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THE BRITISH-AMERICAN REGISTER.

QUEBEC, SATURDAY, 6th AUGUST, 1803.

* The importance of the Papers, which have been laid before Parliament, relative to the difference between His Majesty's Government and that of the French Republic, and the immediate interest which his Majesty's Subjects, in every part of the Empire, have in the issue of the Contest which is founded on those differences, have induced us to publish them in the British-American Register. To these are added a Memorial concerning Louisiana, which will be found particularly connected with this part of his Majesty's Dominion.

STATE PAPERS:

Abstract of the Correspondence between the English and French Governments during the late Negotiation.

No. 1.—Otto announces (May 23) General Vial is appointed Minister to Malta, to carry the Treaty into effect.

No. 2.—Lord Hawkesbury (May 24) announces Sir Alexander Ball is appointed our Minister to the Order of Malta; also to carry the Treaty into effect.

No. 3.—Lord St. Helen's (Petersburgh, April 23) thinks the Emperor of Russia will not guarantee Malta.

No. 4.—Lord St. Helen's (May 7) thinks the Emperor will be guarantee if the election of Grand Master is according to the plan of his Court.

No. 5.—Lord Hawkesbury to Mr. Merry, (June 7), wishes to adopt the election of Grand Master of Malta as agreed on by the Emperor of Russia: Invites France to concur in obtaining the guaranty of Russia, Prussia, Austria and Spain.

No. 6.—Talleyrand sends to Mr. Merry, agreeing the Pope shall nominate a Grand Master of Malta from among the list of candidates chosen by the Priors; agreeing also on the propriety of inviting Russia, Austria, and Prussia, to guarantee Malta, and saying the French Ministers at those Courts shall receive instructions to that effect.

No. 1. VOL. II.

NO. 7.

Letter from Mr. Merry to Lord Hawkesbury.

My Lord, Paris, June 4, 1802.

I had occasion to see M. Talleyrand yesterday afternoon, for the purpose of introducing to him, by appointment, some English gentlemen, previously to their presentation to day to the First Consul.

Having gone first alone into the Minister's Cabinet, he said, that he had been directed by General Bonaparte, to represent to me several circumstances which stood very much in the way of that present reconciliation and good understanding between the two countries and their Governments, which it was the First Consul's sincere wish to see established, in order that such obstacles might be removed before the arrival in London of the French Ambassador; because although the circumstances in question had already produced a very disagreeable effect, whilst only M. Otto, as Minister, had to witness them, they would acquire a great addition of force if they should still exist when the Ambassador should be present; and since the First Consul had given orders for General Andreossi to proceed to his destination with as little delay as possible, he wished that I should take an early opportunity to give an account to your Lordship, of the observations which he was charged to make to me.

After a preface to this effect, M. Talleyrand proceeded to state to me, that the accounts which M. Otto had transmitted of the disgust and incon-

venience which he could not but feel and experience at meeting frequently at his Majesty's Court and at other places, the French Princes and some French persons still decorated with the insignia of French orders which no longer existed; and at seeing the countenance and support which continued to be given in England to what he termed the ci-devant French Bishops, as well as to other persons (he here mentioned Georges) inimical to the present Government of France, had affected so strongly the First Consul, and were, in fact, so calculated to prevent that system of cordiality which he was anxious to see established, that it was incumbent upon him to express his wish, that his Majesty's Government might be disposed to remove out of the British dominions all the French Princes and their adherents, together with the French Bishops, and other French individuals whose political principles and conduct must necessarily occasion great jealousy to the French Government. He continued to observe, that the protection and favour which all the persons in question continued to meet with, in a country so close a neighbour to France, must alone be always considered as an encouragement to the disaffected here, even without those persons themselves being guilty of any acts tending to foment any fresh disturbances in this country; but that the Government here, possessed proofs of the abuse which they were now making of the protection which they enjoyed in England, and of the advantage they were taking of the vicinity of their situation to France, by being really guilty of such acts, since several printed papers had lately been intercepted, which it was known they had sent, and caused to be circulated in France, and which had for their object, to create an opposition to the Government. I cannot,

my Lord, do better than refer you to what you will have read in the French official Paper of the day before yesterday, under the article of Paris, for the exact text of M. Talleyrand's discourse upon this subject; which he concluded by saying, that he thought the residence of Louis XVIII, was now the proper place for that of the rest of the family, and that I might add this suggestion in my report to your Lordship,

I answered the French Minister, that without any reference to you. I could assure him, that the practices of the French residing in England, of which he complained, had not been encouraged, nor would be countenanced by his Majesty's Government; which was as sincerely disposed to cultivate harmony and a good understanding between the two countries, as he had so presented the First Consul to be; but that I could by no means say how far they would be disposed to adopt the measures which he had intimated it to be Gen. Bonaparte's wish that they should pursue, in order to remove so effectually, every thing which might not perhaps be considered equally by them as giving just cause of offence or jealousy to France.

M. Talleyrand did not rejoin upon the matter; but asked me when I proposed writing. Upon my replying I should lose no time; he said, that if I should write as to-day, he would avail himself of the opportunity to convey a letter to M. Otto.

I have the honor to be, &c.

(Signed) A. MERRY.

The R. Hon. Lord Hawkesbury, &c.

NO. 8.

Downing-street, June, 10, 1802.

SIR,

Your dispatches of the 4th instant were received on Monday night, and have been laid before the King.

The account given in that dispatch

of the conversation which passed on the 2d instant, between you and M. Talleyrand, respecting the French Princes and their adherents, would have afforded here considerable surprize if his Majesty's Government had not in some degree been prepared for it by information which had been previously received: from the manner, however, in which this subject has been mentioned to you, it is important that you should take a proper opportunity to explain, candidly and fairly, to the French Government, the line of conduct which his Majesty feels to be his duty to pursue in this very delicate business. His Majesty would certainly consider it inconsistent with both the letter and spirit of the Treaty of Peace, between him and the French Republic, to encourage or countenance any projects that might be hostile to the present Government of France. He is sincerely desirous that the Peace which has been concluded may be permanent, and may lead to the establishment of a system of good understanding and harmony between the two countries.—With these sentiments he is disposed to employ all the means in his power to guard against any circumstance which can have the effect of disturbing the tranquillity that has been so happily restored; and he certainly expects that all foreigners who may reside within his dominions, should not only hold a conduct conformable to the laws of the country, but shall abstain from all acts which may be hostile to the Government of any country with which his Majesty may be at peace. As long, however, as they conduct themselves according to these principles, his Majesty would feel it inconsistent with his dignity, with his honour, and with the common laws of hospitality, to deprive them of that protection which individuals resident in his dominions can

only forfeit by their own misconduct. The greater part of the persons to whom allusion has been made in M. Talleyrand's conversation with you, are living in retirement, and his Majesty has no reason whatever to suppose that since the conclusion of peace they have availed themselves of their residence in this country to promote any designs injurious to the Government of France. I have the honor to be, &c.

(Signed) HAWKESBURY,
Anthony Merry, Esq. &c. &c. &c.

NO. 9.

Paris, June 27, 1802.

MY LORD,

I have the honour to acquaint your Lordship, that I have executed the instructions given me by your secret and confidential Dispatch (NO. 14,) in consequence of the communication from M. Talleyrand, which I transmitted in my Number 23, respecting the residence of the French Princes, and other French persons in his Majesty's dominions.

In delivering my answer on this business to the French Minister, I took care to express, in the strongest manner, the assurances which your Lordship has authorized me to give of his Majesty's sincere desire that the peace which has happily been concluded should be permanent, and that it should lead to the establishment of a system of harmony and good understanding between the two countries; and that, as his Majesty's conduct would, in every respect, be guided by those sentiments, he of course would not tolerate, much less encourage, any proceedings on the part of persons within his dominions, which might be hostile to the present Government of France; which assurances might, I trusted, be sufficient to tranquillize and satisfy the First Consul, without recurring to the measures which had

been intimated to me, and which could not but be considered as inconsistent with his Majesty's dignity and honour, as well as with the common laws of hospitality which he could not but observe towards foreigners within his dominions, until they should have forfeited that protection by their misconduct.

M. Talleyrand expressed to me, in reply, that the First Consul had solicited no more than the British Government itself had, at the time, demanded of France, when the Pretender was in this country, and that had been practised by other Governments under similar circumstances: that he could not see any humiliation in the measure which he had intimated to me; that he could assure me it had not been suggested with any such idea; and that he could only repeat, that the adoption of it would be in the highest degree agreeable and satisfactory to the First Consul, and be considered by him as the most convincing proof of his Majesty's disposition to see a cordial good understanding established between the two countries; concluding his answer with a request that I would report it to your Lordship.

I rejoined upon the subject by observing to the French Minister, that even without adverting to the serious consideration of the King's dignity and honour, the feelings of the people of England were to be taken into account on the occasion: that he must be sensible the relative situation hitherto of the two countries, especially in regard to trade, afforded his Majesty's subjects no room to reap those advantages which were common to, and which were always expected from a state of peace, and that it therefore appeared to me that the First Consul would equally give a proof of his disposition to see harmony and a friendly intercourse re-established between the two na-

tions, by not repeating his wish upon a matter which would operate in the strongest manner against such an approximation and reconciliation of sentiments, were it even only to come to the knowledge of his Majesty's subjects.

I am happy, my Lord, to say, that M. Talleyrand shewed no warmth, or any very marked eagerness, in his manner of replying to my communication; and that our conversation on this head terminated with the last remarks I made to him, when he changed it to another subject.

I have the honour to be, &c.

(Signed) ANTHONY MERRY.
Right Hon. Lord Hawkesbury, &c.

NO. 10.—TRANSLATION.

Portman-square, July 25, 1802.

MY LORD,

I transmitted some time ago, to Mr. Hammond, a number of Peltier, containing the most gross calumnies against the French Government, and against the whole nation; and I observed, that I should probably receive an order to demand the punishment of such an abuse of the Press.—That order is actually arrived, and I cannot conceal from you, my Lord, that the reiterated insults of a number of foreigners, assembled in London, to conspire against the French Government, produce the most unfavourable effects on the good understanding between the two nations. Even though the first article of the Treaty of Amiens had not provided for the maintenance of that respect, which two independent nations owe to each other; the general maxims of the Law of Nations would formally condemn so revolting an abuse of the liberty of the Press. It cannot be believed, that the law can give more latitude to a Libellist than to any other individual, who, without Declaration of War, should permit himself to violate the duties of

good neighbourhood. The offence in question is so much the more serious as its object is evidently to disturb the harmony which subsists between the two Governments.

It is not to Peltier alone, but to the Editor of the "Courier François de Londres," to Cobbet, and to other writers who resemble them; that I have to direct the attention of his Majesty's Government. The perfidious and malevolent publications of these men are an open contradiction to the principles of peace; and if it could ever enter into the mind of the French Government to permit retaliation, writers would doubtless be found in France, willing to avenge their countrymen, by filling their pages with odious reflections on the most respectable persons, and on the dearest institutions of Great-Britain.

The want of positive laws against these sorts of offences cannot palliate the violation of the Law of Nations, according to which peace should put a stop to all species of hostilities; and doubtless those which wound the honour and the reputation of a Government, and which tend to cause a revolt of the people, whose interests are confided to that Government, are the most apt to lessen the advantages of peace, and to keep up national resentment.

I have the honour to be, &c.

(Signed) OTTO.

To his Excellency Lord Hawkesbury, Minister and Secretary of State for the Foreign Department.

NO. 11. An answer from Lord Hawkesbury to his note, expressing the disapprobation of the British Government at the Number of Peltier alluded to, and informing M. Otto that orders had been given the Attorney General to prosecute him for it.

NO. 12.—NOTE. The undersign-

ed Minister Plenipotentiary of the French Republic having submitted to his Government the letter which his Excellency Lord Hawkesbury, Minister and Principal Secretary of State of his Britannic Majesty, did him the honour of writing under the date of the 27th July, is directed to offer the following observations.

If the British Government tolerates censures upon the acts of its administration and the personal abuse of the most respectable men, it does not suffer even the slightest attempt against the public tranquillity, the fundamental laws of the empire, and the supreme authority, which arises from them. Every nation, is moreover, at liberty to sacrifice any advantage whatever in its interior, in order to obtain another to which it attaches a higher value; but the Government which does not repress the licentiousness of the press when it may be injurious to the honour or the interests of Foreign Powers, would afford an opportunity for libellists to endanger the public tranquillity, or at least the good understanding that forms the basis of it; and whenever such serious injuries are continued in a regular and systematic manner, doubts must arise as to its own dispositions.

The particular Laws and Constitution of Great-Britain are subordinate to the general principles of the Law of Nations, which supersede the Laws of each individual State. If it be a right in England to allow the most extensive liberty to the press, it is a public right of polished nations, and the bounden duty of Governments to prevent, repress, and punish, every attack which might, by those means, be made against the rights, the interests, and the honour, of foreign Powers.

This general maxim of the law of nations has never been mistaken

without paving the way for the greatest divisions, and has even furnished in England a plausible pretext to those who have written volumes to prove the necessity of the last War against France. Are these men now desirous of presenting to the Consular Government a weapon which they have wielded with so much address? And can they flatter themselves that the Authority which has signed the Peace has not Power to maintain it?

By the first Article of the Treaty of Amiens, the two Powers agree to afford no protection, either directly or indirectly, to those who should cause prejudice to any of them.

But the greatest of all injuries doubtless is, that which tends to debase a foreign government, or to excite within its territory civil and religious commotions; and the most decided of all protections, is that which places under the safeguard of the laws, men, who seek not only to disturb the political tranquillity of Europe, but even to dissolve the first bonds of society.

The undersigned Minister must moreover observe, that this is not a question respecting paragraphs, which, through the inadvertence of an Editor, might have been accidentally inserted in a public print; but it is a question of a deep and continued system of defamation, directed not only against the Chief of the French Republic, but against all the constituted Authorities of the Republic, against the whole nation, represented by these libellers in the most odious and degrading terms. It has even been remarked that many of those prints contain an appeal to the French people, against the Government and fundamental laws of their country.

If these observations apply to the English Writers, who, for these three months past, have deluged the public with the most perfidious and

unbecoming publications, they are still more applicable to a class of foreign calumniators, who appear to avail themselves of the asylum offered them in England only for the purpose of the better gratifying their hatred against France, and undermining the foundations of peace.

It is not merely by insulting and seditious writing, evidently published with a view to circulation in France, but by other incendiary papers distributed through the Maritime Departments, in order to excite the evil disposed or weak inhabitants to resist the execution of the *Concordat*, that these implacable enemies of France continue to exercise hostilities, and to provoke the just indignation of the French Government and People. Not a doubt exists of these writings having been composed and circulated by *Georges*, and by the former Bishops of France. These men can no longer be considered but as Rebels against both political and religious authority; and after their reiterated attempts to disturb the good understanding between the two Governments, their residence in England militates openly against the spirit and letter of the Treaty of Peace.

The meetings likewise which have taken place in the island of Jersey, and the odious plots which are there framed, in spite of the representations which the undersigned Minister has already taken care to make on this subject, also demand immediate measures to be taken by a Government, the neighbour and friend of France.

Other persons (attached, by recollections never to be effaced, and by regrets too long fostered, to an order of things which no longer exists in France) find themselves daily implicated by the plots of those who pretend to serve them. A sense of their own reputation will without doubt

lead them to avoid a focus of intrigues, with which they ought not to have the least connection.

Peace happily re-established, the mutual desire of the two Governments to render it solid and lasting, and the general interests of humanity, require that all these causes of dissatisfaction should be done away, and that his Majesty's Ministry should, by frank and energetic measures, manifest their disapprobation of all the attempts made to produce new divisions.

The undersigned has in consequence received especial orders to solicit.

1st. That His Majesty's Government will adopt the most effectual measures to put a stop to the unbecoming and seditious publications with which the newspapers and other writings printed in England are filled.

2d. That the individuals mentioned in the undersigned Minister's letter of the 23d July last, shall be sent out of the island of Jersey.

3d. That the former Bishops of Arras and St. Pol de Leon, and all those, who like them, under the pretext of religion, seek to raise disturbances in the interior of France, shall likewise be sent away.

4th. That Georges and his Adherents shall be transported to Canada, according to the intention which the Undersigned has been directed to transmit to his Government at the request of Lord Hawkesbury.

5th. That in order to deprive the evil-disposed of every pretext for disturbing the good understanding between the two Governments, it shall be recommended to the Princes of the House of Bourbon at present in Great-Britain, to repair to Warsaw, the residence of the head of their family.

6th. That such of the French Emigrants as shall think proper to wear the orders and decorations belonging to the ancient Government of France, shall be required to quit the territory of the British Empire.

These demands are founded upon the Treaty of Amiens, and upon the verbal assurances that the undersigned Minister has had the satisfaction to receive, in the course of the negotiations, with regard to a mutual agreement for maintaining tranquility and good order in the two countries. If any one in particular of those demands does not proceed so immediately from the treaty concluded, it would be easy to justify it by striking examples, and to prove how very attentive the British Government has been in times of internal fermentation, to remove from the territory of a neighbouring power those who might endanger the public tranquillity.

Whatever may be the protection which the English Laws afford to native writers and to other subjects of his Majesty, the French Government knows, that foreigners do not here enjoy the same protection; and the law, known by the title of the *Alien Act*, gives the Ministry of his Britannic Majesty an authority which it has often exercised against foreigners whose residence was prejudicial to the interests of Great Britain. The first clause of this Act states expressly, that any order in Council which requires a foreigner to quit the kingdom, shall be executed under pain of imprisonment and transportation. There exists, therefore, in the Ministry a legal and sufficient power to restrain foreigners, without having recourse to the Courts of Law, and the French Government, which offers on this point a perfect reciprocity, thinks it gives a new proof of its pacific intentions, by demanding that those persons may be sent away,

whose machinations uniformly tend to sow discord between the two people. It owes to itself, and to the nation at large, (which has made it the depository of its power and of its honour), not to appear insensible to insults and to plots during profound Peace, which the irritation of open war could not justify, and is too well acquainted with the conciliatory dispositions of the British Ministry, not to rely upon its efforts to disperse a faction equally the enemy of France and England.

The undersigned Minister seizes this opportunity to present to his Excellency, Lord Hawkesbury, the homage of his respectful consideration.

(Signed) OTTO.

London, August 17, 1803.

NO. 13.

Downing-street, Aug. 28, 1803.

SIR,

I send you a copy of a letter which I received some days ago from M. Otto, together with a copy of an official Note inclosed in it. I have informed M. Otto, that you would receive instructions to enter into explanation with the French Government on the several points to which it refers. It is impossible not to feel considerable surprisè at the circumstance under which it has been thought proper to present such a note; at the style in which it is drawn up, and at the complaints contained in it. Whatever may be the general dispositions of the French Government towards this country, supposing them to be as hostile as they have been at any former period, or even more so, it would appear to contrary to their interest to provoke a war with us at the present moment, that I am inclined to ascribe their conduct, in the whole of this business, more to temper, than to any other motive; but whether their con-

duct is to be referred to temper or to policy, the effects of it may still be the same; it is therefore become of the utmost importance that a frank explanation should be made of the line of conduct which his Majesty has determined to adopt on reasons of the nature of those to which this Note refers, and of the motives on which it is founded; and it is to be hoped that such an explanation will have the effect of putting an end to a course of proceeding which can lead only to perpetual irritation between the two Governments, and which might ultimately tend to the most serious consequences.

The first consideration that naturally arises on this transaction is, that of the peculiar circumstances under which the Note of M. Otto has been presented. It cannot be denied, that some very improper paragraphs have lately appeared in some of the English Newspapers against the Government of France; it cannot be denied likewise, that publications of a still more improper and indecent nature have made their appearance in this country, with the names of foreigners affixed to them. Under these circumstances the French Government would have been warranted in expecting every redress that the laws of this country could afford them; but as, instead of seeking it in the ordinary course, they have thought fit to resort to recrimination themselves, or at least to authorise it in others, they could have no right to complain if their subsequent appeal to his Majesty had failed to produce the effect that otherwise would have attended it.

Whatever may have been the nature of the prior injury, they have in fact, taken the law into their own hands: and what is this recrimination and retort? The paragraphs in the English Newspapers, the publications to which I have above referred, have

not appeared under any authority of the British Government, and are disavowed and disapproved of by them; but the paragraph in the *Moniteur* has appeared in a Paper avowedly official, for which the Government are therefore considered as responsible, as his Majesty's Government is responsible for the contents of the London Gazette. And this retort is not confined to the unauthorised English Newspapers, or to the other publications, of which complaint is now made, but is converted into, and made pretext for a direct attack upon the Government of his Majesty. His Majesty feels it beneath his dignity to make any formal complaint on this occasion; but it has been impossible for me to proceed to the other parts of the subject, without pointing your attention to the conduct of the French Government in this respect, that you may observe upon it in the manner it deserves.

The propositions in M. Otto's official Note, are six in number; but may in fact be divided under two heads: the first, that which relates to the libels of all descriptions which are alledged to be published against the French Government; the last, comprehending the five complaints which relate to the emigrants residing in this country. On the first, I am sure you must be aware that his Majesty cannot, and never will, in consequence of any representation or any menace from a foreign Power, make any concession which can be in the smallest degree dangerous to the liberty of the press, as secured by the constitution of this country. This liberty is justly dear to every British subject. The constitution admits of no previous restraints upon publications of any description; but there exist Judicatures, wholly independant of the Executive Government, capable of taking cognizance of such publications as the law deems to be

criminal, and which are bound to inflict the punishment the delinquents may deserve; these Judicatures may take cognizance not only of libels against the Government and the Magistracy of this Kingdom, but, as has been repeatedly experienced, of publications defamatory of those in whose hands the administration of foreign Governments is placed. That our Government neither has nor wants any other protection than what the laws of the country afford; and though they are willing and ready to give to every foreign Government all the protection against offences of this nature which the principle of their laws and constitution will admit, they never can consent to new model their laws, or to change their constitution, to gratify the wishes of any foreign Power. If the present French Government are dissatisfied with our laws on the subject of libels, or entertain the opinion that the administration of justice in our Courts is too tardy and lenient, they have it in their power to redress themselves by punishing the venders and distributors of such publications within their own territories, in any manner that they may think proper, and thereby preventing the circulation of them. If they think their present laws are not sufficient for this purpose they may enact new ones; or if they think it expedient, they may exercise the right which they have of prohibiting the importation of any foreign newspapers, or periodical publications, into the territories of the French Republic. His Majesty will not complain of such a measure, as it is not his intention to interfere in the manner in which the people or territories of France should be governed; but he expects, on the other hand, that the French Government will not interfere in the manner in which the Government of his dominions is conducted, or call for a change in those

laws with which his people are perfectly satisfied.

With respect to the distinction which appears to be drawn in M. Otto's Note, between the publications of British subjects and those of foreigners, and the power which his Majesty is supposed to have in consequence of the Alien Act, for sending foreigners out of his dominions, it is important to observe, that the provisions of that Act were made for the purpose of preventing the residence of foreigners, whose numbers and principles had a tendency to disturb the internal peace of his own dominions, and whom the safety of those dominions might require many instances to be removed, even if their actual conduct had not exposed them to punishment by law. It does not follow that it would be a warrantable application of such a law to exert its powers in the cases of individuals such as those of whom complaint is now made, and particularly as they are liable to be prosecuted under the law of the land, in like manner as others have been in similar cases, at the instance, and upon the complaint of foreign Governments.

The second general head, which includes the five last complaints, relates to the removal of some of the French emigrants resident in this country. His Majesty entertained hopes that the explanation furnished on this head in my dispatch No. 14, would have proved satisfactory, and would have precluded the necessity of any further discussion on this subject. The French Government have upon several occasions retorted to this part of the subject to precedent, and have particularly rested on the demand formerly made by this country, that the person then called the Pretender should be sent from the French dominions. It is important that the differences between these two cases should be stated: When James the Second

abdicated the throne, and left this country, he retired with his adherents to France; and though in the war which immediately succeeded that event, the French Government adopted his cause as their own, no stipulation was made at the Treaty of Ryswick, that he should be sent from that country, nor was any subsequent demand ever made to the French Government to this effect; but he was suffered to remain at Saint Germain, in the neighbourhood of Paris, surrounded by his family and friends, till the time of his death. It was not till after his demise, when Lewis XIV. in direct violation of the Treaty of Ryswick, had acknowledged his son as King of Great-Britain, that a different course of proceeding was adopted by the British Government; and in the Treaty of Peace signed at Utrecht, which put an end to the war which had been carried on, on account of the Spanish Succession, an Article was inserted to prevent the Pretender from residing in any part of the French dominions. The demand which was consequently made for the removal of the Pretender from a town which was situated in the centre of these dominions, was founded on this Article of the Treaty, which was in fact one of the conditions of the Peace; but both the Article in the Treaty and the demand were confined to the Pretender personally, and were not extended to any of his family, or to any of his adherents. [Lord Hawkesbury then proceeds to say, that the French Pretender never had been in the British dominions, and that his Majesty has given no countenance to the French Royalists since the Peace.]

With respect to the complaints in detail under the second head. Upon the first you may inform the French Government, that the French Emigrants in Jersey, many of whom had

remained there solely on account of the cheapness of subsistence, had actually removed, or were removing, previous to the representation concerning them in M. Otto's Note; and that before your explanation with Mr. Talleyrand can take place, there will probably not be an Emigrant in the island.

To the second complaint which relates to the Bishops of Arras and St. Pol de Leon, and others, his Majesty can only reply, that if the facts alledged against them can be substantiated; if it can be proved that they have distributed papers on the coast of France, with a view of disturbing the Government, and of inducing the people to resist the new church establishment, his Majesty would think himself justified in taking all measures within his power for obliging them to leave the country; but some proofs must be adduced of those facts; and such proof must not be that of their having, in a single instance, viz. in reply to the Pope's Mandate, published a vindication of their own conduct, in refusing to conform to the new establishment, a proceeding in which they would be justifiable on every principle of toleration and justice; but it should shew, they have since availed themselves of their situation in this country, to excite the people of France against the authority of that Government, whether civil or ecclesiastical.

On the third complaint, which respects the removal of Georges, and those persons supposed to be described as his adherents, M. Otto must have mistaken me in what he supposes me to have said on that subject. His Majesty is, however, very desirous to obviate any cause of complaint or uneasiness with respect to these persons; and measures are in contemplation, and will be taken, for the purpose of removing them out of his Majesty's European dominions.

On the fourth complaint respecting the Princes of the House of Bourbon, I can only refer you to my former answer. His Majesty has no desire that they should remain in this country, if they are disposed, or can be induced to quit it; but he feels it to be inconsistent with his honour and his sense of justice, to withdraw from them the rights of hospitality, as long as they conduct themselves peaceably and quietly; and unless some charge can be substantiated of their attempting to disturb the peace which subsists between the two Governments.

With respect to the fifth complaint, which relates to the French Emigrants wearing in this country the orders of their ancient Government; there are few if any persons of that description in this country who wear such orders. It might be more proper if they all abstained from it; but the French Government could not persist in expecting, that even if it were consistent with law, his Majesty could be induced to commit so harsh an act of authority as to send them out of the country on such an account.

I have thus stated to you his Majesty's sentiments on the several points contained in Mr. Otto's Note. You will take an early opportunity of communicating these sentiments to the French Government, and of accompanying them with the arguments and explanations above stated. And if it should be desired, and you should be of opinion, that it was likely to produce any good effect, there is no objection to your putting the substance of what you shall have stated in writing, and of delivering it to the Minister for Foreign Affairs, as a memorandum of your conversation.

Upon the general tone and style of M. Otto's Note, it is important

to observe, that it is far from conciliating; and that the practice of presenting Notes of this description, on any motive or suggestion of personal irritation, cannot fail to have the effect of indisposing the two Governments towards each other, instead of consolidating and strengthening the Peace which happily subsists between them. That after a War, in which the passions of men have been roused beyond former examples, it is natural to suppose that the distrust, jealousy, and other hostile feelings of individuals should not immediately subside, and under these circumstances it appears to be both the interest and the duty of the two Governments, by a mild and temperate conduct, gradually to allay these feelings, and not on the contrary to provoke and augment them by untimely irritation on their part, and by ascribing proceedings like those above noticed, to causes to which they have no reference. His Majesty has thus fully and frankly explained his sentiments, and the ground of his conduct. He is sincerely disposed to adopt every measure for the preservation of Peace, which is consistent with the honour and independence of the country, and with the security of its laws and constitution. But the French Government must have formed a most erroneous judgment of the disposition of the British nation, and of the character of its Government, if they have been taught to expect that any representation of a Foreign Power will ever induce them to consent to a violation of those rights on which the liberties of the people of this country are founded.

I have the honour to be, &c.

HAWKESBURY.

Anthony Merry, Esq.

NO. 14.—Mr. Otto (August 21) mentions the going of the 2000 Neapolitans to Malta, and wishes the island to be evacuated.

NO. 15.—(August 23) Lord Hawkesbury says, there is no objection to the going of the Neapolitans; but he complains that by the last dispatches from Berlin and St. Petersburg, the French Ambassador there had received no instructions to apply in conjunction with the English Ambassadors for the guarantee of those powers.

NO. 16.—Mr. Merry (Oct. 3,) announces to Lord Hawkesbury the arrival in Paris of an agent from the old Swiss Government, soliciting the support of the Foreign Ministers in Paris, and of the French Government. The Note says, the Swiss are determined to be buried under the ruins of their country rather than yield.

NO. 17.—A verbal Note from Lord Hawkesbury to Mr. Otto, dated October 10, complaining of the Chief Consul's proclamation to the Swiss, and asserting the right of the Swiss to possess their ancient Government.

NO. 18.—Is a letter from Lord Hawkesbury to Francis Moore, Esq. dated October 10, 1802; it states, he is to inform himself what is the actual residence of the government of the Swiss confederation, to which he is immediately to repair; to obtain an interview with the persons in the principal direction of affairs, to inform himself of the disposition of the People, their strength and means of defence, and assure them of the deep interest his Majesty takes in the success of their exertions. He is also instructed to communicate in confidence to the Swiss Government that on the event of a French army having entered their country, his Majesty has authorized him to accede to their application for pecuniary succours. As it is of importance that his Majesty's Government should be regularly informed of the events passing in Switzerland,

he will ascertain the most safe and expeditious mode of conveying letters, so that they may avoid passing through any part of the French Republic.

NO. 19.—A Letter from Francis Moore, Esq. to Lord Hawkesbury, dated Constance, Oct. 31, 1802; states that he arrived there on the 27th inst. and that he had received authentic intelligence of the submission of the Swiss Diet, assembled at Schwitz, to the French arms.

NO. 20.—Is a letter from Lord Hawkesbury to Francis Moore, Esq. dated Nov. 25, 1802, intimating that his residence in Switzerland would be no longer necessary.

NO. 21.

Extract of a Dispatch from Mr. Liston to Lord Hawkesbury, dated Hague, 13th October, 1802.

A few hours after I had sent off my last dispatch to your Lordship, (on Saturday the 9th of this month,) the French Ambassador, M. de Semouville, waited upon the President of the Government of State, and informed him that he had just received, by a Courier from Paris, orders to inform the Government of this Country.

“ Que le Premier Consul avoit appris, avec autant de surprise que des personnes avides de Révolutions vouloient de nouveau troubler le repos dans la Batavie, en abusant même pour cet effet de noms respectables; et que le Premier Consul, comme allié de la République, invitoit le Gouvernement à prendre toutes les mesures nécessaires pour maintenir l'ordre des choses établi par la Constitution.”

These were nearly the words read to me by the Secretary of State, from a note in his own hand-writing, dictated to him by M. de Se-

monville, with a view to its publication; (and a translation was accordingly inserted in the Dutch official Paper of the Hague on the 11th); but they fall very short of the language employed by the French Minister for Foreign Affairs in his dispatches to the Ambassador, and in the communication made by him to the Dutch Charge d'Affaires at Paris, (who also sent a Messenger to Hague upon this occasion). In these M. de Talleyrand entered into a considerable detail on the subject of the plots supposed to be formed in this country against the Administration, mentioned the names of the Chiefs, and ended by making an offer, on the part of the First Consul, to come to the assistance of the Government (should circumstances render it necessary) with all his forces.

NO. 22.—Is a letter from Mr. Liston, our Ambassador at the Hague, stating that the attack of Bonaparte on the Swiss had alarmed the Dutch, whose anxiety was increased by the French Troops not having withdrawn from their Territories according to the Treaty. The Dutch Ambassador was ordered to make the strongest representations on the subject, and the Administration was resolved to oppose all the resistance in their power to the extortion of the French; and in case of failure they talked of addressing themselves to the principal Powers of Europe.

NO. 23.—Letter from Lord Hawkesbury to Lord Whitworth, imputing the declaration of General Stuart to Colonel Sebastiani, of his inability to evacuate Egypt, to his having been misled in supposing that it was requisite he should receive a warrant for that purpose; and stating that orders should be immediately sent to General Stuart to remove the King's troops with as little delay as possible.

NO's. 24, 25, and 26, are extracts of dispatches from St. Petersburg and Vienna, relative to Malta. They are unimportant.

NO. 27.—Extract of a Dispatch from the Hon. A. Paget to Lord Hawkesbury, dated Vienna, August 22, 1802; stating the Emperor's Act of Guarantee and Accession to the 10th Article of the Treaty of Amiens.

NO's 28, 29, and 30, are unimportant.

NO. 31.—Extract of a Dispatch from Mr. Jackson to Lord Hawkesbury, dated Berlin, Nov. 25, 1802; stating that Count Haugwitz had hinted that the King of Prussia took a very slight interest in the fate of Malta; and that he was countenanced, in withholding his guarantee by the example of Spain. He, however, added, that the report in question had been made to the King, and that he only waited his Majesty's commands to confer with Mr. Jackson farther upon the subject.

NO's. 32 and 33 are unimportant.

No. 34 contains the Conditions upon which his Imperial Majesty of all the Russias is willing to accede to the stipulations of the 10th Article of the Treaty of Amiens.

1. The acknowledgment of the Sovereignty of the Order of St. John of Jerusalem over the island of Malta, and its dependencies; the acknowledgment of the Grand Master, and of the Civil Government of the Order, according to its ancient institutions, with the admission into it of native Maltese.

2. The rights of the King of the Two Sicilies, as Suzerain of the island of Malta, its ports and dependencies, shall be secured and guaranteed by the respective Contracting Powers, who shall mutually engage to acknowledge and maintain that

neutrality in all cases of War; whether between each other, or between any of them and any other Power, not excepting his Sicilian Majesty, whose rights of suzerainty shall not extend so as to enable him to cause a departure from the neutrality of the island, as guaranteed by the present Act.

4. Until the Order shall be in a situation to provide, by its own resources, for the maintenance of its independence and neutrality, as secured by the preceding article, as well as for the defence of their principal residence, the different forts shall be occupied by his Sicilian Majesty's troops, who shall send a sufficient force for the defence of the island and its dependencies, the number of which shall be agreed upon by his said Majesty and the Two Contracting Powers, who shall take upon themselves conjointly, the expence of maintaining the whole of the said troops, so long as the defence of the island shall continue to be entrusted to them, during which period the said troops shall be under the authority of the Grand Master and his Government.

5. The present additional Act shall be considered as forming an integral part of the Treaty of Amiens, the same as if it had been inserted therein, word for word, and shall be executed in like manner.

6. Their majesties, the Emperor of all the Russias, the Emperor of the Romans, the King of Spain, the King of the Two Sicilies, and the King of Prussia, shall be invited to accede to this act as guarantees.

Signed.

No. 35.

Paris, January 27, 1803.

My Lord.

I have to report to your Lordship the purport of a conversation I had on

Tuesday last by appointment with M. Talleyrand. He had invited me some days ago for this purpose. The communication he had to make to me related to two points, both equally important, as he said, to the maintenance of good harmony between the two Countries; with this difference however, that the one originated with himself, and was dictated by his anxiety to do away every thing which might feed the mutual irritation of the two Countries; and the other by the express order of the First Consul. That which came from himself related to the English newspapers, against which he pronounced a most bitter philippic, assuring me that the First Consul was extremely hurt to find that his endeavours to conciliate had hitherto produced no other effect than to increase the abuse with which the papers in England continually loaded him. He expatiated much upon this topic, and endeavoured to establish a fact, which I assure him a reference to any one Newspaper in Paris would instantly refute, that during four months not a provocation had appeared in any French Journal, which could justify a retort from those published in England. For the rest he advanced nothing but what had been said on more than one occasion to Mr. Merry, and reported by him to your Lordship. I was, however, given to understand, that the First Consul was, in fact, highly incensed, and more so, he was pleased to say, as it came from a Country of whose good opinion he was so very ambitious.

In my reply, I could but go over the old ground, and endeavour to make M. Talleyrand understand—first, That whatever was said in the English papers might be considered but as a national retaliation for what was published in the French Papers—secondly, That what was *officially* published here was by no means so in England—Thirdly, that although the Go-

vernment possessed a controul over the Press in France, the English Government neither had nor could have, unless they purchased it at the same price, any whatever in England. Upon this he endeavoured to prove to me, that there were papers in England attached to different parties, and went over their names and supposed connections, with great precision; and that consequently his Majesty's Ministers might so far controul those at least which depended upon them, as to prevent their inserting that abuse which must be considered as having their sanction. I endeavoured to explain to him what the influence was, which he supposed Ministers to possess in England; that it amounted to nothing more than a preference which your Lordship for instance might give to one paper rather than to another, by sending to it any articles of news which it might be wished to make public; but that your Lordship's influence went no further; and that if the Editor of such a Paper conceived it more for his interest to continue to write after his own fancy, and uncontrouled, than to be the publisher of occasional articles, in that case all influence was at an end. I told him, that if he had remarked any abusive article in any Paper of such a description, it was natural and fair to conclude that it did not depend upon Government to prevent it. He persisted in his opinion, that his Majesty's Ministers might keep certain Papers in order, as I did in assuring him, that until the First Consul could so far master his feelings as to be as indifferent to the scurrility of the English Prints, as the English Government was to that which daily appeared in the French, this state of irritation was irremediable. I told him, however, that I would report the substance of this communication to your Lordship, although I could assure him that your Lordship could add nothing to the

explanation which had been given, and in such detail by Mr. Merry, from your Lordship.

M. Talleyrand, with great solemnity, required of me to inform him, and this by the express order of the First Consul, what were his Majesty's intentions with regard to the evacuation of Malta. He again, on this occasion, made great professions of his sincere desire to set aside every thing which could interrupt the good understanding between the two Governments; adding, that it was absolutely necessary that the French Government should know what it was meant to do, when that clause in the Treaty of Amiens, which stipulates the cession of Malta, should be fully accomplished. He said that another Grand Master would now very soon be elected; that all the Powers of Europe invited so to do, with the exception of Russia, whose difficulties it was very easy to remove, and without whom the guarantee would be equally complete, were ready to come forward; and that consequently the term would very soon arrive, when Great-Britain could have no pretext for keeping longer possession. I informed him that I would report his conversation to your Lordship, and would have the honour of communicating to him your Lordship's answer as soon as I could receive it.

I have the honour to be, &c.

WHITWORTH.

Right Hon. Lord Hawkesbury, &c.

NO. 36.

Downing-Street, February 9, 1802.

My Lord,

In answer to your Excellency's dispatch of January 27, relative to the enquiry made of you, by the French Government, on the subject

of Malta, I can have no difficulty in assuring you, that his Majesty has entertained a most sincere desire that the Treaty of Amiens might be executed in a full and complete manner; but it has not been possible for him to consider this Treaty as having been founded on principles different from those which have been invariably applied to every other antecedent Treaty or Convention, namely, that they were negotiated with reference to the actual state of possession of the different parties, and of the Treaties or public engagements by which they were bound at the time of its conclusion; and that if that state of possession, and of engagement, was so materially altered by the Act of either of the parties as to affect the nature of the compact itself, the other party has a right, according to the Law of Nations, to interfere for the purpose of obtaining satisfaction or compensation for any essential difference which such acts may have subsequently made in their relative situation; that if there ever was a case to which this principle might be applied with peculiar propriety, it was that of the late Treaty of Peace; for the Negotiation was conducted on a basis not merely proposed by his Majesty, but especially agreed to in an official Note by the French Government, viz. that his Majesty should keep a compensation out of his conquests for the important acquisitions of territory made by France upon the Continent. This is a sufficient proof that the compact was understood to have been concluded with reference to the then existing state of things; for the measure of his Majesty's compensation was to be calculated with reference to the acquisitions of France at that time; and if the interference of the French Government in the general affairs of

Europe, since that period; If their interposition with respect to Switzerland and Holland, whose independence was guaranteed by them at the time of the conclusion of the Treaty of Peace; if the annexations which have been made to France in various quarters, but particularly those in Italy, have extended the territory and increased the power of the French Government, his Majesty would be warranted, consistently with the spirit of the Treaty of Peace, in claiming equivalents for these acquisitions, as a counterpoise to the augmentation of the power of France. His Majesty, however, anxious to prevent all ground of misunderstanding, and desirous of consolidating the general Peace of Europe, as far as might be in his power, was willing to have waved the pretensions he might have a right to advance of this nature; and as the other articles of the Definitive Treaty have been in a course of execution on his part, so he would have been ready to have carried into effect the true intent and spirit of the 10th Article, the execution of which, according to its terms, had been rendered impracticable by circumstances which it was not in his Majesty's power to controul. A communication to your Lordship would accordingly have been prepared conformably to this disposition, if the attention of his Majesty's Government had not been attracted by the very extraordinary publication of the report of Colonel Sebastiani to the First Consul. It is impossible for his Majesty to view this report in any other light than as an official publication; for without referring particularly to explanations which have been repeatedly given upon the subject of publications in the *Moniteur*, the article in question, as it purports to be the Reports to the First Consul of an accredited Agent, as it appears to have been signed by Colonel Sebastiani himself, and as it is official in the official Paper, with an official title affixed to it, must be

considered as authorized by the French Government. This Report contains the most unjustifiable insinuations and charges against the Officer who commanded his forces in Egypt, and against the British army in that quarter, insinuations and charges wholly destitute of foundation, and such as would warrant his Majesty in demanding that satisfaction, which on occasions of this nature, independent Powers in a state of amity have a right to expect from each other. It discloses, moreover, views in the highest degree injurious to the interest of his Majesty's dominions, and directly repugnant to, and utterly inconsistent with, the spirit and letter of the Treaty of Peace concluded between his Majesty and the French Government; and his Majesty would feel that he was wanting in a proper regard to the honour of his Crown, and to the interests of his Dominions, if he could see with indifference such a system developed and avowed. His Majesty cannot therefore, regard the conduct of the French Government on various occasions since the conclusion of the definitive Treaty, the insinuations and charges contained in the Report of Colonel Sebastiani, and the views which that Report discloses, without feeling it necessary for him distinctly to declare, that it will be impossible for him to enter into any further discussion relative to Malta, unless he receives satisfactory explanation on the subject of this communication.

Your Excellency is desired to take an early opportunity of fully explaining his Majesty's sentiments as above stated to the French Government.

I am, &c.

HAWKESBURY.

His Excellency Lord Whitworth, K. B. &c.

No. 37.

Extract of a Dispatch from Lord Whitworth to Lord Hawkesbury, dated Paris, February 17, 1803.

I have the honour to acquaint your

B

Lord-

Lordship, that I saw M. de Talleyrand on Tuesday last, for the purpose of carrying into effect your Lordship's instructions of the 9th. I began by telling him that I had nothing new to communicate to him; but merely to confirm officially that which I had already from myself premised. I did not however pass over with the same indifference, the arguments with which your Lordship has furnished me. I recapitulated them all; the principle on which the Treaty of Amiens was founded; and the right which naturally arose from that principle of interfering on our part for the purpose of obtaining satisfaction or compensation, for any essential differences which may have arisen in the relative situation of the two Countries. I instanced the cases, beginning with Italy and concluding with Switzerland, in which the territory or influence of France, had been extended subsequent to the Treaty of Amiens.

I represented to him that this principle of compensation had been fully and formally admitted by the French Government, in the course of the Negotiation at Amiens. I then told him that notwithstanding the indisputable right which his Majesty might have derived of claiming some counterpoise for such requisitions, instructions would have been given me, by which I should have been empowered to declare his Majesty's readiness to carry into effect the full intent of the 10th article of the Treaty, if the attention of his Majesty's Government had not been roused by the official publication of Colonel Sebastiani's Report to the First Consul. It was useless to recapitulate the particulars of this very extraordinary report; but I appealed to him whether it was not of a nature, exclusive of the personal allusions it contained, to excite the utmost jealousy in the minds of his Majesty's Ministers, and to demand on their part every measure of precaution. I

concluded with the distinct declaration that it was impossible for his Majesty to enter into any farther discussion relative to Malta, unless he receives satisfactory explanations on the subject of the First Consul's views.

M. de Talleyrand in his reply, did not attempt to dispute the drift of my argument, he admitted, with an affected tone of candour, that the jealousy we felt on the score of Egypt, with a view to our possessions in India was natural. But he could not admit that any thing had appeared in the conduct of the French Government in justification of the alarm we expressed. After repeating what he had said to me on a former conversation on the subject of Sebastiani's mission, which he asserted to be STRICTLY COMMERCIAL, he expatiated at great length on the sincere desire of the First Consul to maintain inviolable the Peace which had been so lately concluded; adding, that the situation of the French finances were such, that were not this desire of Peace in the First Consul an effect of system, it would be most imperiously dictated to him by the total impossibility in which this Country found itself of carrying on that extensive state of warfare, which even a partial rupture would naturally lead to. He expressed great surprize, therefore, that any suspicion should attach, when the means of disturbing the public tranquillity were, as must be well known in England, completely wanting; and desired to know what was the nature and degree of satisfaction which his Majesty would require. On this I told him, that I could not pretend to say by what means those apprehensions, which the conduct of his Government had raised in England, were to be allayed; but I could assure him, that in the discussion of them, we should be animated solely by a sincere desire to be convinced of the truth of his assertions, since on that depended the peace and happiness of Europe.

I took this opportunity of assuring him, that although, according to his statement of the situation of France, we might possess in a greater degree the means of supporting the expence of a War, since those means arose from sources which even a state of warfare did not dry up, yet such was his Majesty's sincere desire of maintaining Peace, that nothing but absolute and unavoidable necessity would ever induce him to deprive his subjects of the blessings which they begin to enjoy.

No. 59.

My Lord.

Paris, Feb. 21 1803.

My last dispatches, in which I gave your Lordship an account of my conference with M. de Talleyrand, was scarcely gone, when I received a note from him, informing me that the First Consul wished to converse with me, and desired I would come to him at the Thuilleries at nine o'clock. He received me in his Cabinet, with tolerable cordiality, and, after talking on different subjects for a few minutes, he desired me to sit down, as he himself did on the other side of the table, and began. He told me, that he felt it necessary after what had passed between me and M. de Talleyrand that he should in most clear and authentic manner, make known his sentiments to me in order to their being communicated to his Majesty; and he conceived this would be more effectually done by himself than through any medium whatever. He said, that it was a matter of insupportable disappointment to him, that the Treaty of Amiens, instead of being followed by conciliation and friendship, the natural effects of Peace, had been productive only of continual and increasing jealousy and mistrust; and that this mistrust was now avowed in such a manner as must bring the point to an issue.

He now enumerated the several provocations which he pretended to

have received from England. He placed in the first line our not evacuating Malta and Alexandria as we were bound to do by Treaty. In this he said that no consideration on earth should make him acquiesce; and that of the two he had rather see us in possession of the Faubourg St. Antoine than Malta. He then averted to the abuse thrown out against him in the public prints; but this he said, he did not so much regard as that which appeared in the French papers published in London. This he considered as much more mischievous, since it was meant to excite this country against him and his Government. He complained of the protection given to Georges and others of his description, who instead of being sent to Canada, as had been repeatedly promised, were permitted to remain in England, handsomely pensioned, and constantly committing all sorts of crimes on the coasts of France, as well as in the interior. In confirmation of this, he told me, that two men had within these few days been apprehended in Normandy, and were now on their way to Paris, who were hired Assassins, and employed by the Bishop of Arras, by the Baron de Colle, by Georges, and by Dutheil, as would be fully proved in a Court of Justice, and made known to the world.

He acknowledged, that the irritation he felt against England increased daily, because every wind (I make use as much as I can of his own ideas and expressions) which blew from England brought nothing but enmity and hatred against him.

He now went back to Egypt, and told me, that if he had felt the smallest inclination to take possession of it by force, he might have done it a month ago, by sending 25,000 men to Aboukir, who would have possessed themselves of the whole Country in defiance of the 4000 British in Alexandria. That instead of that Garrison being a means of protecting Egypt, it

was only furnishing him with a pretence for invading it. This he should not do, whatever might be his desire to have it as a Colony, because he did not think it worth the risque of a War, in which he might, perhaps, be considered as the aggressor, and by which he should loose more than he could gain, since sooner or later Egypt would belong to France, either by the falling to pieces of the Turkish Empire, or by some arrangement with the Porte.

As a proof of his desire to maintain Peace, he wished to know what he had to gain by going to War with England. A descent was the only means of offence he had, and that he was determined to attempt, by putting himself at the head of the expedition. But how could it be supposed, that after having gained the height on which he stood, he would risk his life and reputation in such a hazardous attempt, unless forced to do it by necessity, when the chances were that he and the greatest part of the expedition would go to the bottom of the sea. He talked much on this subject, but never affected to diminish the danger. He acknowledged that there were one hundred chances to one against him; but still he was determined to attempt it, if War should be the consequence of the present discussion; and that such was the disposition of the troops, that army after army would be found for the enterprise.

He then expatiated much on the natural force of the two Countries. France with an army of 480,000 men, for to this amount, it is, he said, to be immediately completed, all ready for the most desperate enterprise; and England with a fleet that made her mistress of the seas, and which he did not think he should be able to equal in less than ten years. Two such Countries by a proper understanding might govern the world, but by their strifes might overturn it. He said, that if

he had not felt the enmity of the British Government on every occasion since the Treaty of Amiens, there would have been nothing that he would not have done to prove his desire to conciliate; participation in indemnities as well as influence on the Continent; Treaties of Commerce, in short, any thing that could have given satisfaction, and have testified his friendship. Nothing, however, had been able to conquer the hatred of the British Government, and therefore it was now come to the point, whether we should have Peace or War. To preserve peace, the Treaty of Amiens must be fulfilled, the abuse of the public prints, if not totally suppressed, at least kept within bounds, and confined to the English Papers; and the protection so openly given to his bitterest enemies (alluding to Georges and persons of that description) must be withdrawn. If War, it was necessary to say so, and to refuse to fulfil the Treaty. He now made the Tour of Europe to prove to me, that in its present state, there was no Power with which we could coalesce for the purpose of making War against France; consequently it was our interest to gain time, and if we had any point to gain, renew the War when circumstances were more favourable. He said, it was not doing him justice to suppose, that he conceived himself above the opinion of his Country or of Europe. He would not risk uniting Europe against him by any violent act of aggression; neither was he so powerful in France as to persuade the Nation to War unless on good grounds. He said, that he had not chastised the Algerines, from his unwillingness to excite the jealousy of other Powers, but he hoped that England, Russia, and France would one day feel that it was their interest to destroy such a nest of thieves, and force them to live rather by cultivating their land than by plunder.

In the little I said to him, for he gave

gave me in the course of two hours but very few opportunities of saying a word, I confined myself strictly to the tenor of your Lordship's instructions. I urged them in the same manner as I had done to M. de Talleyrand, and dwelt as strongly as I could on the sensation which the publication of Sebastiani's report had created in England, where the views of France towards Egypt must always command the utmost vigilance and jealousy. He maintained that what ought to convince us of his desire of Peace, was on the one hand the little he had to gain by renewing the War, and on the other the facility with which he might have taken possession of Egypt with the very ships and troops which were now going from the Mediterranean to St. Domingo, and that with the approbation of all Europe, and more particularly of the Turks, who had repeatedly invited him to join with them for the purpose of forcing us to evacuate their Territory.

I do not pretend to follow the argument of the First Consul in the detail; this would be impossible, from the vast variety of matter, which he took occasion to introduce. His purpose was evidently to convince me that on Malta must depend Peace or War, and at the same time to impress upon my mind a strong idea of the means he possessed of annoying us at home and abroad.

With regard to the mistrust and jealousy which he said constantly prevailed since the conclusion of the Treaty of Amiens. I observed that after a War of such long duration, so full of rancor, and carried on in a manner of which history has no example, it was but natural that a considerable degree of agitation should prevail; but this, like the swell after a storm, would gradually subside, if not kept up by the policy of either party; that I would not pretend to pronounce which had been the aggressor in the Paper War

of which he complained and which was kept up, though with this difference, that in England it was independent of Government, and in France its very act and deed. To this I added, that it must be admitted that we had such motives of mistrust against France as could not be alledged against us, and I was going to instance the accession of Territory and influence gained by France since the Treaty, when he interrupted me by saying, I suppose you mean Piedmont and Switzerland; "ce sont des Bagatelies;" and it must have been foreseen whilst the Negotiation was pending; "vous n'avez pas le droit d'en parler a cette heure." I then alleged as a cause of mistrust and of jealousy, the impossibility of obtaining justice or any kind of redress for any of His Majesty's subjects. He asked me in what respect: and I told him that since the signing of the Treaty, not one British claimant had been satisfied, although every Frenchman of that description had been so within one month after that period; and that since I had been here, and I could say as much of my predecessors, not one satisfactory answer had been obtained to the innumerable representations which we had been under the necessity of making in favour of British subjects, and property detained in the several ports of France and elsewhere, without even a shadow of Justice: such an order of things, I said, was not made to inspire confidence; but, on the contrary, must create mistrust. This, he said, must be attributed to the natural difficulties attending such suits, when both parties thought themselves right; but he denied that such delays could proceed from any disinclination to do what was just and right. With regard to the pensions which were granted to French or Swiss individuals, I observed, that they were given as a reward for past services during the War, and most certainly not for present ones, and still less for such as had

Downing-street, February 18th. 1803.

MY LORD.

Your Excellency's dispatch, of February 21st, has been received, and laid before the King.

I have great satisfaction in communicating to you his Majesty's entire approbation of the able and judicious manner in which you appear to have executed the instructions which I gave to you in my dispatch of the 2th inst.

The account you have given of your interview with the First Consul, is in every respect important.

It is not necessary for me to remark on the tone and temper in which the sentiments of the First Consul appear to have been expressed, or to offer any observations in addition to those so properly made by your Excellency at the time, upon several of the topics which were brought forward by the First Consul in the course of your conversation; I shall therefore content myself with referring your Excellency to my dispatch to Mr. Merry, of August 28, 1802, in which the subject of the complaints of the French Government, respecting the Freedom of the Press, the Emigrants, &c. are particularly discussed. I cannot however avoid noticing, that nothing approaching to explanation or satisfaction is stated to have been thrown out by the First Consul, in answer to the just representations and complaints of his Majesty, in consequence of the unwarantable insinuations and charges contained in Colonel Sebastiani's Report against his Majesty's Government,—the Officer commanding his Forces in Egypt, and his army in that quarter: but that on the other hand, the language of the First Consul has tended to strengthen and confirm the suspicions which that publication was peculiarly calculated to excite.

I shall now proceed to give you some further instructions on the language which it may be proper for you

been insinuated, of a nature repugnant to the feelings of every individual in England, and to the universally acknowledged loyalty and honor of the British Government.

That as for any participation of Indemnities, or other accellions which his Majesty might have obtained, I could take upon myself to assure him that his Majesty's ambition led him rather to preserve than acquire. And that with regard to the most propitious moment for renewing hostilities, his Majesty whose sincere desire it was to continue the blessing of Peace to his subjects would always consider such a measure as the greatest calamity; but that if his Majesty was so desirous of Peace, it must not be imputed to the difficulty of obtaining allies, and the less so, as those means which it might be necessary to afford such Allies, for perhaps inadequate services, would all be concentrated in England, and give a proportionate increase of energy to our own exertions.

At this part of the conversation he rose from the chair, and told me that he should give orders to Gen. Androssé to enter on the discussion of this business with your Lordship; but he wished that I should at the same time be made acquainted with his motives and convinced of his sincerity rather from himself than from his Ministers. He then, after a conversation of two hours, during the greatest part of which he talked incessantly, conversed for a few moments on indifferent subjects, in apparent good humour, and retired.

Such was nearly, as I can recollect, the purport of this conference.

It must however be observed that he did not, as M. Talleyrand had done, affect to attribute Col. Sebastiani's mission to COMMERCIAL MOTIVES ONLY, but as one rendered necessary in a military point of view, by the infraction by us of the Treaty of Amiens.

I have the honour to be, &c.

Whitworth.

to hold respecting the charge which has been advanced against his Majesty's Government, of their unwillingness to fulfil the Treaty of Amiens. The Treaty of Amiens has been in a course of execution, on the part of his Majesty, in every article in which according to the spirit of that Treaty, it has been found capable of execution. There cannot be the least doubt, that Egypt is at this time completely evacuated. The delay which had arisen in the evacuation of Alexandria, was owing to accidental circumstances, the particulars of which were explained to you in my dispatch of the 30th November last; and I had every reason to believe, from the communication I had with Gen. Andreoffy on the subject, that the French Government were perfectly satisfied with the explanation which he was authorised at the time to give them respecting it.

With regard to that Article of the Treaty which relates to Malta, the stipulations contained in it (owing to circumstances which it was not in the power of his Majesty to controul,) have not been found capable of execution. The refusal of Russia to accede to the arrangement, except on condition that the Maltese Language should be abolished; the silence of the Court of Berlin with respect to the invitation that has been made to it, in consequence of the Treaty, to become a guarantying power; the abolition of the Spanish Pories, in defiance of the Treaty to which the King of Spain was a party: the declaration of the Portuguese Government of their intention to sequester the property of the Portuguese Priory, as forming a part of the Spanish Language, unless the property of the Spanish Pories is restored to them; the non-election of a Grand Master: these circumstances would have been sufficient, without any other special grounds, to have warranted his Majesty in suspending the evacuation of the Island, until some new arrangement could be ad-

justed for its security and independence. But when it is considered how greatly the dominion, power and influence of France have of late been extended, his Majesty must feel, that he has an incontestible right, conformably to the principles on which the Treaty of Peace was negotiated and concluded, to demand additional securities in any new arrangement which it might be necessary to make with a view of effecting the real objects of that Treaty. And these considerations, sufficient as they might be in themselves to justify the line of conduct which his Majesty had determined to adopt, have received additional force from the views which have been recently and unreservedly manifested by the French Government, respecting the Turkish dominions, and the Islands of the Adriatic (and which have been in a great degree admitted by the First Consul, in his interview with your Excellency) views which are directly repugnant, not only to the spirit, but to the letter of the Treaty of Amiens.

From the postscript in your Excellency's letter, it appears that a project was in contemplation, by which, according to the declaration of Mr. Talleyrand, the integrity of the Turkish territory would be secured so as to do away every cause of doubt or uneasiness either with regard to Egypt or to any other part of the Turkish dominions. His Majesty will consider the communication of such a project as indicating a disposition on the part of the French Government, to afford him explanation and satisfaction, respecting some of the points which have been the subject of his representations. But after all that has passed, his Majesty cannot consent that his troops should evacuate the Island of Malta, until substantial security has been provided for those objects, which, under the present circumstances, might be materially endangered by their removal.

I am, &c. HAWKESBURY.

His Excellency Lord Whitworth, &c.

Paris, 5th March, 1803.

MY LORD,

I saw M. de Talleyrand yesterday, and acquitted myself of your Lordship's instructions. I recapitulated the several arguments therein contained, dwelling particularly on the open avowal of the First Consul's views in Egypt; and concluding with the resolution of his Majesty not to withdraw his troops from Malta, until some security should be given, that by so doing his Majesty should not expose the safety of his own dominions.

He heard me with great patience, and in answer endeavoured, as before, to convince me that there was no reason whatever for the apprehensions which we entertained. That it was true, the acquisition of Egypt had been, and perhaps still was, a favourite object of the First Consul, but that it was not so much so as to allow him to go to War for its attainment.

I then told him that what he had in a particular manner excited the attention of your Lordship, in my last report, was the assurance he had given me of some Project being in contemplation, whereby the integrity of the Turkish Empire would be so insured, in all its parts, as to remove every doubt or apprehension. I begged him therefore, to explain himself on this subject, which I conceived to be of the utmost importance; since it was only by such means that both parties could be satisfied. He then gave me to understand, that what he had termed a Project was nothing more than what had been expressed in the First Consul's message to the legislative body, when he says, that there is a French Ambassador of Constantinople, who is charged to give every assurance of the disposition of France to strengthen, instead of to weaken, that Government. I expressed a doubt whether this, or any other parole security, would be considered as sufficient in such a trans-

action. Hereupon he repeated the question—What then is the security which you require, and which the First Consul can give? This I told him must be the subject of the Negotiation on which we were willing to enter; and I trusted that the French Government would bring into it the same temper, and the same real desire to conciliate, which was manifested by his Majesty's Ministers.

M. de Talleyrand now informed me, that the First Consul had, five or six days ago, ordered instructions to be sent to General Andreoffy, by which he was to require an immediate and categorical answer to the plain question—Whether his Majesty would or would not, cause Malta to be evacuated by the British troops? That he concluded that this communication was already made, and that he expected to learn the result of it in a few days; adding that all the First Consul wanted was to know precisely on what he had to depend.

I could not help lamenting this precipitate measure, since it could answer no good purpose, and would only tend to introduce into the discussion ill-humour and offended dignity, in the place of dispassionate reasoning. I begged him, however, to be prepared, and to prepare the First Consul, to meet with more opposition to his will than he had been accustomed to on similar occasions.

I told him that his Majesty was willing to discuss the point in dispute with fairness and candour, but certainly never would be intimidated into acquiescence; and I repeatedly urged, that if he wished well to the Peace of the two Countries, he should prepare the First Consul for the consequences which might naturally be expected from this step, and thus prevent the effect of any sudden gust of ill-humour. He was unwilling to admit that there could be any chance of satisfying the First Consul short of a compliance with his

his wishes, founded as he pretended on good faith:

Our conversation ended here, and I wait the result of General Andreossi's communication with the utmost impatience.

I have the honour to be, &c.

(Signed) WHITWORTH.

P. S. In the interval between the writing and the transcribing the above dispatch, I have taken another opportunity of seeing M. de Talleyrand, and I am glad to find, that (for what purpose I know not) he had represented the instructions to General Andreossi as much more absolute and offensive than they really are. I found him to-day entirely disposed to give me another opinion, and to convince me that the First Consul, far from wishing to carry matters to extremity, was desirous to discuss fairly and without passion, a point, which he admitted was of importance to both Countries. He repeatedly assured me, that much as the First Consul might have the acquisition of Egypt at heart, he would sacrifice his own feelings to the preservation of Peace; and henceforth seek to augment his glory, by improving and consolidating the internal situation of the Country, rather than by adding to its possessions.

(Signed) W.

Right Hon. Lord Hawkebury, &c.

No. 41.

Note from General Andreossi to Lord Hawkebury dated March 10, 1803.

The undersigned Ambassador and Minister Plenipotentiary of the French Republic to his Britannic Majesty, had received from the First Consul express orders to require from the British Government some explanations respecting the protracted occupation of the Island of Malta by the English troops. He had hoped that verbal communications would have been sufficient to have produced satisfactory exposition, by preparing the way for the mutual

conciliation of minds and interests, a conduct which has been prescribed to him by his ardent zeal for the maintenance of harmony between the two Countries, and of the Peace of Europe, objects of the solicitude of the French Government: But the undersigned thinks he can no longer delay complying with the instructions he had received, and he has, therefore the honour of addressing the following observations to his Excellency Lord Hawkebury, which recollect to recollection the spirit and the leading features of the verbal communications which he has previously made to him.

By the conditions of the fourth paragraph of the 10th Article of the Treaty of Amiens, the English troops were to evacuate the Island of Malta and its Dependencies three months after the exchange of the ratifications.

Ten months have elapsed since the ratifications have been exchanged, and the English troops are still at Malta.

The French troops, on the contrary who were to evacuate the Neapolitan and Papal States have not waited the expiration of the three months which were granted to them to withdraw, and have quitted Tarentum, the fortifications of which they had re-established, and where they had collected 100 pieces of cannon.

What can be alledged in justification of the delay in evacuating Malta? Has not the 10th article of the Treaty of Amiens provided for every thing? And the Neapolitan troops being arrived, under what pretext do those of England still remain there?

It is because all the powers enumerated in the sixth paragraph have not yet accepted the guaranty which is devolved upon them? But this is not a condition that relates to the evacuation of the Island; and besides, Austria has already sent its Act of Guaranty: Russia itself has made only a single difficulty which is done away by the accession

sion of the First Consul to the modifications proposed, unless indeed England itself throws obstacles in the way, by refusing to accede to the proposals of Russia, which after all could not affect the engagements of his Britannic Majesty, who according to the express conditions of the Treaty, is to evacuate the Island of Malta within three months, placing it under the guard of the Neapolitans, who are to garrison it, until the definitive arrangements of the Order are settled.

It should, therefore, seem impossible, and it would be without example in the History of Nations, were his Britannic Majesty to refuse to execute a fundamental article of the pacification, of the very one, which, in the drawing up of the Preliminaries, was considered as the first, and as requiring to be settled previously to every other point.

Indeed, the First Consul who cordially relies on the intentions of his Britannic Majesty, and cannot suppose them to be less open and generous than those with which he is animated, has hitherto been unwilling to attribute the delay of the evacuation of the Island of Malta, to any other than to maritime circumstances.

The undersigned is, therefore, charged to require explanations on this point, and he is persuaded that the British Ministry will be the more anxious to furnish such as will be satisfactory, as they must be sensible how necessary they are for the maintenance of harmony, and how important they are for the honour of the two nations.

The Undersigned avails himself of this opportunity to renew to Lord Hawkebury the assurances of his high consideration.

(Signed) F. ANDROSSY,

Portland-place, 12th March, 1803.

No. 42.

Paris, March 12, 1803.

MY LORD,

The Messenger Mason, arrived

yesterday morning early, with your Lordship's letter of the 7th, informing me, that in consequence of the preparations in the Ports of France and Holland, which, though avowedly intended for colonial service, might, in the event of the rupture, be turned against some part of the British dominions, his Majesty had judged it expedient to send a Message to both Houses of Parliament, recommending, in terms void of offence, the adoption of such measures as may be consistent with the honour of his Crown, and the security of his dominions, and at the same time such as will manifest his Majesty's disposition for the preservation of Peace.

I beg leave to return your Lordship my thanks for having apprized me of this circumstance by a special Messenger; I found, however, on going to M. de Talleyrand, at two o'clock, that he was already informed of it. He was just setting out to communicate it to the First Consul, and appeared under considerable agitation. He returned with me to his Cabinet, and though he told me he was pressed for time, he suffered me to relate the circumstance without interruption. I endeavoured to make him sensible that this measure was merely precautionary, and not in the least degree intended as a menace, I concluded my observations by repeating that it was merely a measure of self security, founded on the armaments which were carrying on in the ports of France and Holland, remarking, at the same time, that had not even these armaments been as notorious as they were, the very circumstance of the First Consul's determination to augment so considerably his army in time of Peace, would have been a full and sufficient motive for such a measure of precaution.

M. de Talleyrand now informed me that he was already acquainted with the business; that a Messenger had that morn-

morning arrived, who had brought him a copy of the Message, which he communicated to me. I could draw from him no reply whatever to my observations. He confined himself strictly to the assurance which he has so repeatedly made, that there was no foundation whatever for the alarm which was felt by his Majesty's Ministers; that the First Consul was pacific; that he had no thoughts whatever of attacking his Majesty's dominions, unless forced to do so by the commencement of hostilities on our part; that he should always consider the *Refusal to evacuate Malta as such a Commencement of Hostilities*; and that as we had hitherto hesitated to do so, he was justified in adopting the measures which might eventually be necessary. He disclaimed every idea of the armaments sitting out in the Dutch ports having any other destination than to the colonies, and concluded that for his part, he could not comprehend the motives which had necessitated a resort to such a measure on the part of his Majesty's Government.

He then desired leave to go to the First Consul, promising that he would let me know the result when we met at dinner at the Prussian Minister's. He did not come there till near seven o'clock, and when we arose from dinner, he took me aside, and informed me, that although the First Consul had been highly irritated at the unjust suspicion which his Majesty's Government entertained, yet he would not allow himself to be so far mastered by his feeling, as to loose sight of the calamities which the present discussion might entail upon humanity. He dwelt much on this topic, and explained the measures to which he should be obliged to resort; he said that if England wished to discuss fairly, he wished the same; that if England prepared for War, he would do the same; and that if England should finally determine on hostilities, he trusted to the

support of the French Nation in the cause of honour and of justice. It was in vain that I repeated that England did not wish for War; that Peace was as necessary to us as it could be to France; that all we desired, and all that we were contending for, was security; that every thing proved to us that that security was threatened by the First Consul's views on Egypt; and that consequently our refusal to evacuate Malta, was become as much a necessary measure of precaution, as the defence of any part of his Majesty's dominions. To this kind of reasoning M. de Talleyrand opposed the moderation of the First Consul, his great self-denial, and his determination to sacrifice even the most favourite points to his sincere desire to avoid a rupture.

M. de Talleyrand now told me, that, in order to facilitate my communication of the First Consul's sentiments, he would communicate to me a Paper which he had that morning drawn up with him; that it was not to be considered as any thing absolutely official; that it was a memorandum to assist me, but such as I might, if I choose, transmit to your Lordship. I now inclose it.

I have the honour to be, &c.

(Signed) WHITWORTH.

Right Honourable Lord Hawke-
bury, &c. &c.

Note referred to in the above Letter.

I. If his Britannic Majesty in his Message means to speak of the expedition of Helvoetsluys, all the world knows that it was destined for America, and that it was on the point of sailing for its destination, but in consequence of his Majesty's Message, the embarkation and putting to sea are about to be countermanded.

II. If we do not receive satisfactory explanation respecting these armaments in England, and if they actually take place, it is natural that the First

Consul should march 20,000 men into Holland, since Holland is mentioned in the Message.

III. These troops being once in the Country, *it is natural* that an encampment should be formed on the frontiers of Hanover; and, moreover, that additional bodies should join those troops which were already embarked for America, in order to form new embarkations, and to maintain an offensive and defensive position.

IV. *It is natural* that the First Consul should order several camps to be formed at Calais, and on different points of the coasts.

V. *It is likewise in the nature of things*, that the First Consul, who was on the point of evacuating Switzerland, should be under the necessity of continuing a French army in that Country.

VI. *It is also the natural consequence of all this*, that the First Consul should send a fresh force into Italy, in order to occupy, in case of necessity, the position of Tarentum.

VII. England arming, and arming with so much publicity, will compel France to put her armies on the war establishment, a step so important, as cannot fail to agitate all Europe.

The result of all these movements will be to irritate the two Countries still more. France will have been compelled to take all these precautions in consequence of the English armaments and nevertheless every means will be taken to excite the English Nation by the assertion, that France meditates an invasion. The whole British population will be obliged to put themselves under arms for their defence, and their export trade will, even before the War, be in a state a stagnation throughout the whole extent of the Countries occupied by the French arms.

The experience of nations, and the course of events prove, that the dif-

tance between such a state of things and actual hostility, is unfortunately not remote.

As to the differences, of which mention is made in his Britannic Majesty's Message, we know not of any that we have with England; for it cannot be imagined that a serious intention can have existed in England of evading the execution of the Treaty of Amiens, under the protection of a military armament, Europe well knows that it is possible to attempt the dismemberment of France, but not to intimidate her.

NO. 43.

My Lord,

Paris, March 14, 1793.

The Messenger Mafon went on Saturday with my despatches of that date, and until yesterday, Sunday, I saw no one likely to give me any further information such as I could depend upon, as to the effect which his Majesty's Message had produced on the First Consul. At the Court which was held at the Thuilleries upon that day, he accosted me evidently under very considerable agitation. He began by asking me if I had any news from England. I told him that I had received letters from your Lordship two days ago. He immediately said, and so you are determined to go to War. No! I replied, we are too sensible of the advantages of Peace.—*Nous avons, said he, déjà fait la Guerre pendant quinze ans.*—As he seemed to wait for an answer, I observed only, *C'en est déjà trop.*—*Mais, said he, vous voulez la faire encore quinze années, et vous m'y forcez.*—I told him, that was very far from his Majesty's intentions.—He then proceeded to Count Marow and the Chevalier Azara, who were standing together at a little distance from me, and said to them, *les Anglois veulent la Guerre, mais s'ils sont les premiers à tirer l'épée, je serai le dernier à la remettre. Ils ne respectent pas les Traités.*

Traités. Il faut dorénavant les couvrir de crepe noir.—He then went his round. In a few minutes he came back to me, and resumed the conversation, if such it can be called, by something personally civil to me. He began again.—Pourquoi des armemens? Contre qui des mesures de precaution? Je n'ai pas un seul vaisseau de ligne dans les ports de France; mais si vous voulez armer, j'armerai aussi; si vous voulez vous battre, je me battrai aussi. Vous pourrez peut-être tuer le France, mais jamais l'intimider.—On ne voudroit, said I, ni l'un ni l'autre. On voudroit vivre en bonne intelligence avec elle.—Il faut donc respecter les Traités, replied he; Malheur à ceux qui ne respectent pas les Traités; ils en seront responsables à toute l'Europe.—He was too much agitated to make it advisable for me to prolong the conversation; I therefore made no answer, and he retired to his apartment, repeating the last phrase.

It is to be remarked that all this passed loud enough to be overheard by two hundred people who were present, and I am persuaded that there was not a single person, who did not feel the extreme impropriety of his conduct, and the total want of dignity as well as of decency on the occasion.

I propose taking the first opportunity of speaking to Mr. Talleyrand on this subject.

I have the honour to be, &c.

(Signed) WHITWORTH.

Right Hon. Lord Hawkesbury, &c.

NO. 44.

Extract of a Dispatch from Lord Hawkesbury to Lord Whitworth, dated March 15, 1803.

I send your Excellency a copy of the Note presented to me by General Andreossi on the 10th inst, and a copy of the Answer which I have

this day by his Majesty's commands returned to it.

NOTE:

NO. 45.

The undersigned, his Majesty's Principal Secretary of State for Foreign Affairs, has laid before the King the Note of his Excellency the French Ambassador of the 10th instant.

In obeying the commands of his Majesty, by returning an official answer to this note, the undersigned feels it necessary for him to do little more than repeat the explanations which have been already given on more than one occasion by himself verbally to General Andreossi, and by Lord Whitworth to M. Talleyrand, on the subject of the note, and of the points which appear to be connected with it. He can have no difficulty in assuring the French Ambassador, that his Majesty has entertained a most sincere desire that the Treaty of Amiens might be executed in a full and complete manner; but it has not been possible for him to consider this Treaty as having been founded on principles different from those which have been invariably applied to every other antecedent Treaty or Convention, namely, that they were negotiated with reference to the actual *state of possession* of the different parties, and to the *Treaties or public Engagements* by which they were bound at the time of its conclusion; and that if that state of possession and of engagements was so materially altered by the act of either of the parties as to effect the nature of the compact itself, the other party has a right according to the Law of Nations, to interfere for the purpose of obtaining satisfaction or compensation for any essential difference which such acts may have subsequently made in their relative situation; that if there ever was a case to which

this

this principle might be applied with peculiar propriety, it was that of the late Treaty of Peace; for the Negotiation was conducted on a basis not merely proposed by his Majesty, but specially agreed to, in an official note, by the French Government, viz. *that his Majesty should keep a compensation out of his conquests for the important acquisition of territory made by France upon the Continent.* That is a sufficient proof that the compact was understood to have been concluded in relation to the then existing state of things; for the measure of his Majesty's compensation was to be calculated with reference to the acquisitions of France at that time; and if the interference of the French Government in the general affairs of Europe since that period; if their interposition with respect to Switzerland and Holland, whose independence was guaranteed by them at the time of the conclusion of the Treaty of Peace, if the acquisitions which have been made by France in various quarters, but particularly those in Italy, have extended the territory and increased the power of France, his Majesty would be warranted, consistently with the spirit of the Treaty of Peace, in claiming equivalents for these acquisitions, as a counterpoise to the augmentation of the power of France. His Majesty, however, anxious to prevent all ground of misunderstanding, and desirous of consolidating the general Peace of Europe, as far as might be in his power, was willing to have waved the pretensions, he might have a right to advance of this nature; and as the other articles of the Definitive Treaty have been in a course of execution on his part, so he would have been ready to have carried into effect an arrangement conformable to the true intent and spirit of the tenth article; the execution of that arrangement, according to its terms having been rendered impracticable by circumstan-

ces which it was not in his Majesty's power to controul. Whilst his Majesty was actuated by these sentiments of moderation and forbearance, and prepared to regulate his conduct in conformity to them, his attention was particularly attracted by the very extraordinary publication of the report of Colonel Sebastiani to the First Consul. This report contains the most unjustifiable insinuations and charges against his Majesty's Government; against the officer commanding his force in Egypt, and against the British army in that quarter: insinuations and charges wholly destitute of foundation, and such as would have warranted his Majesty in demanding that satisfaction which on occasions of this nature, independent Powers, in a state of amity, have a right to expect from each other. It discloses, moreover, views in the highest degree injurious to the interests of his Majesty's dominions, and directly repugnant to, and utterly inconsistent with, the spirit and letter of the Treaty of Peace concluded between his Majesty and the French Government. His Majesty's Ambassador at Paris was accordingly directed to make such a representation to the French Government, as his Majesty felt to be called for by imputations of the nature above described, by the disclosure of purposes inconsistent with good faith, and highly injurious to the interests of his People; and as a claim had recently been made by the French Government on the subject of the evacuation of Malta, Lord Whitworth was instructed to accompany this representation by a declaration on the part of his Majesty, that before he could enter into any further discussions relative to that Island, it was expected, that satisfactory explanations should be given upon the various points respecting which his Majesty had complained. This representation and this claim, founded on

prin-

principles incontestably just, and couched in terms the most temperate, appear to have been wholly disregarded by the French Government; no satisfaction has been afforded, no explanation whatever has been given; but on the contrary, his Majesty's suspicions of the views of the French Government with respect to the Turkish Empire have been confirmed and strengthened by subsequent events. Under these circumstances his Majesty feels that he has no alternative, and that a just regard to his own honour and to the interests of his people, makes it necessary for him to declare, that he cannot consent that his troops should evacuate the island of Malta, until substantial security has been provided for those objects which, under the present circumstances, might be materially endangered by their removal.

With respect to several of the positions stated in the note, and grounded on the idea of the 10th Article being executed in its literal sense, they call for some observations. By the 10th Article of the Treaty of Amiens, the Island of Malta was to be restored by his Majesty to the Order of St. John, upon certain conditions. The evacuation of the island, at a specified period, formed a part of these conditions; and if the other stipulations had been in a due course of execution his Majesty would have been bound, by the terms of the Treaty to have ordered his forces to evacuate the island; but these conditions must be considered as being all of equal effect; and if any material parts of them should have been found incapable of execution, or if the execution of them should from any circumstances have been retarded, his Majesty would be warranted in deferring the evacuation of the island until such time as the other conditions of the article could be effected; or

until some new arrangement could be concluded which should be judged satisfactory by the contracting parties. The refusal of Russia to accede to the arrangement, except on condition that the Maltese language should be abolished; the silence of the Court of Berlin, with respect to the invitation that has been made to it, in consequence of the Treaty, to become a guaranteeing Power; the abolition of the Spanish priories, in defiance of the Treaty to which the King of Spain was a party; the declaration of the Portuguese Government, of their intention to sequester the property of the Portuguese priory, as forming a part of the Spanish language, unless the property of the Spanish priories was restored to them,—these circumstances would have been sufficient, without any other special grounds, to have warranted his Majesty in suspending the evacuation of the island. The evacuation of Tarentum and Brundisium is in no respect connected with that of Malta. The French Government were bound to evacuate the Kingdom of Naples by their Treaty of Peace with the King of Naples, at a period antecedent to that at which this stipulation was carried into effect.

The French Government were bound likewise, by engagements with the Emperor of Russia, to respect the independence of the Kingdom of Naples; but even admitting that the departure of the French troops from Tarentum depended solely on the article of the Treaty of Amiens, their departure is, by the terms of the Treaty, to take place at the same period as the other evacuations in Europe; namely, one month after the ratification of the Definitive Treaty; at which period both Porto Ferrajo and Minorca were evacuated by his Majesty's forces; whereas the troops of his Majesty were in no case bound to evacuate the Island of Malta an-

Paris, March 17, 1803.

tecedent to the period of three months after the ratification of the Definitive Treaty; and even in that event, it must be considered as depending upon the other parts of the arrangement being in a course of execution. With respect to the assertion in the note, that the Neapolitan troops were to form the garrison of Malta until the period when the arrangements relative to the Order could be carried into effect, it will appear, by a reference to the article, that by the preliminary paragraph, the island was to be restored to the Order, upon the condition of the succeeding stipulations, and that it was only from the period when the Restitution to the Order had actually taken place, that by the twelfth paragraph the Neapolitan troops were to form a part of the garrison.

The undersigned has thus stated, with all the frankness which the importance of the subject appears to require, the sentiments of his Majesty on the note delivered to him by General Andreossi, and on the points in discussion between the two Countries.

His Majesty is willing to indulge the hope, that the conduct of the French Government on this occasion may be influenced by principles similar to those which have invariably influenced his own. That as far as possible all causes of distrust, and every impediment to a good understanding between the two countries, may be completely and effectually removed, and that the peace may be consolidated on a secure and lasting foundation.

The undersigned requests General Andreossi to accept the assurances of his high consideration.

Downing-street, March 15, 1803.

(Signed) HAWKESBURY.

His Excellency General An- }
dreossi, &c. &c. &c. }

My Lord.

I called yesterday on M. de Talleyrand, to converse with him on the subject of what had passed on Sunday last at the Thuilleries. He had been since that day so fully occupied with his Expeditions to different foreign Courts, that I had no opportunity of seeing him sooner. I told him, that I had been placed by the First Consul in a situation which could neither suit my public nor my private feelings. That I went to the Thuilleries to pay my respects to the First Consul, and to present my countrymen, but not to treat of political subjects; and that unless I had the assurance from him, that I should not be exposed to a repetition of the same disagreeable circumstances, I should be under the necessity of discontinuing my visits to the Thuilleries. M. de Talleyrand assured me, that it was very far from the First Consul's intention to distress me: but he had felt himself personally insulted by the charges which were brought against him by the English Government; and that it was incumbent upon him to take the first opportunity of exculpating himself in the presence of the Ministers of the different Powers of Europe. He assured me that nothing similar would occur.

(Signed) WHITWORTH.

The Right Hon. Lord Hawkes- }
bury, &c. &c. &c. }

NO. 47.

Paris, March 18, 1803.

My Lord,

I received your Lordship's dispatch, with its inclosures, this morning early; and I learnt at the same time that a messenger had arrived from General Andreossi to M. de Talleyrand; shortly after, M. de Talleyrand sent to desire I would call upon him, which I accordingly did. He told me that he had not only received your Lordship's Note to the

French

French Ambassador, but also the sentiments of the First Consul upon it, which he was desirous to communicate to me, before he re-dispatched the messenger. This he did, and I refer your Lordship to the communication which General Andreoffy will make, according to his instructions, without loss of time.

From the tenor of this Note, it appears that this Government is not desirous to proceed to extremities; that is to say, it is not prepared so to do; and therefore it expresses a willingness to enter on the discussion of the point, which appears according to their conception, or rather to the interpretation they choose to give to it, the most material. This of course is the safety of Egypt. On this the First Consul declares in the Note, as M. de Talleyrand did repeatedly to me, that he would be willing to enter into any engagement, by which such a security as would fully quiet our apprehensions, might be given on the part of the French Government. On the subject of Malta, the First Consul maintains that he cannot listen to any compromise; with regard to Egypt he is willing to enter into any engagement which may be thought sufficient.

I told him that he had departed from the letter and the sense of your Lordship's Note, by confining the question to Malta alone. That Note had comprehended other most important considerations. That the best method of bringing the discussion to a speedy conclusion, such as his Majesty's Government appeared to wish was to take it up on a broader scale. But that at the same time his Majesty's Government would not refuse to lend itself to any thing reasonable which might be suggested. There was however, I told him, one distinction to be made in the situation of the two Governments, in the discussion of this question; By our possession

of Malta, France was not threatened, but the reverse was the case, should the access to Egypt be opened by its evacuation.

I have the honor to be, &c.

(Signed) WHITWORTH.

The Right Honorable Lord }
Hawkesbury, &c. &c. &c. }

NO. 48.

Downing-street, March 22. 1803.

My Lord.

Your Excellency's several dispatches to NO. 26 inclusive, have been received and laid before the King.

With respect to the subject of your Excellency's dispatch of March 14, I have it in command to signify to you his Majesty's pleasure, that you take the earliest opportunity to represent to Monsieur de Talleyrand, the surprize with which his Majesty has learnt the conduct which the First Consul had observed towards your Excellency in the instance to which that dispatch refers; and you will add, that as his Majesty has a right to expect that his Ambassador should be treated with the respect and attention due to the dignity of the Sovereign whom he represents, it will be impossible for you to present yourself on any days of ceremony to the First Consul, unless you receive an assurance that you will never be exposed to a repetition of the treatment which you experienced on the occasion.

Although your Excellency appears to have anticipated this instruction in one of your most recent conversations with Monsieur de Talleyrand, I nevertheless think it right to enable your Excellency to state to that Minister, the sense which the King entertains of this transaction.

I am, with great truth and respect,

(Signed) HAWKESBURY.

His Excellency Lord Whit- }
worth, K. B. &c. &c. &c. }

(In-

(Inclosure referred to in NO. 49.)

The undersigned, his Majesty's principal Secretary of State for Foreign Affairs, has laid before the King the Note of his Excellency General Andreossi, of the 29th of last month.

His Majesty has been induced, by that spirit of moderation and forbearance which have invariably governed his conduct in every part of his communications with the French Government, to abstain from making many observations, which the perusal of this Note may naturally have suggested to his mind.

His Majesty has perceived with great regret, that the French Government continue to withhold all satisfaction and explanation on the points on which he has complained; and that at the time when they evade all discussion on the subject of his representations, they persist in their requisition that the Island of Malta should be forthwith evacuated by his forces.

His Majesty can never so far forget what is due to himself and to his people, as to acquiesce in such a course of proceeding; he has therefore judged it expedient to give instruction to his Ambassador at Paris, to ascertain distinctly from the French Government, whether they are determined to persevere in withholding all satisfaction and explanation on the points on which his Majesty has complained—or whether they are disposed, without delay, to give such satisfaction and explanations upon the present state of affairs as may lead to an agreement which may be calculated to adjust the differences at present subsisting between the two Governments. It is his Majesty's anxious desire, that by this mode of proceeding an end may be put to that state of suspense and irritation, which must be so injurious to the interests of both

Countries; and that the two Governments, actuated by the same principles of justice and moderation, may be led to concur in such measures as are most likely to conduce to their permanent tranquillity.

The Undersigned requests General Andreossi to accept the assurances of his high consideration.

HAWKESBURY.

His Excellency General }
Andreossi, &c. &c. }

Done:—Bres., April 31, 1853.

NO. 50.—(April 4) Lord Hawkesbury urges Lord Whitworth to bring the negotiation to a speedy conclusion, as Andreossi's note evades the real points in discussion. If France simply insists on evacuating Malta, without entering into discussion, Lord Whitworth is to give notice of his departure. This note incloses a note to the same effect to the French Government, and the following *projet*.

Heads of an Arrangement to be concluded by Treaty or Convention between his Majesty and the French Government.

Malta to remain in perpetuity in the possession of his Majesty. The Knights of the Order of St. John to be indemnified by his Majesty for any losses of property which they may sustain, in consequence of such an arrangement.

Holland and Switzerland to be evacuated by the French troops.

The Island of Elba to be confirmed by his Majesty to France, and the King of Etruria to be acknowledged.

The Italian and Ligurian Republics to be acknowledged by his Majesty, provided an arrangement is made in Italy for the King of Sardinia, which shall be satisfactory to him.

NO. 51.—Lord Whitworth acknowledges the receipt of the above.

NO. 52.—Lord Whitworth (April 7) gives an account of his interview with Talleyrand on presenting the above *projet* and note. Talleyrand substituted the most groundless assertions for arguments. He promised to communicate the *projet* to the Chief Consul that evening.

Inclosed is a note, in which France refuses to do any thing contrary to the Treaty of Amiens; but offers to make any Convention to remove mutual grievances.

NO. 53.—(Paris, April 9.)—Lord Whitworth gives an account of an interview and a long discussion with Talleyrand, about Malta, which was productive of no result.

NO. 54.—(April 14)—Lord Whitworth tells Lord H. the Negotiation is at a stand, in hopes the offer from France will bring something good from London.

NO. 55.—Lord Hawkesbury desires Lord W. to complain of the conduct of the French Minister at Hamburgh in inserting the Manifesto in the newspaper.

NO. 56.—(April 13)—Lord Hawkesbury to Lord W. is happy to find France admit our right to compensation for her extended dominion. Repeats that the execution of the Treaty respecting Malta is become impracticable by the abolition of the Langues and Revenues of several of the Orders, and the refusal of two of the great Powers to guarantee, but on particular conditions. His Majesty may be induced to hold Malta for only ten years, then to give it to the inhabitants, not to the Order. If no hopes of this, tell Talleyrand in a short time you must leave Paris.

NO. 57.—Lord Whitworth tells that the French Minister blames the conduct of Rheinhardt at Hamburgh.

NO. 58.—(April 18.)—Lord Whitworth relates a conversation with Jo-

seph Bonaparte. Joseph did not think Malta could be given in perpetuity, but it might be hoped for a term of years, and he would propose this to the Chief Consul. This proposal does not come from Lord Whitworth though secretly authorised to it by Lord H.

NO. 59.—Lord Whitworth informs his Court that Joseph Bonaparte and Talleyrand had held out to him hopes of an easy accommodation on the terms he proposed; but he had heard nothing further of the interview which was to have taken place for this adjustment; and therefore as delay alone thus appears to be sought for, Lord W. begs he may be furnished with an Ultimatum; and in the event of its refusal by the French Government, he requests he may be authorised to quit Paris.

NO. 60.—Lord Hawkesbury desires Lord Whitworth to urge the same proposition as will be found at length in the *projet* (NO. 70;) and in the event of their not being complied with, to leave Paris.

NO. 61.—A conversation between Lord Whitworth and M. Talleyrand, in which the latter observed, that the First Consul would for no consideration on earth consent to Great-Britain holding the island of Malta in perpetuity, and that it was not so much the re-establishment of the order, as our acquiring a possession in the Mediterranean that was the object of dispute. Lord Whitworth mentions the conditions on which it would be given up, M. Talleyrand says that rather than consent to our keeping it for any term of years, the First Consul would sooner allow us to retain it altogether, as the latter might look like magnanimity, whereas the former could only be construed into weakness.

NOs. 62, 63.—Two conversations between Lord Whitworth on the same subject and with the same suc-

cess. In the latter conversation Lord W. fixes on the day of his departure provided no decisive answer was given.

NO. 64.—(April 29) Lord Whitworth states his design of leaving Paris.

Inclosure to NO. 65.—Lord Whitworth having apprised the French Government, that unless the ultimatum was accepted in eight days, he must depart; now (May 2) demands passports for himself and suite.

NO. 66.—The Chief Consul wishes to refer the dispute to Spain and Holland, as parties to the Treaty of Amiens; and also to consult Russia, Prussia, and Austria, as the guaranties, before any change can be made. In answer to this, Lord Whitworth says the proposition is hopeless, and again demands his passports (May 8).

NO. 67.—Incloses a Note in which the French Government throw out the idea that Malta may be given up to either Austria, Russia, or Prussia, as may be agreed upon.

NO. 68.—(May 7). Lord Hawkesbury informs Lord W. the propositions of the French Government are so loose and unsatisfactory; it is impossible they could expect them to be accepted. Until the very moment you were on the point of leaving Paris, the French Government has declined making any distinct proposition. To Russia alone England would give Malta; but the English Government well knows Russia would not accept it. England must have Malta at least for ten years, and the Island of Lampedosa. The period for which Malta is given up may be mentioned in a secret article, to conceal the sacrifice on the part of France; but it may appear to depend on the period when the Island of Lampedosa shall be in good condition. If this is not accepted, Lord W. is to leave Paris in thirty-six hours; but not to

make any agreement unless the conduct of the French Minister at Edinburgh is publicly disavowed.

NO. 69.—Lord Whitworth acknowledges receiving the above dispatch; but on account of the accident of the Chief Consul, did not communicate it for a day.

NO. 70.

Note of LORD WHITWORTH.

The undersigned, his Britannic Majesty's Ambassador Extraordinary and Plenipotentiary to the French Republic, having transmitted to his Court the proposal which was made to him by the Minister for Foreign Affairs on the 3d inst. has just received orders to transmit to his Excellency the accompanying project of a Convention, founded on the only basis which his Majesty conceives under the existing circumstances to be susceptible of a definitive and amicable arrangement. The Minister for Foreign Affairs will not fail to observe to what degree his Majesty has endeavoured to conciliate the security of his interests with the dignity of the First Consul. The undersigned flatters himself, that the First Consul, doing justice to these sentiments, will adopt in concert with his Majesty an expedient so suitable for restoring permanent tranquillity to both Nations, and to all Europe.

The undersigned avails himself of this opportunity, to renew to his Excellency the assurance of his highest consideration.

(Signed) WHITWORTH.

PROJECT.

I. The French Government shall engage to make no opposition to the cession of the Island of Lampedosa to his Majesty by the King of the two Sicilies.

II. In consequence of the present state of the Island of Lampedosa,

his

his Majesty shall remain in possession of the Island of Malta until such arrangements shall be made by him as may enable his Majesty to occupy Lampedosa as a Naval Station; after which period the island of Malta shall be given to the inhabitants, and acknowledged as an independent State.

III. The territories of the Bata-vian Republic shall be evacuated by the French forces within one month after the conclusion of a Convention founded on the principles of this project.

IV. The King of Etruria, and the Italian and Ligurian Republics shall be acknowledged by his Majesty.

V. Switzerland shall be evacuated by the French forces.

VI. A suitable territorial provision shall be assigned to the King of Sardinia in Italy.

SECRET ARTICLE.

His Majesty shall not be required by the French Government to evacuate the Island of Malta until after the expiration of ten years.

Articles IV. V. VI. may be entirely omitted, or must all be inserted.

ADDITIONAL PAPERS PRESENTED TO THE HOUSE OF COMMONS BY LORD HAWKESBURY.

NO. 1.—Extract of a Dispatch from Mr. Merry to Lord Hawkesbury, dated June 17, 1802, in which he informs his Lordship, that the remonstrances to the French Government upon the subject of the seizure of the British sloop *Fame*, which had entered Cherbourg by stress of weather, had proved ineffectual.

NO. 2.—Extract of a Dispatch from Mr. Merry to Lord Hawkesbury, dated June 23, inclosing a Note from the French Minister, stating,

that he had no doubt the French Government would be equally ready to render justice to English subjects having property in France, as the British Government had been with respect to French subjects having property in England.

NOs. 3 and 4, are Extracts of Dispatches from Mr. Merry to Lord Hawkesbury, dated July 5, and August 4, in which he laments that his representation to M. Talleyrand, respecting the seizure of the *Fame* packet, had failed either of procuring the release of that vessel, or of drawing forth any explanation with regard to the law which gave occasion to her detention.

NO. 5.—A Dispatch from Mr. Merry to Lord Hawkesbury, dated Sept. 20, acknowledging the receipt of a letter from his Lordship, containing the complaints of the owners of the British brig *Jennies*, which had been seized in a French port. Mr. Merry states, that he had represented the case to M. Talleyrand, but that he entertained no hopes of any redress being obtained in this instance, since none had been produced with respect to a still stronger case (the *Fame* packet, driven into Cherbourg by stress of weather), the *Jennies* having come designedly to the port of Charante, with prohibited goods on board, the law for confiscating all vessels with British manufactures still continuing in force.

NO. 6.—Extract of a Dispatch from Mr. Merry to Lord Hawkesbury, dated October 18, inclosing a note from M. Talleyrand, in which he states, that the necessary orders had been given by the French Government for justice to be done to the Proprietors of the British ship *Porcher*, captured by the Bellona French privateer.

NO. 7.—Copy of a Dispatch from Lord Hawkesbury to Mr. Merry.

Downing-street, May 20, 1802.

SIR,

Various reports having been received in this country of strict prohibitions being enforced with respect to the admission of British commodities and manufactures into France, and of very rigorous restrictions being imposed on British vessels entering the ports of that country; I have to signify to you his Majesty's pleasure, that you transmit to me, without delay, the most detailed and accurate statement which you can procure on those points; and that you take an early opportunity to impress upon the French Ministers, the necessity of some understanding being established between his Majesty's Government and that of France, on the subject of the commercial intercourse between the two countries. As it is probable that you may be uncertain, as to the course that you should pursue in supporting claims, which subjects of his Majesty may bring forward for the restitution of property which they possessed in France previous to the War, I have to signify to you the King's pleasure, that you acquaint the French Ministers, that his Majesty has, in conformity to the 14th Article of the Definitive Treaty of Peace, taken off the sequestrations upon the property of French Citizens in his dominions; and that therefore his Majesty's Government doubt not that the French Government will be equally ready to render the same justice to such of his Majesty's subjects as have property in France.

I am, &c. HAWKESBURY.

Anthony Merry, Esq. &c. &c.

NOs. 8 and 9, are the Notes presented by Mr. Merry to M. Talleyrand, the substance of both of which is described in the foregoing extracts from Mr. Merry's letters.

NOs. 10, 11, and 12, are short Notes from M. Talleyrand to Mr.

Merry, in the first of which he informs the English Minister, that the attention of the French Government had been called to the subject of his demand respecting the continued sequestration of English property in France; the second relates briefly to the confiscation of the Fame packet; and the third states, that the proceedings with respect to that vessel, which had been referred to a Court of Justice, had taken place in consequence of her cargo consisting of prohibiting goods.

NOs. 13 and 14, are statements of the cases of the vessels Fame and Jennies, as are already briefly described.

No. 15.—Letter from Mr. Merry to M. Talleyrand complaining of the English vessel Nancy, bound to Amsterdam, with a cargo of different kinds of merchandize, taken from on board some enemies ships during the War, was still detained at Flushing, whither she had been driven. He demands not only the restitution of the vessel and cargo, but a compensation for the loss sustained by her detention.

NO. 16.—Note from Mr. Merry to M. Talleyrand, complaining of the seizure of another English vessel, called the George, at Charante, in ballast, because the different articles for the use of the Captain's cabin were found to be English.

NO. 17.—Copy of a Dispatch from Mr. Merry to Lord Hawkesbury; dated Paris, Oct. 25th, 1802.

MY LORD,

Paris, October 26, 1802.

John Newham, the Master of the British brig George, delivered to me a report last week of that vessel, which had been freighted to come to Charante in ballast, to convey from thence a cargo of brandy to England, having been seized at that port by the French Custom-house Officers,

be

because the different articles which they found in the master's cabin, for the use of his table, such as plates, knives, forks, and glasses (the cost of which, when new, he declared to have been altogether 4l.) were of British manufacture, and because he had not made a declaration of them at the Custom-house. He acquainted me, moreover, that his vessel had been condemned in consequence of that seizure, by two sentences of the French Tribunals, in the Department where Charente is situated. I thought it my duty, my Lord, to lose no time in stating so violent a proceeding to the French Minister; and I delivered to him accordingly, the day before yesterday, the Representation, of which the enclosed is a Copy, taking that opportunity to remind M. Talleyrand of the former remonstrances which I had delivered to him on subjects of a similar nature, and renewing verbally, on this occasion, the observations which I had then the honour of expressing to him in writing, upon the continued rigorous execution, in time of peace, of the French law which had taken place at a moment of the greatest heat of the late War. The Minister confined his answer to me, to an assurance that he would cause an enquiry to be made immediately into the case, which I had now laid before him.

I have the honour to be, &c.

(Signed) ANTHONY MERRY.

The Right Hon. Lord Hawkes- }
bury, &c. &c. &c. }

NO. 18.—Copy of a Dispatch from Lord Whitworth to Lord Hawkesbury; dated Paris, 10th May, 1803.

Paris, May 10th, 1803.

My Lord,

With regard to the numerous memorials and representations, which I have had to make to this Government, in behalf of those of his Ma-

jefty's Subjects, who have suffered by the detention and confiscation of their vessels and property in the ports of France, I have only to observe, that they have, with the exception of one or two instances, remained unanswered; I trust, therefore, no blame can attach to me, if my endeavours to carry into effect your Lordship's instructions on this head, have not been more effectual.

I have the honour to be, &c.

(Signed) WHITWORTH.

Right Hon. Lord Hawkes- }
bury, &c. &c. &c. }

NO. 19.—Copy of an instruction, from Lord Hobart to Lieut. General F. Dundas, Lieutenant-Governor and Commander of his Majesty's Troops at the Cape of Good Hope; dated the 17th October, 1802.

Downing-street, 17th October, 1802.

SIR,

Circumstances having recently occurred, which render it advisable to delay the restitution of the Cape of Good Hope to the Batavian Government, I am to signify to you his Majesty's commands, that you should retain possession thereof until further orders. It is, however, extremely desirable, that, in the execution of this instruction, every circumstance should be avoided which may be calculated to excite jealousy in the Batavian Government, or to create an apprehension of its arising from an hostile motive.

N. B. The above instruction received at the Cape on the 31st December ult. and acknowledged in General Dundas's Dispatch of the 3d January, received in Downing-street on the 18th March.

NO. 20.—Copy of Instructions from the Right Honourable Lord Hobart; one of his Majesty's Principal Secretaries of State, &c. &c. &c. to Lieutenant-General Fran-

cis Dundas, Lieutenant-Governor and Commander of his Majesty's forces at the Cape of Good Hope, dated the 16th of November, 1802.

SIR,

Dawson-Street, Nov. 15, 1802.

I have the honour to acquaint you, that notwithstanding the instructions which, by the King's commands, I communicated to you on the 17th ultimo, it is his Majesty's pleasure, in the event of the East-India ships originally destined for the conveyance of the troops, being at the Cape when you receive this dispatch, that you do give directions for their immediate embarkation, with orders for their departure for India without delay. Under an impression, however, of the probability of those ships having sailed without the troops, I am to acquaint you, that other ships have been substituted for that service; but that I am apprehensive it will be at least one month before they can leave this country. I am also to signify to you his Majesty's pleasure, that you do proceed forthwith to the execution of your former instructions for the complete evacuation of the Cape. The utmost cordiality subsisting between his Majesty's Government and that of the Batavian Republic; you will observe the most conciliatory conduct in all your proceedings with the Officers belonging to that Republic.

I have the honour to be, &c.

HOBART.

To Lieut. General Dundas, &c. &c.

No. 21.—Copy of a Letter from Mr. R. King to Lord Hawkesbury, dated London, May 15, 1803.

MY LORD,

London, May 15, 1803.

In the present critical posture of affairs I lose no time in communicating to your Lordship, for his Ma-

jefty's information, that a Treaty was signed at Paris on the 30th day of April past, by the Plenipotentiaries of America and France, by which the complete sovereignty of the town and territory of New Orleans, as well as all Louisiana, as the same heretofore possessed by Spain, has been acquired by the United States of America. In drawing up this Treaty, care has been taken so to frame the same as not to infringe any right of Great Britain in the navigation of the river Mississippi. I flatter myself that this communication will be received with satisfaction, and regarded as a new proof of the disposition of the United States to observe towards his Majesty a spirit of amity and confidence, important at all times, and more especially so in the present circumstances, to the harmony and mutual prosperity of the two countries. I avail myself of this occasion to renew to your Lordship the assurance of distinguished consideration with which I have the honour to be, &c.

RUFUS KING.

Right Hon. Lord Hawkesbury, &c. &c.

No. 22, is the answer of Lord Hawkesbury to Mr. King's letter, in which his Lordship thanks him for his communication; and expresses his Majesty's pleasure at the intelligence, regarding the attention which has been paid by the United States to his right, as the most satisfactory evidence of their wish to promote the good understanding that at present so happily subsists between the two countries. The letter concludes with a compliment to Mr. King, for the whole of his conduct during the course of his public mission, which his Lordship says, has entitled him to the esteem and regard of his Majesty's Government.

M.E.

MEMORIAL

ON THIS QUESTION, *Whether it be advantageous for France to take possession of LOUISIANA?*

Presented to the French Government by Mr. Livingston, the American Minister at Paris."

THIS question presents itself in two points of view: First, in the relation of commerce and manufactures; Secondly, in those of the positive or relative force of France.

Colonies do not excite interest for their own sake, but only as respects the influence they may have on a nation; and as one man alone is more useful by remaining at home, than two by removing at a distance, a wise nation does not seek to colonize, until she has a superabundance of population, which she cannot usefully employ in any other way.

Though very considerable, the population of France is very far from having reached the term which renders colonies necessary: Her soil, climate, and local situation give her, as a commercial, and especially as a manufacturing nation, great advantages over all the nations of Europe. The spirit of invention, the taste and industry of its inhabitants, place her in the first rank. But those advantages are wonderfully abridged by the want of capitals sufficient to make use of them. A rival nation, greatly inferior in every one of these particulars, has, by the effect alone of an immense capital, obtained the superiority, not only in commerce, but also in manufactures; and these advantages, by increasing the national fortune, furnish it with the means of maintaining that very superiority.

Capitals increase the number of manufactures; by the introduction of machines, by the regular payment of

workmen, by the reduction of the interest of money, and especially by the possession of new markets.

None but rich individuals can undertake those slow and expensive speculations, which often give the superiority to a manufacture. A poor merchant cannot undertake long voyages, returns from which are slow; they are reserved for the wealthy, who can give credits long enough to tempt foreign nations to give his articles the preference over those of other nations, which expect a quick return for theirs. The want of capitals in France, is such, that no manufacturer has at his command a quantity of articles sufficient to answer the demands; and consequently no Foreigner can be sure to obtain from his French correspondent wherewith to make his returns without retarding his vessel in port, or, at least, without being obliged to take a considerable quantity, of articles of inferior quality, picked up in a number of different manufactories; so that if he commits any fraud, no one can be charged with it. This renders the character of a manufacture of very little importance in the eyes of a French workman.

Hence when a Foreign vessel, especially if owned at a great distance, sells her cargo in France, she is ordered to take nothing but wines or brandies, because they are the only articles which the owner is sure to procure in sufficient quantities, in the fixed time.

In England, on the contrary, he will find all sorts of goods, in one manufacture, the reputation of which would suffer, if the whole supply were not of the same quality with the sample. This consideration will ever induce a foreigner to apply to an English, in preference to a French merchant, for a purchase of goods of the same kind. Hence cargoes are sold in France, and the proceeds carried to England, there to be sold for articles which France might supply, if her manu-

manufactures were rich enough to answer every demand, in a short time, without compelling the purchaser to have recourse to a great number of manufactures.

This inconveniency can only be removed by increasing the capitals of manufactures. It would be too great a deviation from my subject, to point out the means of obtaining those capitals; but it is evident, that they must be considerably lessened by the forming of a Navy, at the expence of manufactures, or by using the capitals of the nation in distant countries. It is beyond doubt, that capitals open new channels; for nothing is more natural for merchants whose capital is small, than to content themselves with acting the part of *Brokers* or *Commission-Merchants*; to those who can supply them with goods on credit; and for this very reason, England lost nothing by the independence of America. Her immense capitals have created a monied dependence, which, in a commercial relation, replaced the supremacy she had lost in the government. The increase of capital in America, frees it in some degree from that dependency, and by furnishing her with the means of extending her commerce, and even to offer capitals to other nations, which know how to calculate the value of the market which she offers to manufactures and to the luxury of Europe.

It will be readily granted, that Colonies beyond the seas, add nothing to the force of a nation, these are, on the contrary weak points, which are guarded at a very great expence, both in men and money; especially if they be in hot and unhealthy climates.

The question, therefore, is reduced to this—*Has France a superfluity of men and money great enough to justify the settling of a new colony?*

Those which France, already possesses in the West-Indies and at Cay-

enne, are more than sufficient for her wants, and even the wants of all Europe, if they were cultivated so as to produce all they are capable of. But how are they to be cultivated? Experience has proved that the inhabitants of hot climates never work from want: Force alone can supply the two great spurs to labour in Northern climates, hunger and cold, which nature has placed in those severe climates. Hence slavery alone can fertilize those colonies, and slaves cannot be procured but at a great expence.

The Spanish part of Hispaniola was almost uncultivated for want of slaves. It is now possessed by France; and, to render it of advantage, it will be necessary to lay out immense capitals in slaves, in buildings, and in improvements of uncultivated lands. Others will be necessary to make up for the losses of the French part of that, not to mention the other Islands. Where are those capitals to be found? Men who travel into distant and unhealthy climates are seldom wealthy. Those riches must therefore be found in France, or in some country that has a superfluity of capital. If they are found in France, it can only be, to a certain degree, at the expence of internal manufactures. It may, however, appear advantageous, in a national point of view, to encourage the use of the riches of France for that object; considering the extreme fertility of the French West-Indies, and their present situation of culture, those funds will soon yield a profit. But as long as money will command so high an interest; so long as the interior of the Republic shall offer monied men a source of speculations, and property shall lie in so few hands, it will be difficult to induce the majority of them to dispose themselves of this capital to send it at a distance, and run the risk of the integrity of their agents, and all those whom recent examples have taught them to dread.

Foreign coin was formerly introduced into France through the United Provinces; but the present state of the Baravian Colonies, and the losses they have sustained by the war, leave but little hope, that much may be used in the restoring of French Colonies.

The United States possesses considerable capitals in money, and productions necessaries to the restoration of the Islands. No great credit, in money, will probably be given to the planters; but with suitable encouragements, their is no doubt they will be able to obtain those productions which must, were it not for that circumstance, be paid for in cash, and the commercial speculations of the United States will extend to the French Islands, when the public and private credit of France shall have been restored, and when experience shall have convinced the people how unwise it is to establish a revenue upon foreign trade, while it is in fact collected from their own citizens. At Hispaniola a duty of 20 per cent is paid upon articles introduced by strangers. This duty is in fact paid by strangers, and it happens that fraud and the bad administration of Custom-Houses, is, as usual, a source of vexation for foreign merchants. But it is the planter who furnishes the money, for this tax is always added to the price, and even an interest is advanced upon it as a compensation for the vexations which the Captains experience in their commerce. What then is the effect of that operation, if not to take from the planter one-fourth part of the money which he had so much difficulty to get from France? Or otherwise to stop, by that means, partly the re-establishment of the capitals, which alone can render the Islands finally productive? I say finally, for it is folly to believe that they will yield to France a compensation for her actual outlets, unless it be after a great many years. I will even say, that unless the ports of Hispaniola

are open to every vessel loaded with articles of necessity, unless the inhabitants have the right of buying cheap and selling dear, by encouraging the rivalry between the sellers and purchasers, unless every sort of vexation is removed, and strangers receive every possible security for their capitals in the Islands, ages will pass away before Hispaniola will cease draining France of its riches and strength without offering her any equivalent return.

It is, therefore, evident, that if France had no other possession beyond the seas, except her islands, it might easily place all the capital of which she now can, and probably hereafter will be able to dispose in a long series of years.

But if to all this, we add the immense possessions in Guyanna, her productions, and the capitals necessary to carry the whole of it to its full value; if we add the settlements necessary to be made in India, if the design be to bring into the ports of France that variety of articles which invite exchanges, and give commerce its due activity, we shall find that one century at least will pass away before France may want possessions of that kind.

But as France has, like other countries, but a confined capital, the only question is, *where shall this capital be placed?* shall it be here? in the West-Indies? at Cayenne? in India, or at Louisiana? For it is obvious that what will be placed in one of those settlements will be at the expence of another; it is equally so, that the national expenditures will increase with her colonies; and that, in case of war, the points of attack and defence will be multiplied in the same ratio.

Able statesmen have questioned whether colonies were useful to a country situated like France; but my design is not to examine this theory.

France

France has colonies; she has invited her citizens to go and carry their riches to them; honor requires that she keep and protect them; but she is under no obligation to create new ones; to multiply points of defence; to squander away the capitals she wants at home and abroad. How could the possession of Louisiana be useful to her? In the first place, its cultivation is to be carried on, as in all warm countries, by slaves; the capitals spent in buying them, or the slaves themselves, would have been carried to the Islands, if this new channel had not opened. This rivalry will raise the price of slaves for the planters, and may thus much retard the settlement.

On their arrival at Louisiana, the slaves will be employed in the barren occupation of felling the large forests with which this immense country is covered, a labour but little suited to slaves, for it requires being long accustomed to the ax; and force and activity are seldom found in slaves. They must be clothed, fed and maintained during whole years before any profit can be derived from them. What I am about to relate may serve to determine that period. In the Northern and Middle States of America, the usual term of a quit-rent lease in the new lands is ten years free from rent, and after this the lessee pays 12 bushels of wheat for every 100 acres for ever. It is, therefore, obvious, that the first ten years are considered as a time of expence, during which term the owner requires no payment. But in the Southern States, new lands cannot even be given out on those terms, because the white planter sets a higher value on his labor, and the clearing of forests requires too great outsets for any one but the owner of the land.

Who then will cultivate Louisiana with slaves? Who is the citizen willing to bestow large capitals upon a precarious property with the prospect of a distant return?

It may be asked, why does it not happen in the Southern States? It is answered, first, because none are southerly enough to be wholly free from the colds of winter, which renders savage life very difficult to men born in hot climates; and secondly, because the Southern States, are mostly surrounded by the sea, and by mountains the whole population of which is white, and which cut off the communication between the slaves and the vast forests of the interior parts.

But let us suppose all these difficulties overcome, what commercial advantages can France derive from the settlement of this colony? The productions of Louisiana being the same with those of the West Indies, no advantages is to be reaped, for the Islands, being well cultivated, will suffice for the wants of France, and even all Europe. The introduction of those from Louisiana, would only lessen the price without adding any thing to the value, and France would be obliged, to prevent the ruin of those who had employed their funds in the colonies, to imitate the Dutch, who destroy their spices and teas, when the quantity of these commodities in Europe is large enough to cause a depreciation of their value.

The productions of Louisiana, which do not grow in the West-Indies, are only lumber, and perhaps rice; but it is certain that those productions, considering the difficulties of procuring them in a hot and unsalubrious climate, will not cover the outsets, or at least, will not yield the same profits, as would be procured by raising them in the Islands, in procuring the same or other and more valuable articles.

The proof of this is found in the United States. It is not from Georgia nor South-Carolina, that the West-Indies are supplied with lumber, but chiefly from the Northern States, where forests are more scarce and more valuable than the the South. The
cause

cause of this is, that the supplying of lumber, the mills necessary to prepare them for sale, all these are the work of free hands, which are satisfied with a moderate price.

I shall presume further to lay down, however paradoxical it may seem, that it is not advantageous for France to supply herself with lumber, even if she could procure it from Louisiana, I have two reasons to offer;—What lumber the Northern States supply her colonies with is paid for in molasses and some rum. The first article costs the planter nothing, for, were it not for that, this would be a useless production of his sugar, and the second is but a very moderate expence for distillation. If it were not consumed in America, molasses would be thrown away as useless, and this was the case when America was a British colony, because French commerce does not offer any other market for that commodity.

It may, therefore, be said that the colonies have from the United States, *lumber for nothing*. Should, on the contrary, a settlement be formed in Louisiana for the supplying of that article, every expence and outset of this establishment, all the labour necessary to cut, saw and transport it to be sold, would be a real loss for the nation, even admitting that the cutters and other men employed, should take as payment, molasses and rum; because their labour would produce nothing to the nation.

But it is certain that Louisiana could not furnish a market for molasses or rum. It is only in New-England (Northern States,) that those articles are consumed. The inhabitants of the South prefer ardent spirits, distilled from grain, apples and peaches, to those distilled from molasses.

On the supposition, therefore that the planters supply themselves with lumber in a French colony, exclusive-

ly at Louisiana, they would be forced to pay for it in money or objects of real value. If the right of supply is not exclusive, it is null, because the labourer of a southern climate cannot work as cheap as the robust son of the North.

It might be thought that molasses would still find a market in New-England, tho' it were no longer the price of lumber: it would be an error. They have no other reason to take it, than its being offered them in exchange for an article for which they have few other markets. Let the colonies refuse lumber, from the North, spirits from grain, apples, &c. will immediately be substituted to those from sugar, because the price of rum would immediately be higher. Then it will be that every sort of commerce between them and the colonies will cease, unless it be for provisions, which they will necessarily require to be paid for in money, or in what will pass in foreign markets, for money.

The second reason why France ought not to get her lumber from Louisiana, even tho' she might do it, is, that, in case of war, supposing England should preserve her naval superiority, no sure calculations could be made upon receiving provisions; and they could not be supplied from the United States, for that commerce, having been abandoned since the peace, those whom it then employed have sought other objects of industry; and saw-mills erected to prepare that lumber, are out of use, and will not easily be set up, again, at the renewal of hostilities; so that the misfortunes which are the consequence of it would be doubly distressing to the colonies.

It is, therefore very evident the colonizing of Louisiana would be, in a commercial point of view, injurious to France, because it would employ capitals which would be more usefully employed in the other colonies; because those capitals would lie dormant for several years, and because admitting they should become productive for

for individuals, they would add nothing to the national mass, and would have no other effect than to lower the price of colonial produce, and lessen the profits of their labor.

It might however be thought, that the possession of Louisiana would afford one more market to the French manufactures, and thus compensate the expence of the nation for its settlement. This question deserves a particular examination, and the provisioning or the consumption of French manufactures may relate either to the free or bond population.

If it be the free class that is to be mustered by emigrants from France, it will be composed of that portion of the people, which not only could support themselves in France, but, besides, increase the national riches by their industry. For France is not overburthened by her population, and consequently every emigration will form a vacuum some where, or abandon some useful branch which will no longer be carried on. The emigrant carries away with him a portion of the general good, in the mass of the productive labor of the mother country; he also carries away with him a portion of the capital, for he never goes with empty hands, and as I have already observed, ten years must pass away before his settlement produces beyond his first necessaries. He must, at the same time, live with the strictest economy, for having nothing to offer in exchange, he receives scarcely any thing from the mother country, and the nature of the southerly climates requires very few of the articles necessary in Europe. It is, therefore, beyond all doubt, that, as to the present emigrant, the few articles furnished him by French manufactures will not cover the loss which the nation will sustain of his own labor; besides, he will consume much less in America than he would in France, and, besides his labor, the

manufacturer, who supplied his wants in both countries, will be a loser by his emigration.

Black population will still less contribute to the support of French manufactures, because their consumption in articles of dress is very small; and even in South Carolina it does not amount to more than forty livres a year for each negro. At Louisiana, where the winter is still less severe, it will be reduced in proportion; it will consist in cotton, principally worked in the country, and still more smuggled from the United States. But if the whole were brought from France, after deducting the raw materials which must be purchased, the whole profit of the French manufacturer will not amount to more than 80 livres for each negro, every year. Now, as each slave will cost the nation 1000 livres, and as this capital would have produced, in France, at least 10 per cent. in every other commerce or manufacture, the difference between 100 livres French produce, and 30 livres produce of the Louisiana clothing, gives the real loss to be sustained by the French in the first ten years, during which, they can only, as I have said before, supply their first wants, if so much; and as a certain number must die by the change of climate and a number will run away, the real loss of France on every slave imported and employed in Louisiana must be 100 livres every year.

But if we add to this, the profit which this very slave could have furnished if transported to the islands, (and it is certain that all the slaves carried to Louisiana are so many hands taken from the islands,) we shall find that the actual loss of the nation, in the interruption of labor, will amount to upwards of 600 livres per annum; so that the first loss for the nation, in the introduction of 1000 slaves to Louisiana, will be

be 600,000 livres. It is true, that if peace continue, and if, in opposition to expectation, the colony should prosper, the rich planters will make a great consumption of French goods, but that of the slaves will ever be very small, or their labor without profit, because, as I have already observed, being employed to cultivate articles which the islands can more easily supply for every demand, and the sale of which is confined, by increasing the quantity, they will only lessen the prices of those commodities which it is essential for France to keep high, because she possesses the most fertile islands. I know there is an opinion entertained by many, viz. That French goods, in their way to the Mississippi, will find a market in the western part of the United States. The most complete ignorance of the navigation of that river could alone have given rise to such an opinion, which is likewise grounded on the ignorance of the wants of the inhabitants. It is certain that the wines of France are not fit for climates as hot as those they must cross before they arrive in the Western States; that they are still less suited to the means and taste of the inhabitants, who are more accustomed to their own liquors such as cider, beer, whisky, and peach brandy, the latter, with time, becomes superior to the best French brandy; so that, instead of receiving those articles through Louisiana, they might themselves supply the colony with them. As to the articles of glass and earthen ware, they are made in every part of the Western States, where the raw materials are every where found. The demands for China ware are small, but if they were large, French ware is too dear to hurt the sale of China.

Large iron works are also wrought on the spot, and English hard ware has so well-known a superiority over

the French, that the latter would certainly remain unsold, if both were exposed at market. The only articles which might, perhaps, be introduced into the country, would be silks, cambricks, and a few other articles of luxury. But even all these can never pass through the river Mississippi. The dangerous navigation of the Gulph, the long and extensive distance to go against the current, the large capitals of the English and American merchants at Philadelphia, and the great improvements which are made every day in the roads and inland navigation, will cause land carriage to be preferred as far as the Ohio, and other rivers, whence they are carried to the settlements, easily and cheaply. It is a well known fact, that dry goods have been carried from Philadelphia to New-Orleans by land, by that route in preference to sea carriage. It is, therefore, visionary to believe that goods from France will be carried that way; whilst the enterprising English, who have the right of navigating that river, and the prejudices of the Americans in favor of their manufactures, never attempted to introduce their goods that way, because they well know that they are more easily brought by Philadelphia and Baltimore. But should France be desirous of introducing, that way, more bulky articles into the Western States, and accustom the inhabitants to their wines and manufactures, it could only be by putting *New-Orleans into their hands, with the reserve, that it shall ever be a free port for French vessels and goods, without being subjected to any other duties, than those paid by the Americans.* By this means the American merchants, settled at New-Orleans, may be interested in their commerce; instead of going to England, their capitals will go to France; the latter will have all the advantages of a colony without the expence of supporting it, and the money, which

American activity obtained from the Spaniards, would go to France; for England, which has not the same means and which pays higher duties, could not supply those goods at so low a rate.

But should France, on the other hand, resolve to keep the island, a great proportion of the capitals of the commerce of New-Orleans, which are especially in the hands of the English and Americans, will naturally take the course which the United States shall fix, and that must be a rival place of commerce with New-Orleans, which being rid of the vexations consequent upon a military government, at a distance from the sovereign, will draw, in spite of all the disadvantages of its situation, the whole commerce of which the other is at this day the centre.

The boundaries established between Spain and the United States, and very lately between the English and Spanish possessions, have deprived the inhabitants of Louisiana of their share of the Fur trade, which it must be confessed was not, nor could ever be, very important, as the peltry of the South are of but little value, the few skins are of no importance to commerce, as may be seen in the tables of importation of New-Orleans. Goods are ever to be transported from the Mississippi in the United States, that way.

In these considerations I have kept no account of the pains, expences, and loss of men, which are inseparable from new settlements in a marshy country, and a burning climate; the invasion of Indians; the insurrection of slaves; the insubordination of the troops; the abuses committed by officers, remote from the sovereign's vigilant eye. All these inconveniences united, or only a few of them, are enough to stop an undertaking, and ruin a settlement. A ve-

ry important observation is, however; to be made, and that is of some weight. Many of those who will carry their families to Louisiana, observing that the lands are as cheap on the American side, will prefer settling there, even in time of peace; some, because they will prefer the government of that country, others by caprice, others through spite, or to rid themselves from a military government, such as that of Louisiana must necessarily be. That wish must be general in the case of a war between France and England, for admitting that the latter maintains her naval superiority (as I have already proved in another place she must, unless France changes her commercial system in order to establish it upon more liberal principles,) the mouth of the Mississippi will be blocked up, and the planters in the French colonies will be reduced to the greatest distress, while those of the United States, will derive from the war the greatest benefit.

Then it will be, that a great part of the capitals brought from France to Louisiana, will pass into the United States, where are found farms, already cleared, for one half of what it would have cost a French planter to clear his; because an American, familiarized from his infancy to the use of axe, has acquired a dexterity and a muscular strength which are never obtained by a man used to other business.

The experience of the past is wholly in support of these observations. Though settled for one century, Louisiana has never prospered under either the French or the Spanish government. And one half of the commerce of New-Orleans is now carried on with American capitals, under the guarantee of their treaty with Spain. As soon as the French will plant a rival colony, that commerce will be carried on in any other

ther place in the United States, which the policy of their government may judge proper to encourage.

If the settlement of Louisiana is not advantageous to France in a commercial view, because it diverts capital from a much more important channel, it is still more contrary to her interests, in a political point of view: America is of the utmost importance to France, whether considered as a commercial or maritime power. I have explained my opinion fully in this first relation on another occasion; as to the other, there is no question that an agricultural nation, which, by her industry and her raw materials, is able to procure all the superfluous luxuries of Europe, and whose habits and occupations prevent them from manufacturing for themselves, there can be no question that such a nation must afford a very important market to the inhabitants of the old world.

In this view the commerce of the United States is considered as very profitable to England, but when French manufactures shall have obtained all the improvement of which they are capable; when commerce shall be established upon a suitable basis, it will present a much greater variety of articles upon which to support itself than the commerce of England. Woollen articles and hardware are the only articles which America receives from England; but France shall furnish not only all these, but her agriculture will gain by the sale of her wines, her brandies and her oils. These advantages, added to the relative situation of France and the United States, which removes every suspicion of rivalry between them, both by sea and land, have exhibited France as the natural ally of the United States, to the eye of those who have considered, in the extent of her power, a new pledge of the security of their

commerce and their future tranquillity. They have done homage to the wisdom of those statesmen who at the conclusion of an advantageous war, have thought that France would gain more by securing the solid friendship of the United States, than by acquiring a territory which would be for them an object of jealousy, and might again force them under the domination of a people whose yoke they had just assisted them to shake off.

I am not ignorant how delicate it is to foretell political misfortunes which might result to France and the United States from the possession of Louisiana and the Floridas by the former. I must either conceal that which truth would have me say, or on the other hand, frighten certain querulous minds, who may fancy they see a threat in my frankness. Nevertheless, a citizen of one of the two nations, and strongly attached to the other, I hope that those to whom this memorial may be delivered, will be able to set a just value on the motives of my conduct, and will see in it nothing but my exertions to remove every subject of dispute between two people formed to assist one another; and although I am too well acquainted with the resources of my own country to dread the power of any of the European nations, it will easily be seen, that I am incapable of conceiving the ridiculous idea of threatening a government which has seen all Europe bend the knee before its power.

I have observed, that France and the United States are, in a relative situation, so fortunate as to have no point of collision. They may assist without being tempted to hurt one another in any manner. This commerce is useful to both nations; this union of sentiments and interests rests upon principles which ought to form the

maritime code, and deliver the Universe from the tyranny founded by Great-Britain, which she maintains, and which never will be combatted with success, until the other powers, by uniting, will abridge her means, by transferring to nations more moderate a part of her commerce; and as there are no nations on the globe whose consumption offers to foreign manufactures resources as vast as those offered by the United States, if we consider with what rapidity this consumption increases, the means which America has of creating a navy when her political situation shall render it necessary, we shall be obliged to own that France must have very strong motives and very powerful, to induce her to abandon these advantages, and change a natural ally, from a warm friend into a suspicious and jealous neighbour, and perhaps hereafter into a declared enemy.

Experience has proved, that two nations could not be neighbours without being rival; and if this be true of two neighbouring nations, it may be said with still more truth of a colony formed by a great powerful nation, removed from the metropolis and of a people bordering on the territory of the other. The reason of this is plausible; where two nations are neighbours every thing passes under the inspection of the sovereign; the quarrels are as soon extinguished as kindled; but when the governor of a colony, calculating upon the protection of the metropolis, is guilty of an act of hostility, the wound gets gangrened before a physician can be called. The offended sovereign, who also thinks that the offender will be so much the more strongly supported, as his nation is more powerful, tries every means in order to anticipate on the hostilities which he dreads, uses reprisals, and both nations are at war before any explanation has taken place

If there be a situation in the world which may be attended with these consequences, it certainly is that of France, when she is in possession of New-Orleans. It is situated in such a manner as to block up the great passage towards the sea, from a great number of States and a very extensive population which increases rapidly,

A military government is about to be established on the Island. The General, proud, with reason, of the glory of his nation, will cast on every thing that surrounds him a look of superiority; commerce will be degraded; and merchants, subjected to the despotism of men who will seek in the laying up of riches, a recompence for their privations in the remote and insalubrious country whither they are sent. The colony presents no lawful means of growing rich except those (slow and progressive) of commerce and agriculture; ill suited means for soldiers. However vigilant the mother country, she will not prevent, at this distance, the vexations which may be exercised. On the other hand, the government of the United States will not be able, in a thousand instances, to restrain the petulance of the near inhabitants bordering on the limits of the Mississippi; to confine their vengeance wholly, and compel them to expect from diplomatic representation a slow justice. Hatred will take place between the two people; the bonds of friendship will be destroyed, and the government of the United States, which ever shares the sentiments of the people, will be forced, by its situation, to alter its political relations. Then, for the sake of guarding themselves against their old ally, for a pretended act of hostility, they will form a cautionary connexion with England, which will be sedulous in obtaining her alliance, and will excite her resentment against France; because in that alliance she will

will see the means of preserving her commerce with America, which she now possesses almost exclusively, securing her colonies to be able in case of war, to invade the French colonies, and especially of preventing the union of the commerce and navy of France and the United States, upon which alone France can engraft her naval superiority.

It may be asked, why those jealousies which I seem so much to dread for France, have not taken place for England in possession of Canada? First, because Great-Britain has prudently separated her territory by a natural limit which prevents the contact of the two nations. While she occupied the western posts, the United States saw her with jealousy, and it is beyond doubt that hostilities and a national hatred would have been the consequence when the increase of American population in that part had taken place; when those forts were given up, numerous symptoms had already manifested themselves.

Secondly, because the usual road of the exports from the United States, being made, through their own rivers, there is an important communication between them and Canada.

But it is chiefly because Upper-Canada is inhabited by American emigrants who, in a case of a rupture, would join, according to all appearances, to the U. States, had not the spirit of their government been to prevent the extending of their limits.

But after all, what political or commercial advantage can France receive from the possession of New-Orleans, and of the East Bank of the Mississippi, that may balance the loss, which, in these two points of view, she will sustain in the rivalry with the United States? The Flori-

das are a narrow strip of barren land incapable of defence in case of a rupture and which will cost more than it is worth to guard, garrison, and the presents to the Indian Tribes. However advantageous, New-Orleans might be for the United States, it will be of very inconsiderable value to France, when the foreign capitals shall be taken from it, or a rival city shall be established on the American side. From the best information, I find that one third of the best commercial houses employed in New-Orleans, are American.—No sooner will a military government be established in the country, than all these commercial houses, with the capitals which support them, will pass into the United States, to that place assigned them by the treaty with Spain, or to the Natchez where every vessel which may go to New-Orleans may be received. Large vessels, from France, have already arrived there, and unloaded their cargoes without difficulty, and as the soil is so much the more advantageous as we penetrate further, there is very little doubt this establishment will soon rival that of New-Orleans, when the American capitals shall have been taken out of it.—When the United States shall have declared the Natches a free port. New-Orleans will be very little as a place of commerce, and only an object of useless expence for France, and an inexhaustible source of jealousy between France and the United States.

The cession of Louisiana is nevertheless very important to France, if she applies it to the only use which sound policy seems to dictate. I speak of Louisiana alone, and by this I do not mean to comprehend the Floridas, because I think they are no part of the cession. As it can by this cession acquire the right of carrying on the Mississippi a free trade, if she knows how to profit of these circumstance, by

a perfect understanding with the United States, she will find markets for a very great variety of articles, when she has accustomed the inhabitants of the Western countries to prefer them to the English, which she can only obtain by selling them cheaper, and she can only sell them cheaper, by interesting the American merchants to sell them, to have the use of their capitals, and by engaging the government of the United States to give them the preference. All this can take place only by the cession of New-Orleans to the United States, *with the reserve of the right of entry, at all times free from all other duties than those paid by American vessels, together with the right of navigation on the Mississippi.** This would give her vessels an advantage over the vessels of all other nations, will retain and even increase the capitals of New-Orleans, where the provisions for the islands will be bought at the cheapest rate possible, and where the articles of her manufactures will be introduced in the Western countries: The United States will have no interest in preventing it for every reason of rivalry will be removed. Then France will

command respect without inspiring fear to the two nations whose friendship is the most important for her commerce, and the preservation of her islands; and all these advantages will be obtained without the expense of establishments which ruin the public treasure, and divert capitals from their true object.

But if, on the one side, France keeps New-Orleans, by attempting to colonize Louisiana, she will become an object of jealousy to Spain, the United States and England, which powers will not only discourage her commerce, but will compel her to make expensive establishments to secure the possession of it.

In the foregoing observations, I have confined myself to observations which presented themselves, without having recourse to subtleties, which only serve to mislead the judgment. I have exposed simple facts, with candor and all the simplicity of language. If a reply is made, it will be by pursuing a contrary course. With eloquence and sophistry, they may be combated and obscured; time and experience will demonstrate their solidity.

* It is probable this is a condition of the cession.

1.^{er} & dernier N.^o du 2.^d Volume.

J. N.