

## **ANNEX 17**

**WILLIAM HENRY FLAYHART III**

*Brit. Foreign Office*

P A P E R S

RELATIVE TO THE

DISCUSSION WITH SPAIN

In 1802, 1803, and 1804.

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LONDON:

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20th of this Month. I have since that Day received authentick Accounts of the Passage of several small Detachments of Frenchmen going to Ferrol; and I believe that this Circumstance is not at this Moment unknown to His Catholick Majesty's Government; but in any Case, should they think proper to make Enquiries into the Fact, it would afford some Satisfaction to me, to receive, in the mean while, your Excellency's Assurance, that Measures were already taken to put a Stop to this Abuse, of the Continuance of which, the Spanish Government must henceforward charge itself with the Consequences.

(Signed) B. FRERE.

To his Excellency Don Pedro Cevallos,  
&c. &c. &c.

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No. 40.

Copy of a Dispatch from Lord Harrowby  
to B. Frere Esquire, dated Downing  
Street, 29th September 1804.

Sir,

**I**NFORMATION has been received from Rear Admiral Cochrane, that Orders have been given by the Court of Madrid, for arming without Loss of Time at Ferrol Four Ships of the Line, Two Frigates, and other smaller Vessels; that similar Orders have been given at Carthagena and Cadiz; and particularly that Three First Rate Ships of

the Line are directed to sail from the last mentioned Port ; and as an additional Proof of hostile Intentions, that Orders have been given to the Packets to arm as in Time of War.

In consequence of this Information, I am commanded to signify to you His Majesty's Pleasure, that, as soon as you receive this Dispatch, you should request an Audience of M. de Cevallos.

You will express to him the Surprise and Concern with which the Intelligence of these unexpected and unjustifiable Measures has been received in this Country.

You will recall to the Recollection of that Minister, the Grounds upon which His Majesty has hitherto forbore from considering Spain as an Enemy. That nothing could have induced Him to continue this Forbearance, but a sincere Desire to avoid extending the Calamities of War, and a Willingness to confide in the Assurances of the Spanish Government, that the Payments made to France were only intended to gain Time, until Circumstances should enable them to adopt Measures more consistent with their Interests and their Wishes. That His Majesty had repeatedly required a Communication of the Engagements entered into with France ; but had only received in answer to such Demands an indefinite Assurance, that whatever might be the Amount of the Payments to be made by Spain to France, they had been calculated with a Reference to the Expence of the Military and Naval Succours stipulated by Treaty.

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That no Means had been afforded to His Majesty of judging whether the Payments were in fact only an Equivalent for the Succours, or whether they so far exceeded that Amount as to make it impossible to consider Spain otherwise than as a Principal in the War.

That His Majesty therefore had been under the Necessity of expressly reserving to Himself the full Right of regulating his Conduct towards Spain, according to the Appearance of existing Circumstances; but that the abstaining from all Naval Preparations on the Part of that Power had been distinctly declared to be one of the indispensable Conditions annexed by His Majesty to the Continuance of His Forbearance.

You will state to M. de Cevallos, that, after such Declarations had been made, it would be difficult to suppose that any Explanation could be given of the present Naval Preparations, which would render such a Proceeding consistent with the Neutrality which is professed; but it is manifestly impossible to consider it, unaccompanied as it has been by any ~~previous~~ Explanation whatever, in any other Light, than as a Measure directly hostile, and imposing upon His Majesty the Duty 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 from sailing from that Port, or any additional Ships of War from entering it.

The whole Conduct of His Majesty towards Spain has abundantly proved His earnest Desire to carry that Forbearance to the utmost Limit which a due Regard to the Safety and Interests of His People would admit: But He cannot depart from the Declarations He has already made; nor allow Spain to enjoy all the Advantages of Neutrality, and, at the same Time, to carry on against Him a double War, by assisting His Enemies with pecuniary Succours, to which no Limit is assigned; and by obliging Him, at the same Time, to divert a Part of His Naval Force from acting against those Enemies, in order to watch the Armaments carried on in Ports professing to be neutral.

You are, therefore, directed to require from the Spanish Government the immediate Recall of all Orders for the Naval Armament at Ferrol, Cadiz, and Carthagená, as well as for sending Reinforcements from some of those Ports to others; and you will apprise M. de Cevallos, that, unless you receive a satisfactory Answer without Delay, you are ordered to quit Madrid. If positive and unequivocal Assurances are given, not only that the present Naval Equipments shall be discontinued, but that the Naval Armaments in the Ports of Spain shall be placed upon the same footing on which they were previously to the Commencement of Hostilities between Great Britain and France, you will engage to transmit such Assurances to His Majesty, and you will take upon yourself to answer for its being the Intention of

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of His Majesty, in case there appears sufficient Reason to believe that they will be strictly fulfilled, to send a Minister to Madrid, for the Purpose of entering into an amicable Discussion of all other Points of Difference.

It must, however, be distinctly understood, that no such Discussion can be entered into unless the Court of Spain is prepared to give such an Explanation of its Engagements with France, and of the System which it intends to adopt, as may enable His Majesty to ascertain the Nature of the Relations which are to subsist between Himself and his Catholic Majesty.

If the Answer given by M. de Cevallos should be negative or equivocal, you will demand your Passports, and leave Madrid.

I am, &c.

(Signed) HARROWBY,

To B. Frere Esquire.

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No. 41.

Copy of a Dispatch from Lord Harrowby  
to B. Frere Esquire, dated Downing-street,  
29th September 1804.

Sir,

THE preceding Dispatch is written with the View  
of being read in extenso to M. de Cevallos,  
in your Conference with him; and if you should  
find it necessary to make any Communication in

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Writing,

to them, and they are formed into Three Departments; viz. Ferrol, Cadiz, and Carthagena. Three hundred French Soldiers are within a few Days March of this, disguised as Sailors, from Bayonne. The Spaniards are afraid to interfere.

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No. 105.

Naval Occurrences at Cadiz for August 1804, reported by Mr. Duff, His Majesty's Consul at that Place.

**AUGUST 7.**—Sailed for Galicia the King's Urca, or Store Ship, the Brujalo.

August 20.—Sailed the Urca Santa Justa for Trieste, to bring Quicksilver.

The Ship San Leandro, and the Frigates Amphitrite and Rufina, which latterly have arrived from Vera Cruz and the Havannah, are to remain in this Department.

The Frigate Matilda, which arrived from Carthagena the 11th, is under Orders, to proceed for the Havannah in the next Month, with Stores for that Department, her Commander Don Antonio Vacoro.

The Frigate Magdalena is continuing to be fitted out at the Carracas, to proceed for America.

The Frigate Venganza, which arrived latterly from Vera Cruz with Money, and the Frigate the Prueba, which has been in Readiness some Time in Galicia, are under Orders to proceed soon for Vera Cruz, to bring Money.

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One Frigate which remained at Vera Cruz is expected soon with a similar Sum, for the King, as the three others which are arrived. A very considerable Sum, which it is judged may amount to above 5 Millions, is expected from the same Place, on Account of the Merchants, and to come in the Merchant Ships expected from that Part in the Course of this Year.

The Frigates expected from Lima and Buenos Ayres, 4 or 5 in Number, and one from Carthagena, are not yet arrived; they may be looked for in what remains of this Year, and may be expected to bring in all from 8 to 10 Millions for account of the King and of the Merchants.

N. B. In the Carraccas Things continue, and are going on, much as before; the old Ship Rayo, Sister Ship to the Gibraltar, is changing into a Three Decker, her Bottom has been found very good at this Length of Time since she has been built; since making out this Report, I am informed the registered Seamen from the different Ports belonging to this Department, viz. from that of Ayamante to that of Algefires, both inclusive, have been ordered to repair to the Carracca; this would indicate an Intention to man the Ships which are fitted out; I will be attentive to the Results, and to know how far it may be carried into Effect, and as to the Object proposed by it; giving Information as to the Result.