

British Declaration.

Downing Street, January 1805.

From the moment that hostilities had commenced between Great Britain and France, a sufficient ground of war against Spain, on the part of Great Britain, necessarily followed from the treaty of St. Ildelphonso, if not disclaimed by Spain.— That treaty, in fact, identified Spain with the republican government of France, by a virtual acknowledgment of unqualified vassalage, and by specific stipulations of unconditional offence. By the articles of that treaty, Spain covenanted to furnish a stated contingent of naval and military force, for the prosecution of any war in which the French Republic might think proper to engage. She specifically surrendered any right, or pretension, to enquire into the nature, origin, or justice of that war. She stipulated, in the first instance, a contingent of troops and ships, which, of itself, promises no moderate proportion of the means at her disposal; but in the event of this contingent being at any time found insufficient for the purposes of France, the further bound herself to put into a state of activity the utmost force, both by sea and land, that it should be in her power to collect. She covenanted, that this force should be at the disposal of France, to be employed conjointly or separately, for the annoyance of the common enemy; thus submitting her entire power and resources to be used as the instruments of French ambition & aggression, and to be applied in whatever proportion France might think proper, for the avowed purpose of endeavoring to subvert the government, and destroy the national existence of Great Britain.— The character of such a treaty gave Great Britain an incontestible right to declare to Spain, that unless she decidedly renounced the treaty, or gave assurances that she would not perform the obligations of it, she would not be considered as a neutral power.

This right, however, for prudential reasons, and from motives of forbearance and tenderness towards Spain, was not exercised in its full extent; and, in consequence of assurances of a pacific disposition on the part of the Spanish government, his majesty did not, in the first instance, insist on a distinct and formal renunciation of the treaty. It does not appear that any express demand of succour had been made by France before the month of July, one thousand eight hundred and three; and on the first notification of the war, his majesty's minister at Madrid was led to believe, in consequence of communications which passed between him and the Spanish government, that his Catholic Majesty did not consider himself as bound by the mere fact of existence of a war between Great Britain and France, without subsequent explanation and discussion, to fulfil the stipulations of the treaty of St. Ildelphonso, though the articles of that treaty would certainly give rise to a very different interpretation. In the month of October a convention was signed, by which Spain agreed to pay to France a certain sum monthly in lieu of the naval and military succour which they had stipulated by the treaty to provide, but of the amount of this sum, or of the nature of any other stipulations which that convention might contain, no official information whatever was given.

It was immediately stated by his majesty's minister at Madrid to the Spanish government, that a subsidy as large as that which they were supposed to have engaged to pay to France, far exceeded the bounds of forbearance; that it could only meet with a temporary connivance, as if it was continued, it might prove in fact a greater injury than other hostility. In reply to these remonstrances, it was represented as an expedient to gain time, and assurances were given, which were confirmed by circumstances which came to his majesty's knowledge from other quarters, that the disposition of the Spanish government would induce them to extricate themselves from this engagement, if the course of events should admit of their doing so with safety.

When his majesty had first reason to believe that such a convention was concluded, he directed his minister at Madrid to declare that his forbearing to consider Spain as an enemy must depend in a great degree upon the amount of the succours, and upon her maintaining a perfect neutrality in all respects; but that it would be impossible for him to consider a permanent payment, to the amount of that which was stated to have been in agitation, in any other light than as a direct subsidy for war. His majesty's envoy was directed, therefore, first to protest against the convention, as a violation of neutrality, and a justifiable cause of war; secondly, to declare that our abstaining from hostilities must depend upon its being only a temporary measure, and that we must be at liberty to consider a performance in it as a cause of war; thirdly, that the entrance of any French troops into Spain must be refused; fourthly, that any naval preparation must be a great cause of jealousy, and any attempt to give naval assistance to France an immediate cause of war; fifthly, that the Spanish ports must remain open to our commerce, and that our ships of war must have equal treatment with those of France. His majesty's minister was also instructed, if any French troops entered Spain, or he received authentic information of any naval armaments preparing for the assistance of France, to leave Ma-

drid, and to give immediate notice to our naval commanders, that they might proceed to hostilities without the delay that might be occasioned by a reference home. The execution of these instructions produced a variety of diffusions; during which his majesty's minister told Mr. Cavallos, in answer to his question, whether a continuance of such pecuniary succours to France would be considered as a ground of war, and whether he was authorized to declare it? That he was so authorized, and that war would be the infallible consequence. It was, however, still thought desirable by his majesty to protract, if possible, the decision of this question; and it was therefore stated in the instructions to his minister at Madrid, that as the subsidy was represented by the Spanish government to be merely a temporary measure, his majesty might still continue to overlook it for a time; but that his decision in this respect must depend upon knowing the precise nature of all the stipulations between Spain and France, and upon the Spanish government being determined to cause their neutrality to be respected in all other particulars. That until these questions were answered in a satisfactory manner, and the convention communicated to him, he could give no positive answer whether he would make the pecuniary succours a cause of war or not.

Before the receipt of these instructions, dated January 21, 1804, the report of some naval armaments in the ports of Spain had occasioned a fresh correspondence between his majesty's minister and the Spanish government. In one of these notes presented by the former, he declares that if the king was forced to begin a war, he would want no other declaration than what he had already made. The answers of the Spanish government were at first of an evasive nature; his majesty's minister closed the correspondence on his part by a note delivered on the 15th of February, in which he declares, that all further forbearance on the part of England must depend upon the cessation of all naval armaments, and a prohibition of the sale of prizes in their ports; and unless these points were agreed to without modification, he had orders to leave Madrid. On the second of these points a satisfactory answer was given, and orders issued accordingly; on the first a reference was made to former declarations. To the quest on about discharging the treaty with France, no satisfactory answer was ever given. As however no naval preparations appeared to be proceeding at that period in the ports of Spain, the matter was allowed to remain there for a time.

In the month of July, one thousand eight hundred and four, the government of Spain gave assurances of faithful and settled neutrality, and disavowed any orders to arm in their ports; yet, in the same month, when these assurances were recent, and a confident reliance reposed in them, the British charge d'affaires received advice from the admiral commanding his majesty's ships off the port of Ferrol, that reinforcements of soldiers and sailors had arrived through Spain for the French fleets at Toulon and Ferrol. On this intelligence, two notes were presented to the Spanish minister, but no answer was received to either of them. Towards the end of the month of September information was received in London from the British admiral stationed off Ferrol, that orders had actually been given by the court of Madrid for arming, without loss of time, at that port, four ships of the line, two frigates and other smaller vessels; that, according to his intelligence, similar orders had been given at Carthagena and Cadiz, and particularly that three first rate ships of the line were directed to sail from the last mentioned port; and as an additional proof of hostile intentions, that orders had been given to arm the packets at a time of war.

Hereupon there appeared a direct and unequivocal violation of the terms on which the continuance of peace had been acquiesced in; previous notice having been given to the Spanish government, that a state of war would be the immediate consequence of such a measure, his majesty on this event stood almost pledged to an instant commencement of hostilities; the king, however, preferred a persevering adherence to the system of moderation so congenial to his disposition; he resolved to leave still an opening for accommodation, if Spain should be still allowed the liberty to adopt the course prescribed by a just sense of her own interests and security. It is here worthy of remark, that the groundless and ungrateful imputations throw out against his majesty's conduct by the Spanish manifesto, are built upon his forbearance alone. Had his majesty exercised, without reserve, his just rights of war, the representation so falsely asserted, and so insidiously dwelt upon, could not have been stated under any colourable pretext; the indulgence, therefore, which postponed the actual state of war, was not only misrepresented, but transformed into ground of complaint, because the forbearance extended to the aggressors, was not carried to a dangerous and inadmissible extreme. In consequence of the intelligence above stated, directions were sent to his majesty's minister then at Madrid, to make representations and remonstrances to the Spanish court, to demand explanations relative to the existing conventions between Spain and France; and, above all, to insist that the naval armaments in their ports, should be placed on the same footing as they were previous to

the commencement of hostilities between Great Britain and France; and he was further directed explicitly to state to the Spanish government, that his majesty felt a duty imposed upon him, of taking, without delay, every measure of precaution— and particularly, of giving orders to his admiral off the port of Ferrol to prevent any of the Spanish ships of war sailing from that port, or any additional ships of war from entering it.

No substantial redress, no satisfactory explanation was afforded in consequence of these repeated representations; while, under the cover of his Majesty's forbearance, the enemy had received considerable remittances of treasure, together with the facility of procuring other supplies.

Every circumstance of the general conduct of Spain was peculiarly calculated to excite the vigilant attention of the British Government.— The removal of Spanish ships out of their docks, to make room for the accommodation of the men of war of France—the march of French troops and sailmen through the Spanish Territory—the equipment of naval armaments at Ferrol—the consideration that the junction of this armament with the French ships already in that harbour, would create a decided superiority of numbers over his Majesty's squadron cruising off that port—the additional naval exertions, and the consequent increase of expence which this conduct of Spain necessarily imposed upon Great Britain. All these together required these precautions, both of representation and action, to which his Majesty had immediately recourse. While official notice was given of his Majesty's intention to adopt these necessary measures, the Spanish Government was, at the same time assured, that his Majesty still felt in earnest desire to maintain a good understanding with Spain; but that the continuance of such a state of things must be subject to the condition of abstaining, on their part, from all hostile preparation and arming, without declaration or reserve, that full and explicit disclosure of the nature and extent of the subsisting engagements with France, which had hitherto been so frequently and so fruitlessly demanded.

The precautions adopted by his Majesty were such only as he deemed indispensably necessary to guard against the augmentation by Spain of her means of naval preparation during the discussion, and against the possible consequences of the late arrival of the expected American treasure in the Spanish ports; an event which has more than once, in former times, become the epoch of the termination of discussion, and of the commencement of hostility on the part of Spain. The orders issued by his Majesty, on this occasion, to the Admirals commanding his fleets, afford the most striking example of a scrupulous and indulgent forbearance; the most strict limitation was given, as to the extent and object of the measures proposed; and the execution of those orders was guarded with the strongest injunctions to avoid by every means consistent with the attainment of their object, any act of violence or hostility against the dominions or subjects of his Catholic Majesty. The hostile preparations in the harbour of Ferrol rendered it necessary, in the first instance, that a reinforcement should be added to the squadron cruising off that port; and orders were at the same time conveyed to the British Admirals, to send intimation to the Spanish Government of the instructions they had received, and their determination in consequence to resist, under the present circumstances, the sailing either of the French or Spanish Fleets, if any a troop for that purpose should be made by either of them. His Majesty's pleasure was at the same time signified, that they were not to detain, in the first instance, any ship belonging to his Catholic Majesty, sailing from a port of Spain; but to require the commander of such ships to return directly to the port from whence she came, and only in the event of his refusing to comply with such requisition, to detain or send her to Gibraltar or to England.

Further directions were given not to detain any Spanish homeward bound ships of war, unless they should have treasure on board, nor merchant ships of that nation however laden, on any account whatever. That in the prosecution of these measures of precaution, many valuable lives should have been sacrificed, is a subject of much regret to his majesty, who laments it as an event produced alone by an unhappy concurrence of circumstances, but which can in no degree affect the merits of the case. The question of the just principle and due exercise of his Majesty's right, rests upon every foundation of the laws of nature and of nations, which justify the adoption of such measures as are requisite for defence, and the prevention of aggression.

It remains only further to observe, that if any additional proofs were requisite of the wisdom and necessity of precautionary measures, that proof would be found even in the declaration relied upon in the Manifesto of Spain, in which its government now states itself to have contemplated from the beginning of the War, the necessity of making itself a party to it, in support of the pretensions of France, expressly declaring, that Spain and Holland, who treated conjointly with France at Amiens, and whose interests and political relations were so closely connected with her,

must have with difficulty refrained from taking part against the injuries and insults offered to their ally.

It will further appear, by a reference to the dates and result of the several representations made by his Majesty's Charge d'Affaires at the Court of Spain, that the detention of the Spanish treasure ships never was in question during the discussions which preceded his departure from Madrid. That ground of complaint, therefore, which has since been so much relied upon, formed no part of the motive of the previous hostile character so strongly manifested by the Spanish Court in their mode of treating the points in discussion, nor of the final rupture of the negotiation at Madrid.

On the 26th of October, 1804, his Majesty's Charge d'Affaires presented a note to the Spanish minister, in which the following conditions were insisted upon, as preliminary to the appointment of a minister from Great Britain, who might treat of the adjustment of other matters which remained for discussion. The conditions were three: first, that the orders given at Ferrol, Cadiz and Carthagena, should be countermanded, as well for the equipment of ships of war in any of those ports, as for their removal from one of those ports to another. Secondly, that not only the present armaments should be discontinued, but that the establishment of ships of war in the different ports should be replaced on the footing on which they stood at the commencement of the hostilities between England and France.— Thirdly, that a full disclosure should be made of the existing engagements, and of the future intentions of Spain with respect to France. From the period above mentioned, to the 2d of November, several official notes passed between his Majesty's Charge d'Affaires and the Spanish minister, consisting, with little variation in their tenor, of urgent demands of satisfaction on the one side, and of evasive and unsatisfactory replies on the other.— After repeated delays and reiterated applications, his Majesty's Charge d'Affaires received his passports on the 7th of November, and departed from Madrid on the 14th of that month. During the whole of this negotiation, no mention was made of the detention of the Spanish treasure ships, nor does it anywhere appear that an account had been received at Madrid of that transaction. It is evident, therefore, notwithstanding the attempt made by the Spanish Court to avail itself of that event, in the Manifesto which has been since published, that the state of war must equally have risen between Great Britain and Spain, and that, in point of fact, the rupture ultimately took place upon grounds distinct from, and totally unconnected with, that measure.

The leading circumstances which characterize the reiterated abuse of his Majesty's moderation, were each of them of a nature to have exhausted any less settled system of lenity and forbearance. Succours afforded to his enemies; explanations refused or evaded, after repeated demands; conditions refused or evaded, after distinct notice that on them depended the continuance of Peace. Such has been the conduct of the Spanish Court, and it is under these circumstances that his Majesty finds the domineering influence of France exerted, and the Spanish nation in a state of declared and open war.

His Majesty appeals with confidence to all Europe for the acknowledgement of his exemplary moderation in the whole course of these transactions. His Majesty feels with regret the necessity which places him in a state of hostility with Spain; and would, with heartfelt satisfaction, observe, on the part of that country, the assumption of a more dignified sense of national importance, and a more independent exertion of sovereign rights. His majesty would indeed be most happy to discover, in the Councils of Spain, a reviving sense of those ancient feelings and honorable propensities which have at all times been so congenial to the Spanish character, and which, in better times, have marked the conduct of its government. His majesty will, on his part, eagerly embrace the first opportunity, thus offered, of resuming a state of peace and confidence with a nation which has so many ties of common interest to connect it with Great Britain, and which he has hitherto been ever disposed to regard with sentiments of the utmost consideration and esteem.

PHILADELPHIA, March 17.

We have been favored with a copy of the following letter to a respectable house in this city, which, with the subjoined price-current, will be interesting to our commercial friends, whom we congratulate on the favorable state of the market for articles of American export.

[Political Register.]
Liverpool, 30th January, 1805.

SIR,
We annex hand you price-current. Cotton is very brisk and looking up, and the importations from America have had no effect upon the market. The importers, from the very high price they have been obtaining, have gradually sold as landed, and there are scarcely any low cottons

in their hands.— The quarantine from the southern states has considerably impeded the new crop in coming into market, and aided by the spirit of speculation, has, in all probability, tended to avert that check which the arrivals of new cottons have hitherto always effected, and which was much dreaded this year by several, but apparently we have nothing to fear on that score at present; and there is every probability of prices being at least maintained for some time.

In fine Sea Island cottons there has been a most singular occurrence in the sale: a parcel of Butlers St. Simon's, a noted mark, has been sold at 4s 9s—5s and 6s per pound within a period of about one week, and by the same house, in sight and unseen, and the quality of course all equal, which will evince the rapid advance which has taken place.— Trade in Manchester is brisker and prices rather higher, but it appears principally to be caused by the advance in cotton.

As the market has now stood the test of the arrival of the new crop, it is probable that prices may go well for some months; but we apprehend towards May or June, every bale will be thrown into the market which can be shipped, and being in general a dull season, that there is some risk of a check about that time, but if so, it is probable from present appearances, that it will be recovered in the Fall.

Grain is rather higher, but we confirm our former advices.

Upland Georgia cotton, has been sold at 2s. no Tennessees on hand, or same price might be obtained.

New Orleans ought to take 2 1/2, which is asked.

The approach of spring will try the market for export produce, which may perhaps move if drawbacks are not heavy.

Letters of marque have been granted against Spain, and it is clear that a treaty is nearly concluded between this country and Russia and the probability that others of the Northern Powers will come into some measure to check the increasing power of France.

LIVERPOOL, 30th January, 1805.

PRICES CURRENT.

- COTTON, Sea Island, lb. 2s 3d a 4s 4d
- Upland Georgia, 1s 8d a 1s 11d
- Natchez, 1s 9d a 2s
- Tennessee, 1s 8d a 1s 10d
- Louisiana, 1s 9d a 2s
- Bourbon, 2s a 3s 6d
- Cayenne, 2s 6d a 2s 10d
- Surinam, 2s 6d a 2s 8d
- Demerara, 2s 3d a 2s 7d
- Barbadoes, 2s a 2s 2d
- Grenada, 2s a 2s 1d
- Guadaloupe, 1s 11d a 2s
- Com. West India, 1s 11d a 2s 1d
- Bahama, 1s 11d a 2s 6d
- St. Domingo, 1s 11d a 2s
- Carracca, 1s 4d a 1s 7d
- Giron, 1s 11d a 2s 2d
- Carthagena, 1s 6d a 1s 9d
- Laguaira, 1s 6d a 1s 9d
- Oronoko, none
- Jamaica, 1s 11d a 2s 1d
- Pernambucco, 2s 10d a 3s.
- Maranham, 2s 5d a 2s 7d
- Surat, 1s 3d a 1s 6d

[Very brisk, and the late arrivals from America do not appear to have any effect upon the market, and the stock landed and in the importers hands are very low, though a considerable quantity is under quarantine.]

- TOBACCO, James River, lb. 3 1/2d a 8d
- Rappanock, 3 1/2 a 5 1/2d
- Potomac, 3 1/2 a 6d
- Georgia, 3 1/4d a 6d
- Carolina, 3 1/4d a 5 3/4d
- Kentucky, 3 1/4d a 5 1/2d
- Maryland, 5 1/2 a 2 1/4d
- coloury, 6d a 8d
- kitfoot, 9d a 1s
- stem'd, 6d a 9d

[The demand for Tobaccos continues regular, and expected to maintain their prices—the stocks moderate.]

- INDIGO, Carolina, lb. 5s a 7s 6d
- Mississippi, 6s 6d a 8s 6d
- St. Domingo, 6s 6d a 8s 6d
- Flota, 7s a 11s
- Carracca, 7s a 11s
- Spanish 6s 6d a 11s
- East India, 6s 6d a 11s
- Bourbon, 6s 6d a 11s

[No American Indigo at market, and the other stocks low and demanded.]

COCHINEAL, lb. 1/5s a 1/8s [little on sale.]

- SUGAR, Mus: Brown, cwt. 21 1/4s a 21 7/8s
- Middling, 21 7/8s a 21 1/2s
- Good, 21 1/2s a 21 1/8s
- Fine, 21 1/8s a 21
- Clayed, &c. &c. 21 10 a 31 1/2
- Terres 21 10 a 31 1/2

Havanna, White, 3/6s a 3/17s
Yellow, 2/16s a 3/2s
Brown, 2/7s a 2/12s

[Little doing in sugars at present.— The stocks are moderate, but expected to maintain their prices.]

- COFFEE, Ordinary, cwt. 61 a 61 10a
- Middling, 61 15s a 71
- Good, 71 5s.
- Fine, 71 10s a 71 15s
- Triage, 5/2 a 61

[Stocks of Coffee low, and expected to be higher in the spring.]

- COCOA, W. India Brown } 51 5s a 61 5s
- Red } 51 5s a 61 5s
- Spanish Common, 51 5s a 61 5s
- Carracca, none
- Surinam, 51 5s a 61 5s
- [Cocoa scarce and wanted.]
- GINGER, East India, cwt. none
- W. India White, 61 a 81
- Black, 21 5s a 21 10s
- [Ginger low in quantity.]