termination of the dispute, and render the continuance of tranquillity permanent. Heartily must they all rejoice, if, by the moderation and prudence of the Court of Spain a contest should be avoided. No man, he declared, would more regret the day of even a temporary interruption of peace, than he should; but he must ill deserve the situation in which he stood, and must disgrace the character of a Member of Parliament and a subject of Great Britain, if, however anxious he was for a preservation of the blessings of peace, he did not resist the exorbitant claim set up by the Court of Spain, and, at any risque, recommend a vigorous preparation for war, with a view, at all hazards, to assert our rights and to obtain complete satisfaction for the injury sustained, and the insult offered to His Majesty's Crown. If justice was not done them by others, they must endeavour to procure justice for themselves. The King, he was confident, would meet the unanimity of a loyal, a  
gene-



generous, and a brave nation, with the most vigorous exertions.

In conclusion Mr. Pitt moved,

“ That an humble Address be presented to His  
 “ Majesty, to return His Majesty the Thanks of this  
 “ House, for his most gracious message, acquaint-  
 “ ing this House of those circumstances relative to  
 “ the capture of British vessels on the North-western  
 “ Coast of America, and to the conduct of the Court  
 “ of Spain on this occasion, which have induced  
 “ His Majesty to give orders for making such prepa-  
 “ rations as may put it in His Majesty’s power to act  
 “ with vigour and effect in support of the honour of  
 “ His Majesty’s Crown, and of the interests of his  
 “ people; and to assure His Majesty, that we shall  
 “ readily proceed to enable His Majesty to take such  
 “ measures, and to make such augmentation of His  
 “ Majesty’s forces, as may eventually be necessary  
 “ on this occasion.

“ That we trust that the justice of His Majesty’s  
 “ demands will enforce, from the wisdom and equity  
 “ of the Catholic King, the satisfaction which is  
 “ so unquestionably due to His Majesty; and that  
 “ we shall sincerely rejoice in such a termination of  
 “ the discussions now depending, as may prevent  
 “ any grounds of misunderstanding in future, and  
 “ may continue and confirm that harmony and  
 “ friendship which has happily subsisted between  
 “ Great Britain and Spain; but that we, at the same  
 “ time, feel it our indispensable duty to assure His  
 “ Majesty of the determination of his faithful Com-  
 “ mons,

“ Commons, to afford His Majesty the most zealous  
 “ and effectual support in such measures as may  
 “ become requisite for maintaining the dignity of  
 “ His Majesty’s Crown, and the essential interests  
 “ of His Majesty’s dominions.”

Mr. Secretary Grenville seconded the motion.

Mr. Fox declared, that no Member within the House could be more sensible than he was of the disadvantage, (at the same time that he could not resist the temptation of declaring that he heartily concurred with the motion) of rising to state some observations on the situation in which we now stood. No man felt more strongly the necessity of arming than he did. No man felt a warmer resentment at the unprovoked aggression of the Court of Spain, as stated to the House in His Majesty’s message. He thought that there could not arise a doubt of the necessity of an immediate and a vigorous armament, and he conceived with the right honourable gentleman, that it was probable that this armament might produce its effect without proceeding to the extreme of war, and that the absurd claim of the Court of Spain (which the right honourable gentleman had so forcibly described, that he would not weaken that description, by attempting to add to it) might be put an end to, but he wished that the message had told them more than it did. They ought to have known what the (afterwards captured) ships were doing, or intended to do; whether they were about to make an establishment, or whether Spain knew that we were about to make an establishment. It was a question with him, whether or not the event which

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had

had happened, and the facts stated, were not such as might have been foreseen or prevented. The House had now been given to understand, that the vessels were seized without any preliminary notice; had such notice however been given, it would have made no difference in his vote on that day, convinced as he was, that there could not be a single man in that House, or in the country, but must see the necessity for a vigorous armament. This country certainly could have had no reason to have expected an act of hostility from any quarter, a few days back, when from every appearance, we were led to look for a long and uninterrupted peace; that prospect, at least for the present, was gone; and in its stead there was much matter of serious concern; for however favourable a war at its commencement might appear, it was impossible to foretell its ultimate consequences. He had not, in the whole course of his life, been used to speak with despondency of the resources of the country, but he did not think it fair, in a matter of great serious concern, to pass it over and take no notice of it, at a moment when the occasion seemed necessarily to require that it should be mentioned. It was now scarcely a fortnight since the Minister of this country pointed out to the House the the prosperity and flourishing state of the finances, and in no part of his speech did he seem more confident, than in the assurances he gave the House of the prospect of the continuance of peace. On first hearing the message, it struck him as an instance of the uncertainty of human wisdom, and the mutability of human affairs, when he observed a gentleman at the head of the  
Admini-

Administration of this country, and of great talents, one day pointing out the increasing resources and the great probability of a continuance of peace, and in a fortnight afterwards coming down to that House and telling them, they must prepare for war: Viewed in another manner, it gave rise to different suggestions. When the right honourable gentleman was vaunting of the resources of this country, he knew that Spain had, without a colour of pretence, seized British ships, made prisoners of the crews, and confiscated the property in the vessels. The right honourable gentleman knew these facts from the Spanish Ambassador, who had communicated them in a deliberate and premeditated message on the part of his Court. Where was the difference between matters now and matters three weeks since? There did exist (Mr. Fox said) a distinction, and he would state what it was, and wherein it consisted. Let them compare the two situations. Not three weeks since, they were told of the great probability of a continuance of peace, but now they were told, not indeed of the certainty of war, but of the probability of war. They now knew that the ships had been seized; they knew that before. They now knew, that the officers had been sent to a Spanish port, prisoners of war; they knew that distinctly before. He understood that the Spanish Ambassador had not only stated the capture, but accompanied it with a complaint and a requisition, that His Majesty would not suffer his subjects to trade on those coasts, and fish in the Southern ocean. We now know that Spain was carrying on great armaments; we knew that

that at the former period also. Every particular that he had stated, His Majesty's Ministers knew when they were exulting on the prospect of peace. That they should be obliged to go to war, he admitted might, and he hoped would, be otherwise. He hoped that when they had armed, Spain would in some measure retract; but what did they now know, which they did not know a fortnight since, in consequence of a premeditated message by authority from the Spanish Ambassador's Court? He hoped that the Court of Spain would retract, from principles of justice and prudence, because they had made their claim without justice, and advanced it without prudence. He was one of those, who at the moment of the Minister's exultation, had for months known the increase of the Spanish armament. The right honourable gentleman had better opportunities of knowing what the extent of the armament was, than he could pretend to; and when Spain was arming, it was not very reasonable to think that we should be long at peace. He owned he did not see the necessity for the Minister to go out of his way in opening the state of the finances, to introduce assurances of continuance of peace; it must take away from that security and happiness into which the public were lulled, when they were informed, from the Throne, that those assurances were groundless. When the Lottery was talked of in a late debate, he recollected that an honourable friend of his complained that the Minister was an auctioneer; he complained, that at the moment in question, the

Minister

Minister was acting the part of an auctioneer, throughout, by puffing and praising the prospect of peace, when there was in reality a great probability of a speedy war. He always thought it injudicious that this country, in making the last peace, had stipulated with one branch of the House of Bourbon (with France) that the two countries should respectively reduce their marine force to a certain point, and not stipulate in like manner with Spain, because it was obvious that all the danger to be dreaded, might still fall upon us, it being competent to the other branch of the House of Bourbon to arm to whatever extent she thought proper; and he would ask his Majesty's Ministers, whether Spain had not continued in an armed state, and been increasing her armament ever since that period? When the peace was in negotiation, he had heard that the Empress of Russia solicited to have the same favour shewn to her which had been shewn to France, with regard to letting the French flag give protection to property not belonging to France, so long as we were not at war with France. It was answered to Russia, that it could not be done. When it was asked, "Why will you not unite with a power you call your friend, when you unite with your natural enemy?" The answer was, "It was for that very reason. We think France most likely to take part against us whenever we are engaged in war, but we consider you as more likely to remain a neutral power." Mr. Fox reasoned upon this point, and at length came to consider the claim of the Court of Spain,

Spain, declaring that this Court had often set up claims equally unjust and unreasonable. He conceived the whole exploded claim of the Pope's demarkation to be wholly set aside, and that the discovery of any place, and making it the possession of this or that King by setting up a cross, or any other token of having been there, was equally exploded. In fact, occupancy and possession should be considered as the only right and title. He remembered, that in the late convention with Spain, there had been much negociation about the Musquito Shore, the claim to which on the part of the Court of Madrid he considered as one of those rights which he had stated as exploded, and he declared that he never had understood the policy of our giving up that point without some compensation, unless it had led to an ultimate adjustment of the rights of Spain in all similar respects. So far from this being the case, it led only to encourage those claims in Spain, which he considered as contemptible. Mr. Fox read that part of the message and address, which referred to explaining the grounds of misunderstanding, and observed that the passage gave him particular pleasure, because there obviously might be two pacific ends to the measure. There might be an adequate satisfaction made without arrangement to prevent such evils in future, whereas he was clearly of opinion that the point was not the mere capture of the ships, but the great and important point of the definition of the claims of the Court of Spain in respect to America and the Southern Ocean. He therefore

hoped

hoped that we should not rest contented merely with a satisfaction for the injury, but obtain a renunciation of the claim set up with so little ground of reason; and that he conceived to be the intent and meaning of His Majesty's message; and on that idea, he heartily gave his vote for the address. As to the other topic, the disappointment of this country as to its situation, he hoped that it would prove a lesson to his Majesty's Ministers for the future, not to be too sanguine in their expectations of the permanency of peace, when they were, in fact, on the eve of a war. The extravagance of the hopes holden out by Ministers, added to the disappointment, the alarm, and the fears of the public, when they suddenly found those hopes falsified. Had not such fallacious hopes been excited, he trusted that His Majesty's Message would not have had the effect on the public funds, and the minds of men, which it had produced.

Mr. Chancellor Pitt observed, that whatsoever might be his ideas concerning some of the remarks which had been just made by the right honourable gentleman, he sincerely rejoiced at the right honourable gentleman's full and explicit concurrence in the principles of the address, and at the prospect of unanimity which it afforded, and he owned that he had heard the right honourable gentleman's speech with much satisfaction on the whole, though with some of the strictures which the House had just heard, he could not help declaring that he was very much surprized. The right honourable gentleman had said, that at the time of the Budget, there  
had



had been an inconsistency in the language. In answer to which remark, he must take the liberty of asserting, that the right honourable gentleman was mistaken in both points; he was mistaken both in the language which he had supposed to have been holden by him, and mistaken likewise in the circumstances to which the right honourable gentleman had referred. The Chancellor of the Exchequer added, that he could with truth assert, that he had not uttered one syllable prospectively on the continuance of peace; he had said, that our present prosperous situation had arisen from the natural spirit and resources of the country in the happy interval of peace; and that if, by the blessing of Providence, that peace should continue, our resources would continue to increase, and that the most likely means to ensure the continuance of those blessings was to persevere in the same vigorous exertions, by which alone, when the day should come, they should be enabled to meet the perilous exigencies of war. The right honourable gentleman was mistaken in his statement of the circumstances to which he had referred. The right honourable gentleman had said, "We knew every thing when the Budget was opened, that we know now." The case was directly the reverse. They knew nothing of the facts in question, but what they knew from the statement of the Spanish Ambassador, whose communication was extremely vague and general, and related only to the capture of one of the vessels, and that without the particulars. The right honourable gentleman had

had said, they knew the whole of the claim of Spain before. They did not know it distinctly, till at a period subsequent to the Budget day. Neither did they know the extent of the preparations of the Court of Spain in her several ports, till a very few days since. But the right honourable gentleman would give him leave in his turn, to make a single remark on what had fallen from him. The right honourable gentleman had affirmed, that he for months had known of the armament of Spain, and yet, in the course of the present session, the right honourable gentleman had argued on the propriety of the diminution of the forces of the country, and had expressly contended, that we had nothing to apprehend from the Court of Spain. That he had given the House the assurance, as he was supposed by the right honourable gentleman to have given, of the prospect of peace continuing, the Chancellor of the Exchequer said, he did directly deny. He took notice of what Mr. Fox had remarked relative to the armed Neutrality, and the Mosquito shore, which latter he declared did not appear him to be connected with that part of the discussion then under consideration. With regard to future arrangements, he felt no difficulty in stating that he should think any satisfaction inadequate which did not tend to prevent future disputes.

Mr. Fox answered, that it was a maxim with him never to dispute with a gentleman on his own words, but he could prove from some accidental private conversation at the time, that the right ho-

nourable gentleman was understood to have expressed himself on the prospect of peace continuing as he had understood him. For his own part, he had most undoubtedly recommended a diminution of our forces, because he took it for granted that when the King's Ministers, without explaining their reasons, came and asked for a certain force, they had no particular ground for such a demand; and as to his hearing rumours of the Spanish armament, he certainly had long heard of it, but then it was merely by way of rumour, whereas the right honourable gentleman had so much better means of coming at the fact, that he concluded that the right honourable gentleman could ascertain how far such rumours merited belief.

Mr. Pulteney said, that if any insult was given to this country, it was the duty of the nation to require redress. He entertained, however, much doubt, whether, in the facts stated in the message from his Majesty, there was any insult on the part of Spain. The message stated, that Spain had asserted rights on the North-western Coast of America. That was clearly a question of right, and not of insult. In urging a claim, he thought Spain totally wrong; but as to insult, she appeared to him to have offered none. Possibly the ships might be employed in something improper, and wherever any contraband trade was carried on, it was customary to seize them. Even on our coasts, when vessels did any thing contrary to law, we seized them, let them belong to what country they would. It was admitted that the

Spa-

Spaniards had restored the ship, and expressed that they wished to be on good terms with this country. That was not like insult. With regard to the question, whether we should insist on carrying on trade on the North-west Coast of America, that was an important point. The Fur Trade, he knew, had proved good at first, and a great deal of money had been made by it, but he understood that it was much decreased in point of advantages, late adventurers having found, that they were obliged to buy their furs dearer, and sell them cheaper. As to the Southern Whale Fishery, that certainly was a serious consideration, and what ought by no means to be abandoned. In respect to the ships, how could we as yet ascertain, that our vessels did what we might wish them to have done? All these facts remained to be explained. In the mean time, he saw nothing like insult in the conduct of the Court of Spain, and he conceived that we had acted prematurely in insisting upon the restoration of the ships prior to a discussion of any kind, because it was begging the question, since if they had the right thus claimed, the seizing of the ships was nothing but the exercise of that right.

Mr. Grey hoped that the House would concur unanimously in the question. He felt, with his right honourable friend near him, the difficulties of disputing with any gentleman on words used by himself. But he knew that the impression made on him, and he believed the real impression on the majority of that House; was, that positive assurance had

been given by His Majesty's Ministers, that there was a prospect of the blessings of peace continuing in this country. The right honourable gentleman, Mr. Grey observed, had resorted to an *if*. *If* was said to be the greatest peace-maker, and he believed that no person was ever more indebted to an *if*, than the right honourable gentleman. For his part, he thought the moment awful, and the situation critical. As to Spain, he thought that enemy alone not able to contend with us, but he knew that a spark of war was likely to extend to a flame, and a general conflagration frequently arose from a single spark; he hoped, therefore, that we should not light up that spark.

The address was voted *nemine contradicente*.

Mr. Fox then rose to move for papers; and first he moved for an account of the amount and value of the trade to Nootka Sound.

Mr. Secretary Grenville begged leave to guard the House against the expectation that the motion would bring before them the value of that trade, the exports being few, and the furs all carried to the China market. It was necessary for him to state this, lest any impression should take place that the value of the trade in question was slight or inconsiderable; an idea which, he was persuaded, prevailed in no man's mind but in that of the honourable gentleman who lately intimated as much.

Mr. Burke remarked, that although the moderate, firm, and temperate language of the address, and of the right honourable gentleman's speech,

was

was entitled to much praise, yet there was something in both, which left an opening for discussion now and afterwards, and would give room for ambiguities and difficulties. The word adequate, prefixed to satisfaction, had better have been omitted, because that epithet left the matter open to a diversity of opinion. With regard to the trade on the North-western coasts of America, we should find it difficult to value it properly. It might, indeed, be with propriety overvalued, for the sake of negotiation; with a view to give up something afterwards; but, as far as he knew of the matter, he should conceive that the Court of Spain had no more exclusive right to the trade on the North-western coasts of America, than ourselves. The right appeared to him to lie with the natives. Mr. Burke recommended accommodation, if practicable, consistent with national honour, declaring, that as we never ought to go to war for a profitable wrong, so we ought never to go to war for an unprofitable right; and therefore, he hoped that the intended armament would be considered not as a measure calculated to terminate the war happily, but to enable Ministers to carry on the negotiation vigorously. We were to prepare for the worst event, and even to risque the battle, if, unfortunately for us, such risque should be absolutely necessary. He wished, however, if possible, that the war might be avoided. He had seen three wars, and we were gainers by none of them; for a war must not be looked to as likely to pay its own expence: by the first war to which he alluded, the nation added  
to

to its glory, but it lost in point of strength, and came out of it more weakened than it went into it. The second war was terminated less honourably; but if with less reputation, the war put us to less expence; and the third war, we lost both ways. In a great, gallant, and spirited nation, he hoped that there would be as much cause for moderation, as there was ground for satisfaction in our ability and our resources. That was the moment when a country did itself most honour, and proved its magnanimity the most clearly, by adopting moderation in proportion to its power. He wished all nations to be as much at peace as possible, because he thought that the balance of power in Europe required, that not any one State should have an unequal and an inordinate superiority. Besides, what had we to contend for? Extent of dominion would do us no good; on the contrary, if all the territories of Spain abroad were thrown into the scale of England, he did not think it an object for a wise man to desire. The effect would prove to us, what it was at this moment to Spain; we should be the weaker for our accumulation of distant domain.

Mr. Chancellor Pitt begged that when the House adverted to the value of the trade to Nootka Sound, they would not lose sight of the present question. They were considering of an injury done, and the necessity of obtaining satisfaction; and it would depend on the spirit of conciliation manifested by the Court of Spain, whether we could adhere to a spirit of conciliation or not. It must be desirable

able, if possible, to terminate the matter amicably, if it could be so terminated, consistently with the dignity of His Majesty's crown, and the interests of his people. Mr. Pitt recommended the withdrawing the present motion, and the postponing it for the present, till it could be put into a shape more calculated to produce the information required.

Mr. Fox consented to withdraw his motion.

## H O U S E O F L O R D S.

MAY 5th, 1790.

The Duke of *Leeds* brought down from His Majesty the same Message as was delivered to the House of Commons, and it was ordered to be taken into consideration the next day.

MAY 6th.

The order of the day was moved for summoning their Lordships to take His Majesty's message into consideration.

The message having been read by the clerk,

The Duke of *Leeds* observed, that he could venture to declare that the whole House was perfectly convinced that, during the course of a long reign, His Majesty had been no less attentive to the interests of his own people, than to the general tranquillity of Europe. His Majesty, on every occasion, had not only abstained from committing any outrage or depredation on the territories of other powers, but had



had uniformly endeavoured, by his intervention, to reconcile the animosities of every nation. The contents of the message were highly important; for the consequences, to which they might lead, involved the rights of the people, as connected with their commerce, as well as the dignity and honour of the crown. It had unfortunately happened, that an outrage of a very serious nature had been committed by an officer, acting under the authority of the King of Spain, upon vessels, the property of British subjects, and navigated under the protection of the British flag. The vessels had not only been captured, and their crews made prisoners, but their cargoes had been confiscated, without even the formality of a judicial proceeding; a formality which, in case of prize, had always been observed among civilized nations, even in the time of mutual war. It was true (he admitted) the two vessels had been released, upon an application from the British Minister to the Viceroy of Mexico, on the extraordinary pretence, that the English were ignorant of the sovereignty of Spain in those seas, and its right to an exclusive trade on the coast; but, if such an extraordinary claim were once admitted, he did not know where it might end. Not only their trade, but the valuable fishery which this country had established there, would either be at the disposal of the Court of Spain, or, what was still more humiliating, would depend on the clemency of a Spanish officer! It was impossible that such an idea could be tolerated. But, notwithstanding the enormity of the aggression, His Majesty was  
more

more desirous of seeking justice, than gratifying resentment; and he anxiously hoped that he should obtain redress, without the necessity of being obliged to resort to arms. The Duke concluded with moving,

“ That an humble address be presented to His  
 “ Majesty, thanking him for his gracious message,  
 “ acquainting this House of those circumstances re-  
 “ lative to the capture of British vessels on the North  
 “ western Coast of America, and to the conduct  
 “ of the Court of Spain on this occasion, which  
 “ have induced His Majesty to give orders for  
 “ making such preparations as may put it in His  
 “ Majesty’s power to act with vigour and effect in  
 “ support of the honour of His Majesty’s Crown,  
 “ and of the interests of his people; and to assure  
 “ His Majesty, that we shall readily proceed to en-  
 “ able His Majesty to take such measures, and to  
 “ make such augmentation of His Majesty’s forces,  
 “ as may eventually be necessary on this occasion.

“ That we trust that the justice of His Majesty’s  
 “ demands will ensure, from the wisdom and equity  
 “ of his Catholic Majesty, the satisfaction which is  
 “ so unquestionably due to His Majesty; and that  
 “ we shall sincerely rejoice in such a termination of  
 “ the discussions now depending, as may prevent  
 “ any grounds of misunderstanding in future, and  
 “ may continue and confirm that harmony and  
 “ friendship which has happily subsisted between  
 “ Great Britain and Spain; but that we, at the  
 “ same time, feel it our indispensable duty to as-

“ sure His Majesty of the determination of this  
 “ House to afford His Majesty the most zealous  
 “ and effectual support in such measures as may be-  
 “ come requisite for maintaining the dignity of His  
 “ Majesty’s Crown, and the essential interests of  
 “ His Majesty’s dominions.”

Lord Rawdon seconding the motion, remarked that no man lamented more than he did the interruption of that tranquillity which, in every point of view, was so desirable; but, he trusted, that he should never see the day when this country, forgetting its honour and dignity, could tamely submit to such a gross violation of the first principles of national justice as that communicated to the House by His Majesty’s most gracious message. For his own part, he cordially would support the motion for the address; but though he was far from imputing any blame to the noble Duke, he was of opinion that His Majesty’s Ministers ought to have made a more ample communication of the circumstances which had given rise to the important subject under their consideration, than they had done. With that view he had two motions to propose to their Lordships’ consideration; the first was, “ That the proper office be directed to lay before the House a statement  
 “ of the trade on the coast, and of the whale  
 “ fishery carried on in those seas.” The extent of which he thought it was very necessary to know. And the second, “ That an humble Address be  
 “ presented to His Majesty, that he would be gra-  
 “ ciously pleased to order such communications as  
 “ had

“ had been received respecting the capture of the  
 “ vessels to be laid before the House, and also the  
 “ information which had from time to time been  
 “ given relative to the armaments which were said  
 “ to be carrying on in the ports of Spain.” The  
 object which he had in view, was to give the House  
 the fullest information which the subject required ;  
 and he flattered himself, as it could not affect the  
 issue of any pending negotiation, that it would not  
 be opposed.

Lord Viscount Stormont observed, that the communication contained in the message was to him a matter of painful surprise. He had indulged the pleasing expectation of a long continuance of the public tranquillity ; he had hoped that we might have profited by the advantages of our relative situation ; he had seen, with much complacency, that we were gradually rising in the general scale of the nations of Europe, and that, from our commendable spirit of industry, we had derived new sources of wealth. All these hopes he had indulged from the information of His Majesty’s principal Minister of Finance in another assembly, on the occasion of his bringing forward the statement of the national income and expenditure. The right honourable gentleman, to whom he alluded, had then holden out to the country the expectation of uninterrupted peace ; he had painted, in the brightest colours of the most splendid eloquence, the advantages of our situation, when compared with the other nations of Europe ; and had asserted, that in no period of our

history, could we more sanguinely entertain the pleasing hope of permanent tranquillity. All this had been confidently asserted no longer than a fortnight ago ! Perhaps, it might be political wisdom not prematurely to reveal the danger which threatened the country ; but, in his poor opinion, it was a singular kind of political refinement (not to call it by a harsher term) which could induce the King's Ministers to hold out a prospect of peace to the nation, at the very eve of a war ; to give us the hope of halcyon days, at the moment when the storm was not only gathering, but was actually formed ! What he had stated was the more extraordinary, as it must have happened subsequent to the conversation with the Spanish Minister, when the circumstances were nearly the same as at the present moment. The conduct of Administration was, surely, censurable in suffering Spain to keep up such large armaments in time of peace, under pretence of the Court of Madrid not being a party to the negotiation with the Court of Versailles at the conclusion of the peace. Had it not been for the Revolution of the French Government at this time, we should, from such culpable neglect, have felt the whole force of the Family Compact ; of which, however, he trusted we were in no danger at present. No man respected more than he did all communications from the Crown ; and he admitted, that the wild and extravagant pretensions of Spain could not be justified in the eyes of reason ; yet, perhaps, we might have obtained the object we desired more easily by the dexterity

dexterity of secret negotiation, than the threats of compulsion.—Men were often more tenacious when their pride, than when their interests were concerned, and it had been said, that such was the peculiar character of a Spaniard. In his opinion, something ought to have been sacrificed to national ideas, and some respect might have been paid to the Pope's Bull, which gave to Spain the sovereignty of territories and possessions already discovered, as well as those not discovered. A right of possession, however, of which the Viceroy of Mexico justly concluded our English sailors were ignorant, existed in the idea of the Spaniards, and upon that ground he had released them from captivity.

As to the impolicy of ceding the Mosquito Shore to Spain, he had always been of one opinion. It was highly impolitic. He should, also, beg leave to urge the necessity of a more ample communication to the House of the circumstances which had given rise to the present dispute; but, as an insult had been offered, it became necessary that reparation should be obtained; and he hoped that the vote of that day would convince the world, that, in every case where the interests of the people and the honour and dignity of the British Crown were invaded, the nation had but one heart, one sentiment, one voice. Under these ideas, he trusted, nay, he was confident, that the House would meet the motion of the noble Duke with their most cordial and unanimous concurrence.

Lord

Lord Hawkesbury said, that with regard to the motions proposed by the noble Lord, he had considerable doubts whether they could, with propriety, be complied with. In the first place, there was no trade carried on between Great Britain and the North-west Coast of America; and with respect to the motion for laying the papers before the House on the subject of the capture of the vessels, and the information received relative to the armaments carrying on in the ports of Spain, he thought it highly improper while a negotiation was pending. As to what the noble Viscount had mentioned of assurances of peace having been given in another place, it was obvious, these points could not fall properly under discussion.

The Earl of Carlisle rose to support the motion of Lord Rawdon; when the Chancellor reminded the House, that there could be no motion before them till the original question was disposed of.

He then read the motion for the Address, which was carried unanimously.

A Committee was appointed to prepare it; and the Lords with white staves were ordered to present the same.

Some conversation then took place on the motions of Lord Rawdon, for a statement of the trade and fishery carried on, and on the production of papers relative to the capture of the vessels, with the accounts of the armaments in the ports of Spain.

On the question being put on each, the first motion was carried with a verbal amendment proposed by Lord Hawkesbury.

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The motion for the production of the accounts and papers was negatived without a division.

17th MAY.

Lord Hay (Earl of Kinnoul) moved, that His Majesty's message, relative to the disputes with Spain might be read,

The same having being read by the Clerk at the table,

Lord Hay observed, that he flattered himself that no apology could be necessary for the remarks with which he should beg leave to introduce his intended motion, when it was considered how much it behoved every Member of the British Legislature, at a moment when the country was upon the eve of a war, to call for such information as he might deem necessary to elucidate the conduct of Administration. For his own part, he should not hesitate to declare that he strongly suspected the Minister of having, for purposes best known to himself, kept back, for a considerable time, the information given to the House by His Majesty's message. He suspected Administration also of having neglected a timely preparation proportioned to the armaments of Spain, and thereby induced that country to commit the insult on the British flag which had been complained of. He condemned His Majesty's servants for having deluded the country by holding out a prospect of permanent peace, when they must have known of the probable grounds of an approaching war. He judged



judged it proper, therefore, to move for the date of the first official information received ; he wished not to move for any paper that could be objected to on the grounds of state secrecy ; but the substance of the information given by the remonstrance of the Spanish Ambassador had been stated in His Majesty's message ; he desired to have the date of the receipt of that information, which could in no ways prove injurious to the interests of the country, and which, if refused, would neither be candid to the House, nor honourable to the Minister. In conclusion Lord Hay moved for

“ An humble Address to His Majesty, that he  
 “ would be graciously pleased to order to be laid  
 “ before the House, the date of the receipt of the  
 “ remonstrance presented by the Spanish Ambassa-  
 “ dor to His Majesty's Ministers; by order of his  
 “ Court.”

Lord Walsingham rose, and said, that the motion of the noble Lord could not be agreed to, unless the House departed from a rule which they had invariably and wisely observed, that of never suffering papers to be produced relative to a negotiation with a foreign power, pending such a negotiation, they could not possibly agree to the present motion. He declared, that he had not heard a single reason assigned for the production of the information moved for ; it could be attended with no good consequence, but might introduce bad consequences, as it would establish a dangerous precedent.

Lord

Lord Porchester wished for the date of the communication for the purpose of obtaining Parliamentary ground for a Parliamentary censure of the Minister, whose conduct he suspected in the strongest manner. He was confirmed in his own mind, that the King's servants knew of the insult offered by Spain prior to the opening of the Budget. He animadverted on the conduct of the Minister in his concealment, which he declared he could not but view in the most criminal and disgraceful light. He was ready to admit that Administration either did, or did not know, prior to the statement of the finances of the country, that Spain had not only been, for a long time, making the most formidable preparations, but had actually attacked and insulted the British flag: if they did not know the fact, their ignorance was a high crime: if they did know it, their deceit was a still greater. He desired any noble Lord, or the most acute man living, to shew the danger of giving the information moved for; by its being made known to France, it could not extricate her from her difficulties, and enable her to support the Family Compact; nor would its being made known to Turkey, to Russia, or to the House of Austria, induce them to alter their military arrangements. He saw no other reason for refusing the date, than the consciousness of detection by its production. He concluded with charging the Administration with a neglect of duty in having no Minister at Spain, and a corrupt abuse of the public

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trust, in making a finecure of the Spanish Embassy.

Viscount Sydney said, that he should not have arisen, but that the noble Lord, who spoke last, had alluded to expressions used in another House of Parliament, which certainly was a very irregular and unparliamentary ground of objection; for his own part, he thought the motion by no means founded, and he justified the withholding the paper on the assertion of Lord Stormont.

The Earl of Carlisle begged leave to remind the noble Viscount (Sydney) who had just objected against allusions to what might have passed in another place, that he had not in the least opposed a motion brought forward by the Lord President of the Council during the discussion of the Regency, which was not founded in words spoken by a Minister, but by an individual, (Mr. Fox) and which had caused a debate of many hours. The Earl of Carlisle supported the motion, and declared that he could not avoid observing on the silence of His Majesty's Ministers, which was not a dignified silence, but a silence like that, of which certain persons in a certain Court would be glad to avail themselves, had not the law construed their silence into a full confession of guilt. It was, he believed, a silence that His Majesty's Ministers resorted to as a cover to their indiscretion, and a cloak to their criminality. He would venture a prophecy, that the present dispute would be terminated without a war, but that it would be terminated in a manner far short of all that concession demanded in the  
latter

latter part of the message, which was wound up with empty boastings.

Lord Stormont said, that he considered himself as free to assert, that when the noble Viscount (Sydney) took the incidental observation of a noble Lord, as the main ground of support of the motion, his conduct was neither parliamentary nor warrantable. They were agreed as to the premises of the argument, but differed as to the conclusion. Certainly there were political situations, respecting which he knew that Ministers might preserve a perfect silence in discharge of a painful duty; and rather expose themselves and their measures to misconstruction and censure, than risque the safety of the country; but how could the conclusion now insisted on be drawn from such premises? The important facts in question were all made known to the House through the medium of His Majesty's message: where then could be the danger of disclosing the date of their communication?

The question was at length put, and their Lordships dividing, there appeared for the motion,

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## HOUSE OF COMMONS.

MAY 10th.

The House having resolved itself into a Committee of Supply, Mr. Gilbert in the chair,

Mr. Chancellor Pitt rose to move a vote of credit for a million, to enable His Majesty to act as the exigency of affairs might require. With the large sums already voted, and the use of the money which His Majesty would then have at his command, a vote of credit for a million would be sufficient.

“ That it is the opinion of this Committee, that  
 “ a sum not exceeding one million be granted to  
 “ His Majesty, to enable His Majesty to take such  
 “ measures, and to make such augmentation to his  
 “ forces by sea and land, as the exigencies of af-  
 “ fairs may require,”

The motion having been read a first and second time, on the question, “ That the Chairman do re-  
 “ port the same to the House.”

Mr. Sheridan remarked, that the right honourable gentleman, (the Chancellor of the Exchequer) when he stated his observations on His Majesty's message to the House, had expressed a hope, that we should still be able to accommodate the matters in question between the Courts of Madrid and Great Britain, without being driven to the necessity of going to war; a hope in which they must all most cordially concur. But although it was right to follow up their address to His Majesty of last week with a

vote

vote of supply, and not leave the address as a mere matter of profession, Mr. Sheridan said he wished to know if, on the event of war being commenced, the right honourable gentleman would find it necessary to have a Committee of Supply again.

Mr. Chancellor Pitt answered, that there were two views in the contemplation of Government. The one, a hope, and that, he believed, not altogether irrational, that the matters in dispute between us and Spain might be accommodated, without going to the extremity of a war; and the other, that a war might be unavoidable. The vote of credit for a million was calculated to answer the least desirable alternative of the two, should we be disappointed of our expectations.

Mr. M. A. Taylor trusted, that Government would contrive that the Admiral for the Newfoundland station did not go till rather a later period than the present, in order that he might protect the large fleet of ships which would sail for Newfoundland from the port of Pool. Many had already sailed; and he could have prevented all the mischief that was possible to happen, had he made known the situation of affairs a month, or even a fortnight ago.

Mr. Rolle observed, that there was a considerable deal of property embarked on board vessels in the different ports in the west in a similar predicament, but that he had not thought it right to say any thing respecting them in that House, as he gave Government the credit of supposing that they would take the proper means of guarding, as much as possible, against

against the danger incidental to the circumstances in which we now stood.

Mr. Taylor declared that there was no secret in what he had mentioned, nor any thing which could afford information to Spain, which she could not, with the utmost ease, have obtained. For his own part, he was as little desirous of betraying the necessary mysteries of State as the honourable gentleman who spoke last, or any other honourable Member whatsoever.

Mr. Fox asked, whether the papers which the House had ordered, would give the dates of the earliest intelligence received by His Majesty's Ministers of the capture of the ships in Noorika Sound? He added, that since he had last troubled the House on the subject, a report had gone abroad, that a communication of the fact was made to His Majesty's Ministers by the Spanish Ambassador, so early as the 10th of February last. He wished to have the dates of the communication correctly, in order to see whether the situation in which the nation unhappily stood, was a misfortune not to be avoided, or whether, if a public representation of it to the House, and a preparation for armament had been made at an earlier moment, the calamity might not have been prevented. He had no doubt but this information would be given, when His Majesty should graciously be pleased to give directions for it, in compliance with the address of the House; and if it should appear that the communication had been made so early as the 10th of February, undoubtedly the

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the surprife of the Houfe at the conduct of Minifters would become increafed.

Mr. Chancellor Pitt answered, that he had not conceived that the motion of the right honourable gentleman extended to the communications made by the Spanifh Ambaffador ; if he had, he fhould have ftated his reasons for objecting againft it. He underftood that the motion referred merely to the intelligence received from Madrid, and fo it would be found by His Majefty's answer, it had been generally underftood by His Majefty's Minifters. If any thing farther was wifhed for, the beft way would be for the right honourable gentleman to make a diftinct motion for it.

Mr. Fox obferved, that if the report which he had heard were founded, the Ambaffador's communication being the firft intelligence, was moft important, and he wifhed to have it, in order that they might learn whether they were likely to be plunged into a war by accidents not to be guarded againft by human foresight and precaution, or through the careleffnefs and fupinenefs of His Majefty's Council.

Mr. Chancellor Pitt declared, that whatever temporary triumph the right honourable gentleman or his friends might think they had obtained by goading Minifters with questions, fuch as thofe now in agitation, he fhould not, either by perfonal attack or perfonal infinuation, become provoked to do what he did not think proper or confiftent with his duty to the public. Upon any future proper day for unreferved difcuffion, he had no doubt but that  
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the honourable gentlemen would find that they had less cause for triumph than they at present seemed to imagine.

Mr. Fox answered, that there was nothing like triumph in the matter. He had mentioned a report that a communication had been made to His Majesty's Ministers on the 10th of February, but he begged to have it understood that he was by no means pledged for the truth of it.

The resolution passed.

MAY 11th.

The report of the Committee of Supply was brought up, and the resolutions being read,

Mr. Fox declared, that he had imagined that the general intent of the vote of credit was to provide for the uncertain expences which must, necessarily, be incurred, should the hopes of the country experience a disappointment, and Spain refuse an amicable accommodation. But he had heard, that orders for an augmentation of the forces by sea and land were, already, issued. If this was true, he saw no reason why the estimates of these augmentations might not have been referred to a Committee of Supply; ways and means voted the money necessary immediately; and provision made for paying the interests of it. No maxim in finance could be truer, than that the means of paying any expence should go hand in hand with the expence itself. There was no end to the mischiefs arising from spending money one year, and providing for the payment

payment the next. The public, also, should know at once the extent of the expence, as nearly as possible, in order to judge of the expediency of it.

Mr. Chancellor Pitt contended, that to have voted estimates in a committee of supply would have looked like an inference that the augmentation of the forces was to be kept up for the whole year; and money must have been borrowed, and taxes now imposed to pay the interest, before it was known with certainty that either would be wanted. Although it was true that augmentations were already ordered, these augmentations might not be completed in one event, or might not be sufficient in another; and if the hopes of an amicable accommodation should be disappointed, provision might be made for the additional expence, which would then become necessary, by as early an application to Parliament as public convenience would admit.

Mr. Fox begged leave to remind the right honourable gentleman, that he never meant to assert that estimates voted under the bare apprehension of war would be sufficient, if war should actually ensue, but that the augmentations already ordered might have been voted and provided for in the regular way.

Mr. Chancellor Pitt answered, that this would have been to continue, for a whole year, augmentations, which, in the event of an amicable accommodation, might not be wanted for so long a time, or might not even be all made.

The resolution was agreed to.

Mr. Sheridan said, that he had a motion to make, which he knew not whether he had worded properly; but the purport of it was, to obtain information whether the trade to Nootka Sound, and the settlement forming, or intended to be formed there, was undertaken under the sanction and authority of Government, or merely as an enterprize of private persons.

Mr. Chancellor Pitt wished the motion to be postponed till the information promised in His Majesty's answer to the Address could be laid before the House. Licences to trade to Nootka Sound had been granted; and he knew of no authority for that, or any other purpose, but such as those licences contained.

Mr. Fox observed, that it was of much importance, that the situation and nature of the trade and settlement should be known.

Mr. Chancellor Pitt said, that the memorial of Captain Mears, with the very full appendix which accompanied it, would put the House in possession of all that Government knew on the subject.

Mr. Sheridan remarked, that what the House had now heard, that the settlement was a private enterprize, was very material.

Mr. Chancellor Pitt contended, that whether the settlement was or was not a private enterprize, there could be no doubt that it was incumbent on the honour of the country to demand satisfaction for any insult or injury offered to its subjects, whether  
in

in their private capacity of traders, or acting under the more immediate sanction of Government.

Mr. Sheridan declared, that if the right hon. gentleman meant to insinuate that he did not think the country bound in honour to protect every subject from insult or injury, he had put a construction on the words which they would not bear.

The motion was postponed.

MAY 12th,

A debate took place on a motion of Mr. Grey for the production of the communication made to His Majesty by the Ambassador of the Catholic King, and the date of the said communication. Mr. Lambton seconded the motion. It was opposed by Mr. Browne and Colonel Phipps on the ground that a responsible Minister ought not for the sake of momentary popularity disclose the secrets of a negotiation. Mr. Rolle was astonished that the motion could come through the vehicle of a Member who had so great a stake in the country. Mr. Wyndham reprobated the idea of Ministers affecting to throw themselves on their character, and preserving an obstinate silence, pluming themselves on possessing the Statesman-like qualities of Lord Burleigh. If papers were refused on such pretext, there was an end to the best functions of the House. Mr. Wilberforce deprecated the production of

papers, and averred that the conduct of Administration did not warrant distrust.

Mr. Fox contended, that the principle upon which the papers were refused went to the extinction of the true use and benefit of Parliament—the previous inquiry into the grounds upon which great expence was to be incurred.—They asked for no part of the negociation—They required nothing but the communication of a date, and at the moment when this date was essential to prove that they either were or were not entitled to the confidence they demanded.—Mr. Fox said, that unquestionably the honour of the nation was to be maintained.—A war for the honour of the nation was the only war that could be political; for no war in the prospect of mere profit was ever justified by the result.

The House divided.

Ayes	—	—	121
Noes	—	—	213

After which Mr. Fox simply moved for the date of the first communication.—This also Mr. Pitt refused, and the House divided.

Ayes	—	—	119
Noes	—	—	203

The Memorial of Lieutenant Mears was laid upon the table of the two Houses, for the substance of which vide the Preface.

JUNE 10<sup>th</sup>.

His Majesty closed the Session with a most gracious Speech from the Throne, of which the following passages alluded to the dispute with Spain :

“ My Lords, and Gentlemen,

“ The necessary public business being now concluded, I think it right to put an end to this session of Parliament.

“ I have not hitherto received the answer of the Court of Spain to the representation which I have directed to be made at that Court, in support of the dignity of my crown, and of the interests of my people. I continue to entertain the strongest desire for the maintenance of peace on just and honourable grounds ; but, under the present circumstances, I feel it indispensably necessary to proceed with expedition and vigour in those preparations, the objects of which have already received your unanimous concurrence.

“ The assurances and conduct of my allies, on this interesting occasion, have manifested, in the most satisfactory manner, their determination to fulfil the engagements of the existing treaties ; and, I trust, that our mutual good understanding and concert will be productive of the happiest effects in the present conjuncture of affairs in Europe.

“ Gen-

“ Gentlemen of the House of Commons,  
 “ I return you my particular thanks for the readi-  
 “ nefs with which you granted the supplies for the  
 “ current service, and for your unanimity and dif-  
 “ patch in enabling me to take those measures which  
 “ the present crisis has rendered necessary.

“ My Lords, and Gentlemen,  
 “ It is His Majesty’s Royal will and pleasure, that  
 “ this Parliament be prorogued to Tuesday, the 3d  
 “ day of August next, to be then here holden ; and  
 “ this Parliament is accordingly prorogued to Tues-  
 “ day, the 3d day of August next.”

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On the 4th day of June the following State Paper was delivered by the Spanish Court to the Ministers from all the Courts of Europe, resident at Madrid.

M E M O R I A L  
 O F T H E  
 C A T H O L I C K I N G.

“ THE King being apprized of the particulars laid before his Ministers, on the 16th of May, by Mr. Merry, his Britannic Majesty’s Minister, relative to the unexpected dispute between this Court and Great Britain, as to the vessels captured in Port  
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St. Laurence, or Nootka Sound, on the coast of California, in the South Sea, has commanded the undersigned, his Majesty's First Secretary of State, to answer to the said Minister of England, That he had the honour to make known personally, and in writing, to the said Minister, upon the 18th of the same month, that his Majesty at no time pretended to any rights, in any ports, seas, or places, other than what belong to his Crown by the most solemn Treaties, recognized by all nations, and more particularly with Great Britain, by a right founded on particular Treaties, the uniform consent of both nations, and by an immemorial, regular and established possession. That his Majesty is ready to enter upon every examination and discussion most likely to terminate the dispute in an amicable way; and is willing to enter into immediate conference with the new Ambassador, and, if justice requires it, will certainly disapprove of the conduct, and punish his subjects if they have gone beyond their powers. This offer and satisfaction will, it is hoped, serve as an example to the Court of London to do as much on its part.

“ As the two Courts of London and Madrid have not yet received proper and authenticated accounts, and proofs of all that has really passed in these distant latitudes, a contradiction in the developement of facts has by this means been occasioned. Even at this moment the papers and minutes made up by the Viceroy of New Spain, on this matter, are not arrived.—Posterior letters indeed say, that the English vessel, the Argonaut, had not been seized and confiscated



ficated till legally condemned; and that the small vessel, called the Princess Royal, which had afterwards arrived, was not seized nor confiscated, but that, on the contrary, full restitution was made by the Viceroy, and an obligation only taken from the Captain to pay the price of the vessel, if she was declared a lawful prize; and on the precise same terms he had liberated a Portuguese vessel belonging to Macao, and two American vessels.—These particulars will be more explicitly proved and elucidated on the arrival of the necessary papers.

“ The first time that our Ambassador made a public notification of this matter to the Ministry at London, ON THE TENTH OF FEBRUARY LAST, many of the circumstances that are now certain were then doubtful. The rights and immemorial possession of Spain to that coast and ports, as well as several other titles proper to be taken into view in a pacific negotiation, were not quite certain. And if the Court of London had made an amicable return to the complaints made by his Majesty relative to those merchants whom Spain regards as usurpers, and the violators of treaties, and had shewn any desire to terminate the affair by an amicable accommodation, a great deal of unnecessary expence might have been saved. The high and menacing tone and manner in which the answer of the British Minister was couched, at a time when no certain information of the particulars had arrived, made the Spanish Cabinet entertain some suspicions that it was made not so much for the purpose of the dispute in question, but as a pre-  
text

text to break entirely with our Court; for which reason it was thought necessary to take some precautions relative to the subject.

“ On a late occasion a complaint was made to the Court of Russia, as to some similar points relative to the navigation of the South Sea. A candid answer being returned by that Court, the affair was terminated without the least disagreement. Indeed it may be asserted with truth, that the manner, much more than the substance of the facts, has produced the disputes that have taken place on this head with Great Britain.

“ Nevertheless the King does deny what the enemies to peace have industriously circulated, that Spain extends pretensions and rights of sovereignty over the whole of the South Sea, as far as China. When the words are made use of, “ In the name of the King, his sovereignty, navigation, and exclusive commerce to the continent and islands of the South Sea,” it is the manner in which Spain, in speaking of the Indies, has always used these words that is to say, to the continent, islands, and seas which belong to his Majesty, so far as discoveries have been made and secured to him by treaties and immemorial possession, and uniformly acquiesced in, notwithstanding some infringements by individuals, who have been punished upon a knowledge of their offences. And the King sets up no pretensions to any possessions, the right to which he cannot prove by irrefragable titles.

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“ Although Spain may not have establishments or colonies planted upon the coasts or in the ports in dispute, it does not follow that such coast or port does not belong to her. If this rule was to be followed, one nation might establish colonies on the coasts of another nation, in America, Asia, Africa, and Europe, by which means there would be no fixed boundaries—a circumstance evidently absurd.

“ But whatever may be the issue of the question of right, upon a mature consideration of the claims of both parties, the result of the question of fact is, that the capture of the English vessels is repaired by the restitution that has been made, and the conduct of the Viceroy; for as to the qualification of such restitution, and whether the prize was lawful or not, that respects the question of right yet to be investigated; that is to say, if it has been made agreeably to, or in contradiction of treaties relative to the rights and possessions of Spain. Lastly, the King will readily enter into any plan by which future disputes on this subject may be obviated, that no reproach may be upon him as having refused any means of reconciliation; and for the establishment of a solid and permanent peace, not only between Spain and Great Britain, but also between all nations; for the accomplishment of which object, his Majesty has made the greatest efforts in all the Courts of Europe; which he certainly would not have done if he had any design to involve England and the other  
Euro-

European powers in a calamitous and destructive war.

Given at Aranjuez, the  
4th day of June, 1790.

(Signed) LE COMTE DE FLORIDA BLANCA.

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On the 13th day of June the following Memorial was delivered by the COUNT DE FLORIDA BLANCA, to Mr. FITZHERBERT at Madrid, and by him to the British Court :

## M E M O R I A L

O F

COUNT DE FLORIDA BLANCA.

Aranjuez, 13th June, 1790.

“ BY every treaty upon record betwixt Spain and the other nations of Europe, for upwards of two centuries, an exclusive right of property, navigation, and commerce to the Spanish West Indies, has been uniformly secured to Spain, England having always stood forth in a particular manner in support of such right.

“ By article 8th of the treaty of Utrecht (a treaty in which all the European nations may be said to have taken a part) Spain and England ‘ profess to  
‘ establish it as a fundamental principle of agreement,  
‘ that the navigation and commerce of the West-  
‘ Indies, under the dominion of Spain, shall remain  
‘ in the precise situation in which they stood in the  
‘ reign of his Catholic Majesty, Charles II. and that

‘ that rule shall be inviolably adhered to, and be  
 ‘ incapable of infringement.’

“ After this maxim, the two powers stipulated—  
 ‘ That Spain should never grant liberty or permission  
 ‘ to any nation to trade to or introduce their merchan-  
 ‘ dizes into the Spanish American dominions, nor to  
 ‘ sell, cede, or give up, to any other nation, its lands,  
 ‘ dominions, or territories, or any part thereof.’ On  
 the contrary, and in order that its territories should  
 be preserved whole and entire, England offers ‘ to  
 ‘ aid and assist the Spaniards in re-establishing the  
 ‘ limits of their American dominions, and placing  
 ‘ them in the exact situation they stood in at the time  
 ‘ of his said Catholic Majesty Charles II. if by ac-  
 ‘ cident it shall be discovered that they have under-  
 ‘ gone any alteration to the prejudice of Spain, in  
 ‘ whatever manner or pretext such alteration may  
 ‘ have been brought about.’

“ The vast extent of the Spanish territories, navi-  
 gation, and dominion on the Continent of America,  
 isles and seas contiguous to the South Sea, are clearly  
 laid down, and authenticated by a variety of docu-  
 ments, laws, and formal acts of possession in the  
 reign of King Charles II. It is also clearly ascer-  
 tained, that notwithstanding the repeated attempts  
 made by adventurers and pirates on the Spanish  
 coasts of the South Sea and adjacent islands, Spain  
 has still preserved her possessions entire, and opposed,  
 with success, those usurpations, by constantly send-  
 ing her ships and vessels to take possession of such  
 settlements. By these measures, and reiterated acts  
 of possession, Spain has preserved her dominion,

“ which

which she has extended to the borders of the Russian establishments in that part of the world.

“ The Viceroy of Peru and New Spain, having been informed, that these seas had been for some years past more frequented than formerly; that smuggling had increased; that several usurpations prejudicial to Spain and the general tranquillity had been suffered to be made; they gave orders that the western coasts of Spanish America, and islands and seas adjacent, should be more frequently navigated and explored.

“ They were also informed, that several Russian vessels were upon the point of making commercial establishments upon that coast. At the time that Spain demonstrated to Russia the inconveniences attendant upon such incroachments, she entered upon the negotiation with Russia, upon the supposition that the Russian navigators of the Pacific Ocean had no orders to make establishments within the limits of Spanish America, of which the Spaniards were the first possessors, (limits situated within Prince William’s Streight) purposely to avoid all dissensions, and in order to maintain the harmony and amity which Spain wished to preserve.

“ The Court of Russia replied, it had already given orders, that its subjects should make no settlements in places belonging to other Powers, and that if those orders had been violated, and any had been made in Spanish America, they desired the King would put a stop to them in a friendly manner. To this pacific language on the part of Russia, Spain observed, that she could not be answerable for what  
her

her Officers might do at that distance, whose general orders and instructions were not to permit any settlements to be made by other nations on the continent of Spanish America.

“Though trespasses had been made by the English on some of the islands of those coasts, which had given rise to similar complaints having been made to the Court of London, Spain did not know that the English had endeavoured to make any settlements on the northern part of the Southern Ocean, till the commanding officer of a Spanish ship, in the usual tour of the coasts of California, found two American vessels in St. Laurence, or Nootka harbour, where he was going for provisions and stores. These vessels he permitted to proceed on their voyage, it appearing from their papers, that they were driven there by distress, and only came in to refit.

“He also found there, the Iphigenia from Macao, under Portuguese colours, which had a passport from the Governor; and though he came manifestly with a view to trade there, yet the Spanish Admiral, when he saw his instructions, gave him leave to depart, upon his signing an engagement to pay the value of the vessel, should the Government of Mexico declare it a lawful prize.

“With this vessel there came a second, which the Admiral detained; and a few days after a third, named the Argonaut, from the above-mentioned place. The Captain of this latter was an Englishman. He came not only to trade, but brought every thing with him proper to form a settlement there, and to fortify it. This, notwithstanding the remon-  
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frances of the Spanish Admiral, he persevered in, and was detained, together with his vessel.

“ After him came a fourth English vessel, named the Princess Royal, and evidently for the same purposes. She likewise was detained, and sent to Port St. Blas, where the pilot of the Argonaut made away with himself,

“ The Viceroy, on being informed of these particulars, gave orders, that the Captain and the vessels should be relieved, and that they should have leave to refit, without declaring them a lawful prize; and this he did, on account of the ignorance of the proprietors, and the friendship which subsisted between the two Courts of London and Madrid.

“ He also gave them leave to return to Macao with their cargo, after capitulating with them in the same manner as, with the Portuguese Captain; and leaving the affair to be finally determined by the Count de Revillagigedo, his successor, who also gave them their liberty.

“ As soon as the Court of Madrid had received an account of the detention of the first English vessel at Nootka Sound, and before that of the second arrived, it ordered its Ambassador at London to make a report thereof to the English Minister, which he did, on the 10th February last, and to require that the parties who had planned these expeditions should be punished, in order to deter others from making settlements on territories occupied and frequented by the Spaniards for a number of years.

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“ In the Ambassador’s memorial, mention was only made of the Spanish Admiral that commanded the present armament, having visited Nootka Sound in 1774, though that harbour had been frequently visited both before and since, with the usual forms of taking possession. These forms were repeated more particularly in the years 1755 and 1779, all along the coasts as far as Prince William’s Sound, and it was these acts that gave occasion to the memorial made by the Court of Russia, as has been already noticed.

“ The Spanish Ambassador at London did not represent in this memorial at that time, that the right of Spain to these coasts was conformable to ancient boundaries, which had been guaranteed by England at the treaty of Utrecht, in the reign of Charles II. deeming it to be unnecessary : as orders had been given and vessels had actually been seized on those coasts, so far back as 1692.

“ The answer that the English Ministry gave, on the 26th of February, was, that they had not as yet been informed of the facts stated by the Ambassador, and that the act of *violence*, mentioned in his memorial, necessarily suspended any discussion of the claims therein, till an adequate atonement had been made for a proceeding so injurious to Great Britain.

“ In addition to this haughty language of the British Minister, he farther added, that the ship must in the first place be restored, and that with respect to any future stipulations, it would be necessary

to wait for a more full detail of all the circumstances of this affair.

“ The harsh and laconic stile in which this answer was given, made the Court of Madrid suspect that the King of Great Britain’s Ministers were forming other plans ; and they were the more induced to think so, as there were reports that they were going to fit out two fleets, one for the Mediterranean, and another for the Baltic. This of course obliged Spain to increase the small squadron she was getting ready to exercise her marine.

“ The Court of Spain then ordered her Ambassador at London to present a memorial to the British Ministry, setting forth, that though the Crown of Spain had an indubitable right to the continent, islands, harbours, and coasts of that part of the world, founded on treaties and immemorial possession, yet, as the Viceroy of Mexico had released the vessels that were detained, the King looked upon the affair as concluded, without entering into any disputes or discussions on the undoubted rights of Spain, and desiring to give a proof of his friendship for Great Britain, he should rest satisfied if she ordered that her subjects, in future, respected those rights.

“ As if Spain, in this answer, had laid claim to the Empire of that Ocean, though she only spoke of what belonged to her by treaties, and as if it had been so grievous an offense to terminate this affair by restitution of the only vessel which was then known to have been taken, it excited such clamour and agitation in the Parliament of England, that the

most vigorous preparations for war have been commenced; and those powers disinclined to peace charge Spain with designs contrary to her known principles of honour and probity, as well as to the tranquillity of Europe, which the Spanish Monarch and his Ministers have always had in view.

“ While England was employed in making the greatest armaments and preparations, that Court made answer to the Spanish Ambassador (upon the 5th of May) that the acts of violence committed against the British flag “ rendered it necessary for the  
 “ Sovereign to change his Minister at Madrid, to re-  
 “ new the remonstrances (being the answer of England  
 “ already mentioned) and to require that satisfaction,  
 “ which his Majesty thought he had an indisputable  
 “ right to demand,”

“ To this was added a declaration, not to enter formally into the matter until a satisfactory answer was obtained; “ and at the same time the memorial  
 “ of Spain should not include in it the question of  
 “ right;” which formed a most essential part of the discussion.

“ The British Administration offer in the same answer, to take the most effectual and pacific measures, that the English subjects shall not act “ against  
 “ the just and acknowledged rights of Spain, but  
 “ that they cannot at present accede to the pretensions  
 “ of absolute sovereignty, commerce, and naviga-  
 “ tion, which appeared to be the principal object of  
 “ the memorials of the Ambassador, and that the  
 “ King of England considers it as a duty incumbent  
 “ upon

“ upon him, to protect his subjects in the enjoyment of the right of continuing their fishery in the Pacific Ocean.”

“ If this pretension is found to trespass upon the ancient boundaries laid down in the reign of King Charles II. and guaranteed by England in the treaty of Utrecht, as Spain believes, it appears that that Court will have good reasons for disputing and opposing this claim, and it is to be hoped that the equity of the British Administration will suspend and restrict it accordingly.

“ In consequence of the foregoing answer, the Charge d’Affaires from the Court of London at Madrid insisted, in a memorial of the 16th of May, on restitution of the vessel detained at Nootka, and the property therein contained; of an indemnification for the losses sustained, and on a reparation proportioned to the injury done to the English subjects trading under the British flag, and that they have an indisputable right to the enjoyment of a free and uninterrupted navigation, commerce, and fishery; and to the possession of such establishments as they should form with the consent of the natives of the country, not previously occupied by any of the European nations.

“ An explicit and prompt answer was desired upon this head, in such terms as might tend to calm the anxieties, and to maintain the friendship subsisting between the two Courts.

“ The Charge d’Affaires having observed, that a suspension of the Spanish armaments would contribute to tranquillity, upon the terms to be communicated by the British Administration, an an-

swer was made by the Spanish Administration, that the King was sincerely inclined to disarm upon the principles of reciprocity, and proportioned to the circumstances of the two Courts; adding, that the Court of Spain was actuated by the most pacific intentions, and a desire to give every satisfaction and indemnification, if justice was not on their side, provided England did as much if she was found to be in the wrong.

“ This answer must convince all the Courts of Europe that the conduct of the King and his Administration is consonant to the invariable principles of justice, truth, and peace.

Le COMTE de FLORIDA BLANCA.

## ANSWER OF MR. FITZHERBERT

TO A LETTER OF

M. FLORIDA BLANCA, of date 13th of June.

“ Monsieur,

Madrid.

“ In compliance with your Excellency's desire, I have now the honour to communicate to you, in writing, what I observed to you in the conversation we had the day before yesterday.

“ The substance of these observations are briefly these :

“ The Court of London is animated with the most sincere desire of terminating the difference that at present subsists between it and the Court of Madrid, relative to the port of Nootka, and the adjacent latitudes, by a friendly negotiation; but as it is evident, upon the clearest principles of justice

justice and reason, that an equal negociation cannot be opened, till matters are put in their original state, and as certain acts have been committed in the latitudes in question by vessels belonging to the Royal Marine of Spain, against several British vessels, without any reprisals having been made, of any sort, on the part of Great-Britain, that power is perfectly in the right to insist, as a preliminary condition, upon a prompt and suitable reparation for these acts of violence; and in consequence of this principle, the practice of nations has limited such right of reparation to three articles, viz. the restitution of the vessels—a full indemnification for the losses sustained by the parties injured—and finally, satisfaction to the Sovereign for the insult offered to his flag. So that it is evident that the actual demands of my Court, far from containing any thing to prejudice the rights or the dignity of his Catholic Majesty, amount to no more in fact than what is constantly done by Great Britain herself, as well as every other maritime power in similar circumstances.—Finally, as to the nature of the satisfaction which the Court of London exacts on this occasion, and on which your Excellency appears to desire some explanation, I am authorised, Sir, to assure you, that if his Catholic Majesty consents to make a declaration in his name, bearing, in substance, that he had determined to offer to His Britannic Majesty a just and suitable satisfaction for the insult offered to the honour of his flag—such offer, joined to a promise of making restitu-

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tion of the vessels captured, and to indemnify the proprietors, under the conditions specified in the official letter of Mr. Merry on the 16th of May, will be regarded by His Britannic Majesty as constituting in itself the satisfaction demanded; and his said Majesty will accept of it as such by a counter declaration on his part. I have to add, that as it appears uncertain if the vessels, the North West, an American vessel, and the Iphigenia, had truly a right to enjoy the protection of the British flag, the King will with pleasure consent that an examination of this question, as well as that relative to the just amount of the losses sustained by his subjects, may be left to the determination of Commissioners to be named by the two Courts.

“ Having thus recapitulated to your Excellency the heads of what I observed to you in conversation, I flatter myself you will weigh the whole in your mind, with that spirit of equity and moderation which characterises you, that I may be in a condition of sending to my Court, as soon as possible, a satisfactory answer as to the point contained in the official paper sent to Mr. Merry on the 4th of the month, and which, for the reasons I have mentioned, cannot be regarded by his Britannic Majesty as fulfilling his just expectations.

I have the honour to be,

With sentiments of truth and respect  
to your Excellency,

Sir,

Your most humble and most obedient servant,

(Signed) ALLEYNE FITZHERBERT.

REPLY

## REPLY OF COUNT FLORIDA BLANCA

T O

## MR. FITZHERBERT'S LETTER.

“ You will pardon me, Sir, that I cannot give my assent to the principles laid down in your last letter, as Spain maintains on the most solid grounds, that the detention of the vessels was made in a port, upon a coast, or in a bay of Spanish America, the commerce and navigation of which belonged exclusively to Spain, by treaties with all nations, even England herself.

“ The principles laid down cannot be adapted to the case. The vessels detained attempted to make an establishment at a port where they found a nation actually settled, the Spanish Commander at Nootka having, previous to their detention, made the most amicable representations to the aggressors, to desist from their purpose.

“ Your Excellency will also permit me to lay before you, that it is not at all certain that the vessels detained navigated under the British flag, although they were English vessels; there having been reason to believe that they navigated under the protection of Portuguese passports, furnished them by the Governor of Macao as commercial vessels, and not belonging to the Royal Marine. Your Excellency will add to these reasons, that by the restitution of these vessels their furniture and cargoes, or their value, in consequence of the resolution

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tion adopted by the Viceroy of Mexico, which has been approved of by the King, for the sake of peace, every thing is placed in its original state, the object your Excellency aims at—nothing remaining unsettled but the indemnification of losses, and satisfaction for the insult, which shall also be regulated when evidence shall be given what insult has been committed, which hitherto has not been sufficiently explained.

“ However, that a quarrel may not arise about words, and that two nations friendly to each other may not be exposed to the calamities of war, I have to inform you, Sir, by order of the King, that His Majesty consents to make the declaration which your Excellency proposes in your letter, and will offer to his Britannic Majesty a just and suitable satisfaction for the insult offered to the honour of his flag, provided that to these are added either of the following explanations:

“ 1. That in offering such satisfaction, the insult and the satisfaction shall be fully settled both in form and substance by a judgment to be pronounced by one of the Kings of Europe, whom the King my master leaves wholly to the choice of his Britannic Majesty: for it is sufficient to the Spanish Monarch that a Crowned Head, from full information of the facts, shall decide as he thinks just.

“ 2. That in offering a just and suitable satisfaction, care shall be taken that in the progress of the negotiation to be opened, no facts be admitted as true but such as can be fully established by

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Great-Britain with regard to the insult offered to her flag.

“ 3. That the said satisfaction shall be given on condition that no inference be drawn therefrom to affect the rights of Spain, nor of the right of exacting from Great Britain an equivalent satisfaction, if it shall be found, in the course of negotiation, that the King has a right to demand satisfaction for the aggression and usurpation made on the Spanish territory, contrary to subsisting treaties.

“ Your Excellency will be pleased to make choice of either of these three explanations to the declaration your Excellency proposes, or all the three together,—and to point out any difficulty that occurs to you, that it may be obviated;—or any other mode that may tend to promote the peace which we desire to establish.

I have the honour to be,

With the greatest respect,

Sir,

Your most humble and most obedient servant,

(Signed)

LE COMTE DE FLORIDA BLANCA

On the 5th of August about half past one o'clock, the following Letter was sent by the right hon. W. Wyndham Grenville, one of His Majesty's Principal Secretaries of State, to the Lord Mayor of London, and was immediately by his Lordship made known at the Bank, Exchange, and Lloyd's.

*Whitehall, August 5, 1790.*

MY LORD,

“ I have the honour to inform your Lordship, that a Messenger is arrived from His Majesty's Ambassador Extraordinary at Madrid, with the account, that, in compliance with His Majesty's demand of satisfaction for the capture of the British vessels at Nootka, a Declaration was signed on the 24th of July, by Count Florida Blanca, in the name of his Catholic Majesty; and that the same was accepted in His Majesty's name, by His Majesty's Ambassador, who was thereupon to proceed to the discussion of the matters depending between the two Courts, with a view to a Definitive Arrangement.

“ The Declaration above referred to, will be immediately published in a Gazette Extraordinary, which will be forwarded to your Lordship as soon as it is printed.

I am, my Lord,

Your Lordship's most obedient

And most humble Servant,

W. W. GRENVILLE.”

“ *The Right Hon. the LORD MAYOR*  
*of London.*

*The*

## The LONDON GAZETTE EXTRAORDINARY.

THURSDAY, AUGUST 5, 1790.

Whitehall, August 5. This morning one of His Majesty's Messengers arrived from Madrid, at the office of his Grace the Duke of Leeds, His Majesty's Principal Secretary of State for Foreign Affairs, with dispatches from the right honourable Alleyne Fitzherbert, His Majesty's Ambassador Extraordinary and Plenipotentiary at that Court, containing an account of the following Declaration and Counter-Declaration having been signed and exchanged, on the twenty-fourth of July last, by his Excellency on the part of His Majesty, and by his Excellency Count Florida Blanca, His Catholic Majesty's Minister and Principal Secretary of State, on the part of the Catholic King.

## DECLARATION.

[COPIE.]

Sa Majesté Britannique s'étant plainte de la capture de certains vaisseaux appartenants à ses sujets, fait dans la Baye de Nootka, située sur la Côte du Nord-Ouest de l'Amérique, par un officier au service du Roi; le sous-signé, Conseiller,

## DECLARATION.

[TRANSLATION.]

His Britannic Majesty having complained of the capture of certain vessels belonging to his subjects in the Port of Nootka, situated on the North-West coast of America, by an officer in the service of the King; the under-signed Counsellor,

K 2      fellor,

ler et Premier Secrétaire d'Etat de sa Majesté, étant à ce duement autorisé, declare, au nom et par ordre de sa dite Majesté qu'elle est disposée à donner satisfaction à sa Majesté Britannique pour l'injure dont elle s'est plainte; bien assurée que sa dite Majesté Britannique en useroit de même à l'gard du Roi, dans de pareilles circonstances: et sa Majesté s'engage en outre de faire restitution entiere de tous les vaisseaux Britanniques qui furent captures à Nootka, et d'indemniser les parties interessées dans ces vaisseaux des pertes qu'elles auront essuyées aussitôt que le montant en aura pû être estimé :

Bien entendu que cette Declaration ne pourra point exclure, ni prejudicier

seller and Principal Secretary of State to His Majesty, being thereto duly authorised, declares, in the name and by the order of his said Majesty, that he is willing to give satisfaction to His Britannic Majesty for the injury of which he has complained; fully persuaded that his said Britannic Majesty would act in the same manner towards the King, under similar circumstances; and His Majesty further engages to make full restitution of all the British vessels which were captured at Nootka, and to indemnify the parties interested in those vessels, for the losses which they shall have sustained, as soon as the amount thereof shall have been ascertained :

It being understood that this Declaration is not to preclude or prejudice

dicier à la discussion ultérieure des droits que sa Majesté pourra prétendre à la formation d'un établissement exclusif au port de Nootka.

En foi de quoi j'ai signé cette Déclaration, et y apposé le cachet de mes Armes. A Madrid, ce 24 Juillet, 1790.  
(L. S.) Signé  
*Le Comte de Florida Blanca.*

**CONTRE-DECLARATION.**

[COPIE.]

Sa Majesté Catholique ayant déclaré qu'elle étoit disposée à donner satisfaction pour l'injure faite au Roi, par la capture des certains vaisseaux appartenants à ses sujets à la Baye de Nootka, et Monsieur le Comte de Florida Blanca ayant signé, au nom et par ordre

judice the ulterior discussion of any right which His Majesty may claim to form an exclusive establishment at the port of Nootka.

In witness whereof I have signed this Declaration, and sealed it with the Seal of my Arms. At Madrid, the 24th of July, 1790.  
(L. S.) Signed  
*Le Comte de Florida Blanca.*

**COUNTER-DECLARATION.**

[TRANSLATION.]

His Catholic Majesty having declared that he was willing to give satisfaction for the injury done to the King, by the capture of certain vessels belonging to his subjects, in the bay of Nootka, and the Count de Florida Blanca having signed, in the name and

dré de sa Majesté Catholique, une Declaration à cet effet; et par laquelle sa dite Majesté s'engage pareillement à faire restitution entiere des vaisseaux ainsi capturés, et d'indemniser les parties intéressées dans ces vaisseaux des pertes qu'elles auront essuyées, le sous-signé Ambassadeur Extraordinaire et Plenipotentiaire de Sa Majesté près le Roi Catholique, étant à ce ducement et expressement autorisé, accepte la dite Declaration au Nom du Roi, et declare que sa Majesté regardera cette Declaration, avec l'accomplissement des engagements qu'elle renferme, comme une satisfaction pleine et entiere de l'injure dont sa Majesté s'est plainte.

and by the order of his Catholic Majesty, a Declaration to this effect; and by which his said Majesty likewise engages to make full restitution of the vessels so captured, and to indemnify the parties interested in those vessels for the losses they shall have sustained; the undersigned Ambassador Extraordinary and Plenipotentiary of His Majesty to the Catholic King, being thereto duly and expressly authorized, accepts the said Declaration in the name of the King; and declares that His Majesty will consider this Declaration, together with the performance of the engagements contained therein, as a full and entire satisfaction for the Injury of which his Majesty has complained.

Le sous-signé declare, en même tems, qu'il doit être entendu que ni la dite Declaration signée par Monsieur le Comtede Florida Blanca, ni l'acceptation que la sous-signé vient d'en faire au nom du Roi, ne doit exclure ni prejudicier en rien aux droits que sa Majesté pourra pretendre à tout etablissement que ses sujets pourroient avoir formé, ou voudroient former à l'avenir, à la dite Baye de Nootka.

En foi de quoi, j'ai signé cette Contre-Declaration, et y ai apposé le Cachet de mes Armes.—

A Madrid, le 24  
Juillet, 1790.

(L. S.) Signé

*Alleyne Fitzherbert.*

The undersigned declares, at the same time, that it is to be understood, that neither the said Declaration signed by Count Florida Blanca, nor the acceptance thereof by the undersigned, in the name of the King, is to preclude or prejudice, in any respect, the right which His Majesty may claim to any establishment which his subjects may have formed, or should be desirous of forming in future, at the said Bay of Nootka.

In witness whereof I have signed this Counter - Declaration, and sealed it with the Seal of my Arms. At Madrid, the 24th of July, 1790.

(L. S.) Signed

*Alleyne Fitzherbert.*



## L E T T E R

O F

M. De MONTMORIN,

Secretary for the Foreign Department of France,

T O T H E

PRESIDENT OF THE NATIONAL ASSEMBLY,

*Paris, August 1, 1790.*

Mr. PRESIDENT,

**T**HE King ordered me, about the middle of May last, to make known to the National Assembly the motives that had induced him to think an armament of fourteen ships of the line necessary, and the dispositions that were made in the ports for increasing this armament if circumstances should require it. The Assembly applauded the measure at the time, and passed a vote of thanks to His Majesty.

The armament is on the eve of being complete, and His Majesty in ordering me to communicate this to the Assembly, has commanded me also to inform them, that from that time His Britanic Majesty has continued, and continues still to augment his marine with the greatest possible activity.

In these circumstances, although the language of the Court of London has been all along equally pacific with our own—although she has announced that her intentions are amicable towards us, and although in a word, the correspondence between the two nations has been such as we would desire for the maintenance of good understanding and harmony between them, the King thinks that it is equally becoming the prudence and dignity of the nation to augment our armaments proportionably with those now preparing in the ports of England.

To these general considerations of prudence and dignity, another must be added not less important. The King of Spain claims in the most positive manner an assurance of the execution of the conditions stipulated by the Treaty of Alliance subsisting between the two nations, in case that the negotiation now going on with England should not have the success which he expects and desires.

The King has ordered me to lay before the Assembly the Ministerial Letter of the Ambassador of Spain, together with all the pieces which accompany it, and which explain the origin and progress of the difficulty that has arisen between Spain and England. I also join a paper, No. 3, which exposes the last state of the negotiation between the two powers, as it has come to our knowledge.

This negotiation appears to have taken the most favourable turn since the conciliating propositions made by the Court of Madrid, and the manner in which they were received at London. In this state

of things, His Majesty thinks he may flatter himself that the two Courts will come to a good understanding. In this hope which he yet entertains, after explaining himself directly to the King, his Cousin, he thought proper in his wisdom to defer provoking a deliberation in the National Assembly on the official demand of the Ambassador of Spain. But as the activity with which the Court of London augments her armaments, may inspire doubts of the success of the negotiation, the King has not thought it proper to delay longer the communication of this official paper.

This Letter has therefore two objects—the first, to inform the Assembly of the propriety of augmenting our marine force—the second, to submit to their wisdom what answer should be made to the demand of the Court of Madrid.

I believe it will be superfluous to say any thing on the importance of these objects. They are so important in the eyes of the King, that he thinks he ought to invite the Assembly to authorise a Committee to confer with the Minister for Foreign Affairs, and such other Members of the Council as His Majesty shall think proper to delegate. By this means the National Assembly will receive all the eclairs-cissements which may enable them to deliberate with a perfect knowledge of the subject.

(Signed)

De MONTMORIN.

The

The official papers referred to in the Letter of M. Montmorin, were the preceding Letters that passed between M. de Florida Blanca and Mr. Fitzherbert. And the following is the copy of the Ministerial Letter of the Count de Fernan Nunez, the Spanish Ambassador at the Court of Paris, to M. de Montmorin.

L E T T E R  
 . O F  
 C O U N T D E F E R N A N N U N E Z,  
 T O  
 M. M O N T M O R I N.

*Paris, June 16, 1790.*

“ SIR,

“ I have the honour to address to you with this, a faithful extract of all the transactions which have hitherto passed between my Court and that of London, on the subject of the detention of two English vessels, which were seized in the Bay of St. Lawrence, or Nootka, situated in the 50th degree to the North of California, and which were afterwards taken to the port of St. Blas.

“ You will observe by this relation,

1. “ That by the treaties, demarcations, takings of possession, and the most decided acts of Sovereignty

reignty exercised by the Spaniards in these stations, from the reign of Charles II. and authorized by that Monarch in 1692, the original vouchers for which shall be brought forward in the course of the negotiation, all the coast to the North of the Western America, on the side of the South Sea, as far as beyond what is called Prince William's Sound, which is in the sixty-first degree, is acknowledged to belong exclusively to Spain.

2. " That the Court of Russia having been informed of this extent of our boundary, assured the King my Master, without the least delay, of the purity of its intentions in this respect, and added, " That it was extremely sorry that the repeated " orders issued to prevent the subjects of Russia " from violating in the smallest degree the territory " belonging to another power, should have been " disobeyed.

3. " That the state of the possessions and exclusive commerce on the sea coast of the Southern Ocean, as it existed in the time of Charles II. had been acknowledged and defined anew by all the nations of Europe, and more particularly by England, in the eighth article of the Treaty of Utrecht.

4. " That notwithstanding the just title he has to a preservation of his ancient rights, the King, my Master, has approved of the conduct of the Viceroy of Mexico; who in consequence of his general orders and instructions for the preservation of peace with every power, took upon himself to release the vessels seized in the port of Nootka, upon a suppo-  
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sition that the conduct of their Captains was a consequence of their total ignorance with respect to the legitimacy of the rights of Spain on those coasts.

“ It is in consequence of the desire of his Catholic Majesty to preserve peace to himself, and to establish the general tranquillity of Europe, that he has taken the steps you will observe in the said extract, and that he has commenced an amicable and direct negotiation with England, which he will finish with Mr. Fitzherbert, the new Ambassador sent from that Court to the Court of Madrid. We are in hopes that the consequences of this negotiation will be favourable, but at the same time we must employ all the necessary means to make it so.

“ An immediate and exact accomplishment of the Treaty signed at Paris the 15th of August 1761, under the title of the Family Compact, becomes an indispensable preliminary to a successful negotiation. It is in consequence of the absolute necessity which Spain finds of having recourse to the succour of France, that the King, my Master, orders me to demand expressly what France can do in the present circumstances to assist Spain, according to the mutual engagements stipulated by the Treaties; his Catholic Majesty desires that the armaments, as well as other proper measures to fulfil and realize these sacred engagements, be immediately put in execution. He charges me to add farther, that the present state of this unforeseen business requires a very speedy determination, and that the measures which the Court of France shall take for his assistance, shall  
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be so active, so clear, and so positive, as to prevent even the smallest ground for suspicion. Otherwise his Most Christian Majesty must not be surpris'd that Spain should seek other friends and different Allies, among all the Powers of Europe, without excepting any one, upon whose assistance she can rely in case of need. The ties of blood and personal friendship which unite our two Sovereigns, and particularly the reciprocal interest which exists between two nations united by nature, shall be respected in all new arrangements, as far as circumstances will permit.

“ This, Sir, is the positive demand which I am obliged to make, and in consequence of which I hope his Most Christian Majesty will immediately take such measures as shall seem most suitable in the present circumstances to satisfy my master, in an object so interesting and important to the preservation of his legal rights, and the honour of his nation.

“ I have the honour to be, with the most sincere attachment, &c.

**Le ComTE De FERNAN NUNEZ.”**

The whole of these papers were referred by the National Assembly to the Diplomatic Committee, which on the 25th of August made the following report to the Assembly.

R E P O R T

R E P O R T

OF THE

DIPLOMATIC COMMITTEE

On the FAMILY COMPACT betwixt the French and  
Spanish Branches of the House of BOURBON;

ADDRESSED TO THE

*NATIONAL ASSEMBLY,*

BY

M. MIRABEAU.

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YOU have commanded your Diplomatic Committee to give their opinion on the answer to be made to the demand of Spain.—The desire and necessity of maintaining peace, the confidence that it will not be interrupted, the principles of our new constitution, were our sole guides in the consideration of this important question. To determine with success, we have thought it our duty to consider the present state of politics, and our connections with the different powers of Europe; we have thought



thought it incumbent upon us to distinguish the system hitherto pursued by the government of France, from the theory analogous to the new system of affairs. It is not, however, sufficient to understand our duties and our interests; we must reconcile them so as to act with prudence; we must discover the means of avoiding without dishonour the torch of war; we must above all things, before determining on the succours we owe to our allies, employ the collected force of the state, and the united wills of all the citizens of the Empire, as the bulwark of our new constitution.

If we take a fair survey of the object in dispute between the Courts of London and Madrid, we can hardly suppose that the peace will be interrupted. The territory in question between the two powers, in fact, belongs to neither; it is unquestionably the property of the independent inhabitants whom nature originally placed there. This line of distinction appears a little more consonant to truth, than that marked out by the Pope; and these people, distant from us as they are, if they are oppressed, are they not our allies? Shall we do so much injustice to the character of two enlightened nations, as to suppose they would lavish their blood and treasure for the acquisition of so distant, so barren a spot of ground? These simple truths, our impartiality has compelled us to lay down; we will confirm them by farther argument if necessary, but this first view is not decisive of the question.

If on the other hand, we shall be determined in our conduct by the urgent pressure of our circumstances, not merely to avoid a war, but even the expence of armaments, can we conceal the state of our finances, not yet regenerated, or the state of our army and navy not yet organized? Can we conceal, that amidst the innumerable misfortunes of war, even a just one, the greatest for us would be, the distraction of the attention of our citizens from the constitution, the sole object which ought to engage their most ardent hopes and wishes. Public opinion would be divided, and additional obstacles would intervene, which the utmost energy of the public would hardly be able to surmount; but even the calamities of war, great as they are, and the inconveniences resulting from our actual situation, are not sufficient to decide the important question of alliance. In fine, if we were to conduct ourselves this day on the principles by which we mean in future to be regulated—if overleaping the interval of time betwixt the present state of Europe, and what it will be at a more distant period, we were to give at this moment a proof of universal good will, such as may pave the way for a declaration of the rights of nations, we should not have occasion to deliberate long upon alliances, nor war. Will there be any necessity for politics, when despots and slaves are no more? Shall France want allies when she has no longer enemies? Perhaps the moment is approaching, when liberty triumphant in both hemispheres, shall accomplish the wish of philosophy,

by delivering the human species from the necessity of war. Then the happiness of the people will be the sole objects of legislators, the sole object of the laws, and the supreme glory of nations; then the passions of individuals, being changed into public virtues, will no more by sanguinary quarrels rend asunder the bonds of friendship which ought to unite all governments and all men: then will be accomplished a compact of confederation among mankind. But we confess with regret, that these considerations, strong and powerful as they are, are not the only arguments which ought to determine our conduct in the present crisis of affairs. The French nation, when changing its laws and manners, ought doubtless at the same time to change its politics; but from the prejudices that still prevail in Europe, France is compelled in the present instance to adhere to the ancient system, which cannot without danger be at once abandoned. Wisdom suggests to us, not to throw down one pillar of the public security, till another shall be reared in its room: alas! who does not know, that in external as in internal politics, intervals are awful and dangerous? That the interregnum of princes is the æra of commotions; that the interregnum of the laws is the reign of anarchy and confusion; and if I dare freely express myself, that the interregnum of treaties may be a truly dangerous crisis to national prosperity and happiness. The gradual, but irresistible influence of a brave nation, consisting of twenty-four millions of men, speaking the same language, and governed

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by the same laws, and drawing back the principles of society to the primæval notions of liberty, simplicity, and truth, and greatly endued with the irresistible charm of pleasing the human nature; I say, such a nation will find, in all countries of the world, missionaries and profelytes to its doctrines. The influence of such a people will surely win the hearts of every European nation to tread the path of truth, moderation, and justice; but not at once, not in one day, nor in one year; too many prejudices enslave the mind, too many passions inflame the heart, and too many tyrants rule with despotic sway. Further, Does our geographical situation suggest to us to separate ourselves from our allies? Are not our remote possessions, scattered as they are on all parts of the globe, exposed to attacks which we are incapable in all parts singly to repel, while at the same time we know that knowledge and instruction are not so generally diffused, that every people will be willing to believe that one common political interest ought to bind the human race by the cultivation of peace, mutual kindness, and reciprocal love; ought we not to oppose the affection of one nation, to the restlessness of another, and at least restrain by an assumed appearance those who would be tempted to take advantage of our troubles, with a view to the advancement of their own prosperity?

So long as we shall have rivals, prudence enjoins us to place beyond the possibility of an attack, the particular property of every individual in the nation; to watch with caution the ambitious enterprizes of

foreign Courts, and to proportion our public force to the armaments of the power which threatens our territories. So long as our neighbours shall not implicitly adopt our principles, we shall be constrained, while pursuing a more liberal system of politics, not to forget those precautions which prudence requires. If our Ambassadors at foreign Courts shall have no more occasion to plead the cause of our passions, they will have to defend the cause of reason, a more excellent function. Is it not true, that a people whose wish is to preserve peace over all, undertake an enterprize more difficult and noble than a nation which inflames its ambition, by the eager pursuit of objects to gratify its lust of dominion, and conquests to satisfy its thirst of glory.

These, gentlemen, are the most important reflections which have struck your Committee; they lead to two principles which they have adopted, and which it is my duty to submit to you, before I enter upon a longer detail on the particular affair of Spain.

These two principles are,

1st, That all treaties heretofore concluded by the King of the French, ought to be strictly observed by the French nation, subject, however, to such alterations and modifications, as shall be made therein by an investigation of this Assembly and its Committees, and agreeable to instructions which the King shall be requested to give on that head to his agents at the different Courts of Europe.

2d, That the King shall be immediately addressed to intimate to all the foreign powers, with whom we have connection, that the unalterable desire of peace, and the renunciation of every desire of conquest, being the basis of our constitution, the French nation will not regard as obligatory nor binding any part of such treaties, but the stipulations which are purely defensive.

These two principles appear to us in perfect union with, and congenial to the spirit of our constitution, and they appear to us of so much the more importance, as they will on the one hand serve to give satisfaction to our allies, and on the other will leave no doubt of our love of peace, our earnest desire to see extinguished for ever the torch of war, and our decided resolution never to take arms, unless to curb unjust oppressors. It is not, however, sufficient to declare, that to ambition, (whose only object is aggrandizement) and to politics, (whose object it is to confound) we mean in future to be strangers. It becomes us to apprize all nations, that if in order to destroy for ever even the seeds of future quarrels, it shall be found necessary to renounce all external force, we will give the first example of destroying our fortifications, disbanding our army, and burning our fleets. The two principles which I have laid down, point out the answer which the King ought to give to the Court of Spain; but your Committee will descend into particulars. We have examined our alliance with Spain, under the following points of view: the æra of the engagement,  
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its utility, its form, the conditions on our part, the actual situation of the Spaniards, and the apparent views of the English.

The result of our inquiries are these: The Spaniards were long our enemies; after the lapse of more than a century, in which many sanguinary battles were fought, the peace of the Pyrenees put an end to the wars of two nations, equally haughty and warlike, who ruined and tore themselves to pieces to gratify the pride or vanity of particular men, to the misfortune of the two people; the tranquillity of Europe was, however, of short duration; the passions of princes take but a slight repose; Lewis XIV. united in his family the sceptres of France and Spain; this union was a pretext for the surrounding powers to unite against us; and had half their projects of vengeance succeeded, if we had not fallen under the strokes of so many enemies, we could not have escaped that languor and internal destruction, which are the never-failing consequences of a long war.

It was soon perceived, however, that this succession which had cost so much blood, did not yet secure the repose of the two nations; the Kings were relations; the people were still disunited; the Ministers were rivals; and England profiting of their divisions and weakness, seized with impunity the empire of the sea, and the commerce of the world.

After that fatal, that calamitous war, which cost the French nation its ships, its riches, and its finest colonies, our misfortunes afforded to the  
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Spanish character, a glorious occasion to display itself, and which they have since repeated. That generous people whose good faith is proverbial, acknowledged us for friends when we were ready to fall; they participated in our misfortunes, they re-animated our hopes, they weakened our rivals, and their Ministers signed in 1761, a treaty of alliance with us when our arms were broken in pieces, our credit lost, and our navy destroyed. What was the consequence of this union? Sixteen years of peace and tranquillity, which would not have been then interrupted, if England had revered in her colonies the sacred principles of liberty which she herself adores; and if the French, the protectors of the liberties of others, before she acquired her own, had not urged their King to make war in defence of the Americans.

This quarrel, absolutely foreign to the Court of Spain, might disturb its colonies, and involve its dearest interests; but the English having been the first violators of the peace, the Spaniards faithful to their engagements, run to arms, joined us with their fleets, their treasures, and their soldiers, and with them we acquitted the immortal honour, of restoring to liberty a considerable part of the human race.

Since the memorable peace which crowned our efforts, war was again on the point of being re-kindled between France and England; no sooner had the King of the French notified to his ally that he was arming, than a powerful fleet filled the ports  
of



of Spain ; she did not even wait for intimation, but flew unasked to our assistance ; and England agreed with us to disarm. But let us draw a veil over that shameful period, when the unskilfulness of our Ministers robbed us of an ally, whom we had gained by our favours, and whom we had sufficiently protected by showing ourselves at all times ready to defend her ; a loss which will deprive us in future of the means of acting as the arbiters of peace in Europe ; in recalling to your remembrance the conduct of Spain, and the services she has rendered to us, we demand if France ought to break a treaty, generously entered into, frequently useful, and religiously observed ; we demand if it would be honourable to annul so solemn an engagement, at the instant that Spain is threatened with the same dangers, which she three different times warded off from us.

We will not argue with those who are afraid that one of the two nations shall exceed in generosity ; but does our interest in the present case prescribe to us other laws than gratitude ? Some men there are of bold characters, and proud of their country, who believe France invincible, though standing by herself. Some of these have the honour to sit among us ; and this opinion is so much the more honourable, as it blends the public strength with the energy of liberty. But public liberty is not in itself the great strength of empires, which have long been strangers to justice : nations, on the contrary, apply themselves solely to the increase of their internal wealth, and advancement of their true prosperity.

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But France may perceive in her annals, triumphs which prompt revenge. She has colonies which excite ambition, a commerce which excites desire of possession; and if she may be able one day to defend herself without allies, and which I believe as strongly as any man, this is no reason why she should expose herself singly to a war with powers whose actual forces are superior to her own; for we are not considering the case in point of necessity, but prudence. We are not deliberating, if we shall make a display of our last resources, but considering the most effectual means to preserve peace.

We consider no nation nor people as our enemy. What is it but an insidious system of politics that has hitherto represented as our rival, a nation whose steps we have followed, whose brilliant example has been a light to direct us in the attainment of our liberties, and with whom so many new motives lead us to be on a good understanding; a new species of rivalry, the emulation of good laws, ought to take place of an emulation fostered by politics and ambition. Let us not then, for a moment, believe that a free and enlightened people will take advantage of our transient commotions to renew unjustly the calamities of war, to attack our rising liberties, to check the happy developement of the principles which she has taught us. In her, the bare attempt would be sacrilege; in us, it would be sacrilege to believe her capable of it. Does not the same political religion now unite France and Great Britain? Is not despotism and its agent the common ene-

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mies of both? Will not the English be more certain of preserving their liberties, while a nation of free Frenchmen shall be ready to act as their auxiliaries? But while we do homage to the philosophy of this people, our elder brother in liberty, let us at the same time attend to the maxims of prudence.

It is the duty of politicians to reason on suppositions which they do not believe, and in order to preserve the happiness of nations, care must be taken to watch the consequences of the most fortunate as well as the most uncertain events; let us suppose then, that England anticipates with a jealous eye, the improvements which a free constitution must one day give to our forces, our commerce and credit; that she reads in her own history the advancement of our prosperity, and that by a false system of politics, she shall watch circumstances, and profit by every opportunity to break a formidable alliance, of which she has often felt the full weight. What are the measures which such supposition ought to suggest to us? We cannot counterbalance the number of English ships, but by a junction with our ally; our natural interests dictate to us to confirm our alliance with Spain; and the sole means of accomplishing this object is to fulfil our treaties with fidelity. Perhaps it may be said, that this fidelity will bring on more quickly a foreign war, may put a stop to our regeneration, may impoverish our finances, annihilate our armies; Does such an argument require an answer? England either wishes to go to war, or she does not; if she does not wish it;

if

if she arms, that she may negotiate with greater success, the conduct which we propose to follow, can never be considered by her as a provocation, and you will fulfil your engagements without endangering your tranquillity; if on the contrary, England designs to go to war, then you can no longer trust to justice or generosity; your inactivity will increase your danger in place of averting it. If Spain sinks in the contest, shall we not then be an object of the same ambition and vengeance? Shall not the same calamities which are dreaded as the result of adhering to our alliance then threaten our finances and our armies, and many other disasters not easy to foresee?

The nation who hath made choice of us, as the framers of their laws, have a demand upon us for the security of their possessions and their commerce. Restlessness will, perhaps, weaken public spirit, and will certainly lessen the respect due to your decrees; your foresight will be called in question; if your loyalty is applauded, your wisdom will be doubted; it is to be dreaded too, that those citizens whose fortunes will be affected by the first stroke of an unexpected war, will be exasperated by the disaster. That the regret of having lost an ally, may not be opposed by particular losses.—That we may not reproach ourselves—And as we are to decide upon cases equally dangerous—it is our duty to prefer that determination which will eventually supply us with the best means of surmounting the dangers to which we are in either case exposed.

It will be said, perhaps, that Spain, confiding in our assistance, will not yield in any point in a negotiation for peace; whereas if we take no concern in the quarrel, the accommodation we desire will neither be tedious nor difficult.— We have already answered this objection; the principles which we propose to you to decree, shall leave no doubt of our intentions to Great Britain, and will evidently point out to Spain, that our constitution only regards as obligatory engagements of a defensive nature; our conduct shall have no hostile aspect, which is not warranted by necessity. It cannot appear hostile to the English, unless they wish to be the aggressors; besides, if it is true that by abandoning our engagements, Spain will be forced to negotiate a peace more readily with England, is it not easy to foresee, (whatever may be the nature of such accommodation) the irreparable injury which our credit and our commerce will sustain by such a negotiation. It is not absolutely the Family Compact which we propose to you to ratify, concluded as it was at a period, when the Kings spoke for their people, as if the country which they governed had been their patrimonial inheritance, or as if the will of the monarch should have decided on their fate.

This treaty bears the singular name of the *Family Compact*; there does not, however, exist one of our decrees which does not announce to all Europe, that we acknowledge none but *National Compacts*. In this treaty (formed by a French Minister, whom ambition fired to repair the losses of an unfortunate war,)

war) are comprehended several articles for the purpose of binding Spain to the views of that Minister.—She is bound down to assist us even in cases where we may be the aggressors.—But since we renounce the observance of such engagements in our own case, we absolve others from the same stipulations.

The articles which ought to be ratified, are those relative to a reciprocal guarantee of possessions, to the mutual succours which the two nations ought to give to each other, and to the Commercial intercourse.—The rest ought to be modified and explained, for it is impossible you can adhere to offensive clauses, who have been the first people in Europe to abjure and renounce them.

The only measure your Committee proposes on that head, in case you shall adopt, at the present moment, the plan of the Decree to be submitted to you, is, that you shall direct a particular examination to be made of the articles of the Family Compact, in order to enable you to strengthen our connections with Spain, by converting this Treaty into a National Compact, by retrenching all the useless clauses and stipulations of an offensive nature, and by addressing the King to give orders to his Minister to negotiate with Spain for a renewal of the Treaty on principles which shall receive your approbation. Thus the interest of Spain will be reconciled to your own. What is a Compact between one Cabinet and another? One Minister frames it, another Minister may destroy it.—Ambition conceived it, rivalry may annihilate it.—The monarch is often the sole dictator, while  
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the nation, who is the guarantee, takes no part in the transaction. It will not be thus with a National Compact which will confederate, in some measure, two countries, one to the other, and who will, on all great occasions, unite their interests, and most powerful efforts.—Such a Compact can alone bind every individual to act by general consent, and produce an indissoluble alliance, supported by the unshaken bases of public faith.

These observations are the result of the investigation of your Committee. — They comprehend three points distinct from each other, although indivisible, as you may observe. The development of two principles, which ought to be the basis of your political system, a decision which preserves a useful alliance, by declaring to the King of Spain, that we will fulfill our engagements; the demand of the Decree to direct your Committee to make such modifications in the renewal of this alliance as circumstances may require. But this determination, if adopted by you, necessarily points to other measures. The maintenance of our alliance with Spain would be illusory and vain, if, at the same time that we gave all the strength of our influence to negotiations for the repose of a part of Europe, we neglected to augment our armaments, in a similar proportion to those of our neighbouring states. It is not merely for the sake of our distant possessions, and the wealth they may contain, that obliges us to arm before the moment of aggression—our commerce should be guaranteed, not only from real dangers, but the apprehen-

apprehension of dangers; and nothing can be of more importance, than to convince our Colonies that they will be protected. Behold the consequences of this dangerous confidence, in the case of a neighbouring people, who overlooked and disregarded their enemies. Why is it necessary that nations, in order to preserve peace, should ruin themselves in preparations of defence? Let this dreadful policy be reprobated by every country!

It is for the purpose of embracing the various objects announced in their Report, that your Committee proposes a Decree, as the most proper to fulfil your engagements without imprudence, to change the ancient system without danger, and to avoid a war without exhibiting any symptoms of weakness.

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The Decree proposed by M. Mirabeau, underwent considerable discussion and change. It was finally decreed on Thursday the 26th of August, and is as follows;

**DECREE**



D E C R E E  
 OF THE  
 NATIONAL ASSEMBLY OF FRANCE,  
 ON THE  
 FAMILY COMPACT.

“ The National Assembly deliberating on the formal proposition of the King, contained in the letter of the Minister, dated the 1st of August,

“ Decree, That the King be supplicated to make known to his Catholic Majesty, that the French nation, in taking all proper measures to maintain peace, will observe the defensive and commercial engagements which the French Government have previously contracted with Spain.

“ They further decree, That His Majesty shall be requested immediately to charge his Ambassador in Spain to negotiate with the Minister of His Catholic Majesty to the effect of perpetuating and renewing, by a National Treaty, the ties so useful to the two nations, and to fix with precision and clearness every stipulation which shall be strictly conformable to the views of general peace, and to the principles of justice, which will be for ever the policy of the French.

“ The National Assembly farther taking into consideration the armaments of the different nations of  
 Europe

Europe—their progressive increase, and the safety of the French colonies, and commerce, decree, That the King shall be prayed to give orders, that the French marine force in commission shall be increased to forty-five ships of the line, with a proportionate number of frigates, and other vessels.”

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On the 1st of September M. Montmorin addressed the following Letter to the President of the National Assembly :

“ MR. PRESIDENT,

“ The King, in commanding me to make known to the National Assembly, that he had sanctioned the Decree of the 26th ult. concerning the confirmation of our defensive and commercial engagements with Spain, directed me at the same time to inform them that he had charged me to employ the necessary means to fulfil the views of the Assembly, relative to the explanations of which the Treaty that has bound us to Spain since 1761, is susceptible.

“ I have sent to His Majesty’s Ambassador at the Court of London the requisite instructions, that in apprizing the English Minister of our armaments, he might renew, at the same time, the most positive assurances of our pacific intentions.

“ The Marine Minister has already informed the Assembly of the orders he has received from His Majesty, in regard to the armaments they have de-  
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creed, and he has presented the table of the expence they will require. I should add to you, that to fulfil gradually the views of the Assembly, His Majesty has determined to begin by equipping sixteen ships, which, added to those already armed, will increase the number to thirty. His Majesty has given orders at the same time, that the necessary measures be taken to enable him to complete the number of forty-five ships voted by the Assembly, with all the dispatch which any possible turn of affairs may require.

“ This disposition, subject to events, will not make any change in the table of expence presented by M. de la Luzerne for the current year. His Majesty will take care only to give orders for the issuing of the sums voted by the Assembly for the marine department, in proportion as the armaments shall require.

“ The King believes, by these dispositions of wisdom, prudence, and, at the same time, of œconomy, that he has entered fully into the views of the Assembly, and thus reconciled their pacific intentions with the precautions that circumstances render necessary.

I have the honour to be, &c.

(Signed) MONTMORIN.”

The Marine Minister laid before the Assembly the estimates of the additional sums required for the marine service on account of this resolution. The estimates were submitted to the Committee of  
Finances

Finances and Marine, and on their Report, the National Assembly passed the following Decree for the naval service of the year 1790.

1st. That from the 1st. Sept. inst. the Minister of the Marine shall be bound to give an account, monthly, of the expences disbursed in the ports and arsenals.—That he shall also give in summary states of every species of payments, certified by the administrators, that the same may be submitted to the examination of the Committee, and reported to the National Assembly.

2d. That from the 1st. Jan. 1791, the expences of marine affairs in the colonies shall be presented to the Assembly by the Minister, in the same manner as those relative to the ports and arsenals.—Extraordinaries to be accounted for at the same time.

3d. With regard to the arrears due on the marine and colonial establishments, the Minister shall be bound without delay, to give an exact state of the receipts and disbursements, ordinary and extraordinary, from the settlement of the last account, to the 1st Jan. 1790, also a state of the sums recovered or recoverable from the debtors on the marine and colonial departments, that the whole may be laid before the Committee on Marine Affairs as soon as possible.

4th. And the National Assembly being desirous of securing the marine service for the year 1790, DECREE, that without prejudging the distribution of the funds provided in the month of December last, the 30,000,000 livres, assigned for the ordinary  
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of the marine; the 10,500,000 for the ordinary of the colonies; and 7,162,850 livres, appropriated to the extraordinary expences, amounting in all to 47,662,850 livres, shall continue to be issued at the disposition of the Marine Minister, at the rate of a twelfth part of the whole for each month to the end of the year 1790, he being always responsible for the same.

OCT. 10th.

M. *Freteau*, stated that 30 ships of the 45 voted by the Assembly on the 25th of August, were equipped; and that the Committee were of opinion, from the continued armaments of England, that the remaining 15 should be equipped with all possible expedition: in this opinion the Assembly coincided.

M. *Malouet* reported from the Marine Committee, that they had received a letter from the Marine Minister, desiring the farther sum of 4,958,218 livres, on account of the armament. The Assembly decreed,

1st. That the sum of 4,958,218 livres be placed under the controul of the Marine Department, to the account of the expence of fitting out forty-five sail of the line, decreed by the Assembly.

2d. That the account of payments for provisions for the supply of the fleet shall be presented to the Assembly monthly.

3d. That on the 1st of January next, an account shall be given in of the sums received and expended on account of provisions for the fleet, and from the 1st of January 1791, a contract shall be entered into for such supply.