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**IMPORTANT NOTICES**  
**OF**  
**MALTA AND GOZO,**




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**I**T is undoubtedly true, that the Maltese, from very remote period, enjoyed many privileges: that they were governed by their own laws: that they had their Magistrates and Representatives, who were accustomed to assemble in Council (vedi, *The Brief History of Malta*, of Mr. R. M. Martin, printed in London, 1835.)

The Magistrates created on 1363, (vedi *Raccolta di varie cose antiche e moderne &c.*, printed in Malta 1843, sold by Mr. Quintana, in which there is the catalogue of their names) were respected even by the French themselves, but abolished by Sir Thomas Maitland (1818).



It is true also, that the National Council was by degrees dis-  
potically and greatly modified by the Grand Masters; but its  
existence is sufficiently proved by the Praematical laws and  
Constitutions of the Grand Master Manoel, page 2 § 22—page  
51 § 23 and page 52; and by Rohan's Code, book the first,  
Ch. 15 § 11.

The Maltese reestablished it in September 1798, as soon as  
they broke out in open revolt against the French Government,  
to which afterwards they gave the name of Congress, only to  
condescend to the wishes of Captain Ball, then commanding His  
Majesty's Naval Forces in the blockade of Valetta, to whom they  
had appointed as President of their Assembly.

All the Country had been governed during the siege by the  
National Council, and after by the mentioned Congress, compo-  
sed of the Maltese Generals, the Chiefs of Battalions, and other  
respectable Persons elected by the People.

In the congress of 18th August 1800, Captain Ball proposed,  
that their sittings were no longer necessary: that all the De-  
partments of Government should be restored for the future to  
their ancient form: and the reins of the civil power be placed  
in his hands.

After much hesitation this demand was, by the Congress,  
complied with, upon some conditions.

When the British first provisionally occupied Valetta, it  
was stipulated, that the privileges of the Maltese should be  
preserved, and their ancient laws continued, as it can clearly  
be seen by a letter of Sir Alexander John Ball addressed to  
Secretary Windham dated 28th February 1807.

The same Sir Alexander Ball however arbitrarily suspended  
the Congress, as dear to the Maltese, as the House of Commons  
to the English Nation.

On the departure from Malta of the said Sir Alexander Ball in 1801, General Pigot addressed the Maltese a proclamation of 19th February 1801, with which informed them, that His Majesty takes them under his protection, and assures them the full possession of their religion, their property, and their liberty.

Sir Charles Cameron on his arrival soon afterwards, as Civil Commissioner, proclaimed on 15th July 1801, that His Majesty grants to the Maltese full protection, and the enjoyment of all their dearest rights.

When news arrived in Malta, that the preliminaries of the Peace of Amiens had been signed, by which these Islands were intended to be restored to the Order of St. John of Jerusalem, a Deputation composed of six persons, elected by an Extraordinary Congress of 9th November 1801, was immediately sent to England to the purpose of protesting against such a restitution, and declaring to His Majesty their intention of never submitting to it, the wishes and determination of the People being to remain for ever united to the British Empire.

Lord Hobart in that very time transmitted to the Deputies in London a copy of the 10th article of the definitive Treaty concluded at Amiens, and informed them, by a letter dated Downing Street 20th April 1802, of the new arrangements provided by the contracting Powers for the future Government of Malta.

• The restoration of the Order, by a political view of Great Britain, was not effected; these Islands therefore became a portion of the British Empire, by the voice of the Maltese themselves.

The Members of the Congress after made the following declaration of rights of the Inhabitants of the Islands of Malta and Gozo, dated Malta 15th June 1802, which was secretly neglected.



“ We, the Members of the Congress of the Islands of Malta and Gozo and their Dependencies, by the free suffrage of the People, during the siege elected, to present them on the important matter of ascertaining our native rights and privileges, enjoyed from time immemorial by our ancestors, who when encroached upon, have shed their blood to regain them, and of fixing a constitution of government, which shall secure to us and our descendants in perpetuity the blessings of freedom and the rights of just law, under the protection and sovereignty of the King of a free people, His Majesty the King of the United Kingdom of Great Britain and Ireland, after a long and mature deliberation, we made the following declaration, binding ourselves and our posterity for ever, on condition that our now acknowledged Prince and Sovereign shall, on his part, fulfil and keep inviolate his compact with us.

1. That the King of the United Kingdom of Great Britain and Ireland is our Sovereign lord, and His Lawful Successors shall, in all times to come, be acknowledged as our lawful Sovereigns.

2. That His said Majesty has no right to cede these Islands to any Power. That if chooses to withdraw His protection, and abandon His Sovereignty, the right of electing another Sovereign, or of governing these Islands, belongs to us, the inhabitants, and aborigines alone, and without controul.

3. That His Majesty's Governors or Representatives in these Islands and their Dependencies, are and shall ever be bound to observe and keep inviolate the Constitution, which with the sanction and ratification of His said British Royal Majesty, or His Representative, or Plenipotentiary, shall be established by us, composing the General Congress, elected by the People, in the following proportion, viz.

Cities—Notabile and Casal Dingli 14 members—Valetta 12—Vittoriosa 4—Senglea 4—Cospicua 4.

Casals or Burghs—Birchircara 6 members—Attard 2—Lia and Balzan 3—Curmi (also a city) 12—Naxaro 4—Gregorio 3—Musta 5—Zebbug (also city) 8—Siggeui 4—Luca 3—Gudia 1—Zurricco 4—Micabiba 2—Crendi 2—Zabbar 3—Tarxen 2—Haschiak 1—total Members 103.

4. That the People of Malta and Gozo, and their Representatives in Popular Council assembled, have a right to send letters or Deputies, to the foot of the Throne, to present and to complain of violation of rights and privileges, or of acts contrary to the constitution of the government, or of the spirit thereof.

5. That the right of legislation and taxation belongs to the Consiglio Popolare, with the consent and assent of His Majesty's Representative, without which the People are not bound.

6. That His Majesty the King is the Protector of our Holy Religion, and is bound to uphold and protect it, as heretofore, and without any diminution of what has been practised since these Island have acknowledged His Majesty as their Sovereign to this day: and that His Majesty's Representatives have a right to claim such Church honours, as have always been shown to the Regents of these Islands.

7. The interference in matter spiritual or temporal of no other temporal Sovereign shall be permitted in these Islands, and reference in spiritual matters shall only be had to the Pope, and to the respective Generals of the Monastic Orders.

8. That freemen have a right to choose their own religion. Toleration of other religions is therefore established as a right, but no sect is permitted to molest, insult, or disturb those of other religious professions.



9. That no man whatsoever has any personal authority over the lives, property, or liberty of another. Power resides only in the law: and restraint or punishment can only be exercised in obedience of Law.

Signed by all the Representatives, Deputies, and Lieutenants of the Villages and Towns."

Notwithstanding the premises, there are some few who still sustain that these Islands were conquered by the English Forces, without considering, that the English appeared before the Island not to make war upon the Maltese, but to drive out the common foe, against whom the Maltese were hardly engaged to expel out of the Island, as it is clearly proved by the summons of Lord Nelson 25th October 1798, who said to the French :

The situation of Malta is such, that the inhabitants are in possession of the whole Island, except the city of Valetta. The People of the Island are under arms against you. My object is to aid the good People of Malta. And by order of Cap. Ball of 19th February 1799, who told them : The Maltese will never cease to use all the efforts of which a brave people are capable to recover their Island. They have placed themselves under the protection of His British Majesty.

The Maltese, on the breaking out of the insurrection against the French Republicans on the 2nd September 1798, without any foreign assistance whatever, took possession of the whole Island, except Valetta, and compelled them to remain shut up within the fortifications.

When they were alone, the French made several sallies, but they were always beaten back. The harbour of Valetta was afterwards blockaded by the Portuguese, and after by the English Fleet, by whom the Maltese had only the assistance in arms and ammunitions.

The Maltese continued from the breaking out of the insurrection to blockade Valetta by land without any aid of foreign troops, for continual sixteen months, when General Graham arrived in Malta with His Majesty's 30th, and 89th Regiments ( 1300 strong ) who were the first British Troops landed in the Island, and soon after, some Neapolitan Troops ( 900 strong ) also arrived.

The British and Neapolitan troops had not one single soldier killed by the enemy; the French having not made any sally after the arrival of these troops in Malta. The Maltese only suffered the vicissitudes of the war for two years of the blockade, during which period they lost several thousands of their countrymen, mortgaged their lands to procure corn, sacrificed several millions of scudies to maintain their troops, suffered epidemic diseases derived by misery, and felt famine by almost every class of the inhabitants.

A little before the capitulation, General Pigot arrived in Malta with a few more British troops composing His Majesty's 48th Regiment, and two battallions of the 35th, and he took the command of all the allied troops in the Island.

Major General Pigot granted then the garrison a capitulation without consulting, or even informing the Maltese, and without naming them, or stipulating one single article in their favour.

The British troops after, took possession of the place, and before they entered the town with the Neapolitan, caused the Maltese to lay down their arms on the glacis, under pretence of avoiding disorders, and returning to their families and occupations.

The free and independent Maltese People without suspicion, and relying on the good faith of the British Nation consented to sheath the sword, upon an implied and even express assurance



that the object for which they had contended against the French, should be secured by the generous magnanimity of a British Sovereign, and under His Royal protection.

According to the above mentioned, it is further to be observed, that from the surrender of Valetta, the British Governors in Malta never one, in any public act, spoke of His Majesty as the Sovereign of the Maltese, or of them, as His Subjects. (Eton page 20). Sir Thomas Maitland was the first one who, on the 5th of October 1813 issued a Proclamation, stating :

“ His Excellency cannot however refrain from stating to the Maltese, even thus early, the great interest His Royal Highness the Prince Regent, acting in the name and on behalf of His Majesty, has been graciously pleased to take in their welfare—the deep consideration he has given to their hitherto uncertain and unsettled state—and His Gracious determination henceforth to recognize the People of Malta and Gozo as Subjects of the British Crown, and as entitled to its fullest protection.”

If the above mentioned will not sufficiently prove that Malta was not conquered, the following extracts will shew more evidently the absurdity of the moved inconsiderate question.

Lord Hawkesbury, in transmitting His Majesty's instructions to Sir John Warren, the British Ambassador at St. Petersburg, relative the stipulations in favour of the Maltese Inhabitants in the reestablishment at Malta of the Order of St. John in the Treaty of Amiens, says, in his letter dated Downing Street January 29th, 1803.

“ It is important that Your Excellency should impress the Russian Government with the conviction of the services rendered by the Inhabitants of Malta to His Majesty, and the common cause, at the time when the French were in possession of the

Island: that for nearly two years they maintained a state of constant and active hostility against the French: that several thousands of them perished in such state of hostility: and that these efforts were made at a time, when they could receive assistance from no other Foreign Power: that the attachment evinced by the Maltese to His Majesty during the blockade, and their loyalty to Him since He has obtained possession of the Island; give them a peculiar claim to His protection, and a right to expect, that in the future arrangements for the Island, some advantages should be stipulated in their favour; that independently of every consideration of good faith, Your Excellency well knows, that the Maltese inhabitants, if attached to their Government, are equal to the defence of the Island, and that every motive of policy therefore, as well as of justice, renders it expedient to endeavour to conciliate their affections.”

Lord Melville in a speech in the House of Lords on the 23rd of May 1803, said.

“It was to be considered that we went to the aid of the Maltese, previously engaged in the reduction of the French. We ought therefore to secure to the Maltese a wise and suitable form of Civil Government to be enjoyed by them under the protection of the British Power. This object ought to be prosecuted and settled without any delay, so that whenever any new regulation should be set on foot, we might be enabled to say, that the People of Malta, under a form of Government agreeable to their wishes, were now established under the protection of Great Britain.”

Mr. Dillon, in his Memoir printed in London, 1807, related:

“We are sovereigns of the Island only *de facto*, and not *de jure*. We are neither conquerors, nor proprietors, nor mortgagers, nor have we any claims of indemnity against the Island. We are



occupants only by permission of the Maltese, and under the most solemn pledge not hitherto redeemed.”

Captain C. W. Pasley in his Essay on the military policy and institutions of the British Empire, published in London in 1810, thus argues:

“The Maltese did not take up arms to assist us. They (not we) were the principals in the war, and we went to their assistance at a time when they had from circumstances a right to treat with us as an Independent State, upon terms binding to both parties. It was they (not we) who may claim the principal share on the merit of expelling the French Garrison, for, although we had power enough to have conquered both them and the French, such an enterprise would have required almost as great a force as that, which we sent to Egypt, and might have cost us much blood. But with such a handful of men as that which we actually employed in Malta, so far from expelling the French, we could not even have remained one moment upon this Island, without the powerful cooperation of its Natives.— After having thus been called to the Supreme Power in Malta, by the wishes of its People and having established our dominion solely by their aid, what was the use which we made of our authority? The very first public act of ours, was to abuse their confidence, by &c.”

Mr. James Webster in his Travels published in London in 1830, said:

“When the Maltese placed themselves under the protection of the British, they stipulated to have a Consiglio Popolare, or Colonial Assembly to regulate their affairs of the Government, enact laws, &c.”

Mr. R. M. Martin in the first volume of the History of the British Colonies says:

“ We owe these boons, or rather, let me call them rights, to the Maltese who fought bravely for that political liberty, which we so shamefully deprived them of, without having even the plea of conquest to justify our proceedings.”

Major A. W. Beauclerk in his speech made on the 7th June 1836 in the House of Commons, said:

“ It should be recollected that we did not acquire that Island by our troops. The brave Maltese gave themselves up to our protection, on conditions, which had been broken through.”

Cobbet, in his Annual Register vol. III, from January to June 1803, page 777, said:

“ Deferring for the present the questions which we should have a right to ask, relative to an enquiry into the conduct of General Pigot, we now ask, if there be any man of honour, or of common honesty, who will attempt to maintain, that the mere act of making, under such circumstances, this capitulation with the French, changed all at once, our quality of *auxiliares* into that of *principals* in the war, and rendered the brave Maltese, who had begun and continued that war, who obtained the object of it, and who had therein lost twenty thousand men, while we lost not one man, merely *auxiliares* ? ”

These are the proofs, which evidently shew that the Maltese had their Assembly, and Malta was not conquered. But the oppositors go farther and sustain, that the Maltese had lost the right to claim the restoration of their ancient National Assembly, the accomplishment of the contracted articles with the British Representatives, and all the promises thereupon, in consequence of the Treaty of Paris of 1814, in which, the Allied Powers gave up the possession and the sovereignty of these Islands to His Majesty the King of Great Britain.



This ill grounded assertion could be directly opposed to the justice and loyalty with which the British Crown has always distinguished itself; since, as it was conclusively proved, that the King of Great Britain had previously possessed these Islands in the most lawful and legal manner, viz. as called by the voluntary votes of the Maltese People, at the very moment in which they with own arms had shaken of the yoke of their enemies and were at liberty to place themselves under the protection of any other Sovereign. The cession therefore made by the Treaty of Paris, is to be considered as a confirmation of, and plain adhesion to the contract already entered into between the Maltese People, and the British Crown.

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MALTA 1846, - ANGLO-MALTESE Printing Press.