

“A Most Beneficial Treaty for this Country”: Anglo-Neapolitan Commercial Negotiations in 1789

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The Bland Burges Deposit in the Bodleian Library in Oxford contains a number of documents that throw light on commercial negotiations in 1789 between Britain and the Kingdom of Naples. The intention of this note is to print the relevant items and it has been made possible by the kind permission of their depositor, Richard Head. After a Neapolitan approach in December 1786, repeated in February 1788, negotiations had begun in 1788, though it was not until August 1789 that Ralph Woodford, the relevant British official, was able to present articles for a treaty based on the earlier exchange of papers between Britain and Naples.¹ The documents in the Bland Burges Deposit date from later in the year and arose from the need to consult Charles Jenkinson, 1st Lord Hawkesbury, the head of the Committee of Trade. The first letter was written on 28 October by James Bland Burges, recently-appointed Under-Secretary at the Foreign Office. In it he outlined the clear benefits to be expected from the successful conclusion of a treaty. Hawkesbury replied the next day with his comments on the proposals and Bland Burges reviewed the comments in a reply of 30 October. The letters, therefore, throw considerable light on the principal points in discussion on the British side.

The draft treaty was given to Count Lucchesi, the Neapolitan Minister in London, in early November 1789, but delays and, possibly, international developments led to the failure to sign a treaty.

The letters herewith printed are volume 37 folios 46-52 of the Bland Burges papers.

¹ J. Ehrman, *The British Government and Commercial Negotiations with Europe 1783-1793*, 'Cambridge, 1962', pp.160-167.

My Lord

I have the Honor to send your Lordship the Neapolitan Treaty, considerably altered, and digested in the best manner I have been able to do it, after due consideration of the King's Advocate's Report, those from your Lordship's Office and the Customs, the Statements of our own Merchants, and some long Conversations I have had with Count Lucchese [sic]. If your Lordship will not think it too presumptuous in me, to hazard an opinion on this subject to one so much better qualified to judge of it than I can be, I would suggest the propriety of pushing forward this Treaty, on its' present footing, as quickly as possible. It is evidently our Interest to obtain a great and a new Market on very advantageous terms; an advantage which, in my judgement, we shall obtain at a very cheap price, by concessions in themselves of small importance, and deriving a consequence merely from the present situation of the Court of Naples. I confess I should think we did well, were we able to conclude this Treaty on Terms much less advantageous than those which we now propose; as there can be no doubt, that our superior Commercial Strength and the nature of our Manufactures and Produce must turn the ballance in our favor: the Neapolitans absolutely requiring the most material articles which we have to dispose of, and sending us in return hardly anything of importance, except their Gallipoli Oil, Raw Silk and Barilla. I myself, therefore, strongly incline to think that, if once our Ports are mutually open, we shall daily experience the benefit arising from a new and important channel of Trade; and, with this sentiment, I should be inclined very readily to fix our Tariff Five per Cent higher than that now proposed. The Court of Naples appears to be [47] so much delighted with the concessions we make with regard to the Search of our Vessels, modified and rendered almost null as it is, that I entertain great hopes of our carrying the Duties nearly as they are now proposed. In that case, we certainly may meet Parliament next winter with confidence, well assured of having made a most beneficial Treaty for this country, whether we consider it in itself, or as operating by its' consequences on the future Commercial views of our Ministers.

I beg your Lordship's pardon, for having thus taken the liberty of expressing my sentiments on this subject, and have the Honor to be with much truth and respect.

My Lord

Your Lordship's most obedient
and most humble Servant

J. B. Burges

[48]

Addiscombe Place Oct 29th 1789

Dear Sir

I have lost no time, as you will see, in considering this Treaty, and in making such alterations and observations as appear to me to be of the least Importance. You will find them all either in the Margin of the articles, or on the [word obscure]; and you will admit or reject these as you may think proper. It is impossible for any one to be more disposed than I am, to bring this business to a conclusion; and I think that in two or three days it may be compleated.

I am with great Regard

Dear Sir

your faithful

Humble Servant

Hawkesbury

[50]

Whitehall 30th October 1789

My Lord

I am much obliged to your Lordship for returning the Treaty so very soon; and, were I not sufficiently acquainted with the ability which can so rapidly distinguish the Political and Commercial Interest of this Country, I should be surprized at the uncommon quickness with which your Lordship has been able to consider a business of such extent. It would ill become me to delay for a moment to answer your Lordship's obliging Letter; and, as the only object of the present negotiation is the advantage of this Country, I am sure any freedom of observation, I may use in delivering my sentiments on this subject, will meet with your Lordship's favourable interpretation.

The Blanks in the 8th article, which your Lordship observes should be filled up, are left in their present state for the purpose of being filled up by the Court of Naples; we being ignorant here of the proper Titles of the Officers employed in their Customs.

I have adopted the alteration suggested by your Lordship in the 9th article as to the number of Revenue Officers to be boarded on Neapolitan Ships, and have put the matter on the footing of the most favored nation.

On the latter part of the same article relating to Tonnage, Freight, Loading and Unloading your Lordship asks, whether it is taking from any other Treaty? and you remark that it is oddly expressed, and that, if there is not a Precedent for it, it may as well be omitted.

I will endeavour, as briefly as possible, to explain these several points.

The Clause in question is not taken from any other Treaty; it is taken from the late commercial negotiation with the Court of Spain. That Court delivered a Proposal to that effect, which was agreed to by us; as appears from a Dispatch in the Duke of Leeds's² office, dated 11 September 1787, to Mr. Liston; written, as I am informed, in conformity with your Lordship's Sentiments on the subject. The following is an Extract from that Dispatch - "With respect to the other particulars of Search, Duties, Loading and unloading Goods etc there can be no difficulty in agreeing entirely to the Spanish Minister's Proposal."

As to the Mode of expressing this Idea, I certainly can have no personal motive for wishing to retain it, as the Clause in question was drawn by Mr. Woodford; but I confess it strikes me as being extremely clear; as containing in a very few words every thing which can be said upon the subject; and as being little likely to be misunderstood by those who are hereafter to be affected by its' operation, who will probably be better able to act on a short sentence than on an article detained and particularized. On the 15th article your Lordship supposes, that the Export Duties on a variety of enumerated articles are lower than what are paid at present; the proposed Export Duty of Five per cent is the same on all these articles as the Export Duty now paid, except on Barilla, where there will be a fractional Reduction, and on [51] Gallipoli oil, where there will be a Reduction of 16 per Cent. As an Export Duty of Five per Cent is by no means high; as our Merchants do not make any exceptions to it; and as our Trade can undoubtedly bear it without any disadvantage; it has not been thought expedient to attempt to reduce it; but it is fixed by the Treaty at the present rate, to secure our Merchants from any future Increase of it.

Your Lordship asks on the 20th article (which relates to British Rum imported in British Ships, and British or American Rum imported in Foreign Ships), if Rum is imported from France or Spain in Ships of those Countries, What is it in such case to pay? - I submit to your Lordship that, in a Commercial Treaty between England and Naples, such a question never can arise, or, at least, that we cannot answer it. We can make nothing more than regulations reciprocally binding on ourselves. If the French or Spaniards make a Treaty of Commerce with Naples, the question proposed by your Lordship will be very proper for their Consideration.

I agree very much with your Lordship's observation on the 33rd Article; namely - "That the Articles specified in the First and last Paragraphs of this Article are the same, and yet Different Duties are assigned to them; and that this should be cleared up, by which the Article would be made more consistent." The only reason why this was not done before the Treaty was sent to your Lordship was, that, as it was taken literally from the French Treaty, we were prevented from making any alteration in it, from a conviction that, expressed as it is, it has been attended with considerable advantages to

² Leeds was Foreign Secretary.

this Country, and from the great deference we pay to the high authorities by whom that Treaty was drawn and negotiated.....

Your Lordship objects to the enumeration of Contraband and Non Contraband Articles contained in the 49th and 50th articles. I will not take upon myself to say, Whether any Alteration in this respect might be adviseable as a measure of General Policy; but, as the necessity of obviating every thing which may occasion Delay in the present Negotiation is obvious, it will be better not to start a question, which, from its' novelty, and from the Discussions which it may occasion, may very probably defeat that main object. In a Treaty with Naples, little inconvenience can be apprehended from adopting the ancient mode of enumerating these articles. Perhaps indeed it may be less expedient to require this Concession from the Neapolitans than from any other nation; as they offer us great advantages and as a prohibition of the articles not at present considered as Contraband would injure us much more than it could affect them; most of them being articles in which they have no concern, but which possibly may become material parts of our Exports.

On the 68th article your Lordship says, you do not know enough of the Laws relating to Quarantine, to be able to say, Whether the Reciprocity here stipulated can be complied with conformably to those Laws; you therefore concluded that some legal opinion has been taken on this subject. Had your Lordship fortunately cast your eye on the King's Advocate's Opinion, which accompanied the Draft of the Treaty sent to your Lordship, you would have seen, that the whole of this Article "contains no Regulations but what are conformable to the Principles of the Laws of Nations, as well as to the Principles which we have usually adopted in our Maritime Treaties with other Powers."

As the business now stands, every thing appears to be compleatly settled for the Duke of Leeds to bring forward the Treaty and to deliver it to the Neapolitan Minister. I should therefore conceive that there cannot be any reason to trouble your Lordship to come to town Tomorrow.

I have the Honor etc J.B.B.

