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**DECLARATION.**

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 Ildephonso, if not disclaimed by Spain.

That treaty, in fact, identified Spain with the Republican Government of France, by a virtual acknowledgement 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, comprised 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, she 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 and aggression, and to be applied in whatever proportion France might think proper, for the avowed purpose of endeavouring 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 1803; 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 necessarily bound by the mere fact of the existence of a war between Great Britain and France, without subsequent explanation and discussion, to fulfil the stipulations of the treaty of St Ildephonso, 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 France a certain sum monthly, in lieu of the naval and military succours 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 any 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 disposi-

tion 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 some degree upon the amount of the succours, and upon her maintaining a perfect neutrality in all other 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 of 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 perseverance 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 if he received authentic information of any naval armaments preparing for the assistance of France, to leave Madrid, 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 discussions; during which his Majesty's Minister told Mr. Cevallos, in answer to his que-

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