THE NEGOCIATION.

Papers presented by his majesty's command, to both houses of parliament. 18th May, 1803.

[CONTINUED]

(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 small number of foreigners assembled in London to conspire against the French government, produce the most unfavorable effects on the good understanding between the two nations. Even tho' 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 libeller than to any other individual, who without a declaration of war, should permit himself to violate the duties of good neighborhood. 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 Francois 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 in 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 honor 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 resentments.

I have the honor to be, &c.

(Signed) OTTO.

To his excellency lord Hawkesbury, minister and secretary of state for the foreign department.

(No. 11.)

Downing street, July 28, 1802.

SIR,

I have the honor to acknowledge the receipt of your letter on the subject of the last number of Peltier. It is impossible that his majesty's government could peruse the article in question without the greatest displeasure, and without an anxious desire that the person who published it should suffer the punishment he so justly deserves. The calumnies, however, to which his majesty's government, and many of the best subjects in this country are frequently exposed in the public prints, must necessarily convince all foreign governments of the difficulties which exist in a constitution like that of Great-Britain, in preventing the abuse which is often unavoidably attendant on the greatest of all political benefits; and though publications of this kind are as they certainly ought to be by the laws of England, subject to punishment, it is often difficult to prove the guilt of an individual so satisfactorily as to obtain the judgment of a court of justice; and the inconvenience which arises from prosecution, unless there is a reasonable prospect of success, is frequently sufficient to deter both the government and individuals from undertaking it. In the present case, I have thought it my duty to refer the article in question to his majesty's attorney-general, for his opinion whether it is or is not a libel, according to the construction of the law of England, and whether it is such a libel as he would under all the circumstances, recommend for prosecution. As soon as I receive his report, I shall have the honor of communicating it to you.

I have the honor to be, &c.

(Signed) HAWKESBURY.

M. Otto, &c. &c.

(No. 12.—NOTE)

The undersigned 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 honor of writing under date of the 28th 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 tranquility, 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 licenticusness of the press when it may be injurious to the honor or the interests of foreign powers, would afford an opportunity for libellists to endanger the public tranquility, 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 supercede 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 honor 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 tranquility of Europe, but even to dissolve the first bonds of society.

The undersigned minister must moreover observe, that this is not a question respecting some paragraphs, which, through the inadvertance 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 writings, 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 *concordate*, that these implacable enemies of France continue to exercise hostilities, and 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 neighbor 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 special 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 witings 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 of 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 ordered 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 headof their family.

6th. That such of the French emigrants as still 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 negociation, with regard to the mutual agreement for maintaining tranquility and good order in the two countries. If any one in particular of these 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 neighboring power those who might endanger the public tranquility.

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 that 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 & to the nation at large, (which has made it the depository of its power and of its honor) not to appear insensible to insults and to plots during profound peace, which the irritation of open war could not justify, and it 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, 17th August, 1802.

(No. 13.)

Downing-street, August 28, 1802.

SIR,

I send you the 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 explanations with the French government on the several points to which it refers. It is impossible not to feel considerable surprise at the circumstances under which it has been thought proper to present such a note; at the stile in which it has been drawn up, and at the complaints contained in it. Whatever may be the general disposition 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 so 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 conduct is to be referred to temper or 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 authorize 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 unauthorized English newspapers, or to the other publications of which complaint is now made, but is converted into and made a pretence for a direct attack upon the government of his majesty. His majesty feels it beneath his digity 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 independent 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 preper, 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, of 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 dominions, and whom the safety of those dominions might require in 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 farther discussion on this subject. The French government have upon several occasions resorted on 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 conntry, 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 neighborhood of Paris, surrounded by his family and friends, till the time of his death. It was not till after his demise, when Louis 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 subsequently 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. After his removal, many of his adherents continued to reside in France; many persons resident in this country, who were attached to the cause of the pretender, and had promoted the rebellion in his favor, and who were consequently attainted for high treason, sought refuge in France, and were permitted to remain there till their death, without any application ever having been made by the British government for their removal. The duke of Berwick, the natural son of James the Second, who from his principles and talents was the most dangerous man to the interests of this country and the protestant succession, continued to be a general in the French armies, and though descended from the king, an Englishman and an emigrant, it was not required that he should be sent out of France. In the present case there is no article in the treaty of peace by which his majesty is bound to send from this country any Frenchman whatever, except on account of the crimes specified in the twentieth article of the definitive treaty, and in consequence of the proofs therein required having been adduced. In the present case, it cannot be pretended that his majesty has ever given the slightest countenance to the cause of the royalists in France against the present government, since the period when he acknowledged that government; and if there were not these important differences in the two cases, they would be totally dissimilar in the only remaining point; for in the case of the house of Stuart, as has been already stated, notwithstanding the violence of the times, and the danger to which the Protestant succession was really exposed, this strong act of authority was confined to the person of the pretender; and the individual who must be recognised in that character by the French government, and whose case can alone bear any similarity to the former even in this respect, is not, and never has been within his majesty's dominions: other precedents might be adduced on this subject; but it is not necessary to state them, as the foregoing are sufficient.

With respect to the complaints in detail under the second head. Upon the first, you may inform the French government, that the emigrants in Jersey, many of whom had removed there solely on account of the cheapness of subsistence, had actually removed, or were removing, previous to the representation concerning them in Mr. 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. Paul 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 proof 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, Mr. 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 honor and his sense of justice, to withdraw from them the rights of hospitality, as long as they conduct themselves peacebly 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 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 Mr. Otto's note, it is important to observe, that it is far from conciliating; & 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 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 honor and independence of the coutry, 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 a violation of those rights on which the liberties of the people of this country are founded.

I have the honor to be, &c.

(Signed) HAWKESBURY.

Anthony Merry, esq.

No. 14. Is a letter from general Vial to lord Hawkesbury, dated August 1st, stating that he set out for Malta about the 20th July, and would soon be in a condition to treat with his Britannic majesty's minister plenipotentiary on the evacuation of that island. The three months in which it ought to have taken place were expired, and it is desirable that the two thousand Neapolitans should be transported, that they might be in readiness when the evacuation should take place. Mr. Drummond, the English minister at Naples, having said he was not authorised to facilitate this transport, as the stipulations which ought to precede it were not yet fulfilled; M. Otto says he is instructed to request the British ministry, that directions may be given for the execution of the 10th article without obstacle.

No. 15. Lord Hawkesbury's answer to M. Otto's note, dated August 23, says, that by the last advices from Malta, it appears that sir Alexander Ball had arrived there on the 10th of last month, and that having conferred with general Fox upon the subject, he had written to Mr. Drummond, that there was no impediment whatever to the immediate reception of the Neapolitan troops, and that their quarters would be prepared accordingly. It was probable, therefore, that his Sicilian majesty's troops were already embarked, and on their passage.

(No. 16.)

Extract of a dispatch from Mr. Merry to lord Hawkesbury, dated Paris, October 3, 1802.

As soon as the Helvetic government had retired from Bern to Lausanne, the partizans of the ancient fnderative system of the Swiss cantons, who established immediately in the former city a provisional government, deputed a confidential to Paris, for the purpose of counteracting the measures of M. Stapfer, and of engaging the first consul to suffer the inhabitants of Switzerland to settle their affairs amongst themselves.—He was instructed in any emergency to address himself to the ministers here of the principal powers of Europe, and to solicit their interference and assistance in the object of his mission. He reached Paris four days ago, and had reason to flatter himself, from the result of an interview which he had immediately with M. Talleyrand, that the first consul would put no obstacle in the way of any arrangement which the Swiss might agree upon among themselves, for the final settlement of their government; he was therefore much surprised to learn soon afterwards, that a change had taken place in the first consul's sentiments, and his astonishment was completed when he found that the latter had taken so decided and so unfavorable a part in the business, as that which is announced by a resolution published in yesterday's Moniteur (which I have the honor to transmit inclosed) in the form of an address to the inhabitants of Switzerland.

This person having besides this public declaration, acquired some private information of its being the first consul's intention to give the most immediate and vigorous effect to it, lost no time in addressing a letter to the latter, in which he took the liberty of stating that he must have been deceived by false representations, that his interference in the affairs of Switzerland was, as he was authorised to say, entirely unsolicited by the majority and the best thinking part of the inhabitants, and that he had therefore to intreat of him, in the most earnest manner, to suspend the execution of his resolution until those explanations could take place, which he trusted might be the means of preventing the immense effusion of blood which would otherwise inevitably ensue. He at the same time addressed himself in the course of yesterday to me, as well as to the Austrian and Spanish ambassadors, and to the Russian and Prussian ministers, (not having gained admittance to Monsr. de Cobentzel, nor to M. de Markoff or Lucchesini; he afterwards wrote to them) soliciting, in the strongest terms, an interference (jointly, if possibly) on their part, with the French government, to endeavor to avert the impending evil. I naturally observed to him in answer, that the present state of political relations between the great powers of Europe afforded no prospect of his obtaining their ministers at Paris, to adopt a concerted measure in favor of the object which he had so much at heart, and that of course I could not take it individually upon myself, without any express instruction from my government. He returned to me to-day, to acquaint me that he was not only as yet without a reply from any quarter, but had reason to fear that his prayers would not be listened to by the Austrian, Russian, and Prussian ministers; he therefore conjured me to transmit them to his majesty's government, from whom only his countrymen could have a hope of deriving any assistance in the terrible conflict which he knew they were determined to stand, and which would only cease by the extermination of every virtuous and brave man in the country.—He then put into my hand a note which he had drawn up in a hurry, and of which I enclose a copy. Whilst, my lord, it was out of my power to give him any encouragement to expect from his majesty's government the assistance which his petition expresses, I have thought it my duty to lose no time in making you acquainted with a state of things which may shortly be attended with very important consequences.

(Translation of inclosure referred to in No. 16.)

NOTE.

So long as Switzerland was occupied by the French armies, the wishes of the people could never be freely manifested. The petty revolutions which took place in the government were the mere tricks of certain factions, in which the nation at large took but a very trifling interest.—Scarcely did Switzerland think herself independent, when she was desirous of returning to her ancient institutions rendered still dearer to her by her late misfortunes, and the arbitrary acts of the government furnished her with the means of doing so. Almost the whole of Switzerland, with unexampled unanimity and moderation shook of the yoke. The cantons formed themselves into constituent bodies; and twelve of the thirteen cantons of Switzerland sent their representatives to the diet of Schwitz, in order there to organize a central power, which might be acceptable to the neighboring powers.

The aristocratical cantons renounced their exclusive rights; the Pays de Vaud was left at liberty to form its own constitution, as well as Thurgovia and the other new cantons.

The government having taken refuge at Lausanne, was by no means secure there, notwithstanding its regular troops; perhaps even at the present moment it no longer exists.

Who would not have thought that according to the stipulation of the treaty of Luneville, which grants independence to Switzerland, and the right of chusing its own government, every thing was settled, and that this nation might see its former happiness and tranquility revive?

Who could have thought that the first consul would have issued such a decree as that of the 29th September?

Is an independent nation to be thus treated: Should Bonaparte persist in his determination, and the other powers should not interpose in our favor, it only remains for us either to bury ourselves in the ruins of our houses, although without hope of resistance, exhausted as we are by the colossus who is about to overwhelm us, or to debase ourselves in the eyes of the whole universe?

Will the government of this generous nation, which has at all times afforded so many proofs of the interest it takes in the welfare of the Swiss, do nothing for us under circumstances which are to decide, whether we are still to be ranked amongst *free people?*

We have only men left us: The revolution and spoliations without end, have exhausted our means. We are without arms, without ammunition, without stores, and without money to purchase them.