

His majesty's said advocate-general, with the advocate of the admiralty, is also forthwith to prepare a draught of a commission, and present the same to his majesty at this board, authorising the said commissioners for executing the office of lord high admiral, to will and require the high court of admiralty of Great-Britain, and the lieutenant and judge of the said court, his surrogate or surrogates, as also the several courts of admiralty within his majesty's dominion which shall be duly commissioned to take cognizance of, and judicially proceed upon all and all manner of captures, seizures, prizes, and reprisals of all ships and goods that are or shall be made, and to hear and determine the same, and according to the course of admiralty and the laws of nations, to adjudge and condemn all such ships, vessels and goods, as shall belong to the French republic, or to any persons being subjects to the French republic, or inhabiting within any of the territories of the French republic—and that such powers and clauses be inserted in the said commission as have been usual and are according to former precedents; and they are likewise to prepare and lay before his majesty at this board a draught of such instruction as may be proper to be sent to the said several courts of admiralty in his majesty's foreign governments and plantations for their guidance herein; as also another draught of instructions for such ships as shall be commissioned for the purposes above mentioned.

From the court of Queen's Palace, the sixteenth day of May, one thousand eight hundred and three.

[Signed by all the privy council.]

LONDON, May 19.

Lord Whitworth and his suite arrived last night at Whitehall at 11 o'clock, in two coaches and four, and two chaises and pair, with four outriders.

General Andreossi left Dover at seven o'clock yesterday morning.

The vacancy for lord of the bed chamber, it is said, will be filled by the marquis of Thomond, or the earl of Limerick.

The important papers relative to the negotiation with France, were last night laid before parliament. They occupy 145 folio pages, exclusive of the declaration of our government. Malta was the great subject of dispute, and of course, in a protracted discussion upon a single point a recurrence of the same argument is unavoidable. We now insert them in full length in whatever parts they are necessary to inform the judgment, or to gratify curiosity, and have abridged only in such parts, which, inserted at length, would be superfluous or repetition. Our account, therefore, will be found complete for the purpose of every reader.

May 20.

The Freya, capt. Fiords, from Ceuta, with wine and brandy, for Amsterdam, is taken by the Viper gun vessel, and sent into Dover.

The embargo is taken off coasting vessels.

LONDON, May 17.

His majesty's message, delivered to both houses of parliament yesterday afternoon, put an end to the uncertainty which many were under respecting the issue of the negotiation which was carrying on between this country and France.

At the privy council which sat at the queen's house yesterday, and at which his majesty presided, the message to parliament was settled, and orders issued to the lords of the admiralty to grant letters of marque and reprisal against all vessels belonging to the French and Batavian republics, and to lay a general embargo on all ships bound to any of their ports.

The renewal of the war between this country and France, has proved of essential service to America. Private letters from Paris state that the American minister, Mr. Monroe, has completely succeeded in the object of his mission, and that within these three days the French government has ceded to the Americans the possession of Louisiana.

It is further stated, upon the same respectable authority, that a sum of 6,000,000 dollars, due from France to individuals of the U. States, to obtain the payment of which was one of Mr. Monroe's principal objects, has been given up by the latter, the American minister having consented, that the government of the United States shall take that debt upon itself.

#### DECLARATION.

His majesty's earnest endeavours for the preservation of peace having failed of success, he entertains the fullest confidence that he shall receive the same support from his parliament, and that the same zeal and spirit will be manifested by his people, which he has experienced on every occasion when the honour of his crown has been attacked, or the essential interests of his dominions have been endangered.

During the whole course of the negotiations which led to the preliminary and definitive treaties of peace between his majesty and French republic, it was his majesty's sincere desire, not only to put an end to the hostilities which subsisted between the two countries, but to adopt such measures, and to concur in such propositions, as might most effectually contribute to consolidate the general tranquillity of Europe. The same motives by which his majesty was actuated during the negotiations for peace, have since invariably governed his conduct. As soon as the treaty of Amiens was concluded, his majesty's courts were open to the people of France for every purpose of legal redress; all sequestrations were taken off their property; all prohibition on their trade which had been imposed during the war were removed, and they were placed

in every respect, on the same footing with regard to commerce and intercourse, as the inhabitants of any other state in amity with his majesty, with which there existed no treaty of commerce.

To a system of conduct thus open, liberal, and friendly, the proceedings of the French government afford the most striking contrast. The prohibitions which had been placed on the commerce of his majesty's subjects during the war have been enforced with increased strictness and severity: violence has been offered in several instances to their vessels and their property; and, in no case, has justice been afforded to those who may have been aggrieved in consequence of such acts, nor has any satisfactory answer been given to the repeated representations made by his majesty's ministers or ambassador at Paris. Under such circumstances, when his majesty's subjects were not suffered to enjoy the common advantages of peace within the territories of the French republic, and the countries dependant upon it, the French government had recourse to the extraordinary measure of sending over to this country a number of persons for the professed purpose of residing in the most considerable seaport towns of Great-Britain and Ireland, in the character of commercial agents, or consuls. These persons could have no pretensions to be acknowledged in that character, as the right of being so acknowledged, as well as all the privileges attached to such a situation, could only be derived from a commercial treaty; and as no treaty of that description was in existence between his majesty and the French republic.

There was consequently too much reason to suppose, that the real object of their mission was by no means of a commercial nature, and this suspicion was confirmed, not only by the circumstance that some of them were military men, but by the actual discovery that several of them were furnished with instructions to obtain the soundings of the harbours, and to procure military surveys. His majesty felt it to be his duty to prevent their departure to their respective places of destination, and represented to the French government the necessity of withdrawing them; and it cannot be denied that the circumstances under which they were given to them, ought to be considered as decisive intentions of the government by whom they were employed.

The conduct of the French government, with respect to the commercial intercourse between the two countries, must therefore be considered as ill suited to a state of peace, and their proceedings in their more general political relations, as well as in those, which immediately concern his majesty's dominions, appear to have been altogether inconsistent with every principle of good faith, moderation, and justice. His majesty had entertained hopes, in consequence of the repeated assurances and professions of the French government, that they might have been induced to adopt a system of policy which, if it had not inspired other powers with confidence, might at least have allayed their jealousies.

If the French government had really appeared to be actuated by a due attention to such a system; if their dispositions had proved to be essentially pacific, allowances would have been made for the situation in which a new government must be placed after so dreadful and extensive a convulsion as that which has been produced by the French revolution. But his majesty had unfortunately had too much reason to observe and to lament that the system of violence, aggression and aggrandizement which characterized the proceedings of the different governments of France during the war, has been continued with a little disguise since its termination: They have continued to keep a French army in Holland against the will, and in defiance of the remonstrances of the Batavian government, and in repugnance to the letter of three solemn treaties. They have in a period of peace, invaded the territory, and violated the independence of the Swiss nation, in defiance of the treaty of Lunéville, which had stipulated the independence of their territory, and the right of the inhabitants to chuse their own form of government. They have annexed to the dominions of France, Piedmont, Parma, and Piacentia, and the island of Elba, without allotting any provision to the king of Sardinia, whom they have despoiled of the most valuable part of his territory, though they were bound by a solemn engagement to the emperor of Russia, to attend to his interests, and to provide for his establishment. It may, indeed, with truth be asserted, that the period which has elapsed since the conclusion of the definitive treaty, has been marked with one continued series of aggression, violence and insult on the part of the French government.

In the month of October last, his majesty was induced in consequence of the earnest solicitation of the Swiss nation, to make an effort, by a representation to the French government, to avert the evils which were then impending over that country. This representation was couched in the most temperate terms; and measures were taken by his majesty for ascertaining, under the circumstances which then existed, the real situation and wishes of the Swiss cantons, as well as the sentiments of the other cabinets of Europe. His majesty learned, however, with the utmost regret, that no disposition to counteract these repeated infractions of treaties and acts of violence was manifested by any of the powers most immediately interested in preventing them; and his majesty therefore felt, that, with respect to these objects, his single efforts could not be expected to produce any considerable advantage to those in whose favour they might be exerted.

It was about this time that the French government first distinctly advanced the principle, that his majesty had no right to complain of the conduct, or to inter-

fere with the proceedings of France, on any point which did not form a part of the stipulations of the treaty of Amiens. That treaty was unquestionably founded upon the same principle as every other antecedent treaty or convention, on the assumption of the state of possession and of engagements subsisting at the time of its conclusion; and if that state of possession and of engagements is materially affected by the voluntary act of any of the parties, so as to prejudice the condition on which the other party has entered into the contract, the change, so made, may be considered as operating virtually as a breach of the treaty itself, and as giving the party aggrieved a right to demand satisfaction or compensation for any substantial difference which such acts may have effected in their relative situations; but whatever be the principle on which the treaty is to be considered as founded, there is indisputably a general law of nations, which, though liable to be limited, explained, or restrained by conventional law, is antecedent to it, and that law or rule of conduct which all sovereigns and states have been accustomed to appeal, where conventional law is admitted to have been silent.

The treaty of Amiens, and every other treaty providing for the objects to which it is particularly directed, does not therefore imply an indifference to all other objects which are not specified in its stipulations, much less does it adjudge them to be of a nature to be left to the will and caprice of the violent and the powerful. The justice of the cause is alone sufficient ground to warrant the interposition of any of the powers of Europe in the differences which may arise between other states, and the application and extent of that just interposition is to be determined solely by considerations of prudence. These principles can admit of no dispute; but if the new and extraordinary pretensions advanced by the French government, to exclude his majesty from any right to interfere with respect to the concerns of other powers, unless they made a specific part of the stipulations of the treaty of Amiens, was that which it was possible to maintain, those powers would have a right, at least, to claim the benefit of this principle, in every case of difference between the two countries.—The indignation of all Europe must surely then be excited by the declaration of the French government, that, in the event of hostilities, these very powers who were no parties to the treaty of Amiens, and who were not allowed to derive any advantage from the remonstrances of his majesty in their behalf, are nevertheless to be made the victims of war which is alleged to arise out of the same treaty, and are to be sacrificed in a contest which they not only have not occasion, but which they have had no means whatever of preventing.

His majesty judged it most expedient under the circumstances which then affected Europe, to refrain from a recurrence to hostilities on account of the views of ambition and acts of aggression manifested by France on the continent; yet an experience of the character and dispositions of the French government could not fail to impress his majesty with a sense of the necessity of increased vigilance in guarding the rights and dignity of his crown, and in protecting the interests of his people.

Whilst his majesty was actuated by these sentiments, he was called upon by the French government to evacuate the island of Malta. His majesty has manifested, from the moment of the signature of the definitive treaty, any anxious disposition to carry into full effect the stipulations of the treaty of Amiens relative to that island. As soon as he was informed that an election of a grand master had taken place, under the auspices of the emperor of Russia, and that it had been agreed by the different priories assembled at St. Petersburg to acknowledge the person whom the court of Rome should select out of those who had been named by them to be grand master of the order of St. John, his majesty proposed to the French government, for the purpose of avoiding any difficulties which might arise in the execution of the arrangement, to acknowledge that election to be valid; and when, in the month of August, the French government applied to his majesty to permit the Neapolitan troops to be sent to the island of Malta, as a preliminary measure for preventing any unnecessary delay, his majesty consented without hesitation to this proposal, and gave direction for the admission of the Neapolitan troops into the island. His majesty had the shewn his disposition not only to throw no obstacle in the way of the execution of the treaty, but, on the contrary, to facilitate the execution of it by every means in his power. His majesty cannot, however, admit, that at any period since the conclusion of the treaty of Amiens the French government had any right to call upon him, in conformity to the stipulations of the treaty, to withdraw his forces from the island of Malta. At the time when this demand was made by the French government, several of the most important stipulations of the arrangement respecting Malta remained unexecuted: the election of a grand master had not been carried into effect.

The tenth article had stipulated that the independence of the island should be placed under the guaranty and protection of Great-Britain, France, Austria, Russia, Spain and Prussia. The emperor of Germany had acceded to the guaranty, but only on condition of a like accession on the part of the other powers specified in the article. The emperor of Russia refused his accession, except on the condition that the Maltese language should be abrogated; and the king of Prussia had given no answer whatever to the application which had been made to him to accede to the arrangements. But the fundamental principle upon which the existence of the treaty depended, the execution of other parts of the article, had been defeated by it.