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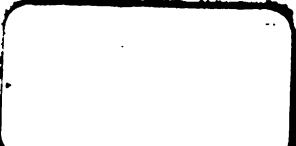


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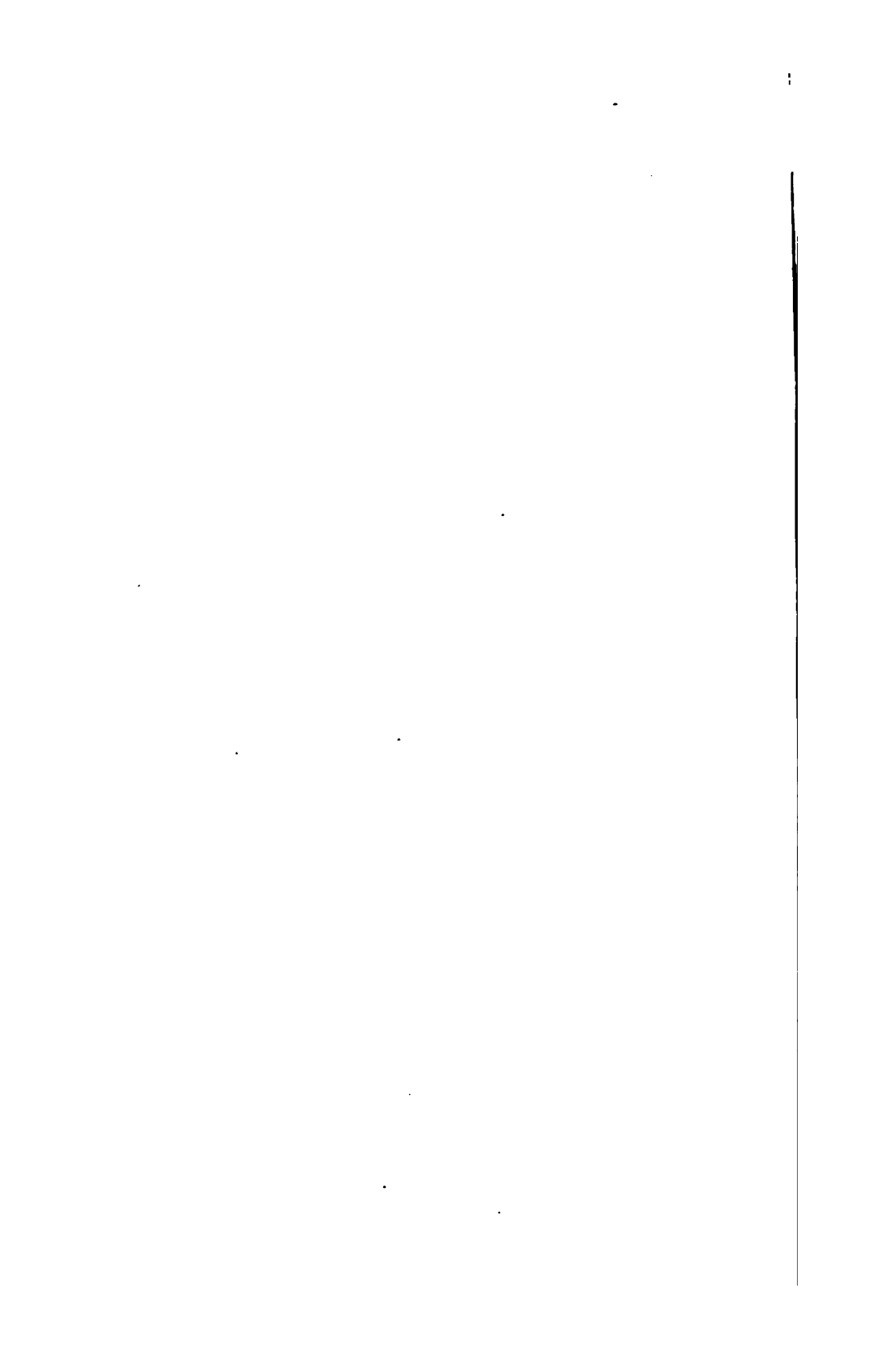
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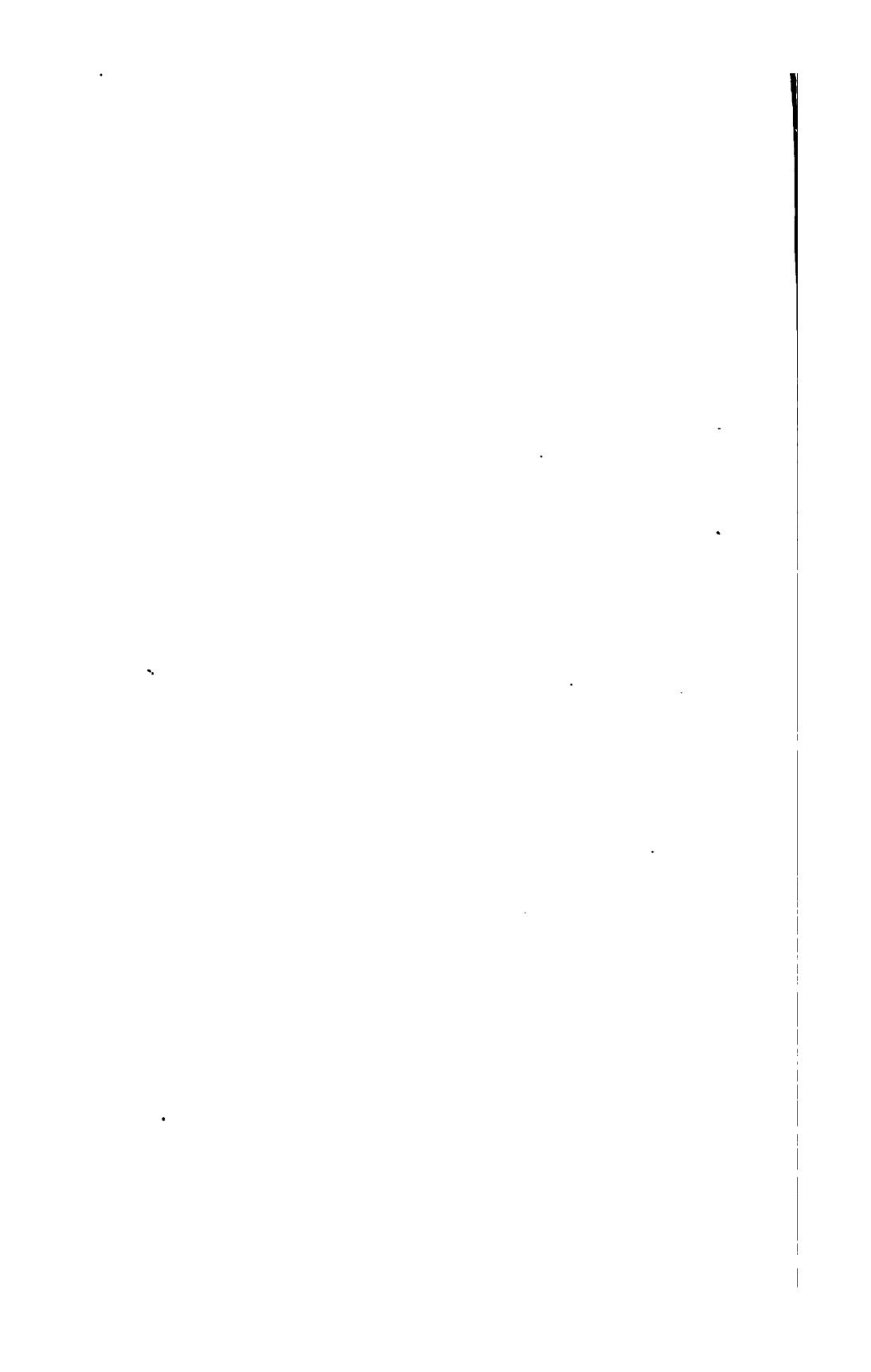
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THE
ANNUAL REGISTER,
OR A VIEW OF THE
HISTORY,
POLITICS,
AND
LITERATURE,
For the YEAR 1819.



LONDON:

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1820.



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P R E F A C E.

THE domestic annals of the year 1819 are replete with subjects of deep, but, on the whole, of painful interest. Pecuniary distress has been nearly universal: the agricultural, the commercial, and the manufacturing interests, have all labored under depression and embarrassment seldom equalled, and none of them yet appear to have attained the crisis of their difficulties.

That portion of the people engaged in the labors of husbandry, little susceptible, from their dispersed habitation and rustic manners, of political excitement, endured the evils of their lot without audible murmurs, or any expression of hostility against the established order of society, or the conduct of government. In some manufacturing districts also, severe distress was sustained with mute resignation; in others the case was widely different: Political agitators, taking advantage of the general misery to gain the attention of the laboring class, went about industriously disseminating their doctrines through the great centres of manufacture in Lancashire, Yorkshire, Warwickshire, and the south-west of Scotland; and field-meetings of hundreds and thousands were repeatedly assembled to listen to harangues on the abuses of government, and on the necessity of a radical reform of the House of Commons as a first step towards the alleviation of the distresses of the country. A spirit was thus excited among the people which was contemplated by the administration, and by the higher classes in general, with jealousy and alarm. The Prince Regent issued a proclamation against seditious meetings, and soon after, an assemblage at Manchester, summoned to petition for parliamentary reform, was dispersed by military force. This act of power, followed up by various strong measures on the part of government, and especially by the enactment of five new bills, restricting in several important points the liberty of the subject, put a sudden check upon the active measures of the reformers;

reformers; but not without the dangerous effect of rekindling throughout the country, the flame of political animosity.

Some efforts were made to disburthen the country of a population felt to be redundant, in the present depressed state of commerce and manufactures, by affording encouragement to emigration. In the first session of the year a parliamentary grant of 50,000*l.* was voted, for the purpose of establishing settlers on the eastern border of the colony of the Cape of Good Hope. Means were also taken to invite public attention to the advantages promised to free settlers on the shores of the great Austrasian continent, and a second exploratory journey undertaken by direction of the governor of New South Wales, has discovered a large tract of fertile and uninhabited land ready to become an additional province of the future British empire in the southern hemisphere.

The poor-laws, with the influence exerted by them on the condition moral and political, of the lower classes;—the state of prisons and of prison discipline;—and the state and actual operation of that portion of the criminal laws under which capital punishment is denounced;—all subjects of high importance, and bearing upon each other by several points;—have undergone the laborious and able investigation of parliamentary committees; and copious extracts from their reports and minutes of evidence will be found in this volume. These documents, which are not regularly accessible to the public at large, will, it is hoped, be regarded as a valuable addition to the contents of an Annual Register; at a period, especially, when the sciences of legislation and of political economy are cultivated with an ardor absolutely unprecedented, and when the active benevolence so long characteristic of the English nation, is daily becoming, under their guidance, more reflecting, and more enlightened.

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THE
ANNUAL REGISTER,

For the Year 1819.

GENERAL HISTORY.

CHAPTER I.

THE first session of the sixth parliament of the united kingdom of Great Britain and Ireland having assembled on the 14th of January 1819, the Prince Regent appointed Sir Richard Richards, Lord Chief Baron of the Court of Exchequer, to sit in the place of the Lord Chancellor during the time of his temporary absence. This was accordingly effected with due solemnity; and certain lords Commissioners were put in nomination, of whom the Lord President of the council, the earl of Harrowby, took the lead. A number of members of the House of Commons being then introduced, they and the Lords were informed by the Lord President, that, it not being convenient for the Prince Regent to

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attend in person, he had been pleased to cause a commission to be issued under the great seal authorizing the Lords and Commons to open this parliament. After this form had been complied with, the Commons withdrew, and the Houses were adjourned during pleasure.

The choice of a Speaker to the House of Commons was the next object for consideration; and on the same day, the right hon. Robert Peel rose, after a complimentary speech, to propose the right hon. Charles Manners Sutton, to fill for a second time the same distinguished post. He was seconded by lord Clive; and the House now loudly calling upon Mr. Manners Sutton to occupy the chair, he was conducted, amidst

[B]

amidst the unanimous cry from all parts of the House, to his seat.

On the 21st of January, the Lord Chancellor read the Prince Regent's Speech, the contents of which were to the following effect:

My Lords and Gentlemen;

We are commanded by his Royal Highness the Prince Regent to express to you the deep regret which he feels in the continuance of his Majesty's lamented indisposition.

In announcing to you the severe calamity with which it has pleased Divine Providence to visit the Prince Regent, the Royal Family, and the nation, by the death of her Majesty the Queen of the United Kingdom, his Royal Highness has commanded us to direct your attention to the consideration of such measures as this melancholy event has rendered necessary and expedient with respect to the care of his Majesty's sacred person.

We are directed to inform you that the negotiations which have taken place at Aix-la-Chapelle, have led to the evacuation of the French territory by the allied armies.

The Prince Regent has given orders, that the convention concluded for this purpose, as well as the other documents connected with this arrangement, shall be laid before you; and he is persuaded that you will view with peculiar satisfaction the intimate union which so happily subsists among the powers who were parties to these transactions, and the unvaried disposition which has been manifested in all their pro-

ceedings for the preservation of the peace and tranquillity of Europe.

The Prince Regent has commanded us further to acquaint you, that a Treaty has been concluded between his Royal Highness and the government of the United States of America, for the renewal, for a further term of years, of the Commercial Convention now subsisting between the two nations, and for the amicable adjustment of several points of mutual importance to the interests of both countries: and, as soon as the ratifications shall have been exchanged, his Royal Highness will give directions that a copy of this treaty shall be laid before you.

Gentlemen of the House of Commons;

The Prince Regent has directed that the estimates for the current year shall be laid before you.

His Royal Highness feels assured, that you will learn with satisfaction the extent of reduction which the present situation of Europe, and the circumstances of the British empire, have enabled his Royal Highness to effect in the naval and military establishments of the country.

His Royal Highness has also the gratification of announcing to you, a considerable and progressive improvement of the revenue in its most important branches.

My Lords and Gentlemen;

The Prince Regent has directed to be laid before you such papers as are necessary to show the origin and result of the war in the East Indies.

His Royal Highness commands us to inform you, that the operations

tions undertaken by the governor-general in council against the Pindarries, were dictated by the strictest principles of self-defence; and that in the extended hostilities which followed upon those operations, the Mahratta princes were, in every instance, the aggressors. Under the provident and skilful superintendence of the marquis of Hastings the campaign was marked, in every point, by brilliant achievements and successes; and his majesty's forces, and those of the East India Company (native as well as European) rivalled each other in sustaining the reputation of the British arms.

The Prince Regent has the greatest pleasure in being able to inform you, that the trade, commerce, and manufactures of the country are in a most flourishing condition.

The favourable change which has so rapidly taken place in the internal circumstances of the United Kingdom, affords the strongest proof of the solidity of its resources.

To cultivate and improve the advantages of our present situation will be the object of your deliberations; and his Royal Highness has commanded us to assure you of his disposition to concur and co-operate in whatever may be best calculated to secure to his majesty's subjects the full benefits of that state of peace which, by the blessing of Providence, has been so happily re-established throughout Europe.

The Prince Regent's Address to both Houses was replied to in a strain of compliment by two

noble lords, the *Earl of Warwick* and *Lord Saltoun*, of whose speeches it is unnecessary to make any extracts.

The *Marquis of Lansdowne* next rose, and after a general declaration of his unwillingness to oppose an address to the crown, he said that he found himself bound to state a few considerations which presented themselves to his mind, not as objections to the motions now made, but as omitting the notice of other topics. He began with touching upon the state of France, respecting which, he was happy to find that there was a general agreement respecting the liberal manner in which she ought to be treated. Among the omissions he, however, remarked upon that of the slave-trade, on which he observed, that the manner in which it was passed over in the speech gave a too plain indication of the want of success of its efforts. The state of the revenue, in which the speech had shown a gradual improvement, was, he said, chiefly valuable as furnishing an index of the revival of active industry; but whether it had extended to the labouring and agricultural classes was still a matter of doubt. In the meantime he must remind their lordships, that the prospect was by no means such as to relieve them from the necessity of increasing their endeavours to reduce the expenditure of the country to a more economical scale. For this purpose his lordship attempted to show, that all the improvements still left a deficiency of 14 millions to raise the amount of the income to a parity with that of the expenditure. A subject of far greater

greater importance remained untouched, which was, the restriction of the Bank from paying in specie; respecting which, notwithstanding the approaching expiration of that period, he would ask whether any man in the kingdom would rely upon the resumption of cash payments?

Such were the principal topics which were touched upon in the speech of the noble marquis.

The *Earl of Liverpool*, who spoke next, found little more ground for his address than a resumption of the subject already contained in the speech of the Prince Regent. There was, indeed, one topic upon which, as an important minister of the crown, he ventured to give a free opinion. He had no hesitation in saying that, considering the present state of the exchanges, and the progress of the pecuniary operations alluded to in the last session, he thought it impossible that cash payments could with safety be restored on the 5th of July next. If such should be found to be the case, it would be prudent to extend the Bank Restriction act till the succeeding session, when the whole question might be deliberately weighed, and finally decided on.

After a short reply from the *Earl of Lauderdale*, the Address was unanimously agreed to.

In the House of Commons, the correspondent address to the Prince Regent was moved by *Mr. Brownlow*, who was seconded by *Mr. William Peel*.

Mr. Maconald then rose, and said, that he could by no means concur in the opinion of the

mover of the Address, namely, that courtesy required, that the speech should pass unopposed or unremarked upon, lest it should prejudice any future discussion of the subjects which it comprehended. On the contrary, he thought it was an additional motive for making some observations, not on the particular loss to which his Royal Highness alluded, but on the general view which the Speech took of public affairs. And here he was compelled to say, that the extravagant representations of the state of the country which the speech contained, would justify many more observations than those with which it was his intention to trouble the House. He rejoiced to find that considerable reductions had taken place in our military establishment, and was ready to concede to government as much merit on this subject as they were entitled to; but with respect to civil retrenchment and regulation, it would, in his opinion, have been much more satisfactory, if the Speech, instead of a vague promise of concurrence and co-operation in any parliamentary measures to secure the full enjoyment of the benefits of peace, had pointed out such measures. Was it not notorious that by the suppression of some of the superior offices, not only a great saving would be effected in the expense of collection, but a better collection would be made? Reformation of this nature, however, could scarcely be expected from such ministers as the present.

Then came the congratulatory passage in the Speech—on the increase

increase of the revenue. It was well to hear that the people had been enabled to pay nearly four millions more than they had done last year; but it would be much better to be told that in future they would have to pay less. The omission in the Speech of all allusion to a reduction of our taxation was highly inauspicious. With unmingled satisfaction would the people hail any improvement of the public revenue, if the past afforded them any assurance that that improvement would be the means of diminishing the evils under which they laboured; but burthened as the country was, what prospect could the Chancellor of the Exchequer hold out of a removal, or even a considerable diminution of that galling taxation which it suffered. The fact was, that a realization of the hopes which had been held out on that subject could be effected only by such a demand for our productions as would absorb a very large additional portion of our population in manufactures—an evil of the most serious kind, morally and politically. When he contemplated the mass of human misery which these circumstances occasioned, he could not help being surprised at those mutual felicitations on the state of the country which a little sober reflection would have checked. If at a time of peace we were unable to diminish the public expenditure, how should we be prepared for a time of war? It might happen that we should be engaged in a war for the defence of every thing that was valuable to us. Were the House to listen to the tone of the royal

speech, and of the speeches of the honourable gentlemen, it seemed that they might be spared the trouble of contemplating any such possibility. They were told they might safely rely on the inviolability of treaties, and on our intimate union with foreign powers; the one substantial security for permanent peace was, a wise, economical, and conciliatory administration of public affairs, and an undeviating system of justice and liberality to the people of other countries, whether powerful or weak. As to any other objects of the alliances in question, the British public regarded them with the utmost indifference. As to the principal result of the congress, it seems to be thought that no course could be resorted to but that of deprecating every species of discussion. There was one subject, however, to which the people of this country had looked with anxious expectation. They expected that at length the detestable traffic in human creatures would be denounced and finally extinguished, by the high and assembled professors of peace and of Christianity. It was, however, well known, that the power which had opposed so desirable a consummation, was France. France, a member of the holy alliance! France, under the restored rule of his most Christian majesty! Thus it had appeared that all the sacrifices which this country had made in favour of the Bourbon dynasty, had been insufficient to obtain from the court of Louis Dix-huit a measure which was little more than one of decency.

It seemed to be thought by the hon. gentlemen who had moved and seconded the Address, that there was nothing so simple and natural as to admire every thing that was done by "the powers that be," and that no fault was to be found with any of their proceedings. For himself, it gave him little satisfaction to find general discontent in the country, and more especially when that discontent occasionally exhibited itself in an intemperate and malignant character. Whence came the extreme irritation among the people, the existing tendency to tumult and violence? How happened it that towards an administration under which, notwithstanding their egregious blunders, the military glory of the nation had been carried to the highest point, so much apathy had been shown by most classes of society, and so much decided disinclination by the remainder? It was because they were found deficient in those qualities, without the possession of which no administration could ever enjoy public confidence. When the opinion of government was called for on questions of the greatest general interest, it was discovered that they had no opinion.

The hon. gentleman then instanced his proposition in Mr. Grenfell's question respecting Bank paper; in the subject of the poor laws; in that of the criminal code, introduced by Sir S. Romilly; in the discussions on the Catholic question, in which government pledged itself to remain neutral, while the Prince Regent was to avoid assisting in any

decision on the topic. In conclusion, he said, that the mover of the Address in reply to the Prince Regent must not be astonished if he found that a considerable portion of the House could not see in his recipe of union and harmony any thing but a general prostration at the shrine of ministers.

Mr. Sinclair, who gave the last speaker the title of his honourable relation, was strenuous for approving the Address, which he considered as highly creditable to the candour and moderation of his majesty's ministers. If, said he, we regard its general scope and tenour, we shall find that it contains such sentiments, and is couched in such language, as no friend to his country can reasonably object to. Every topic has been studiously avoided which could elicit any material difference of opinion, or excite any angry discussion. His honourable relation, however, had not thought proper to follow this example of forbearance; and there is scarcely a single measure, either in retrospect or in contemplation, upon which he has not attacked with severity the past conduct, or the presumed intentions, of his majesty's advisers. Mr. S. however declared that it was far from him to expose his own presumption by entering the lists with one whom he so much respected. He also added, that he was far from being decidedly hostile to all the opinions which he had supported with so much eloquence; and he should think meanly of his own fairness and judgment if he did not always listen to his arguments with

with deference as well as with attention. He trusted there were some, of whom he did not hesitate to profess himself of the number, who think that they do not deviate from the path of constitutional consistency, by presuming to judge for themselves, without stooping to complete subjugation to party influence.

Sir Henry Parnell wished to know from some one minister of the crown, why, upon this occasion of calling the attention of Parliament by the Speech from the throne, the situation of the Catholics of Ireland had been, as usual, wholly omitted. It was to no purpose to treat the Catholic question as one of no importance: it had for the last eighteen years been by far the most important one that had come before parliament, and would so continue to be. No one could deny that the Catholics had just cause to complain of the manner in which the engagements made to them at the time of the Union

had been violated, and the various pretexts by which the settlement of their question had been avoided. This was a question which, of all others, ought not to be left to time and chance; for the exclusion of millions of his majesty's subjects from their constitutional rights ought to be justified by some sound and visible principle of public policy, or it became an act of flagrant injustice to continue it.

Mr. Tierney said, that it was not his intention to oppose the motion of an address, or to detain the House with observations of his own, after the very able speech which had been delivered by his honourable friend behind him. His object in now rising was merely to observe, that by consenting to the address, he did not bar himself from all possibility of entering, at a future period, on the subjects alluded to in the Speech.

The Address was then agreed to without opposition.

CHAPTER II,

Discussions respecting the person to whose care the trust of his Majesty's person should be committed; carried on by the Lords and Commons.

ON January 25th, the *Earl of Liverpool* having moved the order of the day relative to the speech of the Lords Commissioners, and the death of the Queen, mentioned their purpose to commit the care of his Majesty's person to that individual to whom it was most proper the trust should be consigned; and this person he did not doubt would be found in his royal highness the Duke of York. It was his intention, therefore, to introduce a bill for placing the custody of the King's person in the hands of the Duke of York, subject to the assistance of a council. A bill for this purpose was then read a first time, and ordered to be printed.

On the 26th of January, when the second reading of the bill was ordered, *Lord Holland* took notice of what he termed an *imperium in imperio*, which would be established in the person of the Duke of York, with respect to all the offices on the establishment which it was intended to confer upon him.

The *Earl of Liverpool*, in giving an explanation of the noble lord's query, said, that if the appointment made by the bill appeared proper, the conclusion to be drawn would be, that all the

patronage, be it more or less, which belonged to the office, ought to be vested in the individual named in the bill. But in fact it was intended that the establishment should undergo a reduction, upon which principle the bill would be founded; but as to the details of that reduction, they had no connection with the present bill; which would come first before the other House, and in the usual course of business would be brought under the consideration of their lordships. Some further discussion then took place, in which *lord Holland* said, that he could not accede to the principle so broadly laid down by the noble secretary of state, that all the patronage of the establishment ought to be vested in the person to whom the care of the king's person was intrusted.

The bill was then read a second time.

At the third reading of the bill, Jan. 27th, *Lord Holland* said, that he wished it to be distinctly understood, that he did not object to vesting the care and custody of the king's person in the duke of York, whom he undoubtedly thought from his station, his high character, and the relation in which he stood to his majesty,

sojety, to be the fittest person who could be chosen for that high trust; but he still thought that the bill was, by the clause relative to the Windsor establishment, made inconsistent, and that to render it an intelligent piece of legislation, it was absolutely necessary that the clause should be struck out. Their lordships would recollect that it was not the first time the noble earl had changed an opinion, after intimating that opinion in that House. And he gave some examples of such a change. On a former occasion, when he (lord Holland) thought the Windsor establishment much too large for any purposes of comfort to our afflicted monarch, lords of the bed-chamber started up to say, that they who had stuck by the king in his prosperity, would not desert him in his adversity; and that they would not take away one iota from the splendor which surrounded their sovereign. What security was there now, that lords of the bed-chamber might not again start up, to declare that they would not take away any of the splendor which surrounded the monarch? Surely it became the House to pause before they sanctioned an establishment, without knowing of what that establishment was to consist.

The *Earl of Liverpool* observed, that their lordships were now only proceeding to legislate on a part of the subject upon which no difference of opinion existed. They were all agreed as to the propriety of establishing the custody of the king's person in one of the royal family, and also, that the duke of York should be the person appointed.

They were further agreed in vesting in him the establishment to be settled upon him in consequence of such appointment. A difference of opinion might arise with respect to the amount of the establishment; but the best way of proceeding would be to appoint the duke of York in the first instance, and to leave the other subject for a future occasion. The noble lord had objected against giving to the duke of York the patronage of the establishment, when they did not know to what it was to be reduced. But the question was, whether they would refuse to the duke being *custos personæ*, the privileges that belonged to the character in which they were agreed that he should be placed.

Lord Holland said, that he did not join issue with the noble earl. In one word, his objection was this; that if they agreed to the clause in its present shape, without any qualification, they would allow a principle of larger extent than the noble lord would himself, upon reflection, be willing to recognize. Having thus stated his opinion, he would not give their lordships the trouble of dividing.

The amendment was then negatived.

The earl of Liverpool having now to propose filling up the blank left by the death of lord Ellenborough, moved the appointment of marquis Camden.

Lord Holland concurred most heartily in the motion, and said he was the fittest person that could be selected.

The bill then went through the committee.

On the 4th of February, a message

message was sent by the Prince Regent to the House of Commons, apprising them, that the sum of 58,000*l.* per annum, which was appropriated to the maintenance of the establishment, and to the support of the honor and dignity of her late majesty, having become disposable by his Royal Highness for the general purposes of the civil list, the Prince Regent places this sum at the disposal of parliament: he thinks it at the same time incumbent upon him to state, that there exist certain claims upon a part of this saving which he recommends to the justice and liberality of the House of Commons, being founded on the faithful services of the persons who form the separate establishment of her late majesty, and are limited to these services.

The Prince Regent is satisfied that he may confidently rely on the loyal attachment of the House of Commons to enable him, upon the reduction of that establishment, to grant to the several individuals belonging to it such allowances as it has been usual for the crown to bestow on former occasions, when the royal family has been visited with a similar affliction.

Lord Castlereagh then moved an address of thanks to his Royal Highness for his message, assuring him that the House would proceed to take the same into their immediate consideration. The motion was agreed to.

Lord Castlereagh then again rose, and after a due notice of the bill brought down from the House of Lords, the effect of which was, to nominate the duke of York, custos of the king's

person, he adverted to the second part of the question, which it would be necessary for him to be fuller in opening.

(Lord Castlereagh). The sums which parliament had now to dispose of were 100,000*l.* which had been appropriated to the Windsor establishment; 58,000*l.* out of the civil list, which had been appropriated to the maintenance of the queen; and 10,000*l.* which had been granted to her majesty, to defray the additional expense to which she had been subject in the discharge of her duty as custos of the king's person. This last sum he would propose should be continued to his royal highness the duke of York as custos. Out of the remaining 158,000*l.*, the House would wish to know what would be the saving. It was proposed that 50,000*l.* should be appropriated to the support of the Windsor establishment. The saving therefore would be 50,000*l.* on this establishment, and 58,000*l.* on that of the queen, but this last sum would be burthened with the salaries to the servants of her late majesty. These salaries were about 25,000*l.* so that the immediate saving on the two establishments, which were to be continued to the servants during their life, was 83,000*l.* After the best consideration which the Prince Regent's ministers had given to the subject, they did not think that they should do their duty, if they left a less sum for the Windsor establishment than 50,000*l.* a year.

It should be mentioned, that Lord C. soon after the commencement of his speech, declared his intention to be, that he

he meant eventually to refer the whole subject to a committee of the whole House; but as there were considerations of detail which could not conveniently be discussed in that manner, he intended on that night to nominate a select committee to which the estimates might be referred, leaving them to report it to the House. His lordship, on the conclusion of his speech, moved the names of the members of whom the committee should be constituted, which seem to have been fairly divided among the different parties in the House. Their number was 21.

Mr. Long Wellesley, after some remarks on the state of his majesty, who, he thought, ought to enjoy all the personal splendor which was due to royalty, said that he had one or two questions to put to the noble lord. He had said, that the same salary which had been given to the queen, should now be given to the duke of York, for the care of the royal person. He did not conceive why this should be the case. He remembered the cause assigned for a sum of 10,000*l.* to be given to her majesty, as a remuneration for certain extra expenses which she might incur; but now, without the assignment of any similar cause, the same sum was to be allowed to the duke of York. He wished therefore to know, and he thought the country should know, why different reasons should be assigned in 1812, and in 1819 for the same act. If the sum was to be given to the royal duke as *custos personæ*, let it be so stated, but let it not be understood as given

for any other purpose. He wished also to know, from the noble lord, whether if this situation were to be given to the duke of York, it was intended to continue him in the high situation which at present he holds as commander-in-chief. He was as ready as any man to admit the services which the duke of York had rendered to the army; but he confessed that he himself did not think that he should be performing the duty he owed as a member of that House, if he did not state, that in the present situation of the country, and at a time when a constitutional jealousy ought to be exercised with respect to the powers which might become vested in the individual who held the chief command in the army, he was jealous of the principle which would confide two such important trusts in one hand.

Lord Castlereagh said, that as the extra sum given to her majesty was intended as a remuneration for her habits of life being altered by becoming *custos personæ*, so the same principle was followed up by bestowing the same sum of 10,000*l.* on the duke of York. With regard to the other observation respecting the royal duke holding two such important trusts, he was not aware of any thing which should prevent his royal highness as commander-in-chief of the army, from accepting the care of his royal father's person; and he was certain that he could not convey more melancholy tidings to the House and the country, than that it should be thought necessary to remove his royal highness from a situation in which he had gained

so much credit, to one of a different kind.

Mr. Tierney was glad that this question was brought before the House in so satisfactory a manner, because its final issue would be the result of the most diligent and minute deliberation. In the observations he had to make, he should begin with noting the noble lord's assumption that the proposed reduction was a voluntary offer of economy on the part of the government. On his part, he viewed it as a necessary consequence of circumstances which had lately occurred. By the death of her majesty a great part of the Windsor establishment was done away with, and the House were called upon to see at what expense the subsequent arrangements could be made; for the money so spared was the property of the public, and it was the province of the House, and of that alone, to decide how it was to be disposed of. In considering it, therefore, he should first look to the measure of economy, and afterwards inquire about the expense.

There was one subject of past transactions which he could not omit to notice, which was the appointment of four lords, and four grooms of the bed-chamber, by the very individuals who now came forwards to say, that they were an useless burthen upon the public. They had continued a burden upon the country for seven years, which they now declare to have been unnecessary from the first. Here then, according to the present avowal of ministers, was a sum of 42,000*l.* lost; and if there was any one

sum of useless expenditure which might be said to be thrown away, it was the sum just now mentioned. With respect to the sum of 10,000*l.* to be given to the duke of York, he should say, that any extra expense to which his royal highness might be put in the care of his majesty, ought, most undoubtedly, to be defrayed by the public, be the sum great or small. If the same grant were shown to be necessary for the duke of York, he should be ready to accede to it, but let that necessity be first proved. Let the noble lord lay before the House, not merely the sums which were said to be required, but something like the particulars of what they were for, and it would not be difficult to come to a right understanding. *Mr. T.* next discussed the sum charged for the Windsor establishment, which he thought much beyond what was necessary. He then touched upon the remuneration to be granted to the physicians, on which point the noble lord had not given any explanation. He concluded with saying, that he could have no other object than honestly to discharge the duty he owed to his aged and infirm sovereign, not forgetting, at the same time, what was due to the wants of the country.

Mr. Canning expressed his confidence, that the admission of the right hon. gentleman, if acted upon frankly, and in the spirit in which he professed to make it, would bring him and his noble friend much nearer in their opinions on the subject than the right hon. gentleman at present perhaps supposed. He then took

took a general view of the differences which might be expected still to oppose their junction, in which he corrected Mr. T. in his notion, that any one could subscribe to the opinion, that the privy purse was other than the property of the king, after the words of the act in 1812 had absolutely decided in favour of his majesty's claim.

Mr. Tierney, in explanation, said that he well knew the provisions of the act of 1812; and in adding that he was ready to repeal it, he expected to have the hon. gentleman for his seconder.

It was then agreed, that the Prince Regent's Message should be referred to a committee of the whole House on the 11th instant; and that the Royal Establishments be referred to a select committee.

On February 5, the Prince Regent's message respecting her late majesty's establishment having been read, the *Earl of Liverpool* rose to move an humble Address to the Prince Regent, in which he took notice of his Royal Highness's munificence in placing the whole sum of 58,000*l.* at the disposal of Parliament, and only asked that justice to be done to the servants of her late majesty, which had been done in all former cases of the demise of a queen. The allowances on this occasion might be estimated at 25,000*l.*; from which there would remain 33,000*l.* immediately at the disposal of the public; and it could not be supposed, that any of their lordships would be disposed to resist a claim which was one of justice and liberality. The earl then moved an humble Address

to the Prince Regent, thanking him for his gracious communication, and assuring his Royal Highness; that their lordships would not fail to pay due attention to the claims recommended by his Royal Highness to their notice.

The *Marquis of Lansdowne* was willing to concur in the general object of the Address, on account of the practical application of the fund in question, which he fully approved. But as to the power implied by the message, of the king or his ministers to take one head of the civil list, and apply it to any other purposes of the civil list, he held it to be an assertion totally inconsistent with the spirit, if not with the letter, of the act for the regulation of the civil list which was passed two or three years ago. The demands for the maintenance of her majesty and her servants formed part of the estimates on which the sums were voted; there appeared, therefore, no reason for saying that a sum, which had been appropriated to one branch of the civil list, should, in the case of the ground on which it was granted ceasing, become applicable to other branches. With respect to the application of the 58,000*l.* as proposed by the message, no person felt more strongly than he did, the propriety of that application.

The *Earl of Liverpool* said, that when, from the votes of the other House, the matter came regularly before their lordships, he should feel it his duty to give such explanations as the occasion might seem to him to require. With regard to the question immediately

diately under consideration, he thought that their lordships could not hesitate in adopting the principle laid down in the message respecting the power of the Prince Regent in the disposal of the 58,000*l.* Having stated the grounds on which the principle of the message was supported by the act of parliament, he had to add, that it never was his intention to take any unfair advantage of the state of the law.

The Address was then agreed to, *nem. diss.*

REPORT from the Committee on the Royal Establishments.—The Committee to whom the Establishment of her late Majesty, and the Estimate of the Expenses of the proposed Establishment of his Majesty's future Household at Windsor, were referred,—have agreed to the following Report:

Your Committee have deemed it to be their duty, in the first place, to take into their consideration the arrangement which has been proposed for the future establishment of his Majesty.

By the Act of the 52 Geo. 3rd, c. 8, the sum of 100,000*l.* was directed to be set apart annually out of the Civil List, for the expense of the king's household; and any surplus, after defraying this charge, was to be applied to the purposes of his majesty's civil establishment.

It appears to your Committee, that the reduction, which is proposed in that expenditure, of one half, may with propriety be made; and that an annual sum of 50,000*l.* will be sufficient to provide for this service; and they refer to the

estimates, under the different heads, annexed to this Report.

In considering the scale and expense of the establishment which it is necessary to form, while they approve of the discontinuance of the salaries of certain of the officers of state, who have hitherto, since his majesty's indisposition, been retained, yet your Committee recommend, that, at the head of the establishment, an officer of the rank of the groom of the stole should be placed, as they deem it important to have a person of rank, and of high station, connected with the king's service, generally residing near his majesty's person. For the same reasons it appears expedient, that one of the king's equerries (the number of whom, in the judgment of the Committee, ought to be limited to four) should be in daily and constant attendance at Windsor.

In the examination of the estimates for defraying the charge of the proposed tables, and for the other branches of expenditure at Windsor, your Committee have received satisfactory explanations respecting them from Colonel Stephenson, to whom the superintendence of the king's household has been in a great degree confided.

It appears to them, that the estimates have been framed, for the services to which they are to be applied, with a due attention to economy; and they refer particularly to "the explanatory statement of the estimate for the expense of his majesty's household," which is annexed. A large portion of the expense which, as your Committee are informed,

informed, cannot be estimated at less than one-third of the whole amount, will be at all events to be incurred by the maintenance of Windsor Castle as a royal residence, and ought not to be set down as exclusively belonging to the establishment of his majesty. The names and descriptions of the officers, whose salaries have been discontinued, will be found in the Appendix, together with a list of the menial servants who have been reduced, and the amount of the wages and appointments which the latter received in the king's service.

Your Committee next proceeded to the subject of the establishment of her late Majesty, which had been referred to their consideration.

His royal highness the Prince Regent having been pleased, by his gracious message, to place at the disposal of parliament, the sum of 58,000*l.* per annum, in consequence of her majesty's demise, and at the same time to recommend to the House of Commons, the claims founded on the faithful services of those who formed the separate establishment of her majesty, in order that the House might be enabled to judge what part of that sum it may be advisable to apply to the annual provision for such persons, your Committee have obtained accounts of such allowances as were made to the officers and servants of queen Mary on her demise in the year 1694; of queen Caroline in 1737; and to the household of the princess dowager of Wales in 1772; amounting annually, for the establishment of queen Mary, to 15,278*l.* 16*s.* 8*d.*;

to that of queen Caroline, to 19,812*l.*; and for the household of the princess dowager of Wales, to 19,702*l.* 7*s.* 10*d.*

The grants, in the instances referred to, were not brought under the consideration or view of parliament, but were paid out of the Civil List revenues; an annual saving on these revenues having been made by the discontinuance of the respective royal establishments to a greater extent than those allowances amounted to. In the year 1782, by the act passed for the regulation of the Civil List, the amount of pensions to be granted out of the Civil List revenues was limited, and in consequence of that limitation, and the present charge on the Pension List, it is not possible to place such allowances as it may be wished to grant to the queen's servants upon that fund; but the whole sum of 58,000*l.*, which was annually paid to the queen, being now at the disposal of parliament, it remains for parliament to make such provision, in this respect, as it may in its liberality think fit.

In offering for the consideration of the House the annexed scale of pensions, recommended for the servants of her late majesty, while your Committee have had in view the expectations which those persons may reasonably have entertained, as to the provision which would be made for them when their services should cease, they yet feel it to be their duty to submit to the House, that this recommendation should not be drawn into precedent on the formation of future establishments.

It will be observed, that the state,

state officers, as well as some others, to whom their salaries were continued for life, in the instances referred to, do not appear in the list which is proposed. The general principle which has been adopted in framing it, being to suggest a provision for the female part of the queen's household, and for the domestic officers and menials, of whom the greater proportion have been for many years, and during the course of a long reign, attached to her service. The amount of this provision, together with the pensions to be continued to such as were the objects of her majesty's benevolence, is less than was given upon the two last occasions which have been noticed, without taking into account the difference in the value of money at those periods, and at the present.

If parliament shall approve of what has been here submitted, legislative enactments will be required to carry these regulations into effect. It will be necessary to alter that part of the act of the 52nd Geo. 3rd, cap. 8, which appoints the attendants on the king's person, and also to regulate the sum to be in future appropriated for defraying the expense of his majesty's household. That clause also of the act of the 56th Geo. 3rd, cap. 46, which enacts, that whenever the charge upon the Civil List shall exceed, in any one year, 1,100,000*l.*, an account of the exceeding, and the cause thereof, shall be laid before parliament, must be amended, so as to require a similar account to be submitted, whenever that charge shall exceed the amount to which the expenditure of the Civil List

shall be limited by the reductions which are now proposed.

17th February, 1819.

Ordered to lie on the table, and to be printed.

On February 22nd, the House of Commons having resolved itself into a Committee of the whole House, for the purpose of taking into consideration the Report of the Select Committee on the Royal Establishment at Windsor,

Lord Castlereagh rose, and said that he should state very shortly the proceedings which he should adopt as most convenient under all the circumstances of the case. The first resolution which he had in view to propose, related to the Windsor establishment in general. Instead of 100,000*l.*, he proposed that 50,000*l.* should in future be granted. This, in fact, contained the sum and substance of the whole measure; for the labours of the Select Committee had abridged very much of what it would otherwise have been his duty to submit to the committee of the whole House. With respect to the amount of the sum regarded as necessary by the Select Committee, he thought that their opinion, that 50,000*l.* was a suitable and proper allowance for the support of his majesty, could not be called in question; and he found no difference of opinion among his colleagues who sat with him in the same commission.

The second resolution related to the making of suitable provision for the servants of her late majesty. The Select Committee thought it was just and right that a remuneration ought to be given to the inferior servants of her late majesty, especially to the female attendants;

attendants; but with respect to her state officers, the same precedents seemed to them not obligatory. Having, therefore, examined into the claims of her majesty's servants, they made a deduction of those salaries which were paid to persons of a more elevated rank in life, amounting to between 6 and 7,000*l.* a year, thus reducing the sum to between 18 and 19,000*l.* a year. His majesty's government, therefore, did not feel themselves authorized to propose a larger sum than the above, to the servants of her majesty.

On the third resolution, respecting his majesty's private purse, the noble lord most strenuously contended, that it was a private fund, which ought not to be touched at all. It was a fund with which parliament could not interfere, unless they were disposed to over-leap all the boundaries of law and equity. After dwelling for a considerable time upon this idea, he was proceeding to move the resolution in question, when, after a short pause, he rose again, saying, that he should have omitted a principal part of his duty, had he not called the attention of the House to the situation of the royal duke. On this subject he was authorized to declare, from his royal highness, that no consideration could induce him to accept of any sum out of the privy purse of his majesty. He (the duke) should, in any event, be happy to discharge the duties which his situation rendered necessary towards his royal father and his country; but as to taking any part of the private property of his father, he desired it to be stated, that it was a measure

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to which, directly or indirectly, he never would consent.

The noble lord concluded by moving, "That in lieu of the sum of 100,000*l.*, directed to be issued and paid by an act made in the 52nd year in the reign of his present majesty, the annual sum of 50,000*l.* shall be issued and paid out of the Civil List revenues, and which shall be paid in like manner, and be applied to the same uses and purposes as are directed by the said act, with respect to the said sum of 100,000*l.*"

Mr. Tierney said, that he should follow the noble lord's example, in dividing into three heads the observations he had to offer; the first, as to what should be the reduced amount of the future Windsor establishment; the second, as to the allowances made to the servants of her late majesty; and the third, which was the greatest and most constitutional part of the question, from what, if from any fund, the sum to be paid to his royal highness the duke of York, as guardian of the king's person, should be taken. With respect to the Windsor establishment, he acknowledged that a second consideration concerning the expense belonging to Windsor Castle, had so far converted him, that he was ready to give up his opinion; and as to the allowances proposed for her late majesty's servants, he lamented that the subject had been referred to the committee, but thought that it had endeavoured to strike out the proper line. With respect to the great question, namely, out of what fund the guardian of the king's person was to be remunerated? he was told, in the eloquent declamation

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clamation with which the noble lord concluded, that if he (Mr. T.) succeeded in inducing the committee to agree to his proposition, he would heap infamy on a new House of Commons. But, with deference to the opinion of the minister, he thought that any sum which parliament chose to offer, out of any fund, for the performance of a public duty, the proudest royal duke might be proud to receive. The argument of the noble lord was, that the privy purse was private property. The construction of the different acts of parliament would prove, that this argument was erroneous. At the commencement of his majesty's reign, it was enacted, that a certain sum should be settled upon his majesty for the maintenance of the royal household, and the due support of the royal dignity. This was not to be at the absolute disposal and control of his majesty, but was to be applied to certain purposes; and if it was more than sufficient to answer those purposes, the surplus became the property of the public: It was then to the support of the royal household and the maintenance of the royal dignity, that the sum was granted, and not any mention was made of the privy purse. The sum granted by the act was 800,000*l.* per annum, and the king was to take charge of all expenses which might come under the head of civil list, under the responsibility of his ministers, who were subject to the same responsibility to parliament. It was not till the 39th of the king that savings having grown up out of the privy purse and the duchy

of Lancaster, his majesty was empowered to dispose of them by will. The act was purposely intended to enable his majesty to dispose of sums which had been issued out of the privy purse, and were vested in real or personal property; but the privy purse was not there mentioned as a particular limited sum. Whatever the king had saved up to the period of his illness was, indeed, private property under that act, and might be disposed of at his pleasure.

He should now consider the manner in which the privy purse was regarded in the 51st and 52nd of the king; and to this part of the subject he begged the particular attention of the committee. At the time of passing the first of those acts, there seemed a reasonable prospect of his majesty's speedy recovery, and the object was, that at the time of his majesty's convalescence, he should find every thing about him in the same situation as before his illness. Now, if the privy purse had been, as it was contended to be, the private property of the king, as sacred and inviolable as the estate of a private gentleman, why was any separate arrangement made concerning it, different from that concerning private property in general? Why was it thought necessary to have an act of parliament on the subject. This act, however, recognized the principle of disposing of this fund. Then came the more melancholy year, in which all prospect of his majesty's recovery was contemplated as a mere possibility. It then was necessary to provide for his majesty's

majesty's affairs by a permanent settlement. To that period he wished to call the attention of the committee; and he would show that what he now proposed was not the infamous measure which the noble lord represented it, but was one which had been already recognized by the three branches of the legislature. By the act then passed, three commissioners were appointed, in whom was vested the entire property given by the act of the 39th and 40th, without reserving to parliament any right to interfere with it. But then the privy purse remained to be regulated for the future, and was not treated like the property vested in the commissioners. The committee would see how differently the privy purse was regarded both in the 51st and 52nd of the king, from the property, the result of former accumulations, which was held thus sacred. The act recited, that whereas it was expedient to defray the charge of medical aid and advice, and whereas it was "reasonable that those expenses should be paid out of the privy purse." Now, he would ask how any gentleman could say that it was reasonable to burthen the privy purse for one purpose connected with the care of his majesty's person, and infamous to burthen it for another.

After the expense of the physicians had been defrayed, it was directed that the surplus, *if any*, should be vested in the commissioners for the care of the king's private property. If any, was the expression, so that parliament then thought that it had taken the whole fund. But so closely

did parliament follow this privy purse, of which it conceived that it had the whole dominion, that it directed that if the expenses of one year should absorb more than the fund of that year supplied, those commissioners should repay the surplus of former years which had been entrusted to them. The other acts which he referred to only required common sense to interpret them, and showed plainly that parliament had conceived this privy purse to be subject to its entire control. The noble lord had asked whether, in giving the allowance to the duke of York, they would treat him as a nurse attending a sick bed. For his part, he would do no such thing. He would give to his royal highness every penny of the expense to which, as *custos personæ*, he would be put; but he would give it from that fund from which alone it should be taken. The only argument he had new to make out was the propriety of taking the sum mentioned from the privy purse. He wished to know from the noble lord whether he was right in understanding him thus, or not. A voice from the ministerial side of the House replying, No, That being the case (said Mr. T.), I shall feel it my duty to propose an amendment to the noble lord's first proposition, namely, that after the words 50,000*l.* it should be inserted as follows:—"That any surplus arising out of the revenues of the Duchy of Lancaster, and the sum of 60,000*l.* a year granted to the throne as a privy purse, according to the act of the 52nd of the king, should (after payment of the sums already

charged thereon) be applied to defray the expense attending the care of his majesty's royal person."

Mr. Peel, after various compliments to the last right hon. gentleman, said, that he still retained the opinions with which he came down to the House, namely, that the privy purse could not with propriety be applied to defray the expenses of the *custos* of the king's person. The right hon. gentleman had truly said, that for the purposes of his argument it was necessary to define what was called the privy purse, but in his statements it would be shown that there were several misrepresentations of facts. These were dwelt upon with considerable force by *Mr. Peel*, who affirmed that a head of expense, under the title of privy purses was distinctly recognised in *Mr. Burke's* bill passed in the year 1782, as well as in that passed in 1811.

A considerable number of persons rose on different sides of the question after this introduction; but at length the House exhibited considerable marks of weariness; and upon the division of the committee, there appeared for *Mr. Tierney's* amendment 186; against it 281: Majority 95.

On February 25th, *Lord Castlereagh* moved the order of the day for receiving the report on the Royal Establishments at Windsor. The report was brought up, read, and the first and second resolutions were agreed to. On the third resolution being read, viz. "That the annual sum of 10,000*l.* be issued out of the civil list revenues to his royal

highness the duke of York, to enable his royal highness to meet the expenses to which his royal highness may be exposed in discharge of the important duties confided to him by parliament, in the care of his majesty's person,"

Mr. Curwen said, that he could not but consider it as a matter of deep regret that his royal highness had made it a subject of more difficulty and delicacy to take any allowance from the privy purse, than from the people at large.

Mr. Robinson said, that after the decision that this allowance ought not to be paid out of the privy purse, he did not see upon what principle it could now be maintained that his royal highness ought not to receive any allowance whatever. Every sound principle of policy and justice, therefore, ought to induce them not to agree with the hon. gentleman.

After several other members had spoken, *Mr. Tierney* rose, and began by assuring the House, that in the few observations he had to make, he was anxious to set himself right with those hon. members who had appeared to think that in his speech, on a former night, he had allowed the propriety of the grant, and had merely disputed about the fund from which it ought to be taken. He had made no such admission; having then no other object than to record a principle, that the privy purse should be charged with what he could not but consider as a private expense appertaining to the king. That principle having been negatived by the House, there still remained a question, whether any farther expenses

expenses than those were necessary in consequence of the office of *custos*. A bill was already in operation, appointing the duke of York *custos*. He had already entered upon his office, and yet the bill which settled the appointment had not said a syllable about any salary, nor had the duke himself applied for any. Not merely the Lords who sent down the bill, but even the Commons, had not, in any stage of the business, given a hint of the necessity of any remuneration. The House had a right to be strictly informed as to the reasons of such an informal and anomalous proceeding. It was not from the feelings of the royal duke that this application originated; for in the communication which he had made to the House through the noble lord, he had expressed his willingness to fulfil the duties of his office without any compensation, though, if one should be voted, he would not accept it if it were to be charged on the privy purse. The House, then, had no information to guide them, either with respect to the motive or the amount of the grant now called for, and in the absence of such data, they must look to the nature of the office itself. To come, then, to the estimate of the expenses which his royal highness might probably incur in consequence of this new office. The only sort of attention which the royal duke could pay to his afflicted father would be that of visiting him once or twice a week at the most. Would any man rise up and say that ten thousand pounds was not too large a sum for the hire of post-horses from Oatlands or

London to Windsor. Was it not obvious that a tenth part of the sum would be enough to cover such an expense. What was the real state of the case? Was the duke of York in want of 10,000*l.* a year? If so, let ministers speak out, and not come to the House in this sneaking paltry manner, to shuffle them out of their money under false pretences.

The right hon. gentleman went on in this joco-serious strain for some time. At length he said, He had deprecated and lamented this discussion as much as any man, and he thought that ministers would have reason to lament the result; though he had little doubt that, by the united efforts of themselves and their new coadjutors they would gain their object that night. They would, however, soon see that the minority, though branded with the title of infamous, would carry great weight throughout the country.

Mr. Canning then rose, and after attacking the last speaker with considerable severity, he summed up his argument in the following brief statement. Originally, he said, the privy purse was a part of the civil list, and at the commencement of the present reign no character of sanctity was attached to it. But in the exact proportion in which parliament interfered with the other parts of the civil list, they had recognized the privy purse as the property of the sovereign. It had been first so recognized in the proceedings of 1780, of which *Mr. Burke* was the mover. Secondly, in the bill founded upon that proceeding, which was brought

brought into the House in 1782, but not carried into a law. Thirdly, in the act which passed in 1786, embodying and enacting all the system framed by Mr. Burke. In all these cases the whole of the civil list was brought under the control of parliament, except the privy purse, which was specially exempted from it; and in the last case, which gave to these arrangements the form of law, the amount of the privy purse was specifically stated, as at present, at 60,000*l.* Fourthly, the Regency bill of 1788, secured the privy purse, its profits and savings, to the king. Fifthly, by an act passed in 1799, the power in the king of bequeathing those savings as private property was distinctly recognized. Sixthly, by the act of 1811, which set apart the privy purse as the indubitable property of the crown, as it had been set apart by the Regency bill of 1788. And lastly, the act of 1812 completely set the question at rest.

After some further speaking, the question being put, That 10,000*l.* stand part of the resolution, the House divided: Ayes 247; Noes 137: Majority 110. The resolution was then agreed to.

On March 19, on the motion of *Lord Castlereagh*, the order for the further consideration of the report on the Royal Household Bill was read. The amendments were agreed to; and on the motion that the bill be engrossed,

Lord Folkestone rose, not to animadvert upon any of the amendments which had been just adopted, but to state his opinion

upon the clause in the bill relative to the grant of 10,000*l.* a year to the duke of York. He said, it was impossible consistently to agree to this clause in the terms in which it stood at present, for it assumed that the same sum was allowed to her late majesty as a remuneration for the expenses to which she was liable on her appointment to the care of the king's person, as was conferred on the duke of York upon undertaking the same appointment. Now it was clear that the annuity was not granted to the queen for the care of the king's person, but on a different account; consequently to state that the same sum should be granted to the duke of York for that purpose, was a direct falsehood. It could not be pretended that the duke of York from his appointment of *custos regis*, would have to incur more expense than that of paying for four horses for travelling once a week to Windsor; and would it be maintained that 10,000*l.* a year was necessary for such a purpose? At all events, he felt that the House should not adopt a clause which contained a palpable falsehood; and upon that ground he should move that the clause be expunged.

The Speaker stated, that the question to be put was, "That the said clause stand part of the bill."

The Hon. Mr. Lyttelton observed, that the reception which the remarks of his noble friend had met with, and the little attention which ministers seemed disposed to show them, held out but a slender encouragement to him to address the House on this occasion.

occasion. But still he felt it his duty to say, that if the grant alluded to was made, it would be quite scandalous to vote that grant upon false pretences. The hon. gentleman made a variety of other remarks, some of which were in a strain of considerable severity.

The question being put, "That the said Clause stand part of the bill," the House divided; Ayes, 156; Noes 97: Majority 59.

In the House of Lords, the *Earl of Liverpool*, on March 26th, moved the second reading of the Royal Household Bill. He said, he understood that no opposition was intended to be made to the principle of the bill. After having just touched upon the main circumstances of the bill, he alluded to the grant of 10,000*l.* per annum to the duke of York, which was the same amount as had been granted to the late queen. He owed it to the duke to state that he had not sought for any such allowance; but parliament having thought it right to give the queen 10,000*l.* per annum as *custos personæ*, there could be no question that the duke of York was fully entitled to the same allowance.

Earl Grey said, with regard to the allowance of 10,000*l.* to the duke of York, it was a subject to which he adverted with very considerable pain. He highly respected the duke for his public services and private virtues; but no consideration should induce him to shrink from the discharge of a public duty; and that duty compelled him to oppose the allowance. Nothing had been urged by the noble earl that

could in any way justify such a grant, and he could not but view it as obtaining a grant of 10,000*l.* a year under a false pretence. He must regret that such a measure had been at all brought forward; and he could assure the noble earl that in the country the impression was the most unfavourable that any proposition could give rise to.

The bill was then read a second time.

March 30th. The *Earl of Liverpool* moved the order for committing the bill for the regulation of his majesty's household. The House immediately went into the committee.

On the motion for reading the preamble of the bill, *Earl Grey* rose and said, that having already declared that it was not his intention to make any opposition to the principle of the measure, it might be expected that he would reserve himself for another part of the bill; but notwithstanding his approval of the principle, he had some general observations to offer, which appeared to him particularly applicable to the present stage of the committee. In considering the preamble of the bill now before their lordships, he found that, in addition to the provision requisite to the due care of his majesty's person, there was also an intention declared of making such reductions, in the expense of the establishment, as might not be found inconsistent with the principle on which the bill was founded. This, which was the principle of the bill, he also maintained, and should continue to maintain, notwithstanding the indignant

indignant observations he had a few days ago drawn upon himself. This much he found himself bound to say in order to avoid further misconstruction; but before he proceeded to notice the details of the bill, he could not help adverting to the grounds upon which the noble earl who moved the bill had called upon their lordships to support it. The noble earl had stated, that the death of her late most excellent majesty would allow some reduction in the expense of the establishment provided for his majesty; for had it not been for the arrangement which subsisted until her majesty's death, she would have had an equitable claim to the enjoyment of her dower. When the noble earl made that statement, he heard it with great surprise, for it was the assumption of a perfectly new ground. Did the journals of parliament, or any of the acts which had been adopted, afford any trace of such a principle? On the contrary, the act of the 52d of the king stated in the preamble, as the ground for passing it, the necessity of making further regulations for the maintenance of his majesty's household, and to enable the queen to meet the additional expenses to which she might be exposed for that object. The sum of 100,000*l.* was then directed to be paid for the maintenance of his majesty's household; and the details in confirmation of the preamble proved that it was the intention of the legislature to apply the whole of that sum to expenses connected with his majesty's person. To remove all possible

doubt, a clause was inserted for rendering an account of the application of the money to the commissioners of the revenue; and it was provided, that if there should be any surplus, it was to go to the aid of the civil list. The clause which gave to her majesty 10,000*l.* for her own use, was a further proof that the other sum was exclusively designed for supporting his majesty's establishment. He could come to no conclusion on the subject, but that the ministers of the crown, after strenuously opposing for a considerable time any reduction in the establishment for the king, and having at length found that they must reduce it, had, in order to avoid the appearance of inconsistency, invented this argument, that they might put forward the death of her majesty as a reason for the reduction, although no reason had all along existed why this establishment should not have been reduced.

He now came to that part of the subject on which it was the most painful for himself to touch, but which it would be inconsistent with his duty to overlook—the grant of 10,000*l.* to the duke of York. He could not but think that ministers had acted most unwisely and injudiciously in thus dragging forward the duke of York to incur a considerable degree of unpopularity in consequence of their making such a proposition at a period of great public distress like the present. The noble earl then went through the reasons by which this appropriation had been attempted to be justified; and he argued against the necessity of such a grant at this

this period. In making these objections, he said, he had performed a painful, though a necessary duty; but when a measure was brought forward which interfered with his duty to the public, he must oppose it, though connected with his royal highness's name. He would now merely add, that when they came to that clause of the bill which referred to the grant of 10,000*l.* to the duke of York as *custos*, he should move an amendment.

The *Earl of Liverpool* said that he would endeavour to follow the noble earl into all his statements and arguments, and would answer them in the same order. The noble earl had begun with stating his concurrence in the reductions of his majesty's household, but had at the same time brought a charge against the king's ministers for their tardiness in opposing those reductions when urged by himself and his friends. Now, nothing could be more unfounded than this latter accusation. From the year 1812, when the establishment was fixed by act of parliament, to the last session, the subject was never brought forward. A bill was then introduced by a right hon. friend of his in the other House, which was rendered necessary by the state of her late majesty's health, and then, for the first time, during eight years of the continuance of the act of 1812, was any objection made to its provisions. In the last session of parliament, it is true, objections to the Windsor establishment had been pressed; but he felt, that reduction in the state of her late ma-

jesty's health would have been most unbecoming and indelicate: He had a right, therefore, to say, that last session was not the proper time for the reductions now proposed.

He had now to follow the noble earl into another part of his speech, in which he accused him of changing his ground in the defence of the establishment at Windsor. The noble earl had said, that on the second reading of the present bill, he had stated a different reason for the expenses incurred under the Regency act, and in justification of the continuance of the Windsor establishment, from what had been stated in the act itself, or had ever been employed in its defence—namely, that the establishment was for the support of the queen's dignity, as well as that of his majesty; and that if provision had not been made for her in that way, as queen consort, she must have put the nation to nearly as much expense by providing the dower to which she would have become entitled on the demise of his majesty. I, said the earl of Liverpool, am prepared to support this position; nor do I think that I am involved in any inconsistency. His lordship then, in a train of argument which we shall excuse ourselves from particularly discussing, went through the whole ground of his defence.

The conclusion of the noble earl's (Grey) observations adverted to that clause of the bill which provided the grant of 10,000*l.* to the *custos*. The earl of Liverpool, in encountering his antagonist, strongly con-

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tended that the privy purse was as much the king's private property, as any of their lordships' estates were theirs, and ought no more to be violated than the property of his meanest subject. He further said, that to meet contingencies, parliament had declared that the *custos* ought to have 10,000*l.* a year; and the question therefore was, whether in the teeth of an unanimous resolution, they would resume the

grant which they had previously voted.

After several lords had spoken on the occasion, and *Earl Grey* had made his concluding speech, in which he declared himself unconvinced by the arguments brought against him, the clause for granting to the duke of York 10,000*l.* a year was agreed to without a division; and the bill went through the committee without any amendment.

CHAPTER III.

Mr. Tierney's Motion for a Committee on the State of the Circulating Medium, and on the Continuance of the Bank Restriction. Lord Castlereagh's Motion for a Select Committee.

ON the 2nd of February, Mr. Tierney rose, in pursuance of a notice he had given, to propose to the House a resolution for the appointment of a committee to inquire into the effects produced on the exchanges with foreign countries, and the state of the circulating medium by the restriction on payments in cash by the Bank, and to report whether any and what reasons exist for continuing the same beyond the period now fixed by law for its termination. It would be recollected that, from time to time, ministers had promised that cash payments should be resumed; and from time to time the hopes of the country had been disappointed by renewed restrictions which had now continued for more than one and twenty years. The preamble of the last bill stated that various unforeseen circumstances rendered the continuance of the restriction necessary, and the nation had been within a few days informed that various other unforeseen circumstances made it expedient that the issue of specie should be again postponed until the 20th of March 1820. Having already spoken of the importance of the question, he would not trouble the House with another word

upon that point. It had pressed itself forward by its own weight, and was now looked to with anxiety by all classes of society.

The first part of his motion had been rather dictated by a sense of fairness than by any other consideration. For his own part, he was ready frankly to avow, that the principles laid down by the bullion committee, of which his late excellent friend, Mr. Horner, had been chairman, constituted his creed, and that he had as yet heard or seen nothing to lead him to forsake it. The question, indeed, had now become one of a totally different nature: it was no longer one of exchanges on the transmission of gold from one country to another, or on the dangers to which the Bank might be exposed: the only real point of decision was, whether the old circulation ought or ought not to be restored to those limits to which legitimate circulation was formerly confined in this kingdom. The doctrine on this subject he had heard without surprise, because it was a doctrine which had been foretold not only by himself, but by much wiser men: the House had been warned, over and over again, not to proceed in such a destructive system: it had been told

told, that if the restriction were prolonged, it would be impossible, without great hazard, to return to the point whence it had started: and it now turned out, by the confession of all, that the habits of the patient had been so vitiated, that he had not strength to bear the only remedy for his disorder. There existed in this kingdom a strong money party, whose only object was, to avail themselves of their wealth to continue the present system, and whose ultimate view was, to control the deliberations of the legislature, and the acts of the Bank itself. This party was composed of persons of different descriptions. Some of them were men of the largest fortune, and of the most undoubted integrity, who lent themselves to this object most conscientiously, thinking they were doing what was right. The others were men of a different description, and who might be considered as the tail of the party. It was against this tail that his present motion was directed; and he was this night declaring war with the whole body of gamblers, speculators in the funds, stock-jobbers, and all those who were living upon the losses of the honest and industrious. In what he was doing he could have no possible view but the public good. He had taken upon himself a duty not less laborious than painful, but it was a duty which he was bound to perform for his country.

Alluding to the money speculators, Mr. Tierney said, that their hour of extinction would arrive at the moment the circulating medium was brought back

to its legitimate state; but unfortunately, that hour had been so long postponed, that those who, a few years ago, were merely contemptible, had grown bolder as they acquired wealth, and confident as they procured allies. This introduced him to the person against whom their operations had been carried on with too much success—the Chancellor of the Exchequer. The right hon. gentleman (he said) had not acted voluntarily, but upon compulsion: he had merely been an instrument with which others had worked their ends, while his own good understanding had been cowed and subdued into subserviency by their machinations. His whole course of finance—for system it was not—had rested solely upon paper. What was the country to think of a finance minister, who, year after year, had done nothing but resort to contrivances to glide over from session to session without inquiry. His object had been constantly to hold out the expectation that things would mend; that if the House would but wait a little, it would find that the income and expenditure of the country would balance each other: in the mean time, the nation was to take his word for the promised improvement; and while the sinking fund was cutting off one portion of debt at one end, he was adding to it in equal proportion at the other by exchequer bills. This course had now been pursued for several years, in a way very pleasant to the chancellor of the exchequer, but very fatal to the country. If, then, it was of importance that
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the right hon. gentleman and his friends should be brought to their senses; if it was ever fit to look our situation in the face; could a better time be chosen than a period of profound peace? If, after four years of peace, we were still blindly to proceed with this paper system without inquiry, let any gentleman lay his hand upon his heart, and consider how dreadful would be the consequences to the nation, if a war, or even an armament, were to intervene? What resource had we but paper; what means of supporting ourselves, but by one piece of paper piled upon another? Surely these were matters well deserving the most deliberate consideration of the House. Was it not high time to take some steps that should put an end to a system which secretly destroyed the foundations of national prosperity? The most obvious and rational course for overcoming these difficulties was the appointment of a committee; and he should be glad to know if any mode of reference could be more distinct, or more likely to accomplish the object of gaining every species of information, than that he was at present urging. He did not wish to inquire merely into the state of the Bank, but into the effects produced by the operation of the various laws passed during the last one-and-twenty years, for continuing the restriction upon cash-payments. When stocks were at 84, it was asserted, that the right hon. gentleman and the earl of Liverpool were impressed with the notion, that the good of the country did require a return to a metallic

currency: even the directors of the Bank seemed to concur in that opinion. In order to enable the Bank to do so, the right hon. gentleman gave notice, that he would pay off a certain amount of exchequer bills. The Bank reduced its issues, and stocks began to fall in proportion. No sooner had this been done, than one of those mysterious deputations waited upon the ministers, and were told that the city was absolutely starving for want of money, and that ruin must ensue. Ministers still seemed desirous of carrying their point; but being from day to day besieged with dismal deputations, a promise was extorted from their fears, that the Bank restriction should be continued for another year.

Mr. Tierney proceeded some time longer in a similar strain. At length he said, that the next question to which he thought it necessary to advert was, what sort of committee would be most eligible for the purpose he had in view. Ought it to be a select, or a secret committee? Now he would fairly state, that he should feel very little anxiety upon this point, were it not for the circumstance of the latter being chosen by ballot. His own motion had for its object to institute a general inquiry; but if the right hon. gentleman wished also that the affairs of the Bank should be investigated, he had no objection whatever to the appointment of a secret committee for that purpose. If, on the other hand, his determination was, that because there was a small inquiry which required secrecy, a great inquiry ought to be conducted

Bank had not interfered in their call for inquiry from any motives of private interest. The question of the restriction was a great national question, and not so much connected with the interests of the Bank, as of the public. For any peculiar interest the Bank had in the decision on this subject, the House might fix upon any time they chose for the cessation of the restriction, without meeting with opposition from that body. They had manifested an inclination to fulfil the act which had been passed for a return to cash payments, and had actually paid a part of their notes in cash. The Bank was not only then of opinion, that the restriction might be completely and safely removed at the period appointed by act of parliament, but they entertained the idea to a very late period.

Mr. Tierney hoped that the House would indulge him with its attention for a short time, while he should reply to some remarks advanced by the gentlemen on the opposite side. He had been accused of saying every thing against the Bank of England; an assertion illiberal and erroneous in the extreme. In fact, he had never advanced a syllable against the Bank. He felt seriously for the Bank, with respect to the apparent necessity of continuing the restriction from cash payment. He therefore sympathized with it; but while he confessed this, he found himself called upon to discharge his duty to the public. One right hon. gentleman had exercised his talents for jocularly and wit at his expense. This was no new

invention of those who endeavour to make us laugh at the national calamities. It was, however, useless and nugatory to pursue this subject further in the strain of good humour or merriment. If his majesty's ministers chose to screen themselves from the bitterness of reproach by jesting with the feelings of the people, to such men only be the shame attached to such conduct. To come at once to the question. It was the intention of ministers—at least they would have the country believe so—to take off the restriction in March 1820; but suddenly a new light broke in, and now the course was to be changed. Their plan seemed to him to be this. We will continue the restriction up to 1820, and then we shall have a committee to inquire. After that, we shall be able to start on a new score. The Bank, to show the sincerity of its wish to fulfil its engagements, had paid a part of its notes in specie, and then complained that this specie had disappeared. He had no conviction that they would reduce their issues; but he did not find fault with the Bank on this account. They had been so beset with claims from all quarters, that they could not think themselves safe in their house in Thread-needle-street, if they refused discounts. Their inclination, he had no doubt, was good; and had they a government who would stand by them, and support them in their resolutions, he was sure the object might be accomplished. He suspected, all the way through, that the purpose of the committee which

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the right hon. gentleman proposed was not to bring out the thing that he wanted. What he wanted was, to oblige them to make a distinct answer, of which every man could judge for himself. The right hon. gentleman wished them to state that the foreign loans constituted a reason to justify the restriction; but he (Mr. Tierney) could not conceive it possible that such a return could be made. The return of the committee might mean any thing; which he should take to mean nothing at all. A great deal had been said as to the nomination of the committee; but notwithstanding all that had been urged in favour of a ballot, he, for one, would not be satisfied with the nomination of the committee by the chancellor of the exchequer, surrounded as he was by Jew brokers, speculators, and other interested adventurers. He saw no possible objection to the resumption of cash payments by the Bank, provided they would reduce their issues gradually and gently, between this and next July. If we had an administration which possessed sufficient manliness to face the difficulties of the country, and to probe this subject to the bottom, it might be found that the restriction of cash payments ought not to be continued; but the present administration could come to no decision on the question.

After the long discussion which had taken place, he would refrain from troubling the House any further. The resolution he had submitted to the House was the result of his serious and deliberate consideration, feeling, as he did,

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that the question was, in every respect, one of the most important that could occupy the attention of the legislature. Acting with that view, he would now submit it to their consideration, and take the sense of the House upon it.

The question being put, That the words proposed to be left out, stand part of the question, the House divided: Ayes, 168; Noes, 277: Majority against the motion, 109.

The motion of the Chancellor of the Exchequer for a secret committee to be chosen by ballot was then agreed to.

On February 3rd the Chancellor of the Exchequer moved the order of the day for the House to proceed to ballot for a committee of secrecy to inquire into the state of the Bank of England, with reference to the expediency of the resumption of cash payments. In the course of the evening, Mr. Brogden reported the names of the secret committee to stand as follows: Lord Castle-reagh, Mr. Chancellor of the Exchequer, Mr. Tierney, Mr. Canning, Mr. Wellealey Pole, Mr. Lamb, Mr. F. Robinson, Mr. Grenfell, Mr. Huskisson, Mr. James Abercromby, Mr. Bankes, Sir James Mackintosh, Mr. Peel, Sir John Nicholl, Mr. Littleton, Mr. Wilson, Mr. Stuart Wortley, Mr. Manning, Mr. Frankland Lewis, Mr. Ashhurst, Sir John Newport.

On February 8th, *Lord Castle-reagh* rose, pursuant to notice, to move for the appointment of a Select Committee, to inquire into the Income and Expenditure of the country. He said, that he felt that he owed to the House of

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Commons some explanation of the reasons why he recommended such a measure in the present instance, since the House would undoubtedly expose itself to a great deal of just reproach, if the only plan of economy it had in contemplation was that which had been occasioned by the change in the Windsor establishment. When two years ago he had adopted the same course he was now pursuing, he had stated that the then condition of the country required it. At that time, his hon. friend, the member for Bramber, expressed some alarm, because he had admitted that he was not sanguine enough to hope that in the course of that session, the committee would be able to establish so flattering a result. He now felt great confidence that at the termination of the labours of the committee he was about to propose, it would be found that there had been that growing surplus of which he had then spoken, and that the balance in favour of income had been created by the progressive advance of the various sources of revenue. His lordship now entered into a statement of the income of the country, comparing the quarter ending on Jan. 5th, 1818, with the quarter ending on the 5th of Jan. 1819. The receipts on the former were 51,665,458*l.*, that of the latter 54,062,000*l.* showing an increase upon the last quarter of 2,397,000*l.* It was material, however, to observe, that upon the sum first named, there were certain arrears of war duties on malt and property considerably beyond 2,000,000*l.* which reduced the income to the 5th Jan. 1818, to 49,334,927*l.*; while the arrears of the same

taxes up to Jan. last amounted only to 566,639*l.*; so that the produce of the permanent taxes for the latter quarter was in truth 53,497,000*l.*, being an improvement in the whole of 4,163,000*l.*, deducting from both the amount of the arrears of each. Members were likewise probably aware that a considerable amount of sugar duty had been admitted into the receipts for Dec. 1818, which in fact belonged to the revenue of the preceding year, and which ought therefore to be added to the produce of the sugar duties of 1819: this would take a considerable sum from the nett produce of 1818, and reduce it to 48,724,000*l.*, while that of 1819 remained at 54,062,000*l.*: the difference, allowing for some trifling deductions, would be 5,328,000*l.*, or not less than an increase of 10 per cent upon the ancient permanent taxes. It was impossible to announce to the House a more encouraging prospect than this state of things afforded.

With respect to the expenditure, the finance committee of last year had stated it at 51,062,000*l.*; but the estimates before the House showed that it was only 50,442,000*l.*, or about 650,000*l.* less than the sum expected. Adding therefore the reduction by economy of 650,000*l.* to the improved revenue, it appeared that the country was now in a better situation by 2,145,000*l.*, than the former finance committee had ventured to anticipate: and adding also to that sum the 1,413,000*l.* on which that committee had calculated, a total surplus of 3,558,000*l.* was the result, applicable to the reduction of the national

national debt. Out of that, the interest on the loan was to be provided for, amounting to 1,000,000*l.* which still left 2,500,000*l.* of a surplus revenue. The noble lord now touched upon those points on which ministers had the satisfaction of feeling that subsequent reductions might be effected in the present condition of the country. In his details on this subject, he chiefly dwelt on the reductions to be expected in the army, which alone parliament would be called upon to vote, connected with the topic of military reduction. He concluded with admitting, that if this were a deduction of prosperity merely drawn from the alleviation of the burthens of the nation, the prospect would not be by any means so enlivening; but it was peculiarly satisfactory to trace the growing resources of the country to the industry and every thing that constituted the real and solid wealth of a people.

He concluded by moving, "That a Select Committee be appointed to inquire into and state the Income and Expenditure of the United Kingdom, for the year ended the 5th of January 1819; and also to consider and state the probable Income and Expenditure for the year ending the 5th of January 1820, and to report the same, together with their observations thereupon, to the House; and also, to consider what further measures may be adopted for the relief of the country from any part of the said expenditure, without detriment to the public interests."

Mr. Tierney began his speech with several remarks upon the ex-

pected Finance Committee, from which he was prepared to regard them in the same light with their predecessors. He then came to the substantial part of the noble lord's speech, the improvement in the revenue. He said, that what he wished to see, was the exact sum which would be available for the present year. The noble lord had affirmed, that the income and expenditure would meet, and there would remain a surplus. But in building up this argument, and drawing so happy a conclusion from it, he had thrown out of his view altogether the sinking fund. This, he conceived, was a delusion on the part of the noble lord. He would explain the matter. There was an old debt upon that fund of 8,300,000*l.*; then he should say, that before one farthing of the surplus of that fund could be made available to the expenses of the current year, the whole of the old debt upon it must be wiped off. If then, this sum or surplus were added to the debt of last year, there would be an improvement in this year of two millions; and on the 5th of January 1820, all the advance which the country could make would be to get clear of the old debt. There were, indeed, various taxes, the whole of which exceeded more than seven millions; but this was the outside of the amount towards covering the expenses of the army, the navy, the ordnance, and the miscellaneous services. A million, indeed, was due from France, which the country were led to expect, would be paid upon the evacuation of the French territory; but the chancellor of the exchequer seems to show that

the sum cannot be calculated upon. Mr. Tierney proceeded—It was the recent, strong, and general expression of public opinion, the unanimous calls for economy from one end of the kingdom to the other, which had made an impression on the noble lord and his colleagues, and to which was due any forced effort of theirs to economise. How could any man in his senses say, that with an income of only seven millions, and an expenditure of twenty millions, both ends would be made to meet, and a surplus left. Arguments founded upon the sinking fund, as applicable to the public service, would be a gross delusion; yet it was a delusion which had long been practised, and would still be supported by the finance committee. It was absolute mockery to talk of the advantages of a sinking fund, whilst the government was obliged to borrow a sum of 13,000,000*l.* a year to support it. Then, what was to be done? He would not say that faith should be broken with the public creditor; but he did say, that the system which had been and was still pursued by ministers, would lead to that or to some other measure equally dangerous. How, under such circumstances, could the Bank be expected to pay, while government were confessedly unable to make good their engagements to them? And yet, in this very state of things, the Chancellor of the Exchequer was about to call upon them that night to vote 24 millions of exchequer bills in one line, without coming to the point that would relieve the country from its difficulties. Would the

noble lord say, with these facts staring him in the face, that the country was in a most prosperous state, that we were going on flourishingly, and were the astonishment of the world? He conceived that, instead of being in a prosperous, we were absolutely in a frightful, situation; and if the world looked upon us with astonishment, he should only say, well they might, for he believed that never at any period did we present such a melancholy picture of financial derangement.

Mr. Tierney spoke some time further, particularly commenting upon the noble lord, and the chancellor of the exchequer; and he concluded by saying, that the system on which ministers were proceeding, was one against which he must protest, inasmuch as artful men were making large sums by it, whilst the bulk of the people were consigned by it to ruin.

The *Chancellor of the Exchequer* commenced by defending the Finance Committee from the attacks of the last right hon. gentleman, assuring the House that the country had been much indebted to its labours, and that many sinecures had been abolished, and much reduction had taken place in the military and naval establishments, in consequence of their recommendations. Among other objects, for example, the committee had anticipated that the revenue of the year ending 5th of January last, would exceed the expenditure by two millions and a half. In fact, it did exceed it by four millions; but the right hon. gentleman, finding that that statement exhibited

bited too flourishing a view of our condition, had brought into his view certain particulars which could not enter into a fair comparison. He had taken the whole charge of the consolidated fund and the sinking fund, and had then shown that our expenditure had considerably exceeded our receipts. It was impossible that this should not be the case, as so considerable a part of the war taxes had been abolished. Parliament had thought fit to relieve the country from fifteen millions of taxes, and thus they necessarily and unavoidably prevented the effect which would have been produced in the redemption of the debt by these fifteen millions annually. With respect to his plan of operations for the present

year, he could only answer the right hon. gentleman, as he had answered an hon. member some nights ago—he would not prematurely tie up his own hands, but would reserve to himself the power of adopting those measures which the situation of public affairs rendered most expedient.

Several other gentlemen spoke on this subject, some of whom appeared by no means inclined to adopt all the flattering predictions contained in the ministerial speeches. The motion was at length agreed to; and the same committee was re-appointed, with the exception of two, who were no longer in parliament, and whose names were supplied by two other members. The whole number amounted to 21.

CHAPTER IV.

The House of Commons in a Committee on the Exchequer Consolidation Acts. The Chancellor of the Exchequer moves for a Committee on the Consolidated Fund Produce Bill. The House of Lords reads for the third time the Bill for rendering the Produce of the Consolidated Fund available for the Public Service, which passes. The Earl of Harrowby's Report from the Select Committee. The same in the House of Commons.

ON March 8, the House of Commons having resolved itself into a committee on the Exchequer Consolidation Acts, the Chancellor of the Exchequer said, that he did not anticipate any objections to the arrangement he was about to propose. By the practice of the exchequer, the revenue received for the purposes of the consolidated fund accumulated till the end of the quarter, and those sums had not been made applicable to the public service, but the Bank had had the advantage of the interest on them. The accumulations of the sums thus received for the consolidated fund, which were not applicable at present, unless to the payment of the interest of the public debt, the sinking fund, and the civil list, he proposed to apply to the public service, till required for their original purpose. The simple proposal, therefore, which he had to submit to the House was, that the public should have the benefit, instead of the Bank, of those accumulations. The sum to be thus applied, however, he should propose to be limited to a definite amount,

namely, six millions, which was nearly as large a sum as was usually accumulated from one quarter's end to the other. He should further propose, that at the time these sums were taken from the exchequer, exchequer bills should be replaced as a security, which bills should be realised at the close of the quarter. It would be recollected by the committee, that a negotiation between the Bank and Mr. Perceval took place in 1808, at which time that minister entertained a similar idea. But this plan was subsequently given up, and Mr. Perceval thought that the more convenient mode would be, to accept from the Bank the sum of three millions without interest, in lieu of the advantages the public would have otherwise derived from the appropriation of these sums to the public service. At the time when Mr. Perceval made his arrangement, the balances in the hands of the Bank were far more considerable than at present. Since that time the amount had greatly decreased in consequence of the peace; and a very large sum had been taken from these

these balances by the new arrangement with regard to the payment of the sinking fund under the consolidation acts. The remaining balances had been reduced as low as could be allowed with safety; and from the accounts upon the table, it would be seen that there were seldom in the hands of the Bank, balances for more than ten days of what the public service required. He had now the satisfaction of stating to the committee, that the Bank had expressed its willingness to assist in carrying this plan into execution. In the measure he should propose, he should also introduce a clause limiting, for a certain time, the application of the sum of six millions, so taken out of the exchequer, to the public service, and applying it to the liquidation of debts due to the Bank from government. It would be recollected, that there was an arrear of the consolidated fund amounting to upwards of three millions outstanding from last January 5th, to the liquidation of which debt a portion of the sum of 6,000,000*l.* would be applied. With a view of satisfying all parties, he should introduce a clause for limiting the continuance of the measure to the 5th of July, 1820. He concluded with moving, "That it is the opinion of this Committee, that it is expedient the growing produce of the Consolidated Fund in Great Britain be made applicable in each quarter, to an amount not exceeding six millions on the whole at any time, for such services as shall be voted by parliament, until the same be

required for the services for which it is appropriated."

After several members had spoken on each side, the resolution was agreed to.

On March 18th, the *Chancellor of the Exchequer* moved the order of the day, for the House to resolve itself into a committee on the consolidated fund produce bill. On the motion, "That Mr. Speaker do now leave the chair,"

Mr. Grenfell said, that the proposed measure was by no means what the House had a right to expect from the repeated statements and declarations of the chancellor of the exchequer, since the commencement of the session, and particularly those of February 1st. He would venture to appeal to every member in the House, whether what had fallen from the right hon. gentleman did not amount to this—that as public money had accumulated in the hands of the Bank of England to the amount of seven millions, he had a measure in contemplation which would have the effect of abstracting six millions, and rendering it available to the public service. Something had fallen from him leading to a supposition that he meant to limit his bill to the exchequer balances, which had immediately induced him (*Mr. Grenfell*) to state that there were other balances, amounting upon an average to three millions, and that he should not be satisfied unless they were also appropriated to the service of the nation. Did not the right hon. gentleman then assert unequivocally, that his plan would not be confined

confined to the exchequer deposit, but would embrace all the public money in the hands of the Bank; or, to put it more shortly, deprive that body of six out of seven millions, leaving one million as an adequate remuneration for its trouble. Now, the utmost that could be obtained from the bill was, that the public would receive what was equivalent to the interest upon three millions instead of six. It was well known that there were no less than 56 balances of various kinds in the hands of the Bank, and the measure now proposed, only touched one of them.

The *Chancellor of the Exchequer* said, that the very title of this bill was the best answer to the hon. gentleman's observations. That title was for the application to the public service, of a part of the growing produce of the consolidated fund. It professed solely to refer to the exchequer bills account, which was certainly only one, though a very important one, of the 56 accounts of balances. The hon. gentleman was well aware that since the peace, the public balances in the hands of the Bank had been reduced to six or seven millions; he must also know, that with respect to several of these balances he had no control, as their appropriation was specifically enjoined by a distinct act of parliament. There was, it is true, another branch of public balances in the hands of the Bank, namely, the revenue balances, which were no longer suffered to remain in the hands of private bankers, and these were paid weekly, and

sometimes oftener, to the exchequer. If, in the course of business, still further sums could be rendered available for the public, he was ready to admit that such savings ought to receive immediate attention. He had no hesitation in saying, that the interest of six millions would be available to the public, three millions on the day after this act passed. The bill did not protect the Bank against any further reduction of their balances, if it should appear advisable to make such reduction.

Mr. Tierney said, that these Bank balances consisted of two descriptions; one from the growing produce of the consolidated fund; the other arising from the general receipts of the departments of the government. How came it, then, that the proposed measure was reduced to so limited a scale? As to these six millions being made available, he believed that such a hope had no existence but in the imagination of the chancellor of the exchequer. He, however, first took credit for three millions, going to meet certain arrears and deficiencies arising on former quarters out of the consolidated fund. Now, for such a purpose, he had no necessity for the present bill, as there already existed an act of parliament which provided for such deficiency by the issue of exchequer bills, which bills were to be met by the current revenue of the succeeding quarter. Then came the other branch, namely, the re-payment of three millions due to the Bank. What means had the House of knowing, that a sum existed to be

be thus applied? Would the chancellor of the exchequer say, that there existed the means of making to the Bank an actual and positive payment of three millions? Surely, he must feel that it would be unbecoming in him to say so, merely because such a balance existed on one particular day in the quarter. Let him remind the right hon. gentleman, that early in the present session, he himself thought that the consideration of the Bank balances should be referred to the committee now sitting on the Bank question. The right hon. gentleman concluded with moving as an amendment, the postponement of the committal of the bill until Monday se'nnight.

The *Chancellor of the Exchequer* replied, that his bill went to regulate the whole question respecting the Bank balances, and he could not consent to postpone it for the object alluded to.

The House divided on the chancellor of the exchequer's motion: Ayes, 154; Noes, 80. The House then resolved itself into the committee.

Mr. Tierney having pressed the chancellor of the exchequer to state, in what manner he expected to have between two and three millions available to go in reduction of the Bank loan, and that gentleman having replied, that he expected the amount would turn out as he had already stated it, Mr. T. declared that he did not believe a single word of it.

Some other questions and answers were made by different members, after which the House was resumed, and the report was

ordered to be received on the following day.

On March 29th the House of Lords entered upon the third reading of the bill for rendering the growing produce of the consolidated fund available for the public service.

The *Marquis of Lansdowne* said, that the bill should have his warmest support, since nothing could be more just than its provisions, so far as they went. He must, however, call their lordship's attention to the principle on which it was founded, and the very limited extent to which that principle was carried. Alluding, then, to the spirited efforts made by a member of the other House (Mr. Grenfell) to obtain for the public a share in the balances left in the possession of the Bank, the marquis observed, that the bill confined the application of its principle to one description of balances, namely, that on the growing produce of the consolidated fund, and asked, why was not this principle carried to a greater extent? Why was it not applied to the balances of the customs and excise, of which at least three millions might be made available each quarter in the same manner? It had been boasted that the arrangement contemplated by this bill would produce a saving of interest on balances to the amount of six millions, whereas the fact was, that the average of these balances did not exceed four millions. Besides, the advantage could only be enjoyed by the public for a small part of the year; for it was provided, that the bills made out under

under the act of the 57th of the king, commonly called deficiency bills, should be discharged before this measure could operate. The sum required for the discharge of these bills, in the course of the last two years, amounted to not less than 3,900,000*l.*, and the only advantage which the public could obtain by the measure, must be limited to the saving of interest on the casual and temporary employment of about 2,300,000*l.* after the deficiency bills were discharged, which, upon an average throughout the year, would not be more than equal to one million.

The *Earl of Liverpool* reminded the House, that the question as to the advantage the public ought to derive from the balances deposited in the Bank, had been very fully considered in 1807 and 1808, when the Bank proposed to advance a loan of three millions without interest, which it was then thought advisable to accept, rather than the other alternative. With regard to the average amount of the balances in question, it was probable that the sum would be ultimately not less than four millions. As to the balances to which the noble marquis had alluded, he had no difficulty in stating, that it had not been thought proper to extend the principle further at present, while an inquiry was going on which had for its object the affairs of the Bank.

The bill was then read a third time, and passed.

On April 5th, the *Earl of Harrowby* presented to the House of Lords a report from the Secret

Committee appointed by the House to inquire into the state of the Bank with reference to the resumption of Cash Payments. The report stated the notice by the Bank of their intention of paying in cash certain notes issued prior to 1817, which notice had been acted upon, and had caused a considerable drain of specie; and it recommended, with a view to the more speedy and effectual resumption of cash payments generally, that the Bank should be prohibited from paying in gold the notes for which such notice had been given. His lordship mentioned his intention to bring forward a legislative measure on the next day, in unison with the recommendation contained in the Report, with a view to the speedy passing of which, he should move that the standing orders should be taken into consideration to-morrow, in order to their suspension.

Earl Grey expressed his astonishment at the proposition which had so unexpectedly been made, and from which he could draw no other conclusion than that the conduct of the ministers towards the Bank was the result either of ignorance, or fraud. He could conceive no necessity for such a measure short of that which operated in 1797; and if that case had occurred, he contended that the same course ought to have been resorted to, namely, that the privy council should, upon their responsibility, have directed the suspension of cash payments at the Bank, and then would have succeeded the legitimate func-
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tions of parliament to have investigated the grounds on which that determination had been come to. He had felt it his duty to say thus much upon the very unexpected proposition brought forward by the noble earl, and against which he must now decidedly and solemnly protest.

The *Earl of Harrowby* said, he had not given any notice in his situation as one of the king's ministers, but in his capacity as chairman of the committee by whom this report had been unanimously agreed to. Neither was there the least foundation for the supposition that this measure was required on the part of the Bank; on the contrary, there was no doubt whatever of its ability to make good all its engagements. The reason of the measure was, the opinion of the committee, that in order to ensure at the earliest period the permanent resumption of cash payments, it was expedient to pass the measure alluded to.

Some other lords spoke upon the subject; after which, *Earl Grey* rose again, and after asserting that he thought the measure proposed was pregnant with danger, but being aware that several of his noble friends viewed it in a different light, he said, that there being now a question before the House, the only mode to which he could resort was, to move that the House do now adjourn. The question of adjournment was put and negatived. The standing orders were ordered to be taken into consideration tomorrow, and the Lords to be summoned.

In the House of Commons, on

April 5th, the first report of the Secret Committee on the expediency of the Bank resuming Cash Payments, was made to the following effect:

"The Committee of Secrecy appointed to consider the state of the Bank of England, with reference to the expediency of the resumption of cash payments at the period fixed by law, and into such other matters as are connected therewith; and to report to the House such information relative thereto, as may be disclosed without injury to the public interest, with their observations thereupon, are engaged in deliberating upon their report, which they hope to present to the House on an early day after the approaching recess. The committee having a confident expectation that, in that report, they shall be enabled to fix a period, and recommend a plan, for the final removal of the present restriction on the Bank, think it their duty to submit to the House, that the execution of any such plan would, in their opinion, be materially obstructed and delayed by a continuance of the drain upon the treasure of the Bank, on account of the engagement of the Bank to pay in cash all its notes outstanding, of an earlier date than January 1st, 1817, and on account of the payment in cash of fractional sums under 5*l*. That the committee therefore think it their duty to suggest to the House, the expediency of passing forthwith a bill, restraining all such payments in gold coin, until the report of the committee shall have been received, and considered by the House,

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and a legislative measure passed thereupon."

Mr. Peel then rose, and moved for leave to bring in a bill founded on the Report which had been just read. Its object would be, to restrain the issue of sovereigns for fractional payments under 5*l.*, in consequence of notices issued in the course of 1816-17, in which the Bank undertook to pay in specie all notes dated previously to the 1st of January 1817. In consequence of these notices, the treasure of that body had suffered a very considerable drain. Accounts had been presented to the House of the issues of sovereigns between the 1st of January 1816, and the first of January of the present year, in which time it appeared that 4,500,000*l.* had been issued from the Bank: 700,000*l.* had afterwards been issued; so that the whole sum amounted to 5,200,000*l.* of treasure which had been withdrawn from the Bank. The object of the bill would be, to restrain, till the expiration of the present session of parliament, issues of cash such as he had described. The delay would enable the House to consider the subject, and to take the measures which the committee might hereafter suggest. The reasons for this measure lay within a short compass. Whenever the time came for removing the restriction, a large sum in cash would be necessary, much exceeding what the Bank had at present in its possession. This diminution of its treasure would make the Bank less able to return to cash payments, and would therefore tend to postpone the period for the termination of the

restriction. It was for these reasons, and in the fullest confidence that it would hasten the period of cash payments, that he should propose the measure. He was also equally confident that the restoration of a standard of value in this country, as invariable as the nature of things admitted of, would not be accompanied by those inconveniencies which some persons apprehended.

The right hon. member then moved "for leave to bring in a bill to restrain the Governor and Company of the Bank of England from making payments in cash, under certain notices given by them for that purpose." He then added, as it was of the highest utility that the measure should pass as expeditiously as possible, he hoped the House would allow it to go through its several stages that evening.

Mr. Brougham said, that he felt himself considerably embarrassed by the course taken by the chairman of the Bank committee, who proposed to them a measure not on their confidence in the responsible advisers of the Crown, not on their acquiescence in the arguments of a committee of their own; but on the allegation of something not explained, they were called upon to pass a measure of great importance, not only without discussion, but without the possibility of discussion.—After reasoning for some time respecting the peculiarity of the case, *Mr. B.* asserted that nothing could have induced him to concur in the measure if it were merely necessary to support the credit of the Bank, but if he thought the stability of that establishment, and

and through it the mercantile credit of the country, were in danger from the payment of old notes, and fractional sums, however he might blame the Bank for their improvidence, he should have felt it necessary to protect the country from the consequence of this imprudence.

Lord Castlereagh said, that if the measure had been brought forward simply for the convenience of the Bank, or for the support of its credit, it would have been unfit that it should have been disposed of in the way now proposed. But they might be assured that the credit of that body was so high, that there would not have been any necessity to have interposed between the Bank and its creditors, except for public convenience. The hon. and learned gentleman had fairly said, that the question before the House was a balance of inconveniences; but he trusted the facts would support the measure proposed. To-morrow or the next day the dividends would be in a course of payment; and if the measure were not carried through as fast as the forms of parliament would admit, notice would be given to all holders of notes of an early date to carry them for payment. He hoped, however, that the House would concur in speedily carrying the measure.

Mr. Tierney affirmed that this was one of the most important measures that could be brought before parliament; and if one thing surprised him more than another, it was the extraordinary composure with which the proposition had been received. Of this he gave several instances; but,

said he, *necessitas suprema lex*, and it was necessary to examine how the question of the issues stood. It was in 1817 that the notices were issued under which the payments were made, and the drain had gone on without answering any other purpose than to enable the chancellor of the exchequer to make a speech, to say that cash payments were virtually resumed. In the last year he had brought in a bill for continuing the Restriction act; and at that time he saw with his eyes wide open the drain which was then going on more rapidly than at any time since, yet took no step to stop it. What was the time when this alarm first came upon him? Why, no sooner than this day at twelve o'clock. For his own part, till yesterday, he should no more have thought of the committee making such a report, than of their doing the most improbable and extravagant thing in the world. The House at large were in the dark from knowing too little; he, on the contrary, was in a difficulty from knowing too much, as a member of the secret committee, and was continually afraid of letting some of his knowledge out. But to mention a fact that was no secret: what had been the conduct of the Bank? Their whole object, it was said, was, to resume cash payments. They lived in the hope of it, and the delay was misery. It was not, however, to such a degree as to induce the Court of Directors to come to any resolution on the subject; and so quiet were they, that no conversation had taken place between the governor and the chancellor of the exchequer for the last three months.

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What was the reason for so rapidly passing this measure? Why, merely from a mysterious recommendation from the committee, that the adoption of such a measure was necessary to enable the Bank to resume cash payments at some time—it was not stated when. It was said, on the part of the Bank, that they did not ask for this measure. But it was for the House to consider whether it would allow, upon such a suggestion, all its usual forms to be suspended, of the necessity for which it had no evidence whatever.

Lord A. Hamilton conceived the measure to be only a continuance of the system of restriction; with this difference, that when such a measure was proposed before, some grounds were stated for it, and these grounds were discussed, but at present it was to be carried without any discussion of its merits.

Several members spoke on each side of the question on this debate. At length,

The *Chancellor of the Exchequer* said, that when the proper time arrived to enter upon the details of this subject, he should be prepared to show that there was no inconsistency whatever between the principle of this bill, and the principle which governed his other arrangements on this subject. He only regretted that the measure had not been earlier introduced. The fact was, that hopes had been entertained last year that the state of exchange might have come round, and obviated the inconveniences complained of.

The House having resolved itself into a committee on the Bank Restriction acts, leave was given to bring in the bill. The House having resumed, the bill was read a first and second time, committed, and reported. On the motion that it be read a third time, *Mr. Gurney* made several observations tending to disapprove of it.

In fine, the bill was passed.

CHAPTER V.

Sir James Mackintosh's Address respecting the Criminal Laws.—Trial by Battle Abolition Bill.—First Report of the Secret Committee, on the Expediency of the Bank resuming Cash Payments.—Proceedings in both Houses respecting the Claims of the Roman Catholics.

S*IR James Mackintosh*, on March 2, in rising to address the House of Commons concerning the system of Criminal laws, began with noticing some concessions made by the noble lord (Castlereagh) which would tend much to narrow the grounds of difference between them, in so much as both were agreed that the state of the criminal law in this country called for investigation, and that a select committee would be the proper course to pursue in it. Proceeding then to the narrower question, which was a comparison between the noble lord's system and his own, he proceeded to show that in accordance with the usage of the House, he should propose that the House itself should nominate separate committees; whereas the noble lord proposed that the committee which had been named, should again nominate three committees. Sir James found no difficulty in giving his own proposition the superiority to that offered by the noble lord.

He next inquired into the examples which the House of Commons afforded him by their former proceedings, and he began with that of 1750, when, in consequence

of the alarm created by some species of crimes, a committee was appointed "to examine into and consider the state of the laws relating to felonies, and to report to the House their opinion as to the defects of those laws, and as to the propriety of amending or repealing them." The persons of whom the committee were then composed were Mr. Pelham, Mr. Pitt, Mr. G. Grenville, Mr. Lytton, Mr. C. Townshend, and Sir Dudley Ryder. The first resolution in which these distinguished persons agreed, was, "that it was reasonable to exchange the punishment of death for some other adequate punishment. A bill was brought in, founded on the resolutions of the committee: it passed this House, but was thrown out in the House of Lords. In 1770, another alarm, occasioned by the increase of a certain species of crime, led to the appointment, on November 27, of another committee, of which Sir Charles Grenville, Sir William Meredith, Mr. Fox, Mr. Serjeant Glynn, Sir Charles Bunbury, and others, were members. That committee was occupied for two sessions with the subject, in the second of which they

they brought their report to maturity. It passed the House of Commons, but was thrown out by the House of Lords.

Sir James M. now said, that it was upon these precedents that he had formed, and that he brings forward, his motion. But he must first mention what his object is *not*, in order to obviate the misapprehensions of overzealous supporters, and the misapprehensions of desperate opponents. "I do not propose to form a new criminal code. Altogether to abolish a system of law, admirable in its principle, interwoven with the habits of the English people, and under which they long and happily lived, is a proposition very remote from my notions of legislation. Neither is it my intention to propose the abolition of the punishment of death. I hold the right of inflicting that punishment to be that part of the right of self-defence with which societies, as well as individuals, are endowed. Nor do I wish to take away the right of pardon from the crown: on the contrary, my object is to restore to the crown the practical use of that right. The main part of the reform which I should propose, would be to transfer to the Statute Book the improvements which the wisdom of modern times has introduced into the practice of the law. One of my objects is, to approximate them: to make good men the anxious supporters of the criminal law, and to restore that zealous attachment to the law in general which has distinguished the people of England among the nations of the world."

Having (said Sir James M.) concluded his general remarks, I will now enter into a few illustrative details. Among these, we shall take no notice of the least important articles, but go directly to those which constitute the main purpose of the eloquent speaker's address.

The real state of the case (said he) is, that in the first or highest class of felonies, the law has been executed in every case; that in the middle class it has sometimes been executed; and that in the lowest class it has not been executed at all. To correct this anomaly, so injurious, and so subversive of the great purposes of criminal jurisprudence, is the object that I have in view.

For the sake of clearness, the hon. and learned member divided the crimes against which our penal code denounces capital punishment into three classes. In the first, murder, and murderous offences, or such as are likely to lead to murder, such as shooting or stabbing with a view to the malicious destruction of human life, on which the law is invariably executed; in the second, arson, highway robberies, piracies, and other offences, to the number of nine or ten, on which, at present, the law is carried into effect in a great many cases. On those two divisions, he admitted, for the present, that it would be unsafe to propose any alteration. Many of the crimes comprehended in them ought to be punished with death; and he was persuaded that a patient and calm investigation would remove the objections of a number of well-meaning persons who are

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of a contrary opinion. But looking from these offences at the head of the criminal code, to the other extremity of it, he saw a third class of offences, some connected with frauds of various kinds, but others of the most frivolous and fantastic description, amounting to about 150 in number, against which the punishment of death is denounced by the law, although that punishment is never at present executed. There can be no doubt that these capital felonies should be expunged from our Statute-book as a disgrace to our law, and as creating a false opinion, much more sanguinary than it has ever been rendered in practice. There are many more capital felonies of a similar nature, which are the relics of barbarous times, and which are disgraceful to the character of an enlightened and thinking people. For such offences, punishments quite adequate, and sufficiently numerous, remain, which the wisdom of the legislature may order to be inflicted.

The debateable ground on this subject (Sir James Mackintosh goes on to say) is afforded by a sort of middle class of offences, consisting of larcenies and frauds of a heinous kind, though not accompanied with violence and terror. I do not propose, in any degree, to interfere with the discretion of the judges in deciding upon any crime to which the punishment of death ought, under some circumstances, to attach; but to examine whether or not it is convenient, upon the whole view of the subject, that death should remain the punishment

expressly directed by the law for offences, which, in the administration of the law, are never more severely punished than with transportation, either for life, or for limited periods. On this subject, he took occasion to pay an affecting remembrance to the late Sir Samuel Romilly, with whom he fully concurred in thinking, that the punishment of death ought not to attach by law to any of those offences for which transportation is a sufficient punishment. In this case, he joined his late friend in the conviction, that the balance of advantage is decidedly against the continuance of the existing system.

The House (said he) will still bear in mind that I do not call for the abolition of the punishment of death, but only in those cases in which it is rarely, and ought never, to be carried into effect. In such cases I propose to institute other milder but more invariable punishments. Nothing, in my opinion, can be more injurious than the frequency with which the sentence of death is pronounced from the judgment-seat, when it is evident, even to those against whom the punishment is denounced, that it will never be carried into effect. In all nations, an agreement between the laws and the general feeling of those who are subject to them, is essential to their efficacy; but this agreement becomes of unspeakable importance in a country in which the charge of executing them is committed, in great measure, to the people themselves. I know not how to contemplate, without serious apprehension, the consequences that

may attend the prolongation of a system like the present. My object is, to make the laws popular, to reconcile public opinion to their enactments, and thus to redeem their character. The just and faithful administration of the law is the great bond of society. If those who hold the reins of government, instead of attempting a remedy, content themselves with vain lamentations at the growth of crime, that growth must continue to spread a just alarm.

I will now, Sir, conclude by moving, "That a Select Committee be appointed to consider of so much of the Criminal Laws as relates to Capital Punishments in Felonies, and to report their observations and opinion of the same, from time to time, to the House."

Lord Castlereagh then rose; and after complimenting the hon. and learned member on a speech, in the temperate and candid style of which he was sure he joined the whole House, he said, that the true question on which he was at issue with the hon. and learned gentleman was, to consider the species of proceeding which would be most likely to lead to a wise and salutary result. In his notions concerning this matter, it was evident, that the noble lord had a decided preference to a practical view of the subject, while he held, in profound contempt, what he called the abstract and visionary opinions of his antagonist. These differences constituted the whole of his argument, which he concluded with a motion. He felt it, he said, his duty to move the previous ques-

sion on the motion made by the hon. and learned gentleman, not from a wish to oppose him, not from any disposition to throw obstacles in the way of inquiry, but because he conceived the adoption of the hon. and learned gentleman's views would tend to separate the inquiry into the state of the criminal law, from the inquiry into the nature of punishments; thus defeating the united consideration of such important and concomitant topics; and because he therefore thought the appointment of the committee of last night was the step most calculated to lead to advantageous results.

Among the speeches in favour of his hon. and learned friend, one of the most decided was, that of *Mr. Wilberforce*. He began with declaring, that in his long experience of that House, he had never heard a more able address, a more splendid display of profound knowledge of the subject, with such forcible reasoning from the facts which that knowledge had called forth. He had not only derived great pleasure from what he had heard, but also from what he had not heard in the course of the discussion; namely, those arguments, or rather those objections, against alterations of, or inquiry into, old laws and customs, which had been so vehemently urged at former periods. He had heard opinions at that time, which any man would blush to hold at the present day. No such objections were, however, made on this occasion; and the only one to the motion of his hon. and learned friend was, that it would be better to refer the matter

matter to the committee proposed by his noble friend. Why should he prefer the expectation of a committee, when he might have one at the present moment, when there were so many reasons urging to the immediate inquiry? Why should not some alteration be made, which would take from a jury the painful task which they had so often to perform at present? and yet that could be done by an alteration of the laws. It had been said, that our laws had not been made all at once, but had been the result of gradual legislation. That was the fact; but it argued nothing against the original motion. It was thought a safe way of checking the crime, to fix the penalty of death against its commission. But experience taught, that this was a most erroneous mode of legislation. The persons with whom we had to deal, were such as were careless, as well of this life, as of the life to come. They looked not to the enormity of the crime, but to the chance of escaping the punishment. Ought, then, the system to be continued which this very principle brought into action? If not, there was the very best reason for a committee. He could not but think, that instead of being considered hasty in their desire for a committee on this subject, they ought rather to be accused of being tardy in not having called for it before; and that the legislature was to blame in having so long neglected a matter wherein human life was at stake.

Several other members spoke upon this occasion. At length, the previous question being put,

“That that question be now put,” the House divided: Ayes, 147; Noes, 128: Majority in favour of Sir James Mackintosh’s motion, 19. The main question was then put and agreed to; and a committee was appointed, consisting of several leading members.

Trial by Battle Abolition Bill.

The *Attorney General* having, on March 19, moved the order of the day for the farther consideration of the report of this Bill, *Sir F. Burdett* rose, to consider at large how it would affect the right of appeal, with which, he conceived, it had nothing whatever to do, any more than an indictment at common or statute law. It was, he thought, a measure which went to increase the power of the Crown, inasmuch as it would deprive the subject of an appeal against what might be an illegal and unjust extension of the power of the Crown in pardoning criminals in cases of murder. After a considerable discussion upon this subject, *Sir F. Burdett* moved, to leave out from the word “That,” to the end of the question, in order to add the words, “That this bill be re-committed.”

Mr. Sergeant Copley said, that he would rather that the bill of his hon. and learned friend should be lost altogether, than that an attempt should be made to carry it into effect with the amendment proposed to be made. He then adduced a considerable number of facts, to show, that the right of appeal was still acted upon, and considered as the law of the land. Proceeding to the speech of the hon. baronet, he said he

had maintained, that the Crown had no right to pardon for murder, and that it was abolished by statute. In this he begged leave to differ from him entirely. The Crown had the prerogative, though it might, like other prerogatives, be abused; but if taken from the Crown, where would the hon. baronet have it placed? When a party was prosecuted for a criminal offence, it was necessary that he should be charged upon oath, and a grand jury must find a bill before he could be put upon his trial; but in a case of appeal, it was only necessary for the appellant to make affidavit that he believed the party to be guilty. Yet such was the system which the hon. baronet, an avowed friend to the liberty of the subject, felt himself called upon to applaud.

The *Attorney General* justified the clause as absolutely necessary. If, in the case of *Ashford v. Thornton*, the appellant had persevered in the trial by battle, he had no doubt the legislature would have felt it their imperious duty at once to have interfered, and have passed an *ex post facto* law for preventing so degrading a spectacle from taking place.

The question being put, "That the words proposed to be left out, stand part of the question," the House divided; Ayes, 86; Noes, 4.

On the 22^d of March, the same bill being moved for a third reading by the *Attorney General*, *Sir Robert Wilson*, after moving, as an amendment, "That the bill be read a third time this day three weeks, the House again divided upon the question that

the bill be now read a third time. This was carried by Ayes, 64; Noes, 2; Majority, 62. The bill was then read a third time, and passed.

First Report of the Secret Committee, on the expediency of the Bank resuming Cash Payments.

"The Committee of Secrecy, appointed to consider of the state of the Bank of England, with reference to the expediency of the resumption of Cash Payments at the period fixed by law, and into such other matters as are connected therewith; and to report to the House such information relative thereto, as may be disclosed without injury to the public interests, with their Observations thereupon—Are engaged in deliberating upon their report, which they hope to be able to present to the House on an early day after the approaching recess.

"The committee having a confident expectation that, in that report, they shall be enabled to fix a period, and recommend a plan, for the final removal of the present restriction on the Bank, think it their duty to submit to the House, that the execution of any such plan would, in their opinion, be materially obstructed and delayed by a continuance of the drain upon the treasure of the Bank, on account of the engagement of the Bank to pay in cash all its notes outstanding, of an earlier date than Jan. 1st, 1817, and on the account of the payment in cash of fractional sums under 5^l.

"That the committee, therefore, think it their duty to suggest

gest to the House the expediency of passing forthwith a bill, restraining all such payments in gold coin, until the report of the committee shall have been received, and considered by the House, and a legislative measure passed thereupon."

The Report was ordered to be printed.

Mr. Peel then said, that the object of this bill would be, to restrain, till the expiration of the present session of parliament, issues of cash in the manner he had described. The delay would enable the House to consider the subject, and to take the measures which the committee might hereafter suggest. The reasons for this measure lay within a short compass. Whenever the time came for removing the restriction, a large sum in cash would be necessary; that sum considerably exceeded the sum which the Bank had at present in its possession; and as it was manifest that any diminution of this sum would not be productive of any advantage to the country by its immediate effects, so it was also plain, that this diminution of its treasure would make the Bank more unable to return to cash payments, and would therefore tend to postpone the period for the termination of the restriction. It was for these reasons, and in the fullest confidence that it would tend to hasten the period of cash payments, that he should propose the measure. He then moved "for leave to bring in a bill to restrain the Governor and Company of the Bank of England from making payments in cash, under certain notices given by them for that purpose."

Mr. Peel then added, as it was of the highest utility that the measure should pass as expeditiously as possible, he hoped the House would allow it to go through its several stages that evening.

Mr. Brougham, among various other grounds by which he justified an opposition to the proposed bill in all its stages, said, that it would be one of the most unwarrantable kinds of proceeding, to commit a violent breach of the forms of the House to protect the House against its own regulations. The Bank had not been compelled to pay the notes issued before 1817; they had the option to pay or not pay. If, therefore, the measure had been founded on the convenience of the Bank, he had no doubt as to the course to be taken. But he had more doubt when it was put on another ground, namely, that the committee not having finished its investigation, but having made a certain progress in it, not seeing exactly to what end their deliberations would lead, had grounds for supposing, that another measure, if not necessary, would be mainly subservient. But when the proposition was thus stated, the question arose, why should this measure be hurried through the House with such extraordinary rapidity. The question now came to a balance of evils. If he was persuaded that the measure was necessary, and if it were delayed three or four days it would be wholly nugatory, he might be content to take the extraordinary step which was recommended; but unless the right hon. mover, and the other members of the committee

mittee could take on themselves to say this, he, for one, could not consent to see the standing orders of the House violated.

Lord Castlereagh next rose as an assistant to his right hon. friend, but it was merely for such a purpose that he gave himself the trouble of speaking at all.

Mr. Tierney affirmed that this was one of the most important measures that could be brought before parliament; and if one thing surprised him more than another, it was the extraordinary composure with which the proposition had been received. He went on to say, that they would now find that the promises of the Bank were worth nothing; and that the faith of the legislature was not more valuable than the promises of the Bank; for those who from excessive wariness chose to possess notes convertible into gold, were cut off by an act of parliament passed through each House in a single night, from the property which was gratifying to their own private feelings. But it would be said, *necessitas suprema lex*, and it was necessary to examine how the question of the issues stood. It was in 1817 that the notices were issued under which the payments were made; and the drain had gone on from that time to this without answering any other purpose than to enable the chancellor of the exchequer to make a speech, to say that cash payments were virtually resumed. In the last year he had brought in a bill for continuing the restriction act, and at the same time he saw with his eyes wide open, the drain which was

then going on more rapidly than at any time since, yet he took no step to stop it. He believed there was not a gentleman in the committee who before Saturday had heard a word either of the danger or the remedy; and for his own part, till yesterday, he should no more have thought of the committee making such a report, than of their doing the most improbable and extravagant thing in the world. The House at large were in the dark from knowing too little; he, on the contrary, was in a difficulty from knowing too much as a member of the secret committee. But to mention a fact that was no secret; what had been the conduct of the Bank? Their whole object, it was said, was to resume cash payments; they lived in the hope of it, and the delay of it was misery. The noble lord was very anxious on the subject: he had laboured to prove, that the less money the Bank had, the less they could pay (for that was the amount of his proposition), but as for the Bank, they felt no alarm whatever. So quiet were they, that no conversation had taken place between the Governor and the Chancellor of the Exchequer for the last three months. It was said, on the part of the Bank, that they did not ask for this measure. It was, indeed, only on Saturday night, that its expediency was suggested by two hon. gentlemen, one a Bank director, the other a gentleman, no doubt, of mercantile consequence. But it was for the House to consider, whether it would allow, upon such a suggestion, all the usual forms to be suspended, in order to carry a measure,

sure, of the necessity of which it had no evidence whatsoever.

Such was the principal evidence brought by the right hon. member in favour of the party he was supporting.

After several members had given their opinion concerning the question, of whom the majority were clearly in favour of the means employed by the right hon. mover, the House resolved itself into a committee on the Bank-restriction acts, and leave was given to bring in the bill. The House having resumed, the bill was read a first and second time, committed, and reported. On the motion, that it be read a third time, *Mr. Gurney* said that he could not avoid expressing his fear that the measure would be productive of more evil, than could result from any good expected from it.

The bill was then passed.

In the House of Lords, after the *Earl of Harrowby* had risen to move that the standing order relative to the progress of bills be suspended, that the present measure might pass through its remaining stages forthwith, some other lords made observations on the bills at issue.

The standing orders being suspended, the bill was then read a second time, and the commitment having been negatived, it was read a third time, and passed.

Roman Catholic Claims.

In the House of Commons, on May 3rd, petitions were presented respecting the claims of the Roman Catholics, by the following members: *Mr. Bastard*,

against their claims, from the county of Devon, and from the city of Exeter; *Mr. Peel* and *Mr. Methuen*, on the same side; *sir George Hill*, from the citizens and inhabitants of Londonderry, on the same side; *Lord Ebrington* and *Mr. Western*, in favour of the Catholics; and many other petitions on the same subject, which were ordered to lie on the table.

On the same day, the *Right Hon. Mr. Grattan* presented eight Roman Catholic, and five Protestant petitions in favour of the Roman Catholic claims, after which he rose, and made a speech, of which the following were the leading points:

The hon. member began with expressing his ardent hope, that the wishes of the Catholics should ultimately succeed, and that they would give strength to the Protestant church, to the Act of Settlement, to the Protestant succession to the crown, and would form an identification with the people, so as to preserve tranquillity at home, and security and respectability abroad. He proceeded in his argument to observe, first, that the Roman Catholics had a common law right to eligibility; secondly, that the parliament had in justice no right to require them to abjure their religion; thirdly, that the Roman Catholic religion is no evidence of perfidy or treason; fourthly, that you reject the Roman Catholics for what they have abjured, and require of them to abjure that which does not belong to the cognizance of the civil magistrate, namely, the articles of their religion.

In

In continuing the disqualification of the Roman Catholics, we not only deprive them of the common law right of eligibility, but we affect the foundation of our own religion. When we say that the Roman Catholic is incapable of moral obligation or political allegiance, we affirm that Christianity does not extend to France, to Italy, to Spain, to a great part of Germany, and of course we deprive it of one great proof of its divinity. You answer this by charges against the Roman Catholics. I have stated those charges to be unfounded. You did not believe in them in the 17th of the king, when you declared the Roman Catholics to be good and loyal subjects; when you gave them the right of bearing arms; when you gave them in Ireland, the election franchise; when you gave them the army and navy; when you restored the popedom; when you helped to restore the house of Bourbon, and with them to give new strength to the Roman religion in France. You saw that a Roman Catholic church establishment was better than philosophy, and that Christianity with seven sacraments, was better than infidelity.

But it is said, if you emancipate Roman Catholics, their clergy will overturn the government; they will use their influence with the laity, who will forfeit their lives in the vain attempt to give domination to their church. This argument is fundamentally erroneous: it supposes that man struggles for the domination of his church establishment by nature. Man is not

attached to church establishment by nature; it is a creature of art, and a question in politics, not a work of nature. The argument goes farther, and says, that men would prefer the domination of their church establishment to all considerations, moral or political: that is to say, that all men are by nature fanatics. This argument is not only not according to human nature, but the reverse. It is supposed that Dr. Poynter, an excellent subject, will, upon the emancipation of his flock, say to the Duke of Norfolk, your grace is now possessed of the privileges of the constitution, and will now, of course, try to subvert the government; that is to say, lose your head by a fruitless attempt to get me made archbishop of Canterbury. Argument arrives at last to the monstrous palliation of two crimes, rebellion of the Roman Catholics for the ambition of their church, and pains and penalties imposed upon the Roman Catholics, for the exercise of their religion.

The argument I combat not only goes against the nature of man, but against the drift of the age. The question is not now, which church? but whether any. When you attack the religion of Europe, you attack the religion of England. There is a great similitude. You send for your clergy when you are sick, or dying: your sacrament is more than a commemoration, though less than a transubstantiation: there are shades of difference it is true; but if their hierarchy be so abominable, yours cannot be pure, and in your common downfall, you will learn your similitude.

The

The objection which alleges the growth of demand, naturally connects itself with this part of the subject; if the Roman Catholics get a share in the state, they will demand a share in the church, that is to say, they will desire to become Protestant clergymen. Here, however, the nature of things interposes insuperable limits; but if they mean that he will desire a church establishment of his own, they are mistaken: it is what the Protestants in general wish to give him, and the Roman Catholic declines, because he does not feel that impulse in favour of a church ascendancy; because they wish to have their pastors a little nearer themselves, and less connected with the court.

Mr. Grattan, pursuing his line of argument, says, the oath and declaration framed at the Revolution, were intended to be final, parliament says otherwise; the House of Lords, in its resolution of 1705, says otherwise; in the act of the Scotch Union, it declares that the oath and declaration were not to be final; and parliament, in the act of the Irish Union makes the same declaration. In order to obtain the approbation of the Roman Catholics in favour of the Union, they were informed by parliament, that their exclusion was not final. So that instead of a covenant amongst the Protestants, against the Roman Catholics for their final exclusion, there is a covenant between the same against their final exclusion. The rigour of the acts directed against the Roman Catholics was intended

against such as refused to abjure the temporal power of the pope. Now this description does not comprehend the present race of Catholics, and therefore they do not come within the meaning of the act of exclusion, as declared in the act of 1793. Of the petitioners against the Roman Catholics I know, and personally regard many; but I would ask them, do they really think their fellow subjects should be excluded on account of extreme unction? certainly not: for transubstantiation?—certainly not: and yet their application, if strictly taken, would, for no better reason, deprive them of their civil rights for ever. They will observe, also, that there was no law against the admission of Roman Catholics into the Irish parliament at the time of the Revolution, nor did any law take place till near one hundred years after. They have then chosen a period as the standard of their rights, when the Roman Catholics were not excluded from seats in parliament by law, and when the whole country was deprived of trade and liberty, by power.

After a considerable number of detached observations on various topics, Mr. Grattan concluded his speech in the following manner:

Our prince is, on the part of his father, the supreme head of the church; we are his national council, and have a right to advise him. I avail myself of that privilege, and say to him, My Prince, my Master, you must take the lead in the deliverance of your people. Your predecessor,

sor, the Plantagenet, conquered on the continent, so have you; but then they confirmed the great charter thirty times: your other predecessor, the Tudor, saved Holland; but then she passed good laws without number: the Hanover, and under your direction, has carried Europe on his back; but then a great work still remains for the fulfilment of this glory, a fourth part of your subjects are now before you. Come, the destinies of the house of Hanover are waiting for you; come, be the emancipator of the Catholics, as you have been the deliverer of Europe, and look in the face the Plantagenet and the Tudor. I move, Sir, "That this House do resolve itself into a committee of the whole House, to consider the state of the laws by which the oaths or declarations are required to be taken, or made as qualifications for the enjoyment of offices, and the exercise of civil functions, so far as the same affect his majesty's Roman Catholic subjects, and whether it would be expedient in any, or what manner to alter or modify the same, and subject to what provisions and regulations."

Mr. Croker now rose to second the motion, in which he said that he owed some apology to the House for venturing to solicit its attention at so early a stage in the debate, but he trusted that an apology would be found in the nature of the considerations which he had to offer to its notice. The statute which the hon. gentleman found prescribing the oaths at present existing as

the principal one now in force on this point, is the first of Geo. 1st, which provides, that all persons holding any office, civil or military, or any place of emolument or trust, shall, within three months after they shall have entered upon any such place or office, subscribe in one of the courts at Westminster, or at the general quarter sessions of the peace, the oaths in the statute set forth, namely, the oath of allegiance, the oath of supremacy, and the oath of abjuration. By a subsequent act of 9th George 2nd, it is provided that, instead of the period of three months given by the statute of George 1st, a period of six months shall be allowed for qualification; and farther, that the declaration against transubstantiation enacted 25th Charles II, shall also be made at the same time. From this time commences a new series of legislation on the subject, for, from the extension of the period allowed for qualification, the wisdom of parliament has been pleased annually to pass an Act of Indemnity, which reciting the acts, imposing the oaths of qualification, and the declaration against transubstantiation, enacts, that any person who may, before the passing of such an act, have omitted so to qualify himself, shall not be liable to any pains or penalties for such omission, provided he shall qualify before the 25th of March next ensuing. If (says the hon. gentleman) with all the attention I have directed towards this subject, I should have failed in unravelling its details, if no
research

research can guide us, and if no authority will direct us to a clear view of the true state of the law, I ask, confidently ask, is it not high time to have a committee of investigation? Again—What, on all creatures, is the effect of the lash, but to make them pursue their course with a blinder, and more headlong fury? Jealousy and severity may have produced distrust and disaffection; but by the very same operation of our nature, moderation and kindness must generate mutual confidence, and a reciprocity of affection.

Mr. Leslie Foster opposed the concessions to the Catholics on various distinct grounds. The first was the actual state of the Protestant feeling in Great Britain, which, he said, was not ambiguous, at least could not be contradicted in that House. His second ground was the indisposition of the majority of the Protestants in Ireland to entertain such an idea, which, from undoubted authority, he contended to have been very inconsiderable. A third case is the feelings of the Roman Catholics themselves. The Relief bill, of 1813, were in search of expressions to mark their execration of it. They pronounced it to be a law of penalty, and preferred to it their present state of exclusion. The clergy in their pulpits, and the bishops in a solemn synod, declared that they could not submit to it without incurring the guilt of schism; and that, with the blessing of God, they would lay down their lives for it. In 1792, the claim for political power was advanced by the highest Catholic authority, a

regular convention sitting like a parliament in Dublin. By their secretary they promulgated their declaration, of which their whole demand was limited to the four following objects: admission to the profession and practice of the law; a capacity to serve as county magistrates; a right to be summoned, and to serve on grand and petit juries; and the right of voting in counties only for Protestant members of parliament. This ultimatum of Catholic desire was conceded to them; but in two short years afterwards, they approached the Irish parliament with such fervency of entreaty for admission into both houses of parliament, that Lord Fitzwilliam, then lord lieutenant, declared in a speech delivered after his recall, that the Irish Catholics would go into a rebellion if they were refused.

The right hon. gentleman concluded with saying, the church of England has grown with the growth of our civil freedom, been overcome when it was overcome, and triumphed when it triumphed. Like our civil constitution, it is a happy mixture of whatever there is safe and beneficial in the opposite extremes of liberty and power, adopting the free spirit, though not the tenets, which marks the church of Geneva, but tempering it by retaining the principles of supremacy and episcopacy. And never be it forgotten, that in Ireland it superadds the additional claim to your present protection, that in all times past it has been your tenure of the island.

Lord Normanby next rose, who after strongly expressing his feelings

ings in favour of the Catholics, said, in conclusion, I shall rest their case principally upon this point: can any man sincerely and solemnly affirm, that he believes the safety of the state requires the continuance of the present system? Let that man, and that man only, vote against the present motion.

Other persons spoke for and against the present motion; at length, the House having been cleared, amidst numerous cries for the question, there appeared, Ayes, 241; Noes, 243: Majority against the Motion, 2.

In the House of Lords, on May 17th, the *Earl of Donoughmore* rose, in pursuance to notice given, to call their lordships' attention to the petitions, praying for relief to the Roman Catholics; and in furtherance of this object, he submitted to their lordships a resolution to the effect that this House resolve itself into a committee to consider the state of the laws which inflict civil disabilities on account of religious opinions, particularly in so far as those laws deprive his majesty's Roman Catholic subjects of the exercise of their civil rights; and in how far it may be expedient to alter or modify the same. The earl then entered into a consideration of the manner in which the Catholics were still fettered; and he said, if the House went into the committee, he should propose, in the first place, the repeal or modification of the declaration oath, a great part of which amounted to a denial of doctrines, held, by those who believed them, to be the great truths of the Christian religion; and in the second place,

to obtain the repeal of the oath of abjuration. The oath of supremacy, he thought, might remain. He concluded by moving the resolution stated in the beginning of his speech.

The *Bishop of Worcester* strongly declared against the claims of the Catholics, and protested against bringing them within one single step of putting their church in the place of the establishment.

The *Bishop of Norwich* held the opposite opinions; and said that it was the duty of the House to let England cease from this day forward to be the only country in Europe where intolerance was established by law, where religious opinions excluded from civil office, and where men were obliged to surrender their rights for the sake of their conscience.

The *Bishop of Peterborough* asserted that it was not merely on account of any difference in abstract opinions between the petitioners and themselves, that they thought their religion a ground of exclusion; but because opinions, abstract in themselves, are coupled with other opinions which are not so. Having considered this question in reference to the state, he next considered it in reference to the church, and dwelt with some force upon the dangers which might attend it under a papal establishment.

The *Lord Chancellor* thought that in the present question, the real point at issue was, not what would satisfy the Catholic alone, but what would or ought to satisfy the Protestant. What security by oath could the Catholics give which could reconcile

cile the king's supremacy in things temporal, with the pope's supremacy in things ecclesiastical? To him it appeared, that out of all the plans proposed to parliament since the commencement of these discussions, none of them were practicable; because, if we were to believe the recorded history of the country from 1660 to 1688, it would be seen how systematically the Roman Catholics pursued the accomplishment of their own objects, and the destruction of the national church. If the House looked to the sentiments which were avowed and expressed by the Catholic church during the whole reign of Charles the 2nd, it would see the necessity of the present disqualifications, and how strongly that necessity was impressed on the minds of the whole nation. At the latter part of the two periods alluded to, it was resolved that this country should have a Protestant king, a Protestant parliament, and a Protestant government. Such was the great principle parliament ought always to have in view, holding in due reverence that right of all men derived to them from God, that they should not be persecuted for religious opinions.

After a considerable range through various sentiments, his lordship said, that he should betray his duty to his sovereign, who by law ought to be a Protestant, to the people, who were Protestants, to the two Houses of Parliament, who by law ought to be Protestants, were he not decidedly to oppose such motions as that brought by the noble

earl, unless the Catholics were, in the first instance, to declare and prove that they had renounced those doctrines which rendered their admission to a full participation of the rights of their fellow subjects, dangerous to the tranquillity of the state.

Earl Grey, who had already made up his mind to the support of the noble earl who was the mover of the question, said, that in due deference to the noble and learned lord's authority, he felt it incumbent on him to contest some of the points which that lord had endeavoured to establish in support of his own opinions. What, he said, was the meaning of the expression, that the constitution established at the Revolution was essentially and fundamentally Protestant? He, himself, could find no other meaning than that it was not contained in the great charters of the constitution, the Bill of Rights, and the Act of Settlement. If, however, it could be shown that they were securities established, not at the Revolution, but at periods previous and subsequent to that event; if none of them were ingrafted in those acts which formed the charter of our constitution; if it could be proved that they arose from particular circumstances and the exigences of particular times, then the whole of the noble and learned lord's argument would fall to the ground.

The first of the acts to which he had referred was the Corporation Act, passed in the first year after the Restoration. The object of this act was, not the exclusion of the Catholics, who, at that period, had seats in parliament,

ment, but the exclusion of persons who had been supporters of Cromwell, who had contributed to overturn the constitution. The next was the Test Act, passed in the 25th of Charles 2nd. Undoubtedly that act was directed against the Catholics, but chiefly against the duke of York, the presumptive heir of the crown, and known to be of the Catholic religion. Then came the 30th of Charles 2nd, of the origin of which it is notorious, that it was a consequence of the plots of Oates and Bedloe. This act was passed, not as the noble and learned lord described as emanating from the deliberate wisdom and prospective caution of parliament, but for the purpose of excluding one class of the king's subjects from the rights and privileges, which until that period they had enjoyed. Such were the laws passed previous to the Revolution, all of them founded on particular circumstances which no longer existed. It was true that our ancestors, after the expulsion of James, retained those laws, and added others of a more severe tenor; but let their lordships look at the causes which induced them so to act. The king had taken refuge with, and received assistance from, the greatest Catholic sovereign in Europe. He was supported by a number of partizans in this country, of whom the largest proportion were Catholics. Our ancestors, wisely deviating as little as possible from the principle of hereditary succession, had established the succession in the line of the exiled monarch's daughters. Added to that, was the belief entertained by

the great men by whom the Revolution was effected, of the deceitful character of the Catholic religion, and of the abhorrent nature of their tenets. In all these circumstances would be seen the cause of laws so contrary to the spirit which produced the Revolution. The necessity for those laws no longer existing, the policy which induced our ancestors to pass them could no longer be urged for their continuance; but the policy which induced them to declare that the English were free, required that freedom should be extended to the Catholics, now that no cause remained for withholding it.

The earl then deviated into a close attack upon the principles avowed by the Chancellor, in which he did not forget a defence of the system of Locke, in whom he found the friend of justice, benevolence, and freedom. He ended his speech, with noticing the present dangers which threatened our security; and he asked, why is Ireland to be left a continued prey to that system of proscription from whence so much alarm and danger has been felt through the empire? Was it any thing less than madness to suffer such dangers to accumulate, and not, when the opportunity presented itself, to take the certain means to allay present discontent, and provide future security.

The *Earl of Liverpool*, who succeeded to the last speaker, found little to add to the attacks made by the Chancellor and other opposers of the Catholic claims. He fully subscribed to that system which maintained itself by a Protestant religion, with a Protestant

testant monarchy, and a Protestant parliament.

The remaining speakers, comprising the Marquis of Lansdowne, the Earl of Westmoreland, the Earl of Carnarvon, the Duke of Wellington, and the Earl of Darnley, made little addition to the arguments used by the speakers which had preceded them. The question was then loudly called for, which gave,

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On May 25th, *Earl Grey* rose, to submit to their lordships a bill to relieve Roman Catholics from taking the declaratory oaths against Transubstantiation and the Invocation of Saints. He presumed, that no obstacle would be opposed to the passing of this bill, which did not in the least interfere with any securities which some noble lords thought ought to be required of Roman Catholics. It merely affected certain dogmatic opinions, and had no reference whatever to any question of supremacy, political or spiritual. He then presented a bill for abrogating so much of the Acts of the 25th and 30th of Charles 2nd as prescribes to all officers civil and military, and to members of both Houses of parliament, a Declaration against the Doctrine of Transubstantiation and the Invocation of Saints.

The Bill was read a first time.

On the 10th of June, *Earl Grey* said, that the bill the second reading of which he rose to move,

would, he hoped, have met with the general concurrence of their lordships. That hope was founded on the reasonableness, as it appeared to him, of the bill itself, and the admission that doctrines of faith were not a ground for the exclusion of Roman Catholics from the enjoyment of the advantages of the British constitution. But he was told, from an authority which he could not doubt, that his bill was to be met with a most determined opposition. His lordship entered with much ability into a discussion respecting the intended attack; but it will probably be more to the purpose, to consider the resolutions of a body of men against the bill in question, on which he was told that a petition was to be founded.

The first resolution stated, "That the British constitution and government are essentially and fundamentally Protestant, and the Protestant religion forms the great security of the public happiness and welfare of this country, as established and secured by a solemn national compact at the period of the Revolution, and by the acts of the legislature which happily settled the crown of these realms upon his majesty's august family." The second resolution mentioned, "That being sensible of the religious and political blessings enjoyed under the sway of the royal house of Brunswick, and convinced that upon the maintenance of that compact, and of those acts of settlement; the safety of his majesty's person and government; the continuance of the monarchy of England; the preservation

tion of the Protestant religion in all its integrity; the maintenance of the church of England, as by law established; the security of the ancient and undoubted rights and liberties; and the future peace and tranquillity of this kingdom; do, under God, entirely depend; this meeting is filled with alarm when the least attempt is made to abrogate any of the laws, or subvert any of the securities, by which those inestimable privileges are held." 3rd, They profess, "that by the wise policy of our ancestors, Roman Catholics were excluded from bearing certain offices and from the legislature and councils of the nation; and by stat. 39, Charles 2nd, it was enacted, that no peer of the realm, or member of the House of Commons should vote or sit in parliament, until he take the oaths of allegiance and supremacy, and make, subscribe, and audibly repeat the declaration against transubstantiation and popery." The 4th resolution stated, "that the meeting has been informed, that a bill has been brought into parliament, and is now in progress, in which it is proposed, that the declaration against transubstantiation required by the statute 25, Charles 2nd, and the declaration against transubstantiation and popery, required by the statute 30, Charles 2nd, shall no longer be required to be taken as a qualification for holding any office or place of trust from his majesty, or under his authority, or for sitting or voting in either House of parliament; provided, that nothing therein should dispense any person from taking the oaths of allegiance or supremacy." The fifth resolution was as follows: "That

although the said declarations against transubstantiation and popery contain only a renunciation of certain opinions entertained by Roman Catholics, yet they form, in the opinion of this meeting, the principal test by which Roman Catholics are to be ascertained, and without which, the oaths of allegiance and supremacy are not sufficient to exclude Roman Catholics from parliament, and from situations of political power." The sixth resolution represented, "that the Catholics regarded certain oaths as null and void, and affirmed that the Pope had himself, a few years ago, published a proclamation to his subjects, wherein he authorized them to take a distinction between active and passive oaths." In the seventh it was asserted, "that the Romish church granted no toleration to those who did not participate in its communion; and that therefore there could be no peace or security for those who professed a different creed."

It may be supposed, that several of the allegations brought forwards in this declaration were severely commented on by the mover of the bill; and the accession of Lord Grenville to the Catholic side was an important addition, which seemed to make a powerful impression on the House. When, however, a division of the House was declared, it appeared that the numbers were kept steady to their party. It stood thus:

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CHAPTER VI.

Parliamentary Proceedings.—Second Report on Resumption of Cash Payments.—Motion for a Committee on the Royal Burghs of Scotland.—Army Estimates.—Marquis Camden's Tellership Bill.—Foreign Enlistment Bill.—Motion on the State of the Nation.—Motion for considering of Parliamentary Reform.—Reversal of Fitzgerald Attainder.—Motion for an Address respecting the Slave Trade.—Bill for Encouragement of Emigration to the Cape of Good Hope.—Budget.—Speaker's Speech.—Prince Regent's Speech.—Prorogation.

SECOND Report of the Committee of Secrecy on the Resumption of Cash Payments.—On May 6, Mr. Peel presented to the House of Commons an elaborate report, divided by the committee of secrecy into two parts;—the results of their inquiries into the state of the Bank of England,—and their opinion with respect to the expediency of the resumption of payments in specie, at the period at which by law they are to be resumed. On the first head, they stated themselves to have begun by ascertaining that the sums which the Bank were liable to be called on to pay in fulfilment of their engagements, amounted on the 30th of January last, to 33,894,380*l.*, and that the Bank were then in possession of government securities and other credits to the amount of 39,096,900*l.*, leaving a surplus in favour of the Bank of 5,202,520*l.*; exclusive of the permanent debt due from government to the Bank of 14,686,800*l.*, re-payable on the expiration of the charter.

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The committee then informed themselves of the amount of cash and bullion in the coffers of the Bank at various periods since 1797, and of the quantity of gold coin issued by it between the 1st of January 1817, at which period a partial resumption of cash payments had been resorted to, and the 1st of January 1819; which was found to amount to about 6,756,000*l.* They next call the attention of the public to the amount of the debt due by it to the Bank of England, which, on the 29th of April last, reached the sum of 19,438,900*l.* After a variety of details and references to evidence connected with this part of the subject, the committee add;—That the amount of their advances to the public is urged by the Bank as one of the main impediments to their early resumption of cash payments; and that, in order to make preparations for their resumption, the Bank require a re-payment to the extent of ten millions. For such re-payment, the committee earnestly

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nestly recommend it to the House to make immediate provision, and also to establish some permanent provisions limiting and defining the authority of the Bank to make advances to the government, and to purchase government securities; and bringing under the constant inspection of parliament, the extent to which that authority may be in future exercised.

On the second head of inquiry, the expediency of returning to cash payments at the period fixed by law,—the committee proceed to state arguments and detail evidence from which it appears first, that the Bank have already very considerably reduced their issues of notes since the beginning of 1818; 2ndly, that in order to secure themselves against the effects of a return to cash payments in July next, it would be necessary for them to make a further and very sudden reduction of that portion of their currency which they have immediately within their control; 3rdly, that such reduction in the present state of the trade of the country, would be attended with very serious inconvenience; in consequence of which, the committee recommend the further postponement of the resumption of payments in specie.

A third branch of the inquiries of the committee had for its object to ascertain the supply of gold which might be required to meet the demands upon the Bank on the resumption of payments in specie, and the practicability of commanding such supply. The evidence on this head embraces a variety of facts relative to the in-

vestment of British capital in foreign funds,—the rates of exchange,—and the effects likely to be produced on such rates by the proposed resumption. On the whole, it is inferred that Great Britain has the power of commanding a metallic currency, but that the return to it ought to be gradual; and the committee conclude, by recommending to the attention of parliament the following outlines of a plan for the purpose. “That, after the first of May 1821, the Bank shall be liable to deliver a quantity of gold, not less than 60 ounces, of standard fineness, to be first essayed and stamped at his majesty’s mint, at the established mint price of 3*l.* 17*s.* 10*d.* per oz., in exchange for such an amount of notes presented to them as shall represent, at that rate, the value of the gold demanded:—That this liability of the Bank to deliver gold in exchange for their notes, shall continue for not less than two, nor more than three years, from the 1st of May 1821; and that, at the end of that period, cash payments shall be resumed:—That on a day to be fixed by parliament, not later than the 1st of February 1820, the Bank shall be required to deliver gold, of standard fineness, essayed and stamped as before-mentioned, in exchange for their notes (an amount of not less than 60 oz. of gold being demanded) at 4*l.* 1*s.* per oz., that being nearly the market price of standard gold in bars on an average of the last three months.”

These suggestions of the committee of secrecy on being referred to a committee of the whole

whole House, were adopted with some modification as the foundation of two bills, which, after considerable discussion in the Commons, passed both Houses.

Motion for referring to a Committee the Petitions from the Royal Burghs of Scotland.—May 6. Lord Archibald Hamilton rose and said, that after the petitions which had been presented to the House, praying a reform in the constitution and government of the Royal Burghs of Scotland, he trusted that no apology was necessary for occupying the time of the House with this object. But when he had last month brought forward a subject intimately connected with this, the abuses of the burgh of Aberdeen, though he had stated as distinctly as he could, both what his motion was, and what it was not, he had not however escaped the unfair and unfounded insinuations of the gentlemen opposite. They charged him with using the subject merely as a cloak for parliamentary reform; a charge totally unfounded, and which he again disclaimed both for himself and for the petitioners, whose sole object it was to obtain a reform in the internal management of the burghs, radical and comprehensive indeed, but not more than commensurate with the occasion. The grievances complained of were not new, neither were they partial nor transient. Twenty-five years ago, similar complaints had been made by the burgesses of Scotland; and a report of a committee employed to inquire into the subject had been laid on the table of the House. Between a reform in

parliament and the present object, there was no necessary or direct connection; the remote and indirect connection between them, he would frankly explain;—it was simply this: At present, the magistrates returned the member to parliament without any interference or participation of the burgesses;—the burgesses wished to have the same power as to the election of the magistrates, which the magistrates now had in the election of the member. And if this were granted, the magistrates would still retain the same power as now; the only difference would be, that being themselves appointed and maintained by public opinion, instead of being self-elected and self-maintained in defiance of it, they would probably elect such members as were approved by the burgh at large.

The existing burgh system in Scotland, he proceeded to say, was so oppressive to the inhabitants, so abhorrent from every principle of justice, and so very different from the government of any other part of the united empire,—he might say of the civilized world,—that he found it difficult to conceive how the House could refuse a committee of inquiry. He appealed to all who heard him, if in the cases brought under the notice of the House, particularly in that comprehended in the petition from Aberdeen, a scene of fraud and oppression was not disclosed which called loudly for investigation. What was the existing system? Self-created power, acting under self-created immunity, sanctioned by law. The magistrates first appointed and

continued themselves in office, and then had this unbounded control over the funds of the burghs; they were empowered to contract debts to any amount they pleased, and though the burgesses were not entitled to inquire into their accounts, or to check their expenditure, they were responsible to the full extent for the debts thus contracted. This had been shown in the case of Aberdeen: there the burgesses had no means even of detecting the frauds committed by the magistrates; and if they had the means of detection, they were unable by the present practice, fortified by decisions at law, to obtain any redress. The petitioners also said, that the system was the same in the other burghs. It was from parliament only they could seek relief. Whatever might be the unjust iniquitous conduct of the magistrates, still there was no remedy, no appeal on the part of the burgesses to any court of law, so long as the town council remained unanimous. Another abuse which demanded revision was, that the acts of parliament in favour of the burgesses, such as those which required the residence of magistrates and prohibited the sale of seats in the town council, were allowed to fall into desuetude, while those which supported the unjust and oppressive power of the magistrates continued in full force. Civil or political rights the burgesses of Scotland had certainly none,—and if they had no municipal freedom or protection, what right remained to them, unless indeed that of suffering patiently this accumulation

of injuries and of grievances? The noble lord proceeded to detail other hardships to which the burgesses were exposed, of which the illegal exaction of cess was one. He refuted the opinion advanced on a former occasion by the lord advocate of Scotland, that all which was wanted, was an act regulating the burghs accounts, and that the act of union was an insuperable bar to any more effective interference on the part of the House; and he stigmatized the bill which that learned lord had introduced last year,—had suddenly and mysteriously withdrawn, and had again introduced this year, as involving an aggravation rather than a diminution of the existing evil. He concluded by moving for a select committee, to consider of the petitions from the Scotch burghs, and to report thereon.

The motion was opposed by Mr. W. Dundas, Mr. Boswel, lord Binning, and Mr. Forbes, principally on the ground of its alleged connection with parliamentary reform; it was supported by Mr. Primrose, Mr. P. Grant, and Mr. Wynn; the latter of whom concluded by remarking, that he had not heard any contradiction to the statements of the petitions; and he believed he might say with confidence, that at no time had such statements ever been made without securing parliamentary interference.

Mr. Canning thought it proper to assign his reasons for voting against the motion of the noble lord. He denied in general the position advanced by Mr. Wynn, that the House might, notwithstanding the act of union, which reserved

reserved the rights and privileges of the Scotch burghs, legislate for these as it might do respecting English ones; though he did not dispute that where a case of malversation *ad hoc* was made out, this might be done. The bill of the lord advocate remained for future discussion; but to the present motion he never could accede, because he was averse to any attempt to meddle with the established system of Scotch representation; entertaining as he did the utmost apprehensions of the consequences of any measure tending to what was called parliamentary reform, to which he declared his decided opposition, "whether it exhibited itself in the broad, gross, disgusting, tyrannical, and insulting shape, in which of late it had appeared in other places, or in the more plausible and less offensive, but not less dangerous character, in which it was occasionally laid before that House."

On the division, the numbers were, Ayes, 149; Noes, 144: Majority for the motion 5. A result which was received with loud cheers by the opposition.

Army Estimates.—May 7. The House having gone into a Committee of Supply, lord Palmerston said, that in bringing up the army estimates, he should trouble the House with few remarks, as little could be added to the minute details of the finance committee on this head. Upon a general view of the numbers of the army for the present year, as compared with the number of men voted last year, taking, in the first instance, the permanent

establishments of the two years, and leaving out the troops in India and in France, there would be found a diminution of 9,800 men. Upon a general view of the estimates of last year and the present year, there appeared to be a diminution in the present year of 26,042 men. This was the amount of the reduction of force which had actually been effected since the estimate of last year. After entering into a variety of details of expenditure, through which it would be superfluous to follow him, the noble lord concluded with moving, that a sum not exceeding 258,776*l.* 11*s.* 2*d.* should be granted to his majesty to complete the sum required for defraying the charge of his land forces from Dec. 25, 1818, to Dec. 24, 1819.

Colonel Davies conceived, that a saving of 120,000*l.* might be effected on the estimates, by means which he should explain hereafter. He could not help expressing his astonishment at the increase of the staff, and particularly when he compared that of Ireland with this country. In England, Scotland, Guernsey, and Jersey, there were seven general officers, exclusive of the commanders in chief and the heads of departments, to 25,000 men. In Ireland, to a force of only between 17 and 18,000 men, there were no less than eleven general officers. He likewise questioned the utility of the military college, which appeared to him only a pretence for keeping up an enormous establishment.

Mr. Hume was not one of those who thought a standing army should be entirely disbanded in time

time of peace; but he considered it as important that it should be as small as possible, and regulated only by the exigency of the times, not by comparison with times of war and of extraordinary exertions. He must say, that in the present state of the country, 3,503,337*l.* appeared to be a large sum for the efficient troops of a peace establishment. The noble lord stated a reduction in the amount of several items in the estimate, as compared with last year; but there was also an increase in other items, which rendered the whole total expense of this year greater than that of the last by 88,521*l.* He then pointed out the Military College and the Military Asylum as fit objects of considerable reduction. After some remarks by Mr. Bennet, and a reply by lord Palmerston, the different items were put and agreed to.

On May 10, when Mr. Goulburn brought up the report of the committee of supply on the army estimates, these became again a subject of discussion.

Sir H. Parnell animadverted severely on the enormous military establishment which government seemed determined to maintain, at a period when a deficit of 14,000,000*l.* appeared in the revenue, which was to be supplied from the sinking fund; and he pointed out the expense of the Irish staff as a fit object of inquiry.

Mr. Hume could not permit the grant for the support of the staff at home and abroad to pass without calling the attention of the House to the fact, that the new colonies of Ceylon, the Mauritius,

the Cape, Malta, and the Ionian Islands, named in the grant, possessed a revenue exceeding 1,200,000*l.* entirely at the disposal of ministers, and of which no account had been rendered to parliament. This was a subject which parliament would be guilty of a culpable neglect in omitting to investigate; and he founded upon it a motion for deducting from the proposed grant a sum of 21,104*l.* the amount of the staff estimate for the above colonies.

After some explanation from Mr. Goulburn, the original resolution, and afterwards all the other resolutions, were put and carried.

Marquis Camden's Tellership Bill.—May 11. The *Chancellor of the Exchequer* moved for leave to bring in a bill for enabling the public to accept of marquis Camden's magnificent sacrifice of the surplus profits of his unreduced tellership of the exchequer. From the donation of the noble marquis in this and other forms, the country had already derived 45,000*l.* He was now desirous to be farther enabled to give up, during life, the surplus income of his office, amounting, in time of peace, to about 9,000*l.* a year. Doubts had arisen whether this donation might not be considered as an illegal benevolence, unless sanctioned by parliament, on which account this bill was brought in; a former act, to authorize contributions by his majesty's ministers and other public officers, having expired.

Lord Castlereagh, in seconding the motion, said, that it was not claiming too much merit for such an

an act, voluntarily performed, to say, that a more splendid sacrifice of private right to the public service was never heard of in any state. As a patent office, it might be fairly considered as a legal estate, and had always been so considered by that House. It should be remembered also, that it was an office which had not been conferred as an act of grace and favour on the noble marquis himself, but which he had inherited from his father, to whom it had been granted, by way of compensation for giving up the high and dignified appointment of chief justice of the Common Pleas, in order to enter into the political service of the country.

Mr. Tierney professed the most sincere satisfaction in the occasion afforded for the present discussion. He had always regretted, that the conduct of marquis Camden in this instance should be passed over with so little public observation. It was a magnificent donation to the country, made under circumstances which greatly enhanced its generosity. Were he now to mention the nobleman who, in his opinion, stood the highest in this country, he should certainly name lord Camden; whose attachment to his country must be truly strong, to induce him to abandon what had been earned for him by his illustrious father. He trusted that a motion would be made for placing some memorial on the Journals of the House, of so singular an example of disinterestedness.

After a few words of commendation of the conduct of the noble marquis from Mr. Banks, Mr.

Wilberforce, and others, leave was given to bring in the bill.

Foreign Enlistment Bill.—May 13. The Attorney General rose to move for leave to bring in a bill, to prevent enlistments and equipment of vessels for foreign service. Every state, he observed, was at liberty to set restrictions on its subjects to prevent them from entering into the service of other states for the purpose of warfare. A statute of Geo. 2nd, already made it felony to enter into the service of any foreign state; but it was important to the country, that if neutrality was to be observed, it should be observed between states which claimed to themselves the right to act as such, as well as between acknowledged states. The words of the statute, however, were such, that it was doubtful whether they would comprehend the case of such as entered into the service of unacknowledged states; and it was in part the object of his motion to amend this inequality of the statute by introducing, after the words, "King, prince, state, potentate," the words, "colony or district who do assume the powers of a government." The law, as it stood on two statutes, the 9th and the 29th of George 2nd, annexed the heavy penalty of felony to the offence of entering the service of a foreign state; but though the law, both formerly and now, was equally against entering that of acknowledged and unacknowledged states, yet it could not punish those who entered the service of the latter. Thus, if any mother country

country were at war with her colonies, the law could not punish those who assisted the latter; but if they enlisted in the service of the mother country, which was a legitimate power, they were guilty of felony. It was important to the country that the law should decide, that no man should have a right to enlist in foreign service. That, in fact, was the meaning of the acts of George 2nd, and those acts would have been so expressed, if the circumstances which had since occurred had been foreseen. The second provision of this bill was rendered necessary by the consideration, that assistance might be rendered to foreign states, through the means of the subjects of this country, not only by their enlisting in warfare, but by their fitting out ships for the purposes of war. In this second provision of the bill, two objects were intended to be embraced—to prevent the fitting out of armed vessels, and also to prevent the fitting out or supplying other ships with warlike stores in any of his majesty's ports. He proposed that the penalty on the first offence should be for a misdemeanor; on the second, for a felony.

Sir James Mackintosh said, that if he could consider the present measure merely as the introduction of a reform into our criminal law, he should have contented himself with giving it his support. The repeal of the two statutes of George II he highly approved of: they were founded merely on temporary circumstances, and enacted penalties revolting to humanity, and which therefore now could never be

inflicted: they had been described by his hon. and learned friend as applying to all times and circumstances, but history would show him that they were merely intended to prevent the formation of Jacobite armies in France and Spain. Though the attorney general had endeavoured to disguise the subject, and keep out of view the immediate objects which the proposed measure was designed to serve, it was impossible to mistake its character, or to avoid seeing its evident tendency. The bill, however it might be worded, however its object was concealed, might be entitled, "a bill to prevent British subjects from lending their assistance to the South American cause, or enlisting in the South American service." On the general subject of the law, as it was now proposed to be amended, he would not make many observations. It was impossible to deny that the sovereign power of every state could interfere to prevent its subjects from engaging in the wars of other states, by which its own peace might be endangered, or its interests affected. Why was the House called upon to assert a principle which no one doubted, unless it was meant to apply it to temporary objects? Was honest neutrality intended by the measure? The principles of neutrality only required us to maintain the laws in being, but they do not command us to change any law; least of all, to alter our laws for the evident advantage of one of the parties. His hon. and learned friend had said that the enactments of his bill placed both upon a level,

a level, but so far as they changed the existing law, they were entirely in favour of one party, and so far a departure from neutrality. It ought to be recollected, that those who assisted insurgent states, however respectable, were in a much worse situation than such as assisted recognised governments, as they could not be reclaimed as prisoners of war, and might, as engaging in what was called rebellion, be treated as rebels. This new law would go to alter the relative risks, and operate as a law of favour to one party. He would not now enter further into the proposed enactment, as other opportunities would offer: In the meantime he could not refrain from expressing his disapprobation of a measure which he could consider in no other light than as an enactment to repress the rising liberty of the South Americans, and to enable Spain to reimpose that yoke of tyranny which they were unable to bear, which they had nobly shaken off, and from which he trusted in God they would finally be enabled to free themselves, whatever attempts were made by the ministers of this or any other country, to countenance or assist their oppressors.

Lord Castlereagh protested against the introduction of the political topics with which the hon. and learned gentleman had filled his speech; a speech which, while it seemed to advocate the principles of neutrality, was as far from the spirit of neutrality as any which he had ever heard in that House. He would appeal to the House and the country whether they would depart from

that regard which they owed to an acknowledged and friendly state, by allowing our subjects openly to take part with its enemies. This law was necessary to prevent us from giving cause of war to Spain against us; and he was sure that the House was too just and too generous to think that because Spain was weak, and because her fortunes had declined, we ought to permit her to be oppressed, and to do that which we should not have done had she been in other circumstances. He would ask the hon. and learned gentleman himself whether, if common justice was not sufficient, it was not our duty to carry into effect the intentions we professed. Was not the proclamation issued about 18 months ago, approved, both in this country and America, as perfectly just in the principles of neutrality which it professed? And was it not a breach of that proclamation, when not only individuals, not only officers in small numbers, went out to join the insurgent corps, but when regiments regularly formed left this country, when ships of war were prepared in our ports, and transports were chartered to carry out provisions and ammunition? It was to prevent this that the present bill was brought in, and he thought he owed some apology to the House and the country for not bringing it in sooner. Till lately, in fact, there was some hope of a mediation between Spain and her colonies, and so long as that hope lasted, he wished to say nothing of the general policy of the existing laws; but all such expectations were now at an end, and

and it became us to adopt a general system by which our conduct towards the parties should be guided whilst the war continued. He should be ready to give explanation at the different stages of the bill or to support its different clauses, but he must again protest against such conduct as the hon. and learned gentleman's, who found out partiality where none was intended, and declared that we were unjust to one of the parties, because we wished to place both on the same footing.

Mr. George Lamb contended that if this measure was now justifiable we were remiss in not enacting it sooner. It appeared to him however to proceed from no regard to neutrality, from no returning sense of justice, but to be intended to prevent the people of this country from going to the assistance of those who were struggling for their liberties, against what he would not trust himself with describing. It would have been much better to have declared this specific object than to have concealed it under a general enactment, through which it was easily seen.

Mr. Wynn supported the bill, but objected to that clause of it which went to aggravate a second offence into a capital felony. After a few remarks from other members, leave was given to bring in the bill.

On June 3rd, on a motion for the second reading of the bill, *Sir Robert Wilson* rose to oppose it. He observed that the attorney general, in moving for leave to bring in the bill, had desired to be regarded as alone re-

sponsible for the measure, but the noble lord opposite, in the debate which had attended even its introduction, did not consider it in that abstract and isolated view, but as a measure connected with our foreign policy. This avowal was at least candid, as it brought the question before the House on its proper merits. The clause which made a repetition of the offence a felony, and punishable with seven years transportation, had since been withdrawn, in deference, no doubt, to the expression of public opinion, but the original design of regarding it as a felony, was demonstrative of the *animus* of the projectors. Before he proceeded to argue the question on the ground of general policy, he should show that it was not entitled to any respect from analogy with the other enactments referred to. The hon. gentleman here entered at some length into an historical survey of the circumstances under which preceding enactments against foreign enlistment had been passed. He then added, that from general history it was clear, that such a principle as the present bill disclosed was never acted upon, even where Great Britain herself was one of the belligerents, and to this effect he cited many striking examples. It was surely he said enough, without enacting any penalties of our own, to refer those who should be disposed to enlist in the South American service to the ordinance made by Ferdinand a few months ago, devoting all who should engage in it to the most ignominious death. He must describe this bill as a bill not called for, a bill which

which policy rejected and humanity condemned, a bill in favour of Ferdinand and inauspicious to liberty. He moved as an amendment, that it be read this day six months.

Mr. Denman, in arguing against the bill, dwelt particularly on the injury which it would inflict on our commerce, particularly by means of clauses which authorized the detention of ships on board which any person or persons should be embarked, *suspected* of an intention of entering into a foreign service.

Mr. Wynn supported the bill at considerable length: he was answered by *Mr. F. Douglas*, who remarked, that the hon. gentleman who had spoken last had said, that the principle of the present bill was recognised in the policy of every other state, and we should be singular in refusing to accede to it. Such a singularity was a thing not at all alarming; he should be more alarmed at a conformity with the policy of foreign states. A minister of this country, when pressed to do any thing inconsistent with the laws to please foreign despots, should answer, I cannot.

Mr. Marryat contended, that previously to altering our laws for the purpose of giving Spain an advantage over her colonies, we were bound seriously to weigh the justice of the cause in which we engaged. Of the unparalleled despotism and iniquity of the Spanish government in South America, he said it was in his power to speak from personal knowledge and observation, and he entered into a detailed account

of the transactions between Spain and her colonies since 1806, and of the comparative merits and demerits towards Great Britain of Ferdinand and of the Independents. He looked with confidence to the ultimate success of the Independents in their great struggle, and pointed out the importance to our commercial interests of conciliating them without delay. Spain, he said, has no right to injure the peace and prosperity of the whole commercial world, by continuing her fruitless attempt to subjugate South America. All the maritime states of Europe, and Great Britain in particular, suffer from it in various ways. Out of it a race of freebooters and pirates have sprung, who plunder all legitimate commerce without distinction, and who can never be subdued till peace and good order are restored. Our laws, as they now stand, give no advantages to the Independents that are not counterbalanced by other advantages given to Spain. If British officers and troops embark in the cause of the Independents, arms and ammunition, the supply of which to them is prohibited, are not only permitted to Spain, but British ships of war convoy ships so laden to the ports of their destination. At this very moment the harbour of Cadiz is full of British vessels hired as transports to carry out the troops destined to act against them; whilst all assistance to their cause is prohibited by the proclamations of the governors of our free ports in the West Indies. Much, he observed, had been said about the treaty with Spain of 1814, but

but this bound us to nothing more than to prevent the supply of arms, ammunition, and warlike stores to the revolted provinces. The hon. member ended with a strong protest against the government of Ferdinand VII.

After some words of reply from Mr. C. Robinson, *Mr. Macdonald* recapitulated and enforced the arguments of his hon. friends in opposition to the bill. The present measure, he said, however supported by the learning and logic of Doctors' Commons, whatever abstract reasoning might be employed in its behalf, did mainly and effectually go to the destruction of the independent patriots of South America. He entertained considerable doubt whether the House would have the heart to pass such a bill as was now attempted to be thrust upon the nation. The nation revolted at it; the nation had been content to act on the system of non-interference, but further than this it would not go in opposition to its best feelings. The feelings of the English people were not to be trifled with. The government, solid as its institutions were, mainly rested, after all, on public opinion. Popular prejudice it might dissipate; popular error it might encounter; but the public opinion, founded on the good and generous feelings of the universal British nation, would be found to be stronger than even power itself.

Lord Castlereagh defended the provisions of the bill, and replied to some of the accusations brought against the king of Spain. On the question of the second

reading of the bill, the House divided; Ayes, 155; Noes, 142.

On June 10th, a motion for going into a committee on the foreign enlistment bill, produced again an animated debate, principally conducted by the same members who had taken part in the former ones. Of these, Sir James Mackintosh distinguished himself by a speech of uncommon force, learning, and eloquence, which was heard with profound attention, and greeted by long-continued cheers from both sides of the House. It was replied to by Mr. Canning in a strain of splendid oratory, but no adequate idea of either speech can be conveyed by us in an abridged form. Several amendments were put and carried; at length, on June 21st, after elaborate speeches from Sir W. Scott and Dr. Philimore, and one of distinguished ability and eloquence from Mr. Robert Grant in favour of the act, and speeches of great and various merit from Mr. Scarlett, lord Nugent, and Mr. Grenville Vernon against it, the bill was finally carried by a majority of 190 voices to 129.

On June 28th, the bill was introduced in the House of Lords by Earl Bathurst in a speech of considerable length.

Lord Holland then rose, and began by remarking on the great variety of motives which have been adduced before the House for passing the bill, and the great variety of grounds on which its policy was defended. If in the ordinary transactions between man and man in ordinary life, we found a person who stated various

various and contradictory motives for a particular action, his conduct would lead to the suspicion that those alleged motives were mere pretences, and that the real ones were concealed. If, in addition to the variety and inconsistency of his statements, we found that he accounted for his conduct on grounds of so romantic a nature as indicated the absence of all our usual feelings, and a neglect of our most cherished interests, it would not be uncharitable to imagine, that he not only aimed at concealment, but that his real motive, if disclosed, was of too odious a character to be openly avowed and defended. Now, when he recollected the course pursued respecting this measure, he could not but feel that the above description applied to it. When he recollected what happened more particularly in another place, where it was introduced on the ground of correcting an anomaly in our criminal law, by persons that opposed themselves to any revision or improvement of the criminal code, he could not but suspect the alleged motive. That ground was afterwards deserted, as being found too narrow for the superstructure to be raised upon it; and then we were told that the measure was necessary to preserve the principles of neutrality. Subsequently it had been discovered, that this foundation was still too confined, and now the House was called upon to adopt the measure before it, because the country was pledged to it by the modification introduced into our practice by the stipulations of a particular treaty,

which was completely at variance with the argument in its favour drawn from the principles of neutrality. It had been said that the interests of the country were on the other side of the question, and the noble earl himself seemed to maintain the same opinion in his reasonings from analogy; but if it was against the commercial interests of England that the bill should pass, it was still more decidedly against the feelings of Englishmen. After replying to various arguments brought in favour of the bill, the noble lord went on to state the dangers which would result from this new doctrine of neutrality. Should the present law be found insufficient for its purpose, the king of Spain might come forward, backed by the Amphictionian council of Europe, the assembled congress, and demand stronger measures. Ministers might then find that a police must be established, the executive armed with new and extraordinary powers, and emigration prohibited. The freedom of our press might next be attacked at the instigation of Ferdinand VII. He was the more opposed to this act when he considered it as one of a multitude of acts which seemed to be in contemplation; and that it went *pari jure* with the Alien act. He would not proceed one step further in such a policy.

The *Earl of Westmorland* contended for the necessity of the present bill as a fulfilment of our treaty with Spain, and affirmed that we had nothing to do with the consideration of liberty or slavery, superstition or independence,

ence, on the part of either of the belligerents.

After an animated debate, in which the marquises of Lansdowne and Bute, and the earl of Carnarvon argued against the bill, and the earl of Harrowby in its favour, an amendment proposed by Lord Holland for dividing the bill into two parts, and passing only so much of it as went to repeal the statutes of George II, was put and lost, the numbers being, Contents, 27; Proxies, 20—47. Not-contents, 49; Proxies, 51—100. The bill then went through the committee.

State of the Nation.—May 18. *Mr. Tierney* rose, in pursuance of the notice which he had given, to move for the appointment of a committee on the state of the nation. After expressing, in a style of indignant sarcasm, the contempt into which he affirmed the present ministry to have fallen in the eyes of that House and of the nation at large, the right hon. gentleman proceeded to take a comprehensive view of the state of the country, and of the circumstances which ought to induce parliament to grant a committee of inquiry, under the respective heads of political relations with foreign powers, commercial arrangements with them, and finance. On all these points, he contended, that the conduct of ministers had been so unwise, so feeble, and so vacillatory, that their incompetence was now fully apparent, and nothing but their general removal would be satisfactory to the country at large.

Lord Castlereagh felt all the difficulty of his situation in rising to reply to the very able and luminous speech which the House had just heard. With the right hon. gentleman's view of our financial difficulties he was not much disposed to differ; but he appealed to himself whether any finance minister had shown greater ability under circumstances so difficult than the present chancellor of the exchequer. He contended that a general inquiry on finance ought not to be entered upon pending the important investigations respecting the bank. He could not sit quietly by and listen to the taunts of the right hon. gentleman on that coalition of great nations which had taken place. The principles which now bound those sovereigns in strict alliance, were not those of ambition nor aggression; they were not united for the violation of public freedom, nor to oppress and overlay the liberties of nations, but to preserve to their subjects the fruits of their arduous struggles for the independence of this as well as other powers.

Our limits do not permit us to follow the train of argument pursued by the different members on both sides of the House in the wide field of discussion thus opened; neither is it essential; the motion was universally understood as little more than a trial of strength between ministers and the opposition, now first arrayed under the leading of *Mr. Tierney*. The division gave, *Ayes*, 178; *Noes*, 357. Majority against the motion, 179.

Reform

Reform of Parliament.—July 1. The Marquis of Tavistock presented a petition from Liverpool praying for parliamentary reform, signed by upwards of 1,800 respectable householders, who complained that they were not represented in parliament. He did not know the nature of the motion which it was the intention of an hon. baronet to propose that evening, but he had had too many opportunities lately of witnessing and regretting the dissensions among those who professed to advocate the cause of parliamentary reform. Some were moderate reformers, others radical ones, who wished nothing less than such reform as would be totally destructive of the constitution. The reform which appeared to him to be the best, was one which would be moderate in the changes it would introduce in our existing institutions, and radical in the correction of the abuses which had gradually grown up under them. He heartily disapproved of all those wild and impracticable theories which had lately been broached. He did not see that any specific plan of reform could be proposed at this moment with any chance of success. Such had been the conduct of those who called themselves the people of England, taking up one plan one day and laying it down the next when it suited them, running down every plan that they thought to be practicable, and vilifying all those who in their projects of reform were one step short of themselves, that the greatest distrust and disunion had been created among the friends of reform; and therefore

it was his opinion that there were greater difficulties in the way of this question at the present moment than had ever before existed. Ordered to lie on the table.

Sir Francis Burdett then rose in pursuance of the notice which he had given, to bring the subject of the representation before the House. He knew not how to answer to the vague invective against wild and visionary plans of reform, or the vague charges of promoting disunion brought by the noble marquis. He could only say, that whatever might be the differences of opinion, to whatever extent, small or great, gentlemen might have been willing to push a measure of this nature, it had always had his concurrence. He had never entertained the apprehensions by which many had been disturbed in the principle's being pushed to its utmost extent. He could fear nothing from pursuing to its utmost extent the ancient and recognised common law maxim, the corner stone of the edifice of our liberties; "That the people of England have a property in their own goods, which are not to be taken from them without their own consent;" in other words, that they are not constitutionally liable to be taxed without their own consent, expressed by a full, free, and fair representation in parliament. On this principle he stood as upon a rock, from which he thought it impossible to be moved. He had abstained from bringing forward this motion earlier in the session, lest he should be accused of thwarting, or interfering in any manner

manner with the attempts of the gentlemen composing what was called the opposition, to remedy those evils of which they so loudly complained; and also because he wished both them and the public to be convinced by experience how vain and futile were any efforts and all expectations of any important redress of grievances from a new parliament constituted like the old. Much had been said about the infusion of independence into the new parliament; the elections were said to have proved, that the present system of ministers could not be continued,—that the ministers must relax in their career of corruption, and adopt a plan of retrenchment and economy, or resign to those who would. Hopes were excited both within and out of the House, which nothing but the conduct of this parliament and the evidence of facts could have dispelled: nothing short of this could have induced men to concur with himself in opinion that an effectual remedy, a material amelioration in the condition of the people, was only to be expected from a radical reform. Had he sooner stirred this question, he should have been accused of throwing the apple of discord among the Whigs maliciously and advisedly, for the purpose of defeating all those rational and moderate plans of reform, as they were falsely called, of which that party were the advocates.

But now, that all attempts at remedying minor abuses had failed, and the utter hopelessness and folly of placing any reliance on what was called a new parlia-

ment had been made apparent, knowing the anxiety of the public mind, seeing the dissatisfaction every where expressed by the people from the public burdens and distress; and, the cause of all, the want of a fair representation; he felt it his duty to bring forward the subject. He entertained no expectation of its being followed by the immediate adoption of any measure, but he did not doubt that the principle, if adopted, would have a practical and beneficial effect in tranquillising the mind of the country; and he was anxious that it should be tranquillised, that the people might give no pretence to the noble lord at the head of the administration, for again proposing to this borough-mongering parliament the suspension of the Habeas Corpus act.

The motion he should make, would lay gentlemen under no obligation to support general suffrage, or annual parliaments, or even to state explicitly how far they would go:—all he requested of them was, an engagement to satisfy the public mind that early in the following sessions, some remedy might be expected for an evil of such magnitude, as the people not being represented in the Commons House of Parliament; and he did trust that all those gentlemen who had talked so much of grievances, would support a resolution for taking into consideration this master-grievance. The hon. baronet then entered into a train of argumentation intermixed with citations tending to show that the plans of general suffrage which it was now es-

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teemed wild and visionary to support, were in effect conformable to the true principles of the English constitution as laid down by Mr. Justice Blackstone, and in fact, by all our constitutional authorities. He added; it is indeed impossible to contemplate the whole system of our laws, the maxims of the common law, and the true principles of liberty, without at the same time perceiving that the true principles of the English constitution are the same. Election is the soul of both, and the people of England in former times not only elected members to serve in parliament, but also a great number of other constitutional officers, sheriffs, magistrates and constables; leaders in war, and conservators of peace.—So far therefore from being wild and visionary, and exorbitant in their demands for the restoration of their rights, even in the midst of distress, the people are moderate and wise:—their aims are noble, their first wish, is to be free,—and yet so modest are they in their demands, wild and visionary as they are called,—that they demand only to be restored to that portion of their rights which is necessary for the security of their property, and of their persons,—the appointment of those men who are to have the disposal of the hard-earned fruits of their industry and labor, and in whom they can confide for the honest application of them to the purposes of the state—to have some share in the appointment of those, who not only raise taxes from their labor, but who also exercise the power of taking the people themselves,—using

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their limbs and shedding their blood,—whenever the cause of the country demands the sacrifice. Is it, then, asking too much, for men who are liable to be torn from their families, and exposed to all risks and dangers, that they should have some share in the election of the representatives who have the power of saying, when and how these services should be demanded? That they should, appears to me both reasonable and just. After a reference to the comparative state of freedom of the people of England, and of France in the time of lord chancellor Fortescue, contrasted with that of the present day, the hon. baronet proceeded to remark on the ignorance evinced by the noble lord opposite (Castlereagh) of the general state of distress and embarrassment now subsisting amongst all conditions of persons. At the commencement of the present sessions, he said, the noble lord dreamed, that the agriculture, manufactures and commerce of the country were in the most satisfactory state, and had recovered from that temporary pressure which he admitted they had undergone, in the transition from war to peace. I cannot but suppose these to have been the real sentiments of the noble lord, because he put this language into the speech from the throne; but I will say, that if the noble lord believed this, he was the only person in the country who did; at least, I never conversed with any gentleman from the country, either then, or since, whose opinion was not the very reverse. Your manufacturers come forward

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ward and state to you, how impossible it is for them to continue under the present weight of taxation; that their workmen, notwithstanding unremitting toil to the almost extinction of life, are still unable to procure a pittance sufficient for the maintenance of the most wretched existence; you have petitions from the clothiers of Yorkshire, which state to you that it is impossible for them to continue their business, unless they are protected in a monopoly at home, and are freed from all duties on importation from abroad. The farmers, on the contrary, petition, and tell you, that it is quite impossible for them to pursue agriculture, without the imposition of duties on foreign wool, and still heavier duties on corn, sufficient to secure to them the home market, and to put an end to a competition destructive to them, and impossible for them to maintain even in their own market, with the untithed, and comparatively untaxed corn of France. The manufacturer says, if you do this, you ruin for ever the commerce and manufactures of the country. On the other hand, the farmer says, if you do not do this, I am undone. The merchant declares, that if the Bank shall narrow its discounts, it will ruin trade; and the ministers reply, that if they permit the Bank to continue to inundate the country with its paper circulation, the nation is absolutely undone.—Whilst the Bank says, that until the government first pays the monstrous debt it has contracted with the Bank, it cannot pay in cash.

The truth is, taxation is far

beyond what the country can bear, and to relieve it is impossible, without having recourse to reform. Under the present system, it is not in the power of ministers, nor would it be in the power of the Whigs, were they ministers, materially to retrench the expenditure, even if they were so disposed. What we call corruption and unnecessary expenditure, is what Mr. Arthur Young had very significantly called, the oil for the machine; and it must be confessed, that a great quantity of oil is requisite to keep in action a machine, the motion of which is exposed to so much friction, arising from its repugnance to the interests and feelings of the people. What, I ask, can be more wild and visionary, than to look for effects without causes, to expect the present system to be carried on without the means of corruption which are requisite for the purpose. It is not sufficient for this purpose, merely that taxes should be levied,—but also that great numbers of people should be employed in their collection. The number of persons so employed, is as much an object with government, as the money brought into the Exchequer. With a reformed parliament indeed, all this might be dispensed with. Another source of large economy for the public, is the monstrous, dangerous, and unconstitutional military establishment of the country. This monstrous, unconstitutional standing army, every one must see, is thought necessary to support this monstrous, unconstitutional, standing parliament. If the people viewed this House as their safeguard,

guard, and not as the instrument of their oppression; if, in one word, the people were not excluded from all share in the appointment of those who call themselves the representatives of the people, this immense army would become perfectly-useless. The army however may be essential, or the so called representatives may think it so, for the support of the government carried on by a corrupt House of Commons,—for I do not deny that the people might be indisposed to submit to this usurpation, this exclusion of the great mass of the people from its right of representation, if it were not for the army employed for the purpose of supporting it. After many more remarks in reprobation of what the hon. baronet styled the system of borough-mongers, which, as he contended, had produced a state of the representation not less derogatory to the dignity of the Crown, than injurious to the interests of the people, and the abrogation of which he regarded as the one thing needful to the redress of the many grievances of the country, the hon. baronet ended his elaborate speech by moving, that early in the next session, this House should take the subject of the representation into its serious consideration.

Mr. George Lamb, in rising to second the motion, congratulated the friends of reform, on the manner in which it had been introduced by the hon. baronet, as excluding all harassing details which might tend to excite conflicting opinions. For himself, he dissented from the opinions

and theories of those men with whom the hon. baronet was sometimes in the habit of acting. He did not think that the march of reform had been of late great or judicious out of doors. He could not think with the hon. baronet, that the House had been idly occupied in the course of its present sittings: though not indeed engaged in the work of reform, it had been occupied, to a certain extent, in punishing and pulling down bribery and corruption. He wished to see the borough system purged of its corruption, the elective franchise extended to populous places where it did not now exist, and triennial parliaments restored. He begged to add, that whatever reception the present proposition might meet with, he must still consider the members of that House as the constitutional representatives of the people.

The other members who took part in this debate, were, with scarcely an exception, gentlemen who usually vote on the side of opposition, and who were nearly unanimous in expressing their wishes for a limited reform of the representation, particularly as a means to the attainment of a reduction in the present profuse and corrupt expenditure of public money in every department of the national establishments. But most of them declared their averseness to pushing reform to the length contemplated by the hon. baronet, and several were opposed to the motion on account of the time at which it was brought forward, though others declared their intention of voting in its favor. After a reply from the

hon. baronet, the House divided on passing to the orders of the day. Ayes, 153; Noes, 58.

House of Lords, June 30th.

Reversal of Lord E. Fitzgerald's Attainder.—Lord Liverpool rose with peculiar pleasure to present to the House on the part of the crown an act of grace for the restoration of two unfortunate individuals to their full rights as British subjects. It was to reverse the attainder of lord Edward Fitzgerald, by which the blood of his two children, Edward Fox Fitzgerald, and Louisa Maria Fitzgerald, had become corrupted. The preamble of the present bill contained three reasons for this reversal. First, that the individual in question had never been brought to trial, owing to circumstances to which at present he should merely allude; 2ndly, that the act of attainder did not pass the Irish parliament till some months after his decease;—3rdly, a reason arising out of the other two, that as he had not the benefit of a trial, the attainder could not have issued against him upon a regular conviction. He thought these were sufficient reasons for passing the bill, but even if they were not, he implored their lordships to recollect that he stood before them as the advocate of two unoffending individuals, one of whom had served his country with distinction in the field. The crown, in proposing this act of grace was performing an act peculiarly grateful to the feelings of the Prince Regent; and he had no doubt, that it would be equally grateful to those of their lord-

ships to mitigate the severity of a measure passed in unhappy and unfortunate times.

The Duke of Wellington could not let the present opportunity pass without bearing testimony to the brave, and honourable, and excellent conduct of the young man in question, during the time that he had been acquainted with him.

Lord Holland was unable to restrain the feelings by which he was then agitated. He must express his gratitude to his Royal Highness for the act of grace he had caused to be proposed, his acknowledgments to the noble earl for the honorable and manly manner in which he had moved it, and his thanks to the gallant duke for his testimony in behalf of one of the individuals who were to profit by it. He felt great satisfaction at the manner in which the preamble was worded, both on public and private accounts; with the private reasons it would be improper to trouble their lordships, and with the public ones, it would be both injudicious and ungrateful to interfere on an occasion where unanimity was of so much importance. The bill was read a first time, and on June 7th, a message announced to the Commons that it had passed.

Lord Castlereagh then moved, that the measure should immediately receive the concurrence of the Lower House, and after a few words of acknowledgment from lord W. Fitzgerald, and of high approbation from Sir F. Burdett, it passed without opposition,

Slave Trade.—July 7th. Mr. Wilberforce

Wilberforce said, that the object of his present motion was, that the efforts of his majesty's ministers should be renewed with those powers which had formerly carried on the Slave Trade, but had now passed laws for abolishing it, in order to induce them to take measures for the more effectually carrying the abolition into execution. In consequence of the communications made by his noble friend (Castle-reagh) to the powers assembled at Vienna, one of the most forcible declarations ever penned, was unanimously adopted by all the great powers at Vienna, denouncing the African Slave Trade as contrary to every principle of humanity, and as one of the greatest practical evils that ever existed. There was now but one single power, Portugal, which had not declared the Slave Trade a mass of injustice and cruelty, and fixed a definite time for its termination. Spain had abolished it absolutely to the north of the line, and fixed a period for its abolition to the south of it. With respect to the trade, he regretted to say, however, that notwithstanding the laws passed in several countries for its abolition, it was still carried on;—it had been found impossible to sweep away at once that incurable race of free booters who infested Africa. The persons carrying on the trade were of all nations, English, Dutch, French, Spanish, Portuguese and Americans. But at length, a system of international policy had been adopted on this head, so that it was to be hoped those persons would not be able to escape the punishment

they deserved. Unhappily however, two great powers had hitherto refused to enter into these arrangements, and he could not but regret that these powers had not of themselves taken measures for rendering the abolition of the trade effectual. It grieved him to think, that a great and high-minded people, a nation of cavaliers like the French, should refuse to take the proper measures for putting an end to this trade: while we, who had been called a shop-keeping nation, had given it up, it was surprising, that such a traffic as this should have been taken up by a nation which had never been considered as possessing in any considerable degree the commercial character. He was still more hurt, that the United States of America should not have taken effectual means to put a stop to the trade. They were the first to declare that the Slave Trade should be abolished. As soon as the forms of their constitution admitted, they passed a law for its abolition. Many of the States were perfectly sincere in their wish to put an end to it; but unfortunately, there were others where a similar wish was not so prevalent, and which would not consent to the measures for rendering the abolition effectual. The Congress, however, had lately passed a law on the subject, appointing a large naval force, and giving a bounty for bringing in ships engaged in the trade. He trusted, that the United States would provide for the practical execution of their benevolent intentions, as parts of Africa were in a way to show, what the friends of Africa always asserted,

asserted, that but for the disadvantages under which they had been placed, the genius and temper of the inhabitants would have secured them a progress in civilisation equal to the other quarters of the world. The much calumniated colony of Sierra Leone, now presented the spectacle of a flourishing settlement; 2,000 children were in a course of instruction, and eight or nine thousand free blacks were beginning to taste the advantages of civilization. He was perfectly sure, that the best means of inducing other countries to make efforts for the final abolition of this trade, was, to show them how much we had at heart, to afford Africa reparation for the injury she had suffered at our hands. It was only because it was supposed the victory was gained, that the country was quiet; if they knew that the contrary was the fact, they would show that they did not feel in this great cause less earnestly.

The hon. member concluded by moving an address to the Prince Regent, founded upon the situation of affairs relative to the Slave Trade, which he had explained to the House, and concluding with the following clauses: "That we conceive, that the establishment of some concert and co-operation in the measures to be taken by the different powers for the execution of their common purpose, may, in various respects be of great practical utility; and that, under the impression of this persuasion, several of the European states have already entered into conventional arrangements for seizing vessels

engaged in the criminal traffic, and for bringing to punishment those who shall still be guilty of these nefarious practices:—That therefore, we supplicate his Royal Highness, to renew his beneficent endeavours, more especially with the governments of France, and of the United States of America, for the effectual attainment of an object which we all profess equally to have in view; and we cannot but indulge the confident hope, that these efforts may yet, ere long produce their desired effect, may insure the practical enforcement of principles universally acknowledged to be undeniably just and true; and may obtain, for the long-afflicted people of Africa, the actual termination of their wrongs and miseries, and may destroy for ever that fatal barrier, which, by obstructing the ordinary course of civilisation and social improvement, has so long kept a large portion of the globe in darkness and barbarism, and rendered its connection with the civilised and Christian nations of the earth a fruitful source only of wretchedness and desolation."

After an animated expression of his sentiments on this interesting subject by *Sir James Mackintosh*, and a few words of approval from lord Castlereagh, the address was agreed to *nem.con.*

In the *House of Lords* on July 9th, the *Marquis of Lansdowne* rose to move an address of the same purport with that proposed by Mr. Wilberforce in the Lower House; which was also unanimously agreed to.

Emigration to the Cape of Good Hope.—

Hope.—July 12. The *Chancellor of the Exchequer* said, he had to propose a grant for enabling his majesty's government to assist unemployed workmen of this country in removing to one of our colonies. It had been the wish of his majesty's government, first to try on a small scale, how far it might be possible to employ the surplus population of this country in one of our colonies, in a manner advantageous to the people removed and beneficial to the country. From the satisfactory result of this experiment, government were now desirous of trying one on a larger scale. The colony selected was that of the Cape of Good Hope. The greater part of the persons disposed to emigrate, rather wished to go to the United States of North America, where government could give them no direct encouragement, or to the British colonies of North America. But with respect to the latter, his Majesty's government, considering the inconvenience to which these persons would be exposed on their arrival, had selected the Cape as the colony to which emigration might be most advantageously directed. From the mildness of the climate and fertility of the soil, in some parts, a rapid and abundant return might reasonably be expected. The colony was also highly favorable to the multiplication of stock. The particular part of the colony selected was the south-eastern coast of Africa. It was at some distance from Cape town. A small town was already built there.

It was proposed to pay the

expense of the passage, and to secure to the settler the means of employing his industry to advantage on his landing on the destined spot. But, a small advance of money would be required from each settler before embarking, to be repaid him in necessaries at the Cape, by which means, and the assistance given him by government, he would have sufficient to procure him a comfortable subsistence till he got in his crops, which in that climate were of rapid growth. The Cape was suited to most of the productions, both of temperate and warm climates,—to the olive, the mulberry, the vine, as well as most sorts of culmiferous and leguminous plants. The right hon. gentleman concluded with moving the grant of a sum of 50,000*l.* for the purpose of enabling government to assist emigrants to the Cape. The motion was agreed to.

The Budget.—The proceedings of parliament on the important subject of supplies, which we judge it convenient to throw together in a single article, commenced as early in the sessions as February 8th, when

Lord Castlereagh rose in the House of Commons to move for the appointment of a select committee to inquire into the income and expenditure of the country. He began by protesting against the appointment of such a committee being regarded as a thing of course. When, two years ago, he had adopted the plan he was now pursuing, he had stated that the then condition of the country required it; and he added, what the

the result proved, that the country might be satisfied that there was a gradual improvement in its financial circumstances, and that, ere long, a growing surplus of revenue, as compared with expenditure, would be discovered. His motive for moving for the committee so early was, that it might proceed with its deliberations without delay, and that the House might be in possession of a report which would show the real situation and fair prospects of the country. The first important point was the income of the country; and he would state the amount of the receipts for the quarter ending with the 5th of January 1818, with the quarter ending on the 5th of January 1819. The receipts on the former were 51,665,458*l.*, and on the latter 54,062,000*l.*, showing an increase upon the quarter ending January 5th, 1819, of 2,397,000*l.* It was material, however, to observe, that upon the sum first named there were certain arrears of war duties on malt and property considerably beyond 2,000,000*l.* which reduced the income to January 5th, 1818, to 49,834,927*l.* while the arrears of the same taxes up to January last amounted only to 566,639*l.*; so that the produce of the permanent taxes for the latter quarter was in truth, in round numbers, 53,497,000*l.* being an improvement in the whole of 4,163,000*l.*, deducting from both the amount of the arrears of each. Honourable members were likewise probably aware, that a considerable amount of the sugar duty had been admitted into the receipts for December 1818, which in fact belonged to the

revenue for the preceding year, and which ought therefore to be added to the amount of the sugar duties of 1819: this would reduce the nett produce of 1818 to 48,724,000*l.*: the difference then, allowing for some other comparatively small deductions, would be 5,328,000*l.*, or not less than an increase of 10 per cent on the ancient permanent taxes. It was impossible to announce to the House a more encouraging prospect than this state of things afforded. Taking in the increase of income and the reduction by economy of 650,000*l.*, it appeared that the country was now in a better situation by 2,145,000*l.*, than the former finance committee had ventured to anticipate, and adding to that the sum of 1,413,000*l.* on which the finance committee had calculated, a total surplus of not less than 3,558,000*l.* was the result, applicable to the reduction of the national debt. Out of that sum, 1,000,000*l.* was to be taken for the amount of the interest on the loan; for it need not now be stated by him that his hon. friend had no intention of proposing any new taxes. But it was to be taken into consideration, that the revenue promised to be still more productive. Even in the single month of the year which had elapsed, there was a comparative increase of 30, or 85,000*l.* If, as might be expected, this increase should continue, it would not be too much to reckon it at 1,000,000*l.* on the whole year, which would again bring the surplus revenue to 3,500,000*l.* After entering into several details of the reductions which had been effected in the various military establishments,

establishments, the noble lord proceeded to state that this favourable situation of our finances was the more satisfactory as it proceeded from the industry, from every thing which constituted the real and solid wealth of a people. A mistaken idea had gone forth that a great deal of commercial distress prevailed; that the exports had been considerably reduced, that the commerce of the country had sustained a severe and perhaps irreparable shock. But in fact the year 1818 had been the most splendid ever known in the annals of British commerce. The official value of its imports was 35,325,000*l.* being nearly 100,000*l.* beyond the year 1815, the great excess of which was assigned to temporary, fallacious, and unnatural causes.

Mr. Tierney attacked, at various points, the course pursued by the noble lord in bringing forward the finance measures of the present year. It was the duty, he contended, of a finance committee, to point out objects for retrenchment; but as those committees were now constituted, their reports were nothing but anticipations of the budget; and the noble lord's speech was nothing but an anticipation of those anticipations. He did not deny that there had been an improvement in our exports, but he argued that the important question was, how we were to get out of our difficulties? how we were to fill up the chasm in our finances? The chancellor of the exchequer had not ways and means exceeding 7,000,000*l.* The expenses of last year were not

less, he took it, than 21,000,000*l.*; allowing that those of this year would be 1,000,000*l.* less, how were the other thirteen to be provided for? How could any man in his senses say, that with an expenditure of twenty millions, and an income of seven, both ends would be made to meet, and a surplus left? It was a mere juggle to assert such a thing. Where was the sinking fund, or what had been said about that? It would be said, that there was a sinking fund of 14,000,000*l.*, at least that it would soon nearly amount to that sum; but to support it, it would be necessary to borrow 13,000,000*l.* He conceived that instead of being in a prosperous, we were absolutely in a frightful situation; and if the world looked upon us with astonishment, he should only say, well they might, for he believed that never at any period did we present such a melancholy picture of financial derangement,—going on borrowing year after year, in time of peace,—and flattering ourselves that we had a sinking fund to bring us out of our difficulties, when in fact we were obliged to support that by still borrowing.

After a defence of the proceedings of the finance committee by the chancellor of the exchequer, and some remarks from other members, the committee was appointed.

House of Commons, June 8.

Resolutions relative to the public Income and Expenditure.—The House having resolved itself into a committee on the public income

the ways and means by which it appeared to him that those supplies might be most advantageously met; he should then proceed to an explanation of the intended arrangements with respect to the proposed taxes which he was desirous of submitting to the sanction of the committee; and lastly, he should point out those general measures for the regulation of the finances of the country, which appeared to him to be expedient, with a view to render the imposition of new taxes unnecessary, and to prevent any recurrence to loans, with the exception of a small loan for the next year, if it should be required for the purpose of the intended repayment to the Bank of England. So much detailed information had already been laid on the table of the House in the reports of the committee of finance, and so much had been elicited by the late discussions in the House with respect to the various grants which had been made, and which it would be necessary to make for the service of the year, that on that point he should have little more to do than refer the committee to those reports for explanation.

To begin with the first great branch of our expenditure,—he meant the charges for the military service of the country: the committee were aware that the army extraordinaries still remained to be provided for. Adding them to the branches of charge for the military service of the country which had already been voted, the total charge for the Army Ordinaries and Extraordinaries, would be 8,900,000*l.* The whole

of the supplies for the navy had been granted by parliament; they amounted to 6,436,000*l.* For the Ordnance, parliament had also voted 1,191,000*l.* In the Miscellaneous services, a considerable number of items were yet to be submitted to the House; among which were, the Irish Miscellaneous Services, and the grants for the poor clergy both in England and Scotland; but, adding the amount of those to what had been already voted, the total of Miscellaneous Services for the year would be, 1,950,000*l.* In conformity with the regular course of parliamentary proceeding, to which he always wished to pay the attention that was due to it, he begged to state that, as there yet remained some supplies to be voted, it was not his intention at present to complete the Ways and Means, but to borrow from the sinking fund the sum of 12,000,000*l.* which would more than cover all that was yet to be granted. This mode of proceeding would not only preserve regularity, but would afford an opportunity of making those calculations which it might hereafter be necessary to lay before parliament. The total of the Supplies for the year, as he had already enumerated them, amounted to 18,477,000*l.* But to that must be added, 1,570,000*l.* for interest on outstanding exchequer bills, and 430,000*l.* for a sinking fund on those exchequer bills; making in the whole a sum, falling short of the sum of 20,500,000*l.* stated to be necessary for the service of the year in the Resolutions already agreed to by parliament, namely, 20,477,000*l.* To meet these charges, parliament had already

ready

ready voted the annual malt duties, 3,000,000*l.*; and the temporary excise duties, 3,500,000*l.*; and he should now propose to vote the loan contracted for this day, amounting to 12,000,000*l.* The Lottery, 240,000*l.*; and produce of the sale of naval stores, 334,000*l.* The aggregate amount of those sums, exclusive of the sum to be raised by loan, was, 7,074,000*l.* It was obvious, therefore, that means must be adopted to provide the sum of nearly thirteen millions and a half, which was the difference between the total of the Supplies, and the total of the Ways and Means, as he had hitherto described them. He need not also recall to the attention of the committee, that the proceedings which had taken place with respect to the resumption of cash payments by the Bank of England, led to an arrangement for the repayment to that body, in the course of two years, of the sum of 10,000,000*l.* Of that sum it was necessary that 5,000,000*l.* should be provided in the present year; and a farther sum of 3,597,000*l.* would be required for the reduction of the unfunded debt, government standing pledged to that proceeding. For these purposes it was proposed to raise two loans, each to the amount of 12,000,000*l.* One of these loans had been contracted for that morning by competition. The other was to be derived from the sinking fund, the details of which he would submit to parliament on an early day. All that he would at present observe with respect to it was, that it was proposed in the arrangements relating to it, to press as little as possible on the money

market; and therefore to divide it into twelve monthly payments; those payments not to be equal, but to be to the amount of 900,000*l.* a month in the July and January quarters, and 1,100,000*l.* a month in the April and October quarters. By this arrangement, nearly 310,000*l.* would be left monthly in the hands of the commissioners for the reduction of the national debt, for the purchasers of stock; exclusive of the Irish sinking fund, from which nothing would be taken. The loan of 12,000,000*l.* by competition, and that to be derived from the sinking fund, added to the Ways and Means which he had already enumerated, made 31,074,000*l.*; which, when compared with the amount of the Supplies, viz. 20,447,000*l.* left a surplus of 10,597,000*l.* to be applied to the reduction of the unfunded debt, viz. 5,000,000*l.* to the payment of the Bank of England, and the remaining 5,597,000*l.* to the individual holders of exchequer bills. The comparative view of the whole Supplies and Ways and Means was therefore as follows:—

SUPPLIES.	£.
Army	8,000,000
Navy	6,436,000
Ordnance	1,191,000
Miscellaneous	1,950,000
Total Supplies ...	18,570,000
Interest on exchequer bills	1,477,000
Sinking fund on ditto	430,000
	<hr/>
	20,477,000
	<hr/>
By reduction of unfunded debt	10,597,000
	<hr/>
	£. 31,074,000

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WAYS AND MEANS.

	£.
Annual Malt	3,000,000
Excise duties continued	3,500,000
Lottery	240,000
Old Stores	234,000
	<hr/> 7,074,000
Loan	12,000,000
Loan from the Sinking Fund	12,000,000
	<hr/> <hr/> £. 31,074,000

He had already informed the committee, that a loan by competition for 12,000,000*l.* had that morning been contracted for. He would now state the terms of that loan; and he was happy to congratulate the committee and the country, that in consequence of the competition which had been excited, those terms were highly advantageous and satisfactory, and were indeed such as clearly to evince a reviving confidence and an increasing spirit in the money market. The terms were as follow, *viz.* that for every 100*l.* of the 12,000,000*l.* the subscribers should receive 80*l.* stock in the three per cent consolidated annuities (the interest on which would not commence until July and was not to be retrospective), and 62*l.* 18*s.* 6*d.* stock in the three per cent reduced. Two other lists were offered,—the one proposing to receive 65*l.* 10*s.* in the three per cent reduced; the other, 65*l.* 2*s.* 6*d.* The list preferred, therefore, far outstripped its competitors, and was consequently accepted; as, of course, the smaller the sum which it was offered to take, in the stock in

which it was appointed that the biddings should take place, the smaller the charge, both for capital and interest to the country. The loan thus raised, and the loan to be derived from the sinking fund, he would regard as a joint loan in speaking of the stock created by the two operations. Considering them as a joint loan, the stock created for the 24,000,000*l.* thus raised, would be 32,304,000*l.* in the three per cent stock, taken partly in the consols and partly in the reduced. The interest on this stock would be, 1,029,120*l.*; the sinking fund, 402,594*l.*; and the charge for management, 10,291*l.*; making a total of 1,442,005*l.* Here he thought it necessary to observe, that he had strictly carried into effect the provisions of the act of 1813; by which it was provided, that when the loan for the year exceeded the proportion of the sinking fund already established, a fresh sinking fund, to the amount of half the interest, should be formed. The provision might perhaps have in strictness been dispensed with on the present occasion, as so large a proportion of the loan was to be applied to the purpose of reducing the unfunded debt; but he had felt, that when a loan was raised in time of peace, the operation of the sinking fund, with respect to it, ought to be strengthened rather than diminished; and he had accordingly complied with the provisions of the act of 1813. With respect to the charge for management, he did not consider the Bank to have a right to any allowance for the management of that part of the loan

loan derived from the sinking fund, but only for that which had been contracted in the money market. The loan obtained from the sinking fund, would stand as stock in the names of the commissioners, and the interest would be applied by them in the same manner as that of the other funds in their hands. He had already shown to the committee, that the total charge on the loan was 1,442,005*l.* The rate of interest to the subscribers was 4*l.* 5*s.* 9*d.*; amounting, on an average calculation of three per cent stock, to 69½. The total amount of the charge to be paid by the public (the sinking fund included), was 6*l.* 0*s.* 2*d.* per cent. He again congratulated the public on the terms of the loan, which he trusted would not be unfavourable to the adventurous parties with whom it had been negotiated, although the terms were so low, that, with reference to the immediate price of stock, the bidding might not, at first sight, appear justifiable on the score of prudence. He hoped, however, that it would ultimately prove advantageous to all parties.

Before he proceeded to the other parts of the subject, he wished to advert to the measures that he believed would be necessary next year. As far as he could judge at present, the amount that it would be necessary to raise next year for the different branches of the public service, would not exceed 11,000,000*l.*; besides the 5,000,000*l.* which it would be necessary to pay to the Bank of England, in order to complete the arrangements for the liquidation of 10,000,000*l.* due

to that body. Those two sums amounted to 16,000,000*l.* If 12,000,000*l.* were taken from the sinking fund, as in the present year, there would remain but 4,000,000*l.* to be raised in the money market. The sum was so moderate, that he apprehended there would be but little difficulty or inconvenience in obtaining it, and he sincerely hoped and trusted, looking to the prospect of continued tranquillity which the present posture of affairs in Europe afforded, that it would be the last time they would have occasion to resort to the money market during the existence of peace. And even that application might perhaps be avoided by proper management when the period should arrive. The next branch of the subject to which he wished to call the attention of the committee, was the consideration of the mode by which he proposed to realize the pledge that had been given to the stockholder to raise 3,000,000*l.* in taxes, in order to make up with the two millions of surplus revenue, a sum of five millions applicable to the reduction of the national debt. But as he was on the general subject, he was desirous, before he proceeded further, to describe the present state of the unfunded debt of the country, and the situation in which it would remain after the arrangements of the present year were wound up. The existing unfunded debt was about 49,000,000*l.*; the interest of the whole of which was provided for by the votes of supply in the present year. The total amount of exchequer bills outstanding was 44,600,000*l.* These he proposed to

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to replace by exchequer bills already voted to the amount of 20,000,000*l.*, by a further vote of 16,000,000*l.*, and by 2,500,000*l.* of Irish treasury bills, which would make the total amount of the unfunded debt 38,500,000*l.* Compared with the 49,000,000*l.* of unfunded debt at present existing, there would thus be a diminution of ten millions and a half. It was his intention to propose, that the three millions which parliament had resolved to raise by taxation, should be applied to strengthen the consolidated fund, in order to enable it to support the charges of the loan of the present and of the last year, to which, thus reinforced, he thought it would be nearly equal. The charge on the last loan was about 1,600,000*l.*; that of the present 1,442,000*l.*, making together the sum of 3,042,000*l.*; being an excess of 42,000*l.* over the sum which it was proposed to raise. That sum would therefore be appropriated to meet the charges on the two loans; and as it was a matter of account, it was not very material that the appropriation should be exactly balanced. A little might be thrown into one scale or the other without inconvenience, although it would be well to allot them, as nearly as possible, the same proportion.

He now came to the particular propositions which he had announced it to be his intention to bring forward. The first was the consolidation of the customs. It was impossible for him to go into all the items of which that head was composed; and it was the less necessary, as a schedule had been prepared, which would give

gentlemen the fullest information on the subject. It was only material to state the increase on the whole, on the duties already existing. The only important increase of duty, as he had already stated, was that in the duty on foreign wool, which was of considerable amount. The others were very minute in their rates; and the produce of the whole might be taken at 500,000*l.* annually. In such a variety of articles, some would, of course, produce more, some less, than the estimate; but he saw no reason to think that the whole would not amount to the sum he had mentioned; and whether some produced more, and some less, was not material, as the whole was to be thrown into the general mass of the consolidated fund. The articles of minute detail, when the schedule to which he had alluded was printed, would be subjected to the consideration of every hon. member who might feel interested in the various minute alterations proposed; and every variation of rate would be marked in it; for in some instances the duty was reduced, while in others it was increased. He had mentioned on a former night, that a considerable advantage was expected from transferring the collection of several of the duties from the board of customs to the boards of excise. These were the duties on tobacco, tea, pepper, coffee, and cocoanuts. On the last-mentioned article, a higher rate of duty was at present paid than on coffee. For many years, the duty on the two articles had been the same. But when it became an object to
bring

bring coffee into more general use, a difference was made in its favour, but it was now proposed that coffee and the cocoa-nut or chocolate-nut, should, with reference to taxation, be placed on the same footing.—The remaining articles to be considered were tobacco, coffee, tea, and pepper. With respect to tobacco, the existing duties greatly varied. American tobacco paid an excise duty of 9*d.* a pound; Spanish and Portuguese tobacco 2*s.* a pound; and West India tobacco 1*s.* a pound. To this was to be added the custom duty. It was intended to simplify all those duties, and to impose on all plantation and East India tobacco a duty of 4*s.*, on foreign tobacco, and on all foreign snuffs a duty of 6*s.* The produce of the increase of these duties he estimated at 500,000*l.* Upon coffee, of the plantations, there was at present a duty of 7*d.* a pound. He proposed to raise it to 1*s.* a pound. East India coffee from 11*d.* to 1*s.* 6*d.*; and on foreign coffee from 2*s.* 4*d.* to 2*s.* 6*d.*, from which it was estimated, that 30,000*l.* would be derived.

He had already mentioned, that by the transfer from the customs to the excise, very considerable expenses of management would be saved to the public. By placing all the duties on one article under the management of one board, that of the excise, all the services of the officers of the customs employed on that particular branch of the service would be saved to the public. A most essential convenience would also be afforded by it to merchants. He did not know any thing of

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which persons in trade more loudly complained, than the multiplied regulations to which they were at present obliged to attend, and the necessity they were under of making applications on the same business at various places, and at different periods of the day. All that would now be remedied. But the principal advantage of the projected arrangement was this,—that it would prevent the adulteration of the articles which it comprehended. Some of those articles were sold in small quantities; oftentimes ground up, and it therefore became extremely difficult to determine whether or not they were genuine. By the transfer of these from the customs to the excise, a watch would be set over them to prevent their adulteration. It was desirable also, that the collection of the revenue should be placed under the care of those who possessed the best means of exercising a vigilant superintendance over it; and the commissioners of the customs had no cognizance of the subjects of taxation after their delivery from the king's warehouses.

Two other subjects remained to be brought under the consideration of the committee. One, from which he expected to derive a very considerable addition of revenue, was the increased duty on malt. He had stated on a former evening, in his general opening, that he calculated on its producing 1,400,000*l.* including its operation in Ireland,—to which country, indeed, it was proposed that all the increased duties should extend, except that on home distilled spirits. The sum

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which he had mentioned, would, he conceived, be raised by the imposition of an additional duty of 1s. 2d. a bushel, or 9s. 4d. per quarter. When he first introduced the subject of the duty on malt, he endeavoured to show by calculation, that the additional duty ought to cause no addition of price to the public. In the opinion which he had expressed on that occasion, he had been confirmed by subsequent inquiry and consideration. He wished that every gentleman who took an interest in this subject would give themselves the trouble of consulting the evidence taken before the committee on breweries which sat last year; the report made by which contained highly valuable information. He had taken the liberty, on the occasion to which he had just alluded, of adverting to the evidence given before that committee by a very respectable gentleman, extensively engaged in the trade, and at that period a member of the House. Another very respectable gentleman thought that he (the Chancellor of the Exchequer) had mistaken that evidence. Since that period he had had a personal communication and conference with the gentleman whom he had first mentioned,—Mr. Barclay,—in order that he might correct any error into which he had fallen; and he would now state to the committee the view which Mr. Barclay at present took of the subject. Mr. Barclay said, that the real price of malt generally averaged 4s. a quarter less than the price quoted. The price quoted last year was 81s. a quarter, and that he had stated to the com-

mittee on the subject; but the general average of that year he believed to be 77s. a quarter. So far the difference of the two statements certainly diminished the result of the comparison which he (the Chancellor of the Exchequer) had made between the last and the present year. Mr. Barclay also stated, that the average price of malt this year was 84s. a quarter; but he allowed that it was of an inferior quality to the malt of last year, and that it was not so good for the purpose of brewing by 6s. a quarter. That 6s. ought therefore to be added to the present average price of malt (as compared with the average of last year) making it 90s. a quarter. But hops which were last year 24l. or 25l. a cwt. had fallen to 10l. The result, then, of the comparative statement between 1818 and 1819 would stand thus:—In 1818 the quarter of malt was 3l. 17s., and the hops and other materials necessary to brew it cost 2l. 2s., making in the whole 5l. 19s. In the present year, the quarter of malt (allowing 6s. a quarter for its inferiority to the malt of last year) was 4l. 10s.; but the hops and other materials necessary to brew it, would cost but 18s. 4d., making in the whole only 5l. 2s. 4d. It thus distinctly appeared that the brewer gained a profit in the present year of 10s. 8d. a quarter more than he did last year. He thought it but perfectly right that the public should participate in that profit; and it was obvious that the proposed duty, being drawn only from the surplus profit of the brewer this year, as compared with the last, ought not to affect

affect the price to the consumer, which price, instead of being raised, ought, and he trusted would, rather be reduced; and more especially, if the approaching harvest should turn out favourably. He hoped, whatever might be the differences between the calculations of various persons, that the House would find the general result the same, and be satisfied with his position, that the present duty did not only not go to justify a rise in the price of porter, but was compatible with a diminution of price after a time, was fully borne out.

The only remaining article to which he had to call the attention of the committee, was the proposed increase of duty on home-made spirits,—he meant spirits distilled in England, for it was not his intention that this tax should extend either to Scotland or to Ireland. The new duties he meant to impose, were at the following rates: the duty on malt wash he meant to advance 5*l.* per gallon; or from 1*s.* 9*d.* its present rate, to two shillings. The duty on sugar he proposed to advance to 2*s.* 6*d.*; and that on wine wort, or wine wash, to 3*s.* 6*d.* The produce of those increased duties he calculated at 500,000*l.* If the effect of these last duties should be to diminish the consumption of spirits, and increase that of the wholesome produce of the brewery, no man would more heartily than himself rejoice at a change that would be so conducive to the health and morals of the people. Some gentlemen concerned in the distilleries had however represented to him that

this measure would give the foreign distiller an advantage over them, unless they were protected by some countervailing measure. On that subject he had not yet come to any decision; but he might hereafter deem it expedient, to come forward with some additional proposition, which, while it afforded protection to the home trade from foreign competition, would probably, at the same time, augment the revenue of the country."

Several amendments were proposed by different members of opposition, which being all thrown out, the original resolutions were agreed to.

House of Lords. Tuesday, July 13.

The Speaker's Speech to the Prince Regent on presenting the Money Bill.—This day his Royal Highness the Prince Regent came in the usual state to the House of Peers. His Royal Highness having taken his seat on the throne, the gentleman usher of the black rod was directed to require the attendance of the House of Commons. In a few minutes the Speaker, attended by a great number of the members of the House of Commons, appeared at the bar.

The Speaker delivered at the bar the following speech:—May it please your Royal Highness; We, his majesty's faithful subjects of the united kingdoms of Great Britain and Ireland, in parliament assembled, attend your Royal Highness with our concluding bill of supply.

"The subjects which have occupied our attention have been more numerous, more various,

and more important, than are usually submitted to the consideration of parliament for the same session.

“ Upon many of these subjects we have been engaged in long and unwearied examinations; but such has been the pressure of other business, and particularly of that which ordinarily belong to a first session of parliament; and such the magnitude and intricacy of many of those inquiries, that the limits of the present session have not allowed of bringing them to a close.

“ But, Sir, of those measures which we have completed, the most prominent, the most important, and, as we trust, in their consequences the most beneficial to the public, are the measures which have grown out of the consideration of the present state of the country, both in currency and finances.

“ Early, Sir, in the present session, we instituted an inquiry into the effects produced on the exchanges with foreign countries, and the state of the circulating medium, by the restriction on payments in cash by the Bank. This inquiry was most anxiously and deliberately conducted, and in its result, led to the conclusion, that it was most desirable, quickly, but with due precautions, to return to our ancient and healthful state of currency; that, whatever might have been the expediency of the acts for the suspension of payments in cash at the different periods at which they were enacted (and doubtless they were expedient, whilst the country was involved in the most expensive contest that ever

weighed down the finances of any country), still, that the necessity for the continuance of these acts having ceased, it became us, with as little delay as possible (avoiding carefully the convulsion of too rapid a transition) to return to our ancient system; and that if, at any period, and under any circumstances, this return could be effected without national inconvenience, it was at the present, when this mighty nation, with a proud retrospect of the past, after having made the greatest efforts, and achieved the noblest objects, was now reposing in a confident, and, as we fondly hope, a well-founded expectation of a sound and lasting peace.

“ In considering, Sir, the state of our finances, and in minutely comparing our income with our expenditure, it appeared to us, that the excess of our income was not fairly adequate for the purposes to which it was applicable,—the gradual reduction of the national debt. It appeared to us, that a clear available surplus of at least 5,000,000*l.* ought to be set apart for that object. This, Sir, has been effected by the imposition of 3,000,000*l.* of taxes.

“ Sir, in adopting this course, his Majesty's faithful Commons did not conceal from themselves that they were calling upon the nation for a great exertion; but well knowing that honour, and character, and independence, have at all times been the first and dearest objects of the hearts of Englishmen, we felt assured, that there was no difficulty that the country would not encounter,
and

and no pressure to which she would not willingly and cheerfully submit, to enable her to maintain, pure and unimpaired, that which has never yet been shaken or sullied,—her public credit, and her national good faith.

“Thus, Sir, I have endeavoured shortly, and I am aware how imperfectly, to notice the various duties which have devolved upon us, in one of the longest and most arduous sessions in the records of parliament. The bill, Sir, which it is my duty to present to your Royal Highness, is intitled, “An act for applying certain monies therein mentioned for the service of the year 1819, and for further appropriating the supplies granted in this sessions of parliament. To which, with all humility, we pray his majesty’s royal assent.

The royal assent was immediately given to the said bill.

The Prince Regent’s Speech at the Close of the Session.—The Prince Regent then delivered the following Speech :

“My Lords and Gentlemen ;

“It is with great regret that I am again obliged to announce to you the continuance of his Majesty’s lamented indisposition.

“I cannot close this session of parliament without expressing the satisfaction that I have derived from the zeal and assiduity with which you have applied yourselves to the several important objects which have come under your consideration. Your patient and laborious investigation of the state of the circulation and currency of the king-

dom, demands my warmest acknowledgments ; and I entertain a confident expectation that the measures adopted as the result of this inquiry, will be productive of the most beneficial consequences.

“Gentlemen of the House of Commons ;

“I thank you for the supplies which you have granted for the service of the present year.

“I sincerely regret that the necessity should have existed of making any addition to the burthens of the people ; but I anticipate the most important permanent advantages from the effort which you have thus made for meeting at once all the financial difficulties of the country ; and I derive much satisfaction from the belief, that the means which you have devised for this purpose are calculated to press as lightly on all classes of the community as could be expected, when so great an effort was to be made.

“My Lords and Gentlemen ;

“I continue to receive from foreign powers the strongest assurances of their friendly dispositions towards this country.

“I have observed with great concern, the attempts which have recently been made in some of the manufacturing districts, to take advantage of circumstances of local distress, to excite a spirit of disaffection to the institutions and government of the country. No object can be nearer my heart, than to promote the welfare and prosperity of all classes of his Majesty’s subjects ; but this cannot be effected without the maintenance of public order and tranquillity.

“You



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“ You may rely therefore upon my firm determination to employ for this purpose the powers intrusted to me by the law; and I have no doubt that on your return to your several counties, you will use your utmost endeavours, in co-operation with the magistracy, to defeat the machinations of those whose projects, if successful, could only aggravate the evils it is proposed to remedy; and who, under the pretence of reform, have really no other object but the subver-

sion of our happy constitution.”

Then the Lord Chancellor, by the Prince Regent's command, said;

“ My Lords and Gentlemen;

“ It is the will and pleasure of his Royal Highness the Prince Regent, acting in the name and on the behalf of his Majesty, that this parliament be prorogued to Tuesday the 24th of August next, to be then here holden, and this parliament is accordingly prorogued to Tuesday the 24th of August next.”

CHAPTER VII.

Reform Meetings at Manchester and Leeds.—Female Reformers.—Meeting at Glasgow.—Second Meeting at Leeds.—Circular Letter of Lord Sidmouth.—Meeting for choosing a Representative at Birmingham.—Resolutions of the Lancashire and Cheshire Magistrates.—Proclamation against Sedition.—Mr. Hunt at Manchester.—Reform Meeting there.—Its Dispersal by the Military.—Thanks of the Prince Regent.—Proceedings against Mr. Hunt and others.—Other Reform Meetings.—Riots at Paisley.—Subscriptions for Manchester Sufferers.—Conduct of the Grand Jury.—Address of the Corporation of London.—Prince Regent's Answer.—Other Addresses.—Meeting at York.—Dismissal of Earl Fitzwilliam.—Loyal Addresses.—Associations for raising Yeomanry.—Inquest on John Lees.

THE principal domestic events of the present year are intimately connected with the movements of a set of men, who have received the name of Radical Reformers; of which we shall lay a detailed account before our readers. Early in the year, application was made to the borough-reeve and constables of Manchester, to summon a public meeting in that town for the purpose of petitioning parliament for the repeal of the corn bill; and on their refusal, an anonymous advertisement fixed the meeting for January 18th. Mr. Hunt was invited to preside, and was met by a great multitude, and conducted into the town in a kind of triumph. Several flags were displayed before him, bearing the mottoes—"Hunt and Liberty;" "Rights of Man;" "Universal Suffrage;" "No Corn Laws." In his harangue at the meeting, the orator treated with contempt the idea of petitioning that House of

Commons which, when last assembled, had "kicked their prayers and petitions out of doors;" and he asked his audience, whether they would "come forward, as men and Englishmen, and claim their rights?" A remonstrance to the Prince Regent was then adopted, in lieu of a petition to parliament; and after listening to the speeches of some Manchester reformers, the meeting peaceably dispersed.

In the month of June many meetings were held by the distressed manufacturers, especially at Glasgow, at Leeds, and at Ashton-under-line. These assemblages were extremely numerous, that on Hunslet-moor, near Leeds, being estimated (but probably with great exaggeration) at 35,000. Not the slightest breach of the peace occurred on any of these occasions, for the leaders were strenuous in their exhortations to the people to preserve an inoffensive demeanor; and

and it was well known, that active measures had been taken by the magistrates to resist any tendency to riot. The harangues of the leaders, however, were sufficiently inflammatory; from statements of the distresses of the manufacturing poor, these speakers proceeded to an explanation of their causes, which were stated to be, excessive taxation, places, pensions, and generally the usurpations of the rich upon the poor. The remedies suggested were, annual parliaments and universal suffrage, the present representation being declared a mere mockery. At Ashton-under-line an approaching meeting at Stockport was announced; and it was resolved, that means should be taken for establishing a regular communication from one extremity of the kingdom to the other. A spirit of hostility to the clergy was manifested in some instances, and religion itself was treated, by one of the speakers at Leeds, with a tone of irony and contempt which offended many of the auditors. The persons who summoned the Stockport meeting, on the refusal of the magistrate, declared one object of it to be, to decide whether or not the people possess the power of destroying the Bank. An entirely novel and truly portentous circumstance was, the formation of a *Female Reform Society* at Blackburn, near Manchester, from which circular letters were issued, inviting the wives and daughters of workmen in different branches of manufacture, to form *sister societies*, for the purpose of co-operating with the men, and of instilling into the minds of their children,

“ a deep-rooted hatred of our tyrannical rulers.” A deputation from this society attended the Blackburn reform meeting, and, mounting the scaffold, presented a cap of liberty and an address to the assembly. The example of these females was successfully recommended to imitation by the orators at other meetings.

These political assemblies proved so attractive to the manufacturing classes, under the irritation produced by low wages and a deficiency of employment, that the spirit rapidly diffused itself through the counties of York, Lancaster, Chester, Nottingham, and Leicester; and gaining at length the important town of Birmingham, where a great mass of distress and consequent discontent was existing, ready to be operated upon, the leaders of the faction were emboldened to propose a measure of a more decisive character than any yet attempted. At a public meeting holden on July 12, on an open space adjoining to this town, at which not less than 15,000 persons were supposed to be present, the managers, after reading a letter from Sir Charles Wolseley, bart. of Staffordshire, excusing his necessary absence on this occasion, proposed that the same Sir Charles should be sent up to parliament as “ legislative attorney and representative of Birmingham.” The movers stated, that the issuing of a writ being *compulsory*, they had not awaited the form of the mandate, but anticipated the right. The privilege constitutionally belonged to them, and they were fulfilling the duty of good subjects in proceeding to advise the sovereign

sovereign by their representatives. The baronet was then elected, according to regular form, by an immense show of hands, and amid the thundering acclamations of the concurring multitude. A remonstrance was read, which the new elected member was to present to parliament, and a deputation was appointed to carry to him the instructions of his constituents. Sir Charles Wolseley in return pledged himself to claim his seat in the House of Commons.

The people of Leeds animated by the example, or actuated by the same councils, resolved, at a meeting holden a few days subsequently, that as soon as an eligible person could be found to accept their representation an election should take place. About the same time, Mr. Hunt and his associates announced a meeting in Smithfield, which passed off without the least disturbance. The attention of government was now thoroughly awakened to the character of these proceedings, and it was determined that a check should in the first instance be given to the unbounded license of speech in which the popular orators believed themselves authorized to indulge. Sir Charles Wolseley was arrested at his own residence, carried to Knutsford, and compelled to give bail for his appearance to answer for seditious words spoken by him at a public meeting at Stockport; on a similar charge, one Harrison, was seized on the hustings during the meeting at Smithfield, and conveyed back into Cheshire. True bills for sedition were found against others

of the same stamp. Circular letters were also forwarded on July 7th, by the secretary for the home department to the lord-lieutenants of the *disturbed counties*, as they began to be entitled, recommending prompt and effectual means for the preservation of the public tranquillity; especially vigilance and activity on the part of magistrates, and, as a measure of precaution, directions to be given to the yeomanry of the county to hold themselves in readiness.

An atrocious attempt on the life of Birch, the police officer, by whom both Sir Charles Wolseley and Harrison had been taken into custody, was met by a proclamation with a high reward for the discovery of the offender, dated July 26th, and on the 30th of the same month a proclamation was issued against seditious meetings (See Public Papers). Undeterred by these symptoms of activity on the part of government, the Manchester reformists ventured to placard a notice of a meeting to be holden for the purpose of choosing a parliamentary representative for that town; but being informed that the magistrates would not permit an assemblage of the people for a purpose clearly illegal, they relinquished this design, but soon after advertised a meeting for an object, the legality of which was fully acknowledged, that of petitioning for a reform of parliament.

The adjournment of the preceding meeting, the considerable interval of preparation which had been allowed; a vague feeling perhaps, that such assemblages would

would not much longer be permitted,—all conspired to render the concourse great beyond all former example. A little before noon on the 16th of August, the first body of reformers began to arrive on the scene of action, which was a piece of ground called St. Peter's field, adjoining a church of that name in the town of Manchester. These persons bore two banners, surmounted with caps of liberty, and bearing the inscriptions—"No Corn Laws," "Annual Parliaments," "Universal Suffrage," "Vote by Ballot." Some of these flags, after being paraded round the field, were planted in the cart on which the speakers stood; but others remained in different parts of the crowd. Numerous large bodies of reformers continued to arrive from the towns in the neighbourhood of Manchester till about one o'clock, all preceded by flags, and many of them in regular marching order, five deep. Two clubs of female reformers advanced, one of them numbering more than 150 members, and bearing a white silk banner. One body of reformers timed their steps to the sound of a bugle with much of a disciplined air: another had assumed to itself the motto of the illustrious Wallace, "God armeth the Patriot." A band of special constables assumed a position on the field without resistance. The congregated multitude now amounted to a number roundly computed at 80,000. and the arrival of the hero of the day was impatiently expected. At length Mr. Hunt made his appearance, and after a

rapturous greeting, was invited to preside; he signified his assent, and mounting a scaffolding, began to harangue his admirers. He had not proceeded far, when the appearance of the yeomanry cavalry advancing towards the area in a brisk trot, excited a panic in the outskirts of the meeting. They entered the inclosure, and after pausing a moment to recover their disordered ranks, and breathe their horses, they drew their swords, and brandished them fiercely in the air. The multitude, by the direction of their leaders, gave three cheers, to show that they were undaunted by this intrusion, and the orator had just resumed his speech to assure the people that this was only a trick to disturb the meeting, and to exhort them to stand firm, when the cavalry dashed into the crowd, making for the cart on which the speakers were placed. The multitude offered no resistance, they fell back on all sides. The commanding officer then approaching Mr. Hunt, and brandishing his sword, told him that he was his prisoner. Mr. Hunt, after enjoining the people to tranquillity, said, that he would readily surrender to any civil officer on showing his warrant, and Mr. Nadin, the principal police officer, received him in charge. Another person, named Johnson, was likewise apprehended, and a few of the mob; some others against whom there were warrants, escaped in the crowd. A cry now arose among the military of, "Have at their flags," and they dashed down not only those in the cart, but the others

others dispersed in the field; cutting to right and left to get at them. The people began running in all directions; and from this moment the yeomanry lost all command of temper: numbers were trampled under the feet of men and horses; many, both men and women were cut down by sabres; several, and a peace officer and a female in the number, slain on the spot. The whole number of persons injured amounted to between three and four hundred. The populace threw a few stones and brick bats in their retreat; but in less than ten minutes the ground was entirely cleared of its former occupants, and filled by various bodies of military, both horse and foot. Mr. Hunt was led to prison, not without incurring considerable danger, and some injury on his way from the swords of yeomanry and the bludgeons of police officers; the broken staves of two of his banners were carried in mock procession before him. The magistrates directed him to be locked up in a solitary cell, and the other prisoners were confined with the same precaution.

The town was brought into a tolerably quiet state before night, military patrols being stationed at the end of almost every street.

The next day the Manchester magistrates published a placard, denouncing as illegal the practice of military training, which they affirmed to have been carried on by large bodies of men within the hundred of Salford, in connection with seditious and treasonable purposes. The united magistrates of Lancashire and

Cheshire also thought good to return thanks to the commanders, officers, and men of all the corps who had taken part in the actions of the day; particularly expressing their gratification at "the extreme forbearance exercised by the yeomanry when insulted and defied by the rioters."

Coroners' inquests were held on the bodies of those who lost their lives by the furious assault of the cavalry; but the verdicts of the juries were such as could lead to no judicial proceedings.— Some were, "accidental death;" another, on a child, "died by a fall from his mother's arms;" a third, "died by the pressure of the military, being under the civil power."

The return of a dispatch sent to London, brought to sir John Byng, commander of the district, a letter from viscount Sidmouth, stating that his lordship had laid before the prince regent a letter addressed to himself (lord S.), and that it was with great satisfaction he obeyed the commands of his royal highness by requesting that he would express to lieutenant-col. L'Estrange, and to the officers, non-commissioned officers, and privates, who served under his command at Manchester, on the 16th of August, his royal highness's high approbation of the exemplary manner in which they assisted and supported the civil power of the county palatine of Lancaster on that day. On August 27th, Hunt and his fellow-prisoners were brought up for final examination, when they were thus addressed by Mr. Norris the chairman: "When you were last called up into

into this court, you were remanded on a charge of high treason. On remanding you, you were informed that the whole of the evidence had been sent up to London, to be laid before the law officers of the crown, and in the mean time you were to be detained. It was not until this morning that a communication was made from government, stating that the law officers of the crown had for the present abandoned the higher charge. The communication was not made to me; but there is a gentleman present, Mr. Bouchier, who has come with orders to proceed upon a less charge. The charge of high treason is not yet abandoned, but government proceeds against you for a minor offence."

After this notification, the examination of witnesses began, in presence of a crowded auditory, by whom the most lively interest was taken in the event. We cannot follow the detail of these proceedings, in which however many incidents occurred strikingly indicative of the spirit of party. On its conclusion, the chairman dismissed the prisoners, saying, "You may all have bail." They were afterwards again summoned into court, when he thus again addressed them: "Henry Hunt and you all: we sent for Mr. Bouchier in order that we might again carefully peruse the depositions. It is a most painful duty to me to commit you for a conspiracy. We can, however, lay our hands on our hearts and say, 'We have done our duty.' As to the charge of conspiracy, though you might not have been all together pre-

vious to the meeting, yet in the eye of the law, all those who commit separate acts, tending to one illegal object, are guilty of that crime. Coupling the two meetings together, taking into consideration the manner in which the last was assembled, with such insignia and in such a manner, with the *black flag*, the *bloody dagger*, with *Equal representation or death*, you came in a threatening manner—you came under the banners of death, thereby showing you meant to overturn the government. There could be no free discussion where that flag was unfurled. The charge now is "that of having conspired to alter the law by force and threats." It is an illegal matter, and sufficiently made out, and calls upon us imperatively to commit you for trial by a proper jury. It is now our painful duty to commit you to Lancaster-castle. On account of the seriousness of the charge, we shall require you, Henry Hunt and Joseph Johnson, to give bail yourselves in 1,000*l.* and two sureties in 500*l.* each; and all the others, themselves in 500*l.* and two sureties in 250*l.* each.

The prisoners then left the bar. Hunt, after consulting his solicitor, Mr. Pearson, and saying that he would not give bail, even though no more than a farthing was required, was sent off to Lancaster, the assizes for which were just approaching, at six o'clock in the evening, in a coach, under the guard of a troop of thirty of the 15th of Hussars. Presently after their departure, bail was offered for Hunt and another person, but the magistrates declined

clined to accept it till twelve o'clock the next day, when they conceded, and a special messenger was dispatched to Lancaster, where he arrived in the same evening, and liberated Hunt and Knight. As they approached Manchester, the procession which attended upon them kept increasing like a rolling snowball, and notwithstanding the wetness of the day, the streets were crowded, and thousands of both sexes accompanied their hero, stunning the ear with their acclamations.

The tragical event of the Manchester meeting, did not put a stop to similar assemblages, of which notice had been given in the neighbourhood of Leeds and other manufacturing towns; where the conduct of the yeomanry and magistrates of Manchester was commented upon in a strain of vehement and fearless invective, and every art was employed to rouse to the highest the pity and indignation of the multitude. The orators appeared in deep mourning; the flags were surmounted with crape; one of them exhibited a yeoman cutting at a woman with his sabre, and the word "Vengeance" was observed on another. At a meeting at Birmingham where sir Charles Wolseley appeared, a kind of funeral procession was exhibited. Not the smallest disposition to tumult however appeared on any of these occasions, and the congregated multitudes dispersed in peace, whilst the magistrates contented themselves with remaining spectators of these extraordinary scenes. A very moderate attempt at interference on the part of the

constituted authorities of Paisley produced opposite and highly disgraceful results.

A meeting on Mickleriggsmuir, near Paisley, having been advertised for September 11th, the sheriff of Renfrew and provost and magistrates of Paisley, issued a proclamation declaring against the avowed intention of bands of persons from different parts on going to and from such meeting, to parade the town and suburbs of Paisley "with flags and devices of a political and inflammatory nature;" and warned all who should take part in such "illegal" proceedings, that they should be made responsible for their conduct. This notification was utterly disregarded by the reformers, who, after the meeting, came marching in great force, with music sounding and flags flying through the high street of Paisley. The magistrates caused the colours to be seized, and in consequence a violent disturbance began: lamps and windows were broken, and special constables maltreated. The sheriff, the provost and magistrates, who went among the mob to advise them to disperse, were assaulted with stones; and it was not till a late hour that order was restored by the reading of the riot act, and the apprehension of about twenty of the ring-leaders. Similar outrages were renewed during several following days, in which several houses were gutted, many persons abused, and some robbed, by the plunderers, who took advantage of the occasion. After considerable forbearance, as well as exertion on the part of the civil power, some cavalry were sent

sent for from Glasgow, by whom the streets were repeatedly cleared. By such means the spirit of outrage was at length subdued, and fortunately without the loss of a single life, though many persons were severely wounded; some by the mob, and some by the soldiers.

A subscription was opened in London and Liverpool for the purpose both of relieving the sufferings of persons wounded and injured at Manchester, and of defraying such expenses as might be incurred in obtaining legal redress for the assaults committed, and proper persons were sent down by the committee to examine into the matters of fact and direct the measures to be pursued. In consequence of these investigations, several bills were presented to the grand jury at Lancaster, against individuals belonging to the Manchester yeomanry, for cutting and maiming with intent to kill in St. Peter's field on the 16th of August. But all such bills were thrown out by the grand jury, and their example was openly pleaded by the magistrates of Manchester for refusing to commit on any of the charges connected with the transactions of that day, which were afterwards submitted to their examination.

True bills were found by the grand jury at Manchester against Messrs. Hunt, Johnson, Moorhouse, and seven others, for a conspiracy; the persons accused all traversed to the next assizes.

On September 9th, a meeting of the common council of London was holden, pursuant to notice, for the purpose of considering the

late transactions at Manchester, and the steps to be taken in consequence; when, after warm debates, the following resolutions were carried by a majority of 71 to 45:

“Resolved, That under the free principles of the British Constitution, it is the undoubted right of Englishmen to assemble together for the purpose of deliberating upon public grievances, as well as on the legal and constitutional means of obtaining redress.

That, for the exercise of this right, a meeting was held at Manchester on the 16th of August last, and, without entering into the policy or prudence of convening such assembly, it appears to us, from the information which has transpired, that the said meeting was legally assembled; that its proceedings were conducted in an orderly and peaceable manner; and that the people composing it were therefore acting under the sanction of the law, and entitled to the protection of the magistrates.

“That we have, nevertheless, learnt with grief and astonishment, that while the meeting was so assembled, and when no act of riot or tumult had taken place, the magistrates issued their warrants for the apprehension of certain persons then present, for the execution of which, although no resistance was made on the part of the people, or those against whom the warrants were issued, they immediately resorted to the aid of the military; when, without any previous warning of their intention, the Manchester Yeomanry Cavalry, suddenly rushing forward, opened a passage through

through the multitude, furiously attacking, by force of arms, peaceable and unoffending citizens, whereby great numbers of men, women, and children, and even peace-officers, were indiscriminately and wantonly rode over, and many inhumanly sabred and killed.

“ That we feel ourselves called upon to express our strongest indignation at these unprovoked and intemperate proceedings, which we cannot but view as highly disgraceful to the character of Englishmen, and a daring violation of the British constitution.

“ That from the known and declared attachment of his royal highness the Prince Regent to the constitution and the laws, we feel the most decided conviction that his Royal Highness never could have been induced to express his approval of the conduct of the abettors and perpetrators of these atrocities, had not his royal confidence been abused by interested misrepresented statements of these illegal and fatal transactions.

“ That at a time when the great body of his majesty’s subjects are suffering under the severest privations, however erroneous may be their ideas as to the means of redress, a kind and conciliating attention to their complaints is equally called for by policy and justice: and that depriving them of the means of expressing their grievances, by cruelty and despotism, can only tend to increase the present discontents, destroy public confidence in the pure and equal administration of justice, excite disaffection, and lead

to acts of open violence or secret revenge.

“ That, in order to avert these calamities—to maintain the authority of the law—and to protect the lives and liberties of the subject—an humble and dutiful Address be presented by this Court to his royal highness the Prince Regent, praying his royal highness will be graciously pleased to institute an immediate and effectual inquiry into the outrages that have been committed, and to cause the guilty perpetrators thereof to be brought to signal and condign punishment.”

An address founded on these resolutions was accordingly drawn up and presented to the Prince Regent, to which his royal highness was pleased to return the following answer:

“ I receive with feelings of deep regret this address and petition of the lord-mayor, aldermen, and commons of the city of London, in common council assembled.

“ At a time when ill-designing and turbulent men are actively engaged in inflaming the minds of their fellow-subjects, and endeavouring by means the most daring and insidious to alienate them from their allegiance to his majesty and the established constitution of the realm, it is on the vigilance and conduct of the magistrates that the preservation of the public tranquillity must in a great degree depend; and a firm, faithful, and active discharge of their duty cannot but give them the strongest claim to the support and approbation of their sovereign and their country.

“ With the circumstances which preceded

preceded the late meeting at Manchester, you must be unacquainted; and of those which attended it, you appear to have been incorrectly informed.

“If, however, the laws were really violated on that occasion, by those to whom it immediately belonged to assist in the execution of them, the tribunals of this country are open to afford redress; but to institute an extrajudicial inquiry, under such circumstances as the present, would be manifestly inconsistent with the clear principles of public justice.”

The example thus given by the metropolis was quickly followed by the city of Norwich, where in a numerous meeting of the inhabitants, authorized by the mayor, resolutions of the like import were carried, with the addition of a petition to his royal highness, to dismiss for ever from his councils, those ministers by whom the name of his royal highness had been connected with the “massacre” at Manchester.

In the cities of Westminster, York, and Bristol, the towns of Liverpool and Nottingham, and many others, meetings were held and addresses prepared on the same subject; some simply calling for inquiry, others passing a strong censure on the conduct of the Manchester authorities, and on the ministry by whom the royal sanction had been given to such illegal acts of violence. The refusal of the lord mayor of London to call a common hall, on the requisition of a great number of the livery, for the purpose of considering the same subject, drew from the parties who regarded themselves as aggrieved

by his conduct, the following remonstrance, which was read to his lordship by a deputation.

“To the Right Hon. the Lord Mayor of the City of London.

“My Lord,—We, the undersigned liverymen of London, respectfully beg leave to expostulate with your lordship on your refusal to call a common-hall, to take into consideration the late violation of the law at Manchester, although a requisition was presented to your lordship, signed by nearly 100 of the livery of London, who were desirous of giving expression to their sentiments on transactions too momentous to be passed over in silence—too mournful to allow of those sentiments being suppressed by any authority whatever, and least of all by that of your lordship, who, by virtue of your office, are bound to protect and give effect to the rights, liberties, and privileges of the livery of London.

“That the livery of London possess the right, which they have exercised from time immemorial, of expressing their opinion on public affairs, in common hall, it is superfluous to remind your lordship; but should that right ever become subject to control from the political opinions or private views of the lord mayor for the time being, it would cease to exist in any thing but name.

“That the subject, for the consideration of which the requisition of the livery was presented to your lordship, was suited to public consideration, is manifest from your lordship’s having held
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a court of common council for its discussion. That your lordship's refusal cannot have been dictated by an anxious and over-scrupulous regard for the preservation of the public peace, is apparent from the knowledge your lordship must possess, that where the magistrates have presumed to deprive their fellow-citizens of the means of meeting in that orderly and convenient way provided by their municipal constitutions, they have uniformly assembled together under circumstances less favourable to the maintenance of the public peace.

“ Unwilling as we are, my lord, to put any unfavourable construction on the conduct or motives of the chief magistrate of the city, we confess ourselves unable to interpret your lordship's rejection of a requisition for a common-hall, on so important an occasion, in any way which shall not imply an indifference to, or contempt of, the wishes and opinions of the livery, by whom you were appointed to your high office.

“ Resolved, however, as we are, not to surrender the rights of the livery of London, we venture respectfully, yet firmly, to request your lordship to reconsider your answer, and to appoint an early day for the holding of a common hall, in compliance with the requisition presented to your lordship on the 1st instant.

“ Dated Sept. 16.”

The persistence of the lord mayor in his refusal, led to a scene of much turbulence at the common hall holden on Michaelmas day for the election of a new lord mayor; and actions at law

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are still pending which arose out of the transactions of that day.

A very numerous and highly respectable meeting of the freeholders of the county of York was held at York, in consequence of a requisition to the high sheriff, signed by the duke of Norfolk, by earl Fitzwilliam, lord-lieutenant of the West-riding, and many other noblemen and gentlemen of the first importance. This assemblage was computed at not less than 20,000 persons. Several bands of reformers, with their usual insignia, were on the ground; but it is worthy of remark, that they left the whole business of the day to be conducted by the noblemen and gentlemen who had come forward to summon the meeting, and by whom several very animated speeches were addressed to the assembled multitudes. The resolutions passed expressed no opinion on the occurrences at Manchester, but demanded an inquiry. In consequence of the part which he had taken in this public meeting, earl Fitzwilliam immediately received from the prince regent his dismissal from the office of lord-lieutenant of the West-riding of Yorkshire; a circumstance which excited a strong sensation, and procured for the earl many testimonies of the reverence and attachment of his neighbours. The requisitions addressed to the sheriffs of other counties, particularly Northumberland, Cumberland, Westmorland, Durham, Cornwall, Norfolk, and Berkshire, for the convening of meetings to consider of the Manchester transactions, were not in all instances attended with

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the same success, though considerable numbers assembled in all these counties under private auspices to express their sentiments. On the other hand, loyal addresses were forwarded from different meetings; and in several towns of the north of England, and of Scotland, noblemen and gentlemen attached to government associated for the purpose of raising troops of yeomanry in aid of the civil power.

Meantime, the progress of a coroner's inquest on the body of one John Lees, who died in consequence of sabre cuts and other injuries received at the Manchester meeting of August 16th, was viewed with anxious attention, as it was believed that its result would afford an important decision on the legal character of that day's proceedings. Much delay occurred in the commencement of this examination by the absence of the coroner from the post of duty and the refusal of others to act in his stead, and it was afterwards prolonged to an extent quite unexampled, partly by the multitude of witnesses brought forward, and partly by the frequent adjournments which the coroner thought proper to interpose. It was the aim of the solicitor who conducted the examination in behalf of the next of kin of the deceased, to prove the peaceful character of the meeting, and the unwarrantable nature of the military attack. On the other side, efforts were made to show that previous acts of violence on the part of the multitude, and the reading of the riot act, had justified this attack, and exonerated from legal criminality those concerned in it. At

length the coroner stated, that for reasons which he did not choose to assign, the inquest should be further adjourned to the beginning of the month of December. Before this period arrived, the case being referred to the court of King's-bench, the whole proceedings had in this inquest were declared null and void by the irregularity of the coroner himself, who had neglected to view the body in presence of the jury, as by law required; and the court in consequence directed that *no verdict* should be returned.

The alarm of government was manifested by a notice, dated Oct. 29th, on the part of the commissioners of Chelsea hospital, by which all able-bodied pensioners were directed to attend at the times and places therein specified, in order to their being formed into a veteran or garrison battalion. By the operation of this measure, ten or eleven thousand men were added to the effective military force of the country.

The following remarkable circular also emanated from the home department:

Whitchall, Nov. 6.

My Lord,—Having been informed that there are laying about throughout the kingdom, especially in the maritime parts of it, a great number of cannon, which are private property, a considerable part of which were formerly used in merchants' ships, I beg leave to call your lordship's attention to this subject; and to request that you will direct the magistrates of the county under your lordship's charge, to make the necessary inquiries

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inquiries within their respective districts, and if any guns of this description should be found therein, that they will cause *immediate* steps to be taken, with the consent of their owners, for rendering them useless, or for removing them to a place of security.—I have the honour to be,
&c. &c. SIDMOUTH.

H. M. Lieutenant of ———

In the agitation of the public mind which all these circumstances were calculated to excite, the meeting of parliament was impatiently anticipated both by the supporters and the opponents of the administration, and it was summoned to assemble for dispatch of business on Tuesday Nov. 23rd.

CHAPTER VIII.

Prince Regent's Speech.—Amendment to the Address in the House of Lords.—Amendment in the House of Commons.—Documents on the State of the Country.—Traverse Bill in the House of Lords.—New Legislative Measures proposed in the House of Lords.—The same in the Commons.—Motion for Inquiry into the State of the Nation.—House of Lords.—The same in the Commons.—Navy Estimates.—Training Bill, and Search for Arms Bill—House of Lords.—Protest against Search for Arms Bill.

THE session of parliament was opened on November 23rd, by the Prince Regent in person, with the following Speech:

“ My Lords and Gentlemen ;

“ It is with great concern that I am again obliged to announce to you the continuance of his Majesty's lamented indisposition.

“ I regret to have been under the necessity of calling you together at this period of the year ; but the seditious practices so long prevalent in some of the manufacturing districts of the country, have been continued with increased activity since you were last assembled in parliament.

“ They have led to proceedings incompatible with the public tranquillity, and with the peaceful habits of the industrious classes of the community ; and a spirit is now fully manifested, utterly hostile to the constitution of this kingdom, and aiming not only at the change of those political institutions which have hitherto constituted the pride and security of this country, but at the subversion of the rights of property, and of all order in society.

“ I have given directions that the necessary information on this subject shall be laid before you ; and I feel it to be my indispensable duty, to press on your immediate attention the consideration of such measures as may be requisite for the counteraction and suppression of a system which, if not effectually checked, must bring confusion and ruin on the nation.

“ Gentlemen of the House of Commons ;

“ The estimates for the ensuing year will be laid before you.

“ The necessity of affording protection to the lives and property of his Majesty's loyal subjects has compelled me to make some addition to our military force ; but I have no doubt you will be of opinion that the arrangements for this purpose have been effected in the manner likely to be the least burthensome to the country.

“ Although the revenue has undergone some fluctuation since the close of the last session of parliament, I have the satisfaction of being able to inform you, that

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it appears to be again in a course of progressive improvement.

“ Some depression still continues to exist in certain branches of our manufactures, and I deeply lament the distress which is in consequence felt by those who more immediately depend upon them; but this depression is in a great measure to be ascribed to the embarrassed situation of other countries; and I earnestly hope that it will be found to be of a temporary nature.

“ My Lords and Gentlemen;

“ I continue to receive from foreign powers the strongest assurances of their friendly disposition towards this country.

“ It is my most anxious wish, that advantage should be taken of this season of peace to secure and advance our internal prosperity; but the successful prosecution of this object must essentially depend on the preservation of domestic tranquillity.

“ Upon the loyalty of the great body of the people I have the most confident reliance; but it will require your utmost vigilance and exertion, collectively and individually, to check the dissemination of the doctrines of treason and impiety, and to impress upon the minds of all classes of his Majesty's subjects, that it is from the cultivation of the principles of religion, and from a just subordination to lawful authority, that we can alone expect the continuance of that Divine favour and protection which have hitherto been so signally experienced in this kingdom.”

After an address in correspondence with the speech had been moved in the House of

Lords by earl Manvers, and seconded by lord Churchill, *Earl Grey* rose to address the House. He said, that had he not been aware of the state of the country, the speech from the throne, the address moved in reply, and the language of the noble mover and seconder, would be sufficient to convince him that parliament had never assembled at a more important crisis, or when greater difficulties and dangers were to be overcome. He did not however think the line of policy pointed out in the speech such as ought to be adopted in the present state of the country, to which he had attended with the greatest care. He had heard strong observations on the progress of sedition and treason, and the necessity of adopting measures of coercion, but no recommendation to avert the danger by relieving the people from the heavy burthens that pressed upon them. It was by a timely system of economy and reform that the threatened dangers would most effectually be met.

His lordship fully allowed the necessity of resisting plans of innovation described as destructive of the laws and constitution; but while opposing one danger, let care be taken not to incur another. The noble mover of the address had warned the House not to let an anxiety for the security of liberty lead to a compromise of the safety of the state. He, for his part, could not separate those things. The safety of the state could only be found in the protection of the liberties of the people; whatever was destructive of the latter, destroyed

stroyed also the former. He warned their lordships, in supporting the authority of government, not to sanction any precedent hostile to public liberty, and therefore to the safety of the state. Where discontent generally prevailed, there must be much distress, and it was an axiom no less true, that there never was an extensive discontent without misgovernment. Two years ago, when a similar subject was under their lordships' consideration, a noble friend of his (marquis Wellesley) had quoted the opinion of lord Bacon, that the surest way to prevent seditions is, to take away the matter of them, and in the spirit of this maxim had recommended the reduction of public expenditure, and especially of our great and unnecessary military establishment. Had this recommendation been attended to? No; profusion was obstinately maintained, as if the continuance of every abuse were necessary to the safety of the state. Not only was no efficient measure of reduction adopted, but additions were made to the expenditure, which no public principle justified. He had in vain opposed some of those measures which had proved most injurious to the character of parliament, and to that of the family on the throne. After this denial of justice—for to refuse a relief so necessary to the country was a denial of justice—the session was closed, in a manner most insulting to the distresses of the country, by the imposition of 3,000,000*l.* of new taxes. When no attention was paid to the calls of the people for relief, when their peti-

tions were rejected, and their sufferings aggravated, was it wonderful that at last public discontent should assume a menacing aspect?

The noble lord then adverted to the transactions at Manchester;—he was willing, he said, to suspend his judgment on the conduct of the magistrates till further information should be laid before parliament, but he condemned severely the precipitation with which their behaviour had been approved by those very persons who deprecated the prejudging of the question in the slipshod and impertinent answer which had been given to the city of London. He next adverted to the removal of earl Fitzwilliam, —a man who had been distinguished by his public and constant support of the crown on every trying difficulty—a man of high rank, extensive influence, and princely possessions—a man beloved and esteemed—a man so properly described in resolutions which had lately been passed, from his particular situation, as affording security to the government and firmness and confidence to the people; when such a man was peculiarly marked out and devoted, in a season of such difficulty as the present, what confidence could exist in the ministers by whom such conduct could be sanctioned, and what hope remained for the deluded people of this country? He would now call the attention of their lordships to that part of the speech from the throne which referred to the addition of from 10,000 to 11,000 men to the regular troops. He certainly had great

great doubts of the legality of this step without the sanction of parliament; but he would neither dwell on this nor on the prudence of adding to the national burthens an expense of from 2 to 300,000*l.*: he would simply observe, that this was another of that series of measures which had marked the progress of the existing government, and which was unaccompanied with a single measure of concession to keep down the spirit of discontent that unfortunately prevailed. After a variety of other remarks, the noble lord moved an amendment, which was in substance as follows:

“To assure his royal highness the Prince Regent, that while we deeply lament the unexampled distress which exists, we shall take into our most serious consideration the various matters contained in his Royal Highness’s most gracious speech. That it is impossible to express approbation of the attempts which were made to persuade the people to seek relief from the distresses under which they labour by means dangerous to the public tranquillity, and inconsistent with the security of the community; and that it is our duty, as well as our determination, to adopt measures for the prevention of those attempts.

“That we humbly represent to his Royal Highness, while we thus declare our determination to give full vigour to the law, we feel called on by a sense of duty to satisfy the people that their complaints shall at all times receive that just attention which is indispensable to their safety.

“That this seems to us pecu-

liarily necessary at this period, in order to create a confidence in the public mind, that they have a sufficient safeguard in the laws of the land against all encroachment on their just rights.

“That we have seen with deep regret the events which took place at Manchester on the 16th of August; and without pronouncing any opinion on the circumstances which occurred on that melancholy occasion, that we feel it demands our most serious attention and deliberate inquiry, in order to dispel all those feelings to which it has given birth, and to show that the measures then resorted to, were the result of urgent and unavoidable necessity—that they were justified by the constitution, and that the lives of his Majesty’s subjects cannot be sacrificed with impunity.”

Lord Sidmouth regarded himself as peculiarly called upon to advert to the manner in which the noble earl had alluded to late events involving the responsibility which chiefly attached to himself. Respecting the transactions at Manchester, he said, that never was there an event publicly interesting respecting which so much misrepresentation, falsehood, and exaggeration had gone forth. He contended that all presumptions ought to be in favour both of the magistrates and yeomanry. The meeting, he would boldly take upon him to assert, was not only illegal, but treasonable. The magistrates would have acted not only unwisely, but unjustly and basely, had they done otherwise than they did; the letter of approbation was sanctioned by a cabinet council, and

and he, for his part, did not shrink from any part of the responsibility incurred. He entered shortly into the transactions of the 16th, and described the hostile conduct of the populace towards the constables and authorities both before and after. Campbell a constable had been stoned to death in open day in the streets of Manchester, and the constable of the town thought his life in danger. This system of hostility was not confined to Manchester; it appeared at Newcastle and in other places. He affirmed that not a single life was lost in consequence of the blows of the military. On this subject he would dwell no longer at present: the danger with which we were threatened from the discontented state of the public mind was generally admitted, and its magnitude should induce their lordships to unite in vigorous measures to avert it. If, in the character of that danger, there was any feature more alarming than another, it was the conduct of some persons who encouraged and emboldened the disaffected, by standing between the government they assailed and the party assailing. Respecting the dismissal of earl Fitzwilliam, his lordship remarked, that the different view taken by that noble lord, and his majesty's ministers of the state of the country, and the public declaration which he signed in opposition to their wishes, showed that all confidence between them and him had ceased, and that a separation had become indispensable.

Several other lords delivered their opinions. *Lord Erskine*

strongly urged the necessity of conciliation on the part of government, and of parliamentary inquiry into the conduct of the magistrates of Manchester; and he firmly maintained the legality of the meeting, and the opposite character of the means taken to disperse it. He was ready, he said, to admit, that there might be meetings whose avowed object, being the destruction of property or the execution of some other illegal purpose, rendered every man a magistrate for its dispersion. But the meeting at Manchester was not of this complexion. It had met to petition; and to show that it had no intention of violence, those who attended it brought their wives and children along with them, which they would not have done, had they conceived any danger, or imagined they were exposing themselves to punishment, by a breach of the laws. The assembly might have become tumultuous; what then? why the magistrates might have read the Riot Act, and dispersed it. The Riot Act might have been read, but the House had not heard so; nor had their lordships heard that the hour had elapsed before the military were employed. If such had been the case, every man that remained on the field would have been a felon; but even then he was not to be cut down by the military, or condemned to death without a trial. Had even military execution been justified on the refractory, ought women and children to have been trampled upon, wounded, or killed? The House, after such transactions, ought to grant inquiry to convince
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the country that their lordships were determined to support the rights and privileges of the people. This was the object of the amendment. Government might use force to restrain the discontents which they did not try to remove, but such an employment of the military against the people would only render it unpopular, and less efficient for the purposes for which it was intended. Instead of being supported in the public affections, and enjoying that strength which arose from a well regulated liberty, we should soon see nothing around us but force and military despotism. To destroy any necessity for such extreme measures Parliament should convince the people that it did not overlook their distresses and grievances. Would the House do its duty by refraining from inquiry, on the mere declaration of ministers that they possessed particular information hitherto undisclosed? His noble friend (lord Grey) had shown, that inquiry was not a prejudging of the guilt or innocence of any individuals; but he remembered a time when parliament was less scrupulous on this subject of prejudging. He alluded to the State Trials in 1794, when the very case against the prisoners was made out of the reports of the two Houses of Parliament. Now, therefore, it could not be said that we had no authority for inquiry. But it might be said, that there was danger in making any concessions to the demands of the people. The very reverse would happen in this case—inquiry would remove danger by leading to conciliation.

The *Lord Chancellor* opposed any parliamentary inquiry respecting the late affairs, as inconsistent with the spirit of the laws. When he read in his law books that numbers constituted force, and force terror, and terror illegality, he felt that no man could say that the Manchester meeting was not an illegal one. It was complained, he said, that not only had the grand jury rejected bills, but that the magistrates had refused to receive information on oath. This latter conduct was either right or wrong. If right, why complain about it? if wrong, why interfere with measures already under consideration in the court of King's-bench? Another ground of complaint was the conduct of the coroner in adjourning an inquest. But what was the fact? The coroner alleges that the jury have been tampered with, and that there is a fear that the jury might give their verdict on evidence not before them on oath. He, therefore, adjourned in order to have the opinion of the court of King's-bench in a matter of such high importance. What was there wrong in this?

The *Marquis of Lansdown* earnestly pleaded for an inquiry, for which, he said, he should move, if no such motion should emanate from government; in the mean time he should support the present amendment.

Lord Liverpool replied to the noble marquis.

The *Marquis of Buckingham* supported the original motion.

On a division, the numbers were: Not-contents—Present, 121; Proxies, 38—159. Contents.

tents—Present, 31; Proxies, 3—
34. Majority against the amend-
ment, 125.

House of Commons, Nov. 23.

After the reading of the speech from the throne, the address was moved by the *Hon. J. Somers Cocks*, and seconded by the *Hon. Edward Cust*.

Mr. Tierney rose, not to object to the address as it stood, but to propose, by way of amendment, an addition imperatively called for, as he conceived, by the condition of the country. No man could feel more deeply than himself the melancholy condition of the country,—no one had heard with more disgust and abhorrence the blasphemous doctrines the further promulgation of which the laws had now suppressed. He did not however believe that the impiety, as some contended, had been widely spread; on the contrary, he did not believe that a nation more pious, more sincerely religious, was to be found on the face of the globe. He had a right to express this confidence the more decidedly, because it had been stated on the other side of the House, and generally allowed, that the piety of the country had so enlarged itself, that the ordinary places of worship were unable to contain it, and it became absolutely necessary to erect a number of new churches.

The political state of the country was very different; dissatisfaction or disaffection, pervaded the manufacturing districts. He was quite ready to admit that if the existing laws were not adequate to remove it, new ones

should be passed. But he believed at present, that nothing but a vigilant exertion of the magistracy, nothing but fairness and firmness on the part of the government was required. But if, on the other hand, the people were taught by facts to believe that the existing law was not fairly administered to all classes, new ones might be necessary,—nay, he would go further and say, he knew not what new laws could be devised which would be effectual in keeping down a people who had no respect for government and the constituted authorities of the land. The hon. gentleman proceeded to trace the evil to what he regarded as its real root—excessive taxation,—and the profusion against which he had long warned ministers in vain; and he affirmed that even in the speech they had just heard, there was what, but that it proceeded from royal lips, he should call a miserable attempt to raise fallacious hopes on the subject of the revenue. He thought it his duty now to speak out on some of the causes of the evils which afflicted the land. His settled conviction was, that there did not exist among the inhabitants of the country that confidence in the House of Commons that might be wished. That conviction did not pervade merely those who, to give every thing a name, had been called Radicals; but it had penetrated much further and much higher; and many of those who wisely condemned the visionary schemes of reform at present afloat, were satisfied that there was something wrong in the state of the representation,

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or the nation could never have been reduced to the condition in which it now found itself. What had reduced it to that condition? Had the House refused to ministers any of the means of carrying on war? had it been sparing in its votes for national improvements? had it refused to make new laws when they were asked for? had it resisted the raising of additional troops? or had it, in short, objected to comply with any request ministers thought fit to make? Certainly not. How happened it, then, that in the result, the revenue was so deficient; that trade was stagnated; that the stocks fell; and that the House was to be told that there was not law enough to control sedition, or troops enough to prevent rebellion? How happened all these things; and above all, how could ministers now venture to demand, that new confidence should be reposed in them, for having thus brought the nation to the brink of ruin and despair? [Cheers]. These were not merely the opinions of the Radicals in public meetings, but of sober discreet men in private societies. Though they were unwilling to make an open avowal of their sentiments, they entertained them in fact, and parliamentary reform had been gradually working its way for years; and it was now almost universally admitted that the great mass of the people did not feel that the present state of the representation was beneficial to them.

The Radicals the hon. gentleman believed not to be numerous or formidable, and he treated with ridicule the election of a legisla-

torial attorney at Birmingham; but he strenuously contended that the present state of society,—that diffusion of education which parliament itself had sanctioned, had compelled the House to submit to all the criticisms upon its proceedings which men thought themselves justified by the facts, and their own knowledge in making. If government thought, that by passing new laws, by raising new troops, or by the promulgation of loyal addresses they could put down the awakened spirit of the country, they would find themselves grievously mistaken. Adverting then to the affairs of Manchester, the hon. gentleman argued at considerable length on the necessity of inquiry. He commented with considerable severity on the conduct of government relative to this business, and especially on the dismissal of earl Fitzwilliam; and he ended by proposing, as an amendment, a resolution by which the House, while deprecating the attempts made to inflame the people, and lead them astray by means dangerous to the public quiet, expressed strongly their regret at the deplorable events which had occurred, and their conviction that they ought to be made the subject of parliamentary investigation.

The *Marquis of Tavistock* dwelt on the necessity of inquiry into the late events, of economy, and of moderate reform, to regain to that House the confidence of the people. He must express a hope that the noble lord would not attempt to degrade the spirit of the people by force and coercion, but would endeavour to conciliate

liate it by mild and equitable measures. The exemplary patience which the people had exhibited during the arduous contest of the last 20 years, surely deserved a better return; and he could not help imploring his majesty's ministers to institute a full and fair inquiry into the injuries which the people believed themselves to have received at Manchester, and not to treat them with any unnecessary violence or contempt.

Lord Castlereagh did not feel himself called upon to follow the hon. mover of the amendment through his remarks on the present state of the nation, which he had much undervalued, because the only definite or tangible proposition which he had offered, was that for an inquiry into the transactions at Manchester; and because he should lay before the House to-morrow, in a printed form, the mass of information on which government intended to proceed, and also explain the measures which it had in contemplation to propose. On the Manchester business, however, he would now meet the right hon. gentleman opposite. It never was the intention of the magistrates to have dispersed that meeting as it was dispersed, nor, on the preceding day, to have dispersed it at all. The magistrates did not determine upon dispersing it till it had assumed a character of tumult and sedition; they then put warrants into the hands of the constables, and it was not till they had declared their inability to execute them, that a military force was employed at all. If it was an illegal

meeting, and was carrying traitorous emblems, the magistrates would have been guilty of a flagrant breach of duty in suffering it to remain assembled a moment after the capture of Hunt. Yet they wished to disperse it in the most mild and temperate manner. After the riot act had been read from the windows of the House where they assembled, another magistrate was sent to read it in the crowd, but was there trampled under foot. A third was sent to read it at the hustings: this he believed to be correct, though conflicting evidence must be expected. After some strong remarks against earl Fitzwilliam and the Yorkshire meeting, the noble lord ended by supporting the original address.

The debate was adjourned, after some contest, at half past three.

On the following day, a great mass of documents relative to the state of the country was presented to both Houses. The first document was a letter from the magistrates of Manchester to lord Sidmouth, dated July 1st, expressing their apprehension, that some formidable insurrection was in contemplation. They adverted to the "deep distresses" of the manufacturing classes, of which the disaffected took advantage to instil their pernicious doctrines, adding, "when people are oppressed with hunger, we do not wonder at their giving ear to any doctrines which they are told will redress their grievances." They pointed out the popular meetings and the liberty of the press as the chief causes of their alarm. Other papers referred to
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the formation of an armed association which was attempted without success, under the auspices of the earl of Derby, lord lieutenant of the county. Several affidavits and some examinations by magistrates, attested the extensive practice of training among the reformists; but it appeared doubtful in some cases, whether more was intended by these men than to enable themselves to march in something resembling military array to the meetings; and even where the whole manual exercise was gone through, it was stated, that sticks were the only weapons produced. Some informants related threatening and seditious speeches used by persons engaged in drilling. One solitary communication to a magistrate, printed without a name, made mention of a body of men attending a meeting, who, on approaching the hustings, produced pikes from their bosoms or sleeves, which they attached to their walking sticks. A narrative, by the reverend Mr. Hay the magistrate, of the transactions of the 16th, succeeded; the magistrates were here said to have issued their warrants for the apprehension of Hunt and others, on the general appearance of the meeting, and on very numerous depositions of the inhabitants, as to their fears for the public safety. The caption of these persons, and their being led away was related, and it was added, "In the mean time the riot act was read, and the mob was completely dispersed, but not without very serious and lamentable effects," which were particularised. The *active* part of the meeting was said to have come

wholly from the country, and to have consisted of not less than 20,000.

Some other documents noticed the generally turbulent and disaffected spirit of the lower orders, and the intimidation of those among them who were disposed to be loyal. Some particular acts of violence and outrage against the active partisans of government were related; especially the death of Campbell the constable, who was literally stoned to death on August 17th; the attempt on the life of Birch, and some acts of riot at Macclesfield on August 18th. A letter from Sir J. Byng, dated November 18th, stated, that it appeared certain, that simultaneous meetings were to have been held at a number of towns which he named, but that the scheme had been baffled by the disunion of the leaders; and that in those places where disaffection was of less mature growth than in the towns of Lancashire, a desirable check had been effected. The writer however deprecated any relaxation of vigilance, and mentioned the existence of a plan for disseminating seditious and blasphemous pamphlets among the servants of great families; and repeated, though vain attempts to corrupt the soldiery. A statement from the grand jury of Cheshire, dated Sept. 3rd, attested the alarm for their lives and properties felt by his majesty's loyal subjects, in some parts of the district of Macclesfield, in consequence of active measures of terror and intimidation, which within the last 14 days had assumed a more formidable character: the difficulty of dispersing

dispersing meetings for training was likewise noticed. Others of these pieces were addressed to earl Fitzwilliam as lord lieutenant of the West-riding of Yorkshire, and described the circumstances attending the reform meetings in that quarter, and the general distress, and consequent discontent of the people. Pikes, and pistols in small numbers appeared to have been manufactured in these parts. Similar, but still more affecting accounts of the state of the south-west of Scotland, and of the disaffection there prevailing, made the substance of other reports; and the riotous proceedings of the keelmen at Shields, were related in others.

House of Lords, Nov. 29.

The *Lord Chancellor* proposed a bill, which he assured their lordships did not arise out of the circumstances of the times, but which had been previously contemplated by him. Its object was, to remedy the inconvenience and delay of justice arising from the practice of the courts which allowed defendants, in cases of information, or indictment, to implead or traverse. This bill took away the right of traversing; but allowed the court to postpone a trial upon ground being shown for the delay. On the second reading of the bill Dec. 3rd, after its nature and application to cases of misdemeanor had been more fully stated by the noble mover, *Earl Grosvenor* rose and observed, that while the attorney general was allowed to hold informations over the heads of defendants for any indefinite period, it was greatly adding to

the grievance to abolish the right of imparlance; thus the security of the subject was diminished, and the power of the crown increased. But since their lordships on their view of the state of the country had chosen to throw away the scabbard, and trust only to the sword, this and other measures of severity must be adopted to preserve the peace of the country.

Lord Erskine opposed the bill, as depriving the people of an ancient and valuable privilege, remarking, that when he saw the table covered with other bills, tending to abridge the rights of the people, he thought it a very singular coincidence that this should be brought forward at the same time.

The *Earl of Liverpool* said, he was convinced, that if their lordships did not pass this measure, they had better at once declare, that every kind of blasphemy and sedition was to be tolerated in future. Persons charged with the higher crimes, were in most instances put on their trial immediately, whilst in lesser crimes, a delay might be claimed sometimes extending to a year. Such delay appeared less likely to prove injurious in the more atrocious crimes, because in them the person of the offender was secured; but in cases of libel, the offence might be repeated day after day, and hour after hour, before the party was brought to trial. He agreed that the measure was an innovation, and that the House was bound to require evidence of a strong necessity. Was there not, then, sufficient evidence of this description in the actual circumstances of our situation,

tion, and in all those practices which notoriously prevailed? His majesty's government had been asked why more prosecutions had not been instituted. He could only say, that the answer to that question was of itself a strong argument in defence of this proceeding. No effort had been left untried during the last 12 months to bring persons charged with blasphemous and seditious libels to justice. It had, notwithstanding, been found impossible in the present state of the law to obtain more than one conviction. If then there did exist a lamentably great and pressing evil, he trusted the House would not be indisposed to adopt some measure of this kind.

Lord Holland was averse to the bill on various grounds, and ended by saying, that after what he had shown of the nature of this bill, it was manifest that its title was grossly deceiving: it professed to be a bill to prevent delays in prosecutions for misdemeanors, but it did not say one word of the greatest delays—those which occurred in proceedings by *ex officio* informations. By the wise provision of those great men who lived at the time of the Revolution in 1688, and to whose authority their lordships often referred, improper delay could not occur by allowing the accused time to plead, because in prosecutions by indictment the defendants were obliged to enter into recognizances, which they must forfeit, if they did not appear to plead. But in proceedings by *ex-officio* informations, the attorney-general had the power of punishing a person accused,

though not convicted, of a libel, by keeping a prosecution hanging over his head for life. He did not say that this had been done by the present attorney-general, or his predecessors; but this he would say, that there were at present 40 informations depending, some of which had been hanging over the parties accused for one, two, three, four, five, and some for ten years, and this must surely be admitted to be a shocking state of the law. He could not hope that his opposition would prevent the bill from passing, even in its present state; but if it were so altered as to legislate on both sides, by preventing the delays which occurred in prosecutions by *ex-officio* informations, as well as in those by indictment, he should perhaps give it his feeble support on the third reading.

On the 3rd reading of the bill on Dec. 13th, the lord Chancellor rose to propose an additional clause, to provide for bringing on the trial of a defendant within a twelvemonth from the time of pleading. If the trial did not take place within that time, the defendant might then call upon the attorney-general as prosecutor for the crown, to proceed to trial within 20 days. If the attorney-general did not then choose to proceed, he must enter a *noli prosequi*.

After a few words of acknowledgment from Lord Holland, for the handsome manner in which his suggestion had been adopted, the bill passed.

It also passed the House of Commons without opposition.

House

House of Lords, Nov. 30.

Lord Sidmouth rose to call the attention of their lordships to the measures which the ministers of his royal highness the Prince Regent thought it necessary to propose in the present state of the country. It was unnecessary for him to go into any detail of the danger in which the country was placed: it was known that a conspiracy existed for the subversion of the constitution in church and state, and of the rights of property. Their lordships would feel, as he stated, with grief, that the press was one of the principal instruments employed for this purpose. That art which was calculated to instruct and console, was perverted to rob mankind of all hope of future happiness, because it was thought that when the people had lost the consolation of religion, they would be more prepared to throw off their allegiance. He should now describe the measures designed to meet this evil. It was the essential character of a free press, that its productions were not interfered with before publication; this principle was preserved in the bill which he had to offer,—for a moment, and only for a moment, had it been in contemplation to depart from it. Neither was it designed to visit offenders with an increase of punishment on the first instance; but it was proposed, that any person having been tried, convicted and punished for a blasphemous or seditious libel, should on conviction of a second offence, be liable, at the discretion of the court, to fine,

imprisonment, banishment, or transportation. It was also proposed, that in cases of a second conviction, a power should be given to seize the copies of the libel in possession of the publisher; the copies so seized to be preserved until it should be seen, whether an arrest of judgment should be moved, and then to be returned to the publisher, if the judgment of the court should be in his favour.

Another measure connected with this subject would be proposed in another place, but he might mention it here, in order to afford a connected view of the measures which ministers had felt it their duty to recommend. It was to be proposed, that all publications, consisting of less than a given number of sheets, should be subjected to a duty equal to that paid by newspapers. This might be said to be breaking in on the principle before laid down, but it would be for their lordships to consider whether this infringement were not indispensable to check the progress of blasphemy and sedition.

Another provision of this bill would be, that persons putting forth a publication of this kind, would be required to enter into recognizances or give security for the payment of any penalties which might be inflicted on them.

He should now state the provisions by which it was proposed to obviate the danger of tumultuous and seditious meetings. It was not intended to interfere with the right of the subject, to petition the Prince Regent, or parliament, or to meet for the discussion of any grievance

ance under which the people might conceive they were laboring. Nothing would be introduced into the bill that might tend to impede, or interrupt meetings regularly called by a sheriff, borough-reeve, or other magistrate; but it would be proposed to enact, that any parties wishing to meet for consideration of subjects connected with church or state, should notify their intention by a requisition signed by seven householders, and that it should be illegal for any person not usually inhabiting the place where it was called, to attend it. It was proposed to give the magistrates the power, with some limitations, of appointing the place and time of meeting.

In consequence of the alarming facts which had been laid before the House, respecting the preparations for employing illegal force, it was proposed to prohibit military training except under the authority of a magistrate, or lord lieutenant of the county.

Papers on the table left no doubt of the danger to be apprehended from the possession of arms by the disaffected; and it had been deemed necessary to give magistrates in the disaffected districts, on evidence affording well-grounded suspicion of arms being collected for illegal purposes, the power of seizing them. The power was also to be given them of apprehending and detaining persons found carrying arms for such purpose; and of seizing such arms; an appeal to the quarter sessions being however allowed to the persons so detained.

These were in outline the
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whole of the measures to be submitted to parliament.

Earl Grey objected to the early day fixed for the second reading of these bills; he also objected to the bills themselves, as forming a system of force, terror and coercion which would aggravate the distrust entertained of parliament by the people, and instead of saving produce ruin to the country. Feeling as he did on these subjects, and looking with dismay on the proposed system of government, he could not but take the earliest opportunity of expressing his general sentiments on these measures;—measures which comprehended restraints on public meetings, and on the freedom of the press, and empower magistrates to deprive the subject of arms which he might have for his own defence. The justification of such restraints rested on the papers which had been presented to the House. Now, he was willing to allow that these papers, incomplete as he maintained them to be, and requiring many additions and explanations, did prove a considerable extent of danger; but a danger arising from the distress of the people—a distress amounting to absolute hunger, and admitted by the magistrates themselves, in their first accounts, as the cause of the danger. That there were persons who took advantage of this distress to inflame the discontents of the sufferers, he was willing to allow; but, there was no evidence either in the papers on the table, or in the general state of the country, to convince him that any conspiracy against law and order had
been

been formed, or that the public tranquillity was extensively threatened. The noble lord had spoken of conciliation, but his notions of it were rather rigid. He had declared that he would subdue first before he would concede. But if there were demands which the people had a right to make, and which, from the state of the country, it was proper to grant, why resist concession? He was prepared to admit that the people had a right to an indulgent attention to their grievances; that there existed abuses in the government, and defects in the construction of parliament, which ought to be taken into consideration, and that a yielding to the prayers of the nation in this respect might allay discontent, without being a dangerous concession. Such measures of conciliation would do more to bring back the country to peace and tranquillity than the present bills, and give it more strength and durable security than any system of restraints, or laws of severity and coercion.

After a general defence of the principle of the bills and of the conduct of government from the *Earl of Liverpool*, and a few words of objection from *Lord Erskine*, early days were fixed for the second reading of the training and search for arms, and the press restraint bills.

On the same day, in the House of Commons, *Lord Castlereagh* entered into a general exposition of the bills laid before the House of Lords by viscount Sidmouth.

Mr. Tierney then rose, and after a variety of strictures on the bills proposed, and conduct

of the administration in not enforcing the laws already existing against the licentiousness of the press, as if they desired that its unchecked excess should afford a pretext for measures like the present; he thus concluded: He had come down to the House with a sincere inclination to listen impartially to what the noble lord might suggest, and rather disposed to concur than to oppose; but he had then no notion of the extent of the demand which would be made; he might have been willing to concede something if a necessity had been shown, but nothing would satisfy the noble lord but an attack upon the very vital principles of the British constitution. Are we (continued *Mr. Tierney*) to live in entirely new times? Are we now to hold up to the world, that the constitution which we have hitherto venerated for its antiquity, and loved for the blessings it has conferred, is of no value? Formerly, when foreigners have asked in what way we became possessed of such and such institutions that have attracted their admiration, we could reply, that we were indebted for them to the right which the people of England enjoyed of thinking and speaking freely. But now another lesson is taught by the noble lord, who would convince us, that what has been the salvation of our liberties is the destruction of our happiness—that what we and our forefathers have believed, is false and foolish; and that to preserve freedom and property, the constitution must undergo a change, which, in my conscience, I believe it cannot survive. I say fairly

fairly and openly, that I suspect the administration from which these measures emanate—that they are only the advanced guard of the array of bills which they are to direct against the constitution. I see on the part of the government an evident determination to resort to nothing but force: they think of nothing else, they dream of nothing else; they will try no means of conciliation, they will make no attempt to pacify and reconcile: force—force—force, and nothing but force! that is their cry, and it has been the same for years: one measure of coercion has been, and will be, followed up by another, and the result will justify what I assert, that 10,000 will not answer their purpose; one measure of violence must succeed another, and what they gain by force they must retain by the same detestable means. The people will never rest until they are allowed to live under laws equally administered; until their honest industry will procure them the means of maintaining their families, and until they shall again enjoy the blessings of that constitution which their ancestors intended they should partake. If not, discontent will increase to disaffection, and distress will produce discontent, notwithstanding the bold assertions of the noble lord, that the nation is prosperous, and has no wants but those which arise out of the present condition of America. If the noble lord had confined himself to the grant of 10,000 men, I should have deemed it a strong measure in a time of profound peace. Is any evidence offered

that a body of the military has been overpowered, or even that it has not always been sufficient for the dispersion of any meeting? But if the country gives him more troops to put down new meetings, surely it is somewhat hard that he should also ask it for new laws, that are to prevent the possibility of new meetings. If the noble lord thinks that the new laws will be effectual, where is the occasion for the 10,000 men? My sincere belief is, that he will want many more than 10,000 men, and what a melancholy prospect does this hold out to the country. It may be said that I use violent language. I admit it; and all I can say in answer is, that I do not utter a single syllable that I do not, on my honour, believe. (Cheers). I am an alarmist. I feel alarm, because I am compelled to trust to men who will rely on nothing against the people but brute force. I am alarmed, because an attempt is to be made, under false pretences, to destroy all that is valuable in the constitution, unless it be defended by the free spirit of a yet free nation. Therefore it is that I indulge a hope, that while the right of meeting remains, the people will meet and will express their opinions with such effect, that the threats and measures of coercion may be abandoned. I trust that the country will thoroughly understand the nature of these novel laws, that the real objects of government will be evident, and that those objects by the public voice will be for ever defeated. If the country abstains from this course,

and if the House, without any evidence to warrant these innovations, shall consent to follow the noble lord in his desperate and adventurous course, all I can say is, that I shall witness it with the deepest and most sincere regret. I shall then have lived long enough, as I can no longer be of service to my country.

After some severe strictures on the bills themselves, and on the speech in which the noble lord had introduced them, by *Lord Folkestone*, and some remarks from *Mr. Brougham* on the present ignorance of the House how far the provisions against seditious meetings were to extend,—the debate on the first reading ended without a division.

On Dec. 1st, the *Marquis of Lansdowne* rose in the House of Lords, to propose the appointment of a committee to inquire into the state of the manufacturing districts. His lordship contended, that the necessity of such an inquiry could scarcely be disputed, at a period when all parties were agreed as to the alarming state of the country,—when, within a month, there had been added to an already large standing force, a new army, greater than had in former times been thought sufficient for internal defence and external operations, and when the tables of both Houses were covered with measures for restraining the liberty of the subject. It was necessary to take a comprehensive view of the whole situation of the country,—of causes as well as events. The general desire of some change in the people, appeared

to arise only from a feeling of uneasiness, proceeding from distress. His lordship stated, that he could prove to the House, that in all the great stations of the cotton manufacture, such as Manchester and Paisley, the rate of wages had fallen, on an average, one-half. This depression, the causes of which their lordships should investigate, might be traced, through the last twenty years, to measures of political economy connected with the political events of the times. After a variety of observations on this subject, the marquis proceeded to other branches of the subject,—the number and atrocity of the libels which ministers had suffered to pass without notice,—their conduct respecting popular meetings, and the conduct of the magistrates of Manchester. He ended by moving for a select committee to inquire into the state of the country, the distresses of the manufacturing districts, and the execution of the laws regarding seditious practices and public meetings. The motion was opposed by marquis Wellesley and lords Grenville and Liverpool, and supported by lords Erskine, Grey, and Darnley.—The numbers were,

Contents.....	Present	35
	Proxies	12
		— 47
Non-contents...	Present	110
	Proxies	68
		—178
		—

Majority against the motion, 131
 In the House of Commons, on the same day, a corresponding motion for inquiry into the state of the country was brought forward by *Lord Althorp*, which produced

duced a long and keen debate, in which lord Castlereagh on one side, and Mr. Tierney on the other, were principally distinguished.

Against the motion, 323
For it..... 150

Majority —173

On December 2nd, the *Chancellor of the Exchequer* moved, in the House of Commons, that this House do go into a committee of supply.

Mr. Brougham opposed the motion, because it was the constitutional mode to state grievances when supply was called for. He understood that the new stamp duty on pamphlets would be introduced in the course of the evening, and he wished to protest against the indecent and unprecedented haste with which ministers were hurrying through the House measures, by which it was admitted that a great and permanent change was to be made in the constitution of the country.

The Speaker then left the chair, and

Sir G. Warrender proceeded to address the committee. He said he could anticipate no opposition to the resolutions which he held in his hand; which merely provided for the requisite number of seamen for the year. He ought to mention, that in one branch of the service, he meant the royal marines, there was an increase of 2,000 men; so that, in future, the whole duty of the dock-yards would be executed by that corps. It would be found of the greatest service to increase the royal marines to the number of 8,000 men; by which means,

if any cause should arise, an efficient permanent force would be ready to assist in the formation of an armament. This was not like an increase of the military force, a measure of a temporary nature; but was intended to be a permanent increase, to the extent of 2,000 men. The hon. baronet then moved, "that a force, not exceeding 23,000 men, be employed in the sea service, for 19 lunar months, from the 1st January, to the 31st December, 1820, including 8,000 royal marines.

Mr. J. P. Grant said, if he understood the hon. baronet correctly, the nature of his proposition was, that 2,000 men should be added to the marines, which should have the effect of releasing 2,000 of the military force of the country from the duty they now performed in the dock-yards. Therefore, when an increase of the military force was called for, the House ought to keep in view, that by this new measure 2,000 men would be virtually added to the military establishment. He could not, at that moment, make any observation on the proposed increase of the army; but when the noble lord brought forward the proposition, it would be for him to demonstrate the necessity of such a measure in time of peace.

Sir G. Warrender said, gentlemen were not correct in supposing that the dock-yard duty was entirely performed by the military of late years. A part of that duty had always been entrusted to the corps of marines.

Mr. Croker said, it was impossible to deny that this arrangement

ment would relieve that portion of the army which was now employed in the dock-yards, and *pro tanto*, would increase the disposable military force. The number of men that would be relieved by this additional vote of marines, was about 1,200.

The motion was then agreed to.

Sir G. Warrender then moved, "That a sum not exceeding 650,925*l.* be granted for wages for 23,000 men, for 13 lunar months, at the rate of 2*l.* 3*s.* 6*d.* per man per month. That a sum not exceeding 612,000*l.* be granted for victuals for 23,000 men, for the same period, at 2*l.* 1*s.* per man per month."

Mr. Baring asked, what was the reason that the charge for victuals was 1*s.* per man per month greater than it was in the vote of last session?

Sir G. Warrender could not state the exact reason; but the officers who made the estimate found, that the addition was necessary.

There were then voted, a sum not exceeding 612,900*l.* for the wear and tear of ships; a sum not exceeding 104,650*l.* for ordnance for the sea service.

On the motion of the Chancellor of the Exchequer, the House resolved itself into a committee on the Stamp act, 55 Geo. 3rd, cap. 185.

The Chancellor of the Exchequer said, that he should decline discussing the principle on which the resolution which he had now to move was founded, as it would most probably come before the House immediately, on another occasion. He had thought it his

duty to introduce it to the House, because a considerable fraud had been committed on the revenue, by means of the pamphlets against which his measure was intended, and because a considerable invasion had also been made by them upon the property of the regular newspapers. His resolution was in substance as follows:—"That all pamphlets containing an account of any public news, intelligence, or occurrence, or remarks upon any public news, intelligence, or occurrence, or letters upon any matter of church or state, which shall not exceed two sheets, and which shall be sold for a less sum than 6*d.* exclusive of the duty thereupon, shall be deemed and taken as a newspaper, within the meaning of the acts enacted for that purpose in England and Ireland respectively."

After a few remarks from *Mr. Brougham*, who said he reserved his comments till the exceptions should be made known, which would doubtless be allowed, the resolution passed without opposition.

House of Lords, Dec. 2.

Lord Sidmouth moved the order of the day for the second reading of the bill for prohibiting training. Their lordships had made an order, that two of the bills which had been read a first time on Monday, should be read a second time this day; he might, therefore, now allude to both. The provisions of one of the bills were similar to those of the temporary act which was passed some years ago, when the midland districts were in a disturbed state; and

and if their lordships compared the present bill with the act of the 52nd of the king, they would find that its provisions were much less rigorous. The papers which had been laid before their lordships, contained instances of training, and of the procuring of arms, more than sufficient to prove the necessity of the measures recommended to their adoption. But the evidence on this subject, irresistible as it already was, had been greatly strengthened since these papers were placed on the table. Within these last few days, information had been received, that military training was still going on, and that the practice of procuring arms, for purposes the illegal nature of which could not be questioned, was continued. He should at present say nothing more, except to move, that the bill which stood first in order, be now read a second time.

After the measure had been opposed by *Lord Erskine*, and supported by *Lord Lilford*, who said he had particularly investigated the characters of some of the deponents relative to the making of arms, and found them worthy of belief on oath,

The *Lord Chancellor* rose, and after a reply to some of the remarks of lord Erskine, said, with regard to the constitutional question of the right of the people to possess arms for their own defence, which had been alluded to, that, in looking at the Bill of Rights, he found that the principle was not laid down in so broad a manner as it was frequently represented, and that it was accompanied with the strong qualification,

that subjects might have arms suitable to their conditions. There was, therefore, little force in the objection urged on this ground. But if their lordships had any doubt of the propriety of passing these bills, it would be removed on giving a fair consideration to the evidence contained in the papers on the table. If the persons to whom that evidence referred were arming and training, with the intention attributed to them, then were they guilty of nothing less than high treason. If their object was, to give to meetings, by the collection of great numbers, the quality of physical force, for the purpose of procuring by the display of that physical force any alteration in the government, in church or state—if this were done by any individuals, either in this city or any other part of the country, he must declare, that such a proceeding was an overt act of treason. With respect to the bill before the House, it never could be supposed that it was wished to render it one of unnecessary rigour. It would be for their lordships, when it went into the committee, to consider all the details and to render it as lenient as possible.

Lord Holland said, that the manner in which these bills had been introduced, placed him under considerable embarrassment; because, though there might be details to which he should not object, the grounds of the whole measures were such as to prevent his giving an unqualified assent even to these. For instance; with some qualifications he perhaps might not object to the measure for preventing secret training,

ing, or for the seizure of arms; but he could not agree to the allegations of the preamble, because founded on evidence which did not satisfy him. Nor were the details of the bill free from objection. It appeared a great inconsistency, that the person who drilled should be subject to seven years transportation; and those he trained, to two years imprisonment. The purpose of the driller might happen to be more innocent than that of the drilled. The noble lord (Lilford) had referred to his knowledge of certain informations; but even that noble lord would allow that anonymous informations could not be expected to have the same weight with others who had not his means of information. He had reason to know that in that part of the country there were Orange lodges which were a great cause of dissention; if the names of informants were given, it might be ascertained whether they were members of such lodges; he objected therefore to the preamble. But with the qualifications he had stated, he had no objection to say content to the principle of the bill.

With respect to the second bill, his lordship said, that after the candid acknowledgments of the noble secretary on introducing the bill, he was surprised it should be affirmed that it involved no violation of constitutional principle. He also made some strictures on what had fallen from the noble and learned lord respecting the bill of rights. His lordship concluded by saying, that he must observe that he believed the whole policy of his majesty's

ministers to be founded in error. He would not say of them, or of any other set of men, that their intention was to subvert the constitution in order to acquire for themselves unlimited power; but if they had such an intention, he knew no better method that could be pursued, than that of occasional remissness in checking the progress of sedition, in allowing it to grow to an alarming height, and throwing on parliament the duty of putting it down. In such a state of things, many honourable and good men could see no other course left, than to adopt the measures of rigour which were recommended. But he should say no more on this part of the subject. The two bills under consideration were the least objectionable of the whole series of measures. He admitted, that this bill, by disarming only certain districts, and by being limited in its duration to a certain time, did as much to render the measure palatable as it was possible to do. But still their lordships should recollect, that the necessity of disarming the people, if that necessity really existed, implied a will and intention on the part of the people to oppose the government of the country. He believed that the greatest power that could be exercised by any government, either despotic or limited, was to attempt to disarm the people. He stated it, therefore, as one of his strongest objections to all these laws, that if they did not succeed in accomplishing the object for which they were framed, they must prove highly dangerous; on account of the impressions they would make
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and the wounds they would leave, on the minds of the people. On all these considerations he could not say "content" to the second bill. As to the first, it certainly was better than that passed in 1812, and therefore it was not a measure on which he should express that abhorrence and detestation with which he viewed the system of coercion about to be established.

The *Marquis of Buckingham* should not object to this bill, because it was not one for disarming the people, but for preventing them from using their arms against the constitution. He agreed with the noble lord in thinking that one of the great mischiefs that arose from ill designing persons creating alarm in the country, was the necessity of giving a great preponderance of power to the crown. But they must either make sacrifices to obviate this difficulty, or compromise the safety of the state by not checking those whose object it was to overturn it. The noble marquis concluded with some reflections upon the advocates of parliamentary reform in the House.

Lord Holland disclaimed having made any allusion to the subject.

The *Duke of Sussex* complained that the noble lord misrepresented that side of the House as friends to the radical reformers. He did not agree with those who approved of all the measures proposed, but he should concur in the bills at present under their lordships' consideration.

The *Marquis of Lansdowne* thought it his duty to concur in

some of the measures before the House, solely on the ground of necessity. He however thought, it extremely dangerous to give any man the power of entering the House of another by night, and that, if possible, it would be expedient to avoid giving it.

The *Earl of Darlington* believed that in his official capacity his name had already been introduced to notes and documents laid on their lordships' table. He had gone so far as to say, that if measures of coercion were not resorted to, a rising would take place in that part of the kingdom. Since he had come to attend his duty in that House, he had received intelligence, which he believed to be true, that preparations were made for rising in arms, and he had no doubt that at that moment, while they were deliberating on those bills, many deliberations of a treasonable nature were carrying on in the northern part of Durham and the southern part of Northumberland. That being the case, it was their lordships' duty to endeavour to find out the persons who were plotting against the constitution; otherwise they would go on to mature their measures of danger. There were certainly parts of these bills which created great hesitation in his mind; nay, perhaps some parts which ought to be rejected. He also professed himself friendly to inquiry; but the general tenor of this and the other bills received his assent.

The *Earl of Strathmore* thought it his duty to mention some alarming particulars which he had that morning received from the North.

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He said he knew there were fourteen or fifteen thousand men on the banks of the Wear and of the Tyne ready for rebellion; and if they were not prevented from procuring arms, he had no doubt they would rise as soon as their plans were ripe for execution. He was glad he had not the same account to give of the south and south-west parts of Durham. There, on the contrary, as well as in the northern part of Yorkshire, the people had gladly come forward in defence of the law.

Dec. 4. The House of Lords resolved itself into a committee on the seizure of arms and training bill, when, after a few remarks from some noble lords, and the proposal of two amendments; the first that two magistrates should be required to authorise a search; the second, that searches should not take place by night, both which were negatived, the House resumed. It afterwards went into a committee on the training bill, which was read clause by clause.

Dec. 7. The report on the training bill was received by the House of Lords, after a strong speech against the measure by *Earl Grey*, who, though admitting the fact that the radical reformers were both numerous and active in the counties of Northumberland and Durham, maintained however that the alarms which had prevailed were in great measure unfounded, and that no necessity had been shown for the enactment of the present bill. An opposite view of the subject was taken by the *Earl of Strathmore*. The bill finally passed the House of Peers, as did the

seizure of arms bill, against which however the following protest was made:—

“Because the right of having arms for their defence, suitable to their condition and degree, is secured to British subjects by the ancient laws of these realms, is declared to be so by the Bill of Rights, and is, in the words of Mr. Justice Blackstone, “a public allowance of the natural right of resistance and self-preservation, when the sanctions of society and laws are found insufficient to restrain the violence of oppression.”

“Because no sufficient evidence has been laid before the House to prove “that arms and weapons of various sorts have in various parts of the kingdom been collected, and are kept for purposes dangerous to the public peace.” We doubt the fact, and we distrust the remedy. If arms have really been procured for such illegal purposes, the persons engaged in these criminal designs will have had ample notice, before this bill can pass, to remove them to places of concealment. Whilst this power, therefore, is likely to be in a great degree inefficient with respect to its professed object, it is liable to be most injuriously and vexatiously used in cases where arms may have been provided and kept for the legitimate purposes of self-defence.

“Because, in former periods of much greater danger to the crown and constitution of these realms, when conspiracies by the adherents of the House of Stuart were known to be directed against both, when preparations were

were making for rebellion with the assistance of France, when men of the highest rank, station and influence in both kingdoms, were deeply engaged in these designs; nay, during two formidable rebellions in 1715 and 1745, no such power was granted to the crown; yet the new line of succession was defended, and our free constitution successfully maintained against all these dangers. The principles of the Revolution had been too firmly imprinted in the hearts and minds of our ancestors to allow them, on the spur of any emergency, however alarming, to hazard the existence of a right which they had so recently asserted.

“ Because this law is, in its very nature, peculiarly liable to abuse. Interest, credulity, malevolence, revenge, party violence and indiscreet zeal may, equally with a sense of duty, contribute to call it into action; and the powers given for its execution, of breaking either by day or night into any house or place where information may have been received that arms are kept for illegal purposes, must unavoidably expose the persons and property of his Majesty's subjects to injury and violence, which cannot be sufficiently guarded against by the provisions made in the bill for that purpose. This is not a mere apprehension. Experience

proves that such effects may be expected from it. In Ireland, it is well known, nothing more contributed to irritate the people, and to provoke acts of private resentment and revenge, than the abuses which took place, and particularly the insults which were offered to women, in the exercise of a similar power.

Because we further object to the enactment of this law as part of a system which, in a season of unexampled distress and misery, rejecting every proposition for conciliation or concession, rests on force alone for the suppression of the prevailing discontent, and is calculated to give additional weight to an opinion already too generally entertained—that the parliament is more ready to presume against the people and to enact laws for their restraint, than to attend to their just complaints and to afford them that protection which they have a right to claim against every species of injustice and oppression.

GREY.

THANET.

ERSKINE.

ALBEMARLE.

KING.

VASSAL HOLLAND.

WENTWORTH FITZWILLIAM.

YARBOROUGH.

AUGUSTUS FREDERIC.

CHAPTER IX.

Seizure of Arms Bill in the House of Commons.—Training Bill passed in the Commons.—Blasphemous and Seditious Libel Bill in the House of Lords—Protests.—Libel Bill in the House of Commons.—Seditious Meetings Bill in the House of Commons.—The same in the House of Lords—Protest.—Lord John Russell's Motion for Reform in Parliament—House of Commons.—Newspaper Stamp Bill in the House of Commons.—The same in the House of Lords.

HOUSE of Commons, Dec. 14. On a motion to go into a Committee on the Seizure of Arms Bill, *Mr. Lambton* moved, that the provisions of the Bill should not extend to the county of Durham, affirming that there was no necessity for such a measure in that county, as all the allegations on which it was at first proposed to extend it there, had been disproved. He had been assured that there were no arms among the colliers, as had been said.

After a few observations, the motion was negatived without a division.

Mr. Birch proposed a similar exemption for Nottingham, where he said that the distress was indeed great, but borne with exemplary patience. This suggestion was supported by *Lord Hancliffe* and *Mr. Denman*, but was also negatived. After some remarks from *Mr. Protheroe* in favour of the measure, and some strong ones from the *Hon. T. W. Anson* against it, the House went into a committee on the bill, which was read a first time.

Mr. H. G. Bennet then rose. He said that in the year 1817 a measure had been proposed respecting the seizure of arms which he had opposed, on the principle that the distinctive difference between a freeman and a slave was the right to carry arms, not so much to defend his person as his liberty. One of the provisions of this bill was, that on information on oath, any justice might grant a warrant for the search. To this he strongly objected, on a conviction that even in the best and most moderate times such a power would be unsafe and improper; and in the present temper of men's minds in the manufacturing districts, he knew not but it might be highly dangerous. He was very certain that at Manchester persons might sign these warrants to whom he, at least, would be the furthest from intrusting them. Then, how were these warrants to be executed? They were to have a power to enter houses by day or night to search for arms. As a free-born Englishman,—born so indeed, but how long he might
continue

continue so he really now could not tell,—he had no hesitation in saying, that the people never would submit to this enactment. He did not think that they were yet base enough to allow it to be carried into execution by armed force, violence, or the sword.—He thought nothing could be more horrible, more despotic, than this power to enter houses in the dead of night. Would gentlemen thus subject females in the dead of night and in bed to necessary insults? Necessary, because however gently the warrant might be executed, the mere inspection was horrible. Was there one circumstance at the period of the French revolution which excited more disgust and horror than the domiciliary visits? And what was the difference between these and such as would be authorized under this act? After all, he did not believe that magistrates would find any arms. He should move as an amendment, that “two justices” be substituted to “any justice,” and that the words “or by night” be omitted, and the words “by day only,” be substituted.

Lord Castlereagh in reply remarked, that the hon. gentleman was more disposed to look at this measure with the utmost alarm as an infringement of the rights and liberties of the people, than as a protection to those rights or security to families. That hon. gentleman seemed disposed never to regard this or any other question otherwise than as if he were invariably jealous of the magistracy and the laws of his country. An idea also prevailed that such measures were without a precedent

in the history of the country: yet in the year 1812 a measure of much more extraordinary rigour and harshness had been promulgated, in which however he had the assistance of several members on the opposite side of the House. He would state his conviction that if the power complained of were not given to a single magistrate, it would be entirely ineffectual: the delay in finding another magistrate might render the search unsuccessful. Nothing either was more likely to fail than search by day, or to succeed, if information were correct, than search by night. The means of communication were so organized and complete among the disaffected, that the magistrates could not move by day without their knowing it; and so, of course, the whole object would be lost. He did not mean to say that this was not a very strong measure; God forbid he should! He did not mean to say that this was not an enormous power. But, then it was a choice of evils—a question whether they would give a strong power to the legislature to protect the peaceable people, or leave them a prey to another power, tyrannical and destructive. The noble lord concluded with stating that after the years 1715 and 1745, bills had been passed precisely the same in principle.

Mr. Brougham was glad at least that the noble lord did not present this bill as constitutional in its principle, or its spirit;—that he had frankly avowed it was an infraction of the one, and a violation of the other. He denied that the precedent of 1812 could
be

be binding on those who had resisted that measure to the utmost. The noble lord had contended that the measure would be crippled, if not defeated, by taking away the search by night; that it would give the disaffected warning; that when they heard that a magistrate was coming by day with a troop of horse to seize their arms, they would immediately conceal them. But what would he said of this statutory warning,—the bill on the table,—it must be granted, or the whole foundation of the noble lord's new edifice sank under him, that there were numbers in the various districts actually in arms against the state; and the moment notice was given them by this bill that a magistrate might come and search, would they be so weak, so childish, as not to put their arms out of reach? One argument against the present bill was, that though it gave power to a magistrate to search, it was essentially defective, being destitute of any power by which he could get at the arms he discovered. Our Whig ancestors said, summon those who have arms to give them up, and if it afterwards turns out that they have concealed them, they may fairly be subjected to the severest penalties of the law. This, though only to be justified by necessity, was at least effectual. And why was it then necessary? Was not open rebellion then stalking through the land? Was there not a disputed succession? Did not a foreign foe aid the efforts of the rebels, and threaten invasion? Yet the noble lord, with the utmost assurance, asserted, that the

precedent of 1715 should now govern the deliberations of parliament. Had we now a disputed succession, an open rebellion, or even the appearance of rebellion? Where was the general rising that had been threatened by ministers and their agents from day to day? That the subject had at all times a right to keep arms of which government could not, under given circumstances, deprive him, he would not maintain; but then a case of necessity must be fully established. And in dealing with so sacred a matter as the people's rights, any one of them must be suspended in the mode least likely to affect the rest, or abridge the other comforts and privileges to which he was entitled. He believed even the noble lord would admit that he had too narrowly stated the subject's right to arms. Not only was an Englishman's house his castle against the unwarranted intrusion of the police, or against the attack of thieves, but it was so in another and a higher sense of the word, as giving him a prerogative to have arms for his defence. He maintained that he had a right to arms for his defence, not merely because he would preach it up to him that he might use them against the lawless measures of bad rulers, but to remind those rulers that the weapons of defence might be turned against them, if they broke the laws, or violated the constitution. If this were dangerous doctrine, he addressed it not to the country, but to its rulers; and he begged them to recollect that, in broaching it, he was only following Judge Blackstone, who twice over had laid

laid it down in his book, that such was the use of arms, and the privilege of English subjects. [Hear!] These were not times for any man to assert opinions that might be misapprehended or perverted; and he would therefore follow up what he had advanced by adding, that no act of the rulers of the country, in which they were supported by the constituted authorities, could warrant any part of the community to talk of, nay, to dream of, resistance. If the law of the land were to be altered, it could only be altered by parliament; and he would as vehemently and steadfastly, to the last drop of his blood, resist any encroachment by the people upon the legislative right, as he would oppose strenuously and firmly any invasion by the crown or the parliament of the known privileges of the community. These were the doctrines of the British constitution—doctrines as serviceable to good rulers as they were dangerous to evil rulers—calculated to promote and secure the peace and good order of society, and intended, too, as a warning to those who would violate that liberty they ought to preserve.

After a keen debate, in which *Mr. Canning*, *Mr. Tierney*, and several other members took part, the report was ordered to be received the next day.

On the third reading of the bill, Dec. 16th, *Mr. Tierney* moved as an amendment to omit the words "by night," which was lost by 158 to 46, after which the bill passed.

The Training Bill passed the House of Commons on Dec. 9th,

with the strongest expressions of their sense of its necessity, from members usually opposed to government.

Dec. 6. *Lord Sidmouth* rose in the House of Lords to move the second reading of the bill for the prevention of blasphemous and seditious libels. After the explanation already given of the nature of the bill, he would only observe at present, that whatever measures their lordships might adopt in the present state of the country, they would all prove ineffectual, unless means were taken to check the licentiousness of the press. This was the great source of the evil with which they had to contend, and if after adopting other measures they did not agree to this, the remedy would be incomplete; they would still leave in all its strength that destructive virus, the pernicious effects of which, if allowed to operate, were certain and irremediable.

Lord Erskine observed, that the preamble of the bill stated no facts to induce their lordships to entertain such a measure. Had the existing laws been shown to be inefficient? The bill applied to blasphemous and seditious libels, two things so different, that nothing was more absurd than to associate them together, or subject them to the same punishment. With regard to blasphemy against the Christian religion, there could be in law no justification for it. The whole world, he was confident, would go along with him in saying that the law ought to be enforced against publications of this nature. But a different question presented itself

itself when new laws were called for. These were unnecessary,—the crown-officers had ample means to put down blasphemy. Yet all that they had done was to prosecute a few parodies, and Paine's "Age of Reason." If they were unsuccessful, they had themselves to blame, for it was because they either departed from the regular course of law, or selected wrong objects for prosecution. A seditious libel was nothing like a blasphemous libel. As to the latter, all were agreed, and no jury could mistake it; but what the noble lords on the other side might call a seditious libel, might by many good and wise men be thought right and justifiable. It was proposed to seize the book charged as libellous upon a verdict being obtained against the publisher: but this proceeding, which might be very unjust in itself, would be more or less so under the particular circumstances of the case. Were a verdict given in July, the publication must remain long in a state of sequestration before the court could be moved for an arrest of judgment, though the decision of the court might be in favour of the plaintiff. But though injustice would be done in some cases by seizing, in others that proceeding would have no effect. The effect of the prosecution would often be to produce an extraordinary sale; so that after the verdict there would be nothing to seize; the whole edition would be out of print. There was another circumstance which their lordships ought to take into consideration: many booksellers had very extensive warehouses; it

might happen that, after a first verdict, a few copies of a second libel might be sold, of the verdict against which the dealer might not be aware. Many difficulties and cases of hardship must occur under such laws, and it was impossible to foresee to what mischievous consequences they might lead. Their lordships would reflect on the consequences which might arise from bringing the conduct of the government and parliament before juries under quite new circumstances. Let care be taken lest encouragement be given to libel by the very laws framed to prevent it. The people were accused of cherishing plans of innovation, but, instead of measures of severity of the laws, it would be better to look to some reforms which would satisfy the moderate, and compel those who were the partisans of wild schemes to relinquish them. To put down blasphemy and sedition, all that was necessary was the execution of the existing laws.

Lord Harrowby contended that the objections of the noble lord had no serious weight. He asked whether fine and imprisonment were sufficient punishments for libel at a time when such extraordinary pains were taken to circulate blasphemy and sedition through every corner of the country? When the labourer could not drink his cup of tea or coffee without at the same time partaking of the poison? Was it too much that a different punishment should be inflicted when the offence was aggravated by repetition? and what punishment but transportation and banishment remained

remained to be applied? They who supported these laws were sincere friends to the liberty of the press; it was because they loved it that they wished to remedy the evils caused by its misdirection.

The *Marquis of Lansdowne* offered some considerations against the bill, which he regarded as entirely needless, and in particular reprobated the application of such a punishment as transportation to an offence which might be committed by men in all classes of society, frequently too, by men of the most exemplary and praiseworthy characters in other respects, and who, by their talents and virtues might be capable of making ample atonement to society for any injuries they might inflict through the press.

Lord Ellenborough could not but think that some new regulations were necessary to curb the licentiousness of the press, considering the alterations in the state of society within the last twenty years. He particularly alluded to the progressive increase of education. He believed that where the power of reading and writing had been given without a strong foundation of morality, it had been enlisted into the cause of blasphemous and seditious libellers, and thus become an instrument of real mischief.

Lord Holland said, that of all the hideous cases which had ever come within his observation, he had never witnessed one more obnoxious than that under consideration. As to the grounds of it, all that could be collected from the speech of the noble

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viscount and from the preamble of the bill was, that it was expedient to provide more effectually for the suppression of blasphemous and seditious libels; but was that enough to justify an alteration in the laws? Was there no other reason for at once destroying the liberty of the press? The principal ground for this extraordinary measure was the great increase of such libels. Of this he could form no direct judgment, but he was satisfied that these disgusting publications added nothing to the dangers of the country. If any danger did result to the religion of the people from such publications, it was wholly to be attributed to the conduct of his majesty's government, connected with those evil designs towards liberty which had been since the meeting of that House so clearly developed. He submitted, however, that the people of England were a religious people, and he would be party to no man, whether king, prince, or demagogue, who would allege that they could be made proselytes to infidelity, or that any additional laws were necessary to the maintenance of their faith. Another important branch of the subject was, how the laws in existence had been enforced. If blasphemous publications had been widely and numerously circulated, where were the prosecutions? What course had been taken to suppress them? It had been said that juries would not do their duty in cases of blasphemous publication; it was a strange perversion of intellect, that a person, at the moment he was recommending additional re-

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straints upon the crime of libel, should himself be pronouncing the grossest of libels upon one of the most sacred institutions of the country. It was not less strange, that while it was urged that juries would not convict as the punishment at present stood, they would be more likely to do so if that punishment were increased. The bill also extended the punishment of transportation to crimes in their own nature indefinite, and liable to different construction in different courts of justice. There also existed in it an anomaly directly contrary to the principles of crimes and punishments; that of making the master criminally responsible for the act of his servant. But then it was said that this punishment was at the discretion of the court,—this was indeed a monstrous proposition,—he would never consent to have the constitution and liberties of the country at the discretion of any man, however elevated or however virtuous. The bill also increased the punishment of a crime which he had already described as indefinite. This was a solecism in law, because, according to the practice of the courts there was no *malus animus* at all. He also found in this measure a new word in legislation,—the word “banished.” He did not know, nor had he ever heard of banishment as any part of the laws of this country, nor could imagine why it was now introduced. He now called upon the House to look at the practical effect of this measure arising out of the difficulty of the definition of a libel. There was scarcely any man in the two

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Houses of Parliament for the last 150 years who might not have been in a situation to be tried under this act. In speaking of men who had been considered as men of great talent and high station in this country, let them take in my lord Somers, during the years from 1679 to 1683, a time of great oppression in the courts of justice, and when the judges were extremely subservient to the administration in power. During that time, what would have been the effect of such a measure as this? Would not many passages of his speeches, dictated by integrity and sound worth, have been pronounced libels, and punished accordingly? From the time of lord Somers down to that of Mr. Burke, taking the acts of their public life, might not many men have written or spoke some opinion which would come within the definition of libel? Let them see also what would be the effect upon literary men, both with respect to seditious and blasphemous publications. What would have become of Milton? what would have become of Dryden, if these against whom his pen had been so effectively wielded, had come into power? What too would have become of Pope and Addison, and above all, of sir Richard Steele, the author of the Christian Hero—the eloquent advocate of Christianity. Could he find security; would not Christianity itself be deprived of its warmest friend, if he were sent to Botany-bay? Look to the effect of this law upon men who had in the change of parties lost the protection of power. Would they not, amidst the animosities of political

political hostility, be exposed to the most dreadful consequences? Would not, in fact, such a measure be made the instrument of vengeance, instead of power? There was another class of persons equally exposed to punishment; not merely the writer, the man of ability and the man of education, but the poor vender of newspapers, who awoke them in the morning with the sound of his horn, and was alike indifferent to what he sold, whether the loyal address of a university, or the contemptible discussions of a radical meeting. Knowing nothing of the contents of the publication, and perhaps incapable of judging of those contents if he did know them, he, too, was subject to the consequences of this bill; at least to the discretion of his majesty's judges! His lordship proceeded to argue, that during quiet times this bill was not sufficient to suppress the crime, and that in times of deep animosity it was likely to furnish a weapon of all powerful persecution, and to turn the sword of justice into the dagger of the assassin.

Earl Grey followed on the same side in an able speech; the *Earl of Liverpool* replied. The *Earls of Carnarvon* and *Blessington*, and his royal highness the *Duke of Sussex* declared their opposition to the bill; the last taking the opportunity to vindicate the Lancasterian system of education from attack, by asserting that the practice of teaching under it was founded on the strictest principles of religion and morals. The bill was then read without a division. The amendments afterwards proposed were all nega-

tived, but the opponents of the bill recorded their sentiments in the following Protests:

Protest against the Bill for punishing Libel by Transportation.—Because we believe that by a reasonable exertion of the laws, as they at present exist, the press cannot be abused to any bad purpose, without incurring a suitable punishment.

Because any extension of the power of punishment now vested in the courts of law with respect to cases of libel, appears to us, therefore, to be unnecessary.

Because the offence of publishing a libel is, more than any other that is known to our law, undefined and uncertain. Publications which at one time may be considered innocent and even laudable, may at another, according to circumstances, and the different views of public accusers, of judges and of juries, be thought deserving of punishment; and thus the author and publisher of any writing dictated by the purest intentions, on a matter of public interest, without any example to warn, any definition to instruct, or any authority to guide him, may expose himself to the penalty of being "banished from the united kingdom and all other parts of his majesty's dominions, for such term as the court in which such conviction shall take place shall order, or be transported to such place as shall be appointed by his majesty for the transportation of offenders, for any term not exceeding seven years."

Because the fear of being subjected to the punishment of a

common felon, thus suspended over the head of any person who may have been once convicted of publishing a libel, to which mere inadvertence may subject him, and against which no degree of caution can afford him complete security, must necessarily deter him from the fearless exercise of the right, which has hitherto been the proud prerogative of Englishmen, of freely discussing public measures and endeavouring to warn his countrymen against the dangerous encroachments of power.

Because this bill, therefore, so inconsistent with the policy of our law and with the practice of our ancestors, appears to us to be a most dangerous invasion of the just freedom of the press, and to be subversive, in one of their main defences, of the rights and liberties which were secured to us by progressive struggles through a long succession of ages, and at length asserted, declared, and, as we had fondly hoped, firmly established for ever by the Revolution of 1688.

(Signed) GREY,
 AUG. FREDERICK,
 ERSKINE,
 THANET,
 ALBEMARLE,
 KING,
 AUCKLAND,
 VASSALL HOLLAND,
 JERSEY,
 MINTO,
 YARBOROUGH,
 LANSDOWNE,
 COWPER,
 LAUDERDALE,
 ROSSLYN,
 DARNLEY.

PROTESTS.

House of Lords, Thursday, Dec. 9.

Seditious Libel Bill.—It was moved to insert after the words “seditious libels” the following words:—“with intent to excite his majesty’s subjects to subvert by violence the government by law established.”

It was resolved in the negative.

Dissentient,—1st, Because the crime of publishing unlawful libels has, according to the practice of English law, embraced various offences, differing in their nature as well as in their degrees of criminality from the wilful and pre-determined guilt of the actual writer and publisher, to the negligence, and sometimes even to the inevitable ignorance of the party who has been deemed guilty by construction, in respect of his pecuniary interest in the publication, or his mere civil relation to the actual publisher; and it therefore seems just and necessary, that when a discretionary punishment of increased severity is to be enacted, it should be confined to that species of libel which, both in its natural tendency and in the motive of the publisher, exhibits the highest degree of malignity.

2dly, Because the most effectual, if not the only mode of accomplishing this object is, to introduce into the statute, and consequently into the indictments or informations proceeding upon it, a precise definition of the crime which it is intended to prevent, by the extension and alteration of the punishment.

By such means alone can ju-
 ries,

ries, in the first instance, be apprised of the particular character of the offence imputed to the defendant, or can the judge have a certain rule to distinguish the cases in which his discretionary power is to be exercised.

3dly, Because without such exact definition as has been rejected, it is possible that judges as well as juries may, upon different occasions, differ very widely as to the meaning of the word "seditious," and thereby introduce into the administration of a penal law an uncertainty, which is at all times an evil, but which is particularly mischievous when the law is very severe.

(Signed) VASSALL HOLLAND,
 ERSKINE,
 LANSDOWNE,
 CARNARVON,
 KING,
 BEDFORD,
 JERSEY,
 COWPER,
 ROSSLYN,
 MINTO,
 LAUDERDALE,
 AUCKLAND,
 GROSVENOR,
 THANET.

It was afterwards moved to omit the word "banishment." It was resolved in the negative.

Dissentient,—1st, Because the introduction of banishment in the present bill seems to us a wanton and dangerous experiment. That punishment has been hitherto unknown to the law of England, and on the present occasion, there has been no proof shown of its necessity, nor due examina-

tion had of its consequences. So material an innovation on a system of usages, statutes and maxims, established without reference to any such punishment, may, by analogies and inferences of law, affect the rights of the exiles and their descendants in a manner not foreseen by the authors of the bill, nor in the contemplation of the legislature that enacts it.

2dly, Because banishment, from its very nature a punishment of unequal severity in different cases, may be rendered doubly so by the favour or enmity of the sovereigns to whose dominions the exiles would most naturally resort.

We doubt the justice of subjecting an Englishman, even when convicted of a political offence against the rulers of his own country, to the capricious will or arbitrary laws of a foreign government; and we question the policy of teaching men of active spirits and turbulent designs to look to foreign favour for the mitigation of their lot, on the miscarriage of their enterprises at home.

Observation of what is going on around us, reflection on what has taken place in past times, strengthen these considerations.

The present situation of Europe affords us no assurance that the power of one sovereign may not be rendered subservient to the vengeance of another; and the history of free states, modern as well as ancient, admonishes us, that nothing has a more direct tendency to introduce foreign influence and foreign interference in the internal affairs of a country

country than the banishment of state delinquents.

(Signed) VASSALL HOLLAND,
ENSKINE,
KING,
BEDFORD,
JESSEY,
ROSSLYN,
COWPER,
LAUDERDALE,
THANET,
GROSVENOR.

House of Commons, Dec. 15.

Mr. J. Smith said, he held in his hand a petition from that respectable body of men the booksellers, against a proposed enactment, that persons convicted a second time of blasphemous or seditious libel might be banished for seven years.—Many whose names were attached to this petition would, he doubted not, abandon their business should the measure be carried into effect.

Lord Castlereagh wished to apprise the House of his intention of proposing some alterations in the committee on the bill, which would perhaps meet the wishes of the petitioners. He was happy to state, that he did not see the necessity of pressing the liability to transportation. It appeared to him that simple banishment would be an adequate penalty on a second conviction for blasphemous or seditious libel. It certainly had been represented to him, that the punishment of transportation had hitherto been confined to felonious offences. He therefore proposed that it should be reserved for

cases of return from banishment, and it would thus be substituted to the punishment of death.

The second reading of this bill produced some warm remonstrance from *sir J. Mackintosh* and other members, on the haste and inconsideration with which a bill enacting a new penalty for an undefined offence was urged upon the House; and a division took place, which gave the following result.—For the immediate reading 190. Against it, 72; Majority 118.

In the committee on the bill Dec. 23rd, *Mr. Bernal* said, that of all the restrictive measures which had passed, or that were in progress to be passed, he considered this bill the most objectionable and objectionable. Much had been said, in the course of debate, on the question whether in this country banishment was a novel punishment, or was already known to our laws. He, however, was prepared to maintain that banishment had never been applied by parliament as a punishment, unless by an *ex post facto* law. The first notices we had of banishment was in cases of abjuration of the realm. In those days, if a felon took refuge in a church, he became protected against the law; and if he went before a magistrate, he was allowed to take the oath of abjuration, and to quit the realm. The laws which sanctioned abjuration and sanctuary refuge, were first checked in the time of *Henry 8th*, and were at last totally repealed in the reign of *James 1st*. In the time of *Charles 2nd*, when felonious offences were unusually prevalent

prevalent in Westmorland and Cumberland, persons convicted of them were ordered to be transported to the colonies in America. The act of the 36th of the present King was passed at a time when certain offences of an aggravated nature were committed against the state. This act, he would beg the honourable gentlemen opposite to remember, was not passed as a permanent measure, but was limited to three years. The noble lord should also bear in mind, that this banishment or transportation was not for life, or for a period at the discretion of the judge, but was fixed by the act to a period of seven years, and was applied only to high offences against the state. He would beg the law-officers of the crown to reflect on some of the consequences likely to result from this law, and to solve some difficulties to which it might give rise. Would they tell him, whether a person banished for life would not be ousted from his allegiance to the king? Would they explain whether the children of persons in such circumstances were to be considered as subjects of Great Britain? There was another question: at whose expense were these people to be banished? If they happened to be in flourishing circumstances, they might easily transport themselves; but, if poor, by whom were the means to be supplied? Again, should this country be in a belligerent situation, as it had been before, with all the world, whither was the banished person to go? It was true, the country was not at present at war with any part of

the world; but the case he had put was a possible one, and the crown lawyers were bound to solve the difficulty before the House passed the bill.

Mr. Denman objected to several other clauses of the bill, especially to that which authorized the search of private houses, for the discovery of libels which might be concealed there. He also pointed out the circumstance that this bill went to make liable to the penalties those who printed, published, or "composed," seditious libels. So that if any one thought proper in his own closet, like Algernon Sidney, to write a tract upon the government which might be regarded as a libellous writing, that circumstance might give the parties acting under this bill, a right to search over his private desk to ascertain whether any libels might be found in it.

Sir J. Mackintosh suggested, as an amendment, the insertion of a definition of a seditious libel. Various other amendments were proposed by different members, all of which however were negatived, and the bill passed without further opposition.

Dec. 6. *Lord Castlereagh*, in moving the recommitment of the bill for the prevention of seditious meetings, particularised several alterations which he desired to make in that measure.

The purport of the first of these was the exemption of meetings not connected with the discussion of matters in church or state from the operation of the bill;—such as those held by particular trades on matters connected with their interests. With regard to that clause, which rendered

dered it a misdemeanor in a stranger to be present at such meetings; he submitted whether it would not be enough to make it apply to those who knowingly and wilfully remained after proclamation to the contrary. Neither did he object to the attendance of persons, who having property in a parish, yet resided out of it, provided their property was to a certain specified amount, and had been in their possession a given time. With regard to the suggestions of gentlemen opposite, that the bill ought to be local and temporary, the noble lord declared his decided opinion, that it was expedient to extend it over the whole united kingdoms, but he intimated, that though he thought that all future meetings ought to be deprived of the menacing and tumultuary character they had lately assumed, he should not object to the enactment of the bill, in the first instance, for a term of years not less than five.

After a somewhat desultory conversation, in which several members took part, *Mr. Ricardo* said, he thought that in this discussion sufficient attention had not been given to the importance of the right to be curtailed. If the people's right of meeting and petitioning consisted only in the right of meeting to petition for the removal of grievances, it was not of so much importance, and the curtailment of it was not of such serious interest. But the right was a right of meeting in such numbers, and showing such a front to ministers, as would afford a hope that bad measures would be abandoned, and that

public opinion would be respected. It might be compared, in this view, with the right of the House to address the crown. If the right of that House consisted in passing resolutions only, and if they could not follow up their resolutions by refusing the supplies, and by calling up a spirit of resistance in the country, the crown would despise their interference. It was the same with the right of the people to petition. If they could not meet in such numbers as to make them be respected, their petitions would have no effect. At the same time, he admitted that those meetings were attended with very great inconveniences. It could not be denied, that circumstances might arise, when the government might be fairly administered, and yet distress might arise from causes which the government could not control; and wicked and designing men might produce a great degree of mischief. It did not appear to him that such meetings were the kind of check which ought to exist in a well-administered government; but it was necessary to have some check, because if they left men to govern without any control in the people, the consequence would be despotism. The check which he would give, was to be established only by a reform in parliament. Then, instead of petitioning, and from the worst part of the people perhaps, being the check, by reform that House would become the best check which any government could have, and with that check the people would be perfectly satisfied. He had read with surprise

prise the abhorrence of radical reform expressed by several members of that House. He believed there were among the advocates of that measure designing and wicked men. But he also knew there were a great number of very honest men, who believed universal suffrage and annual parliaments, were the only means of protecting the rights of the people, and establishing an adequate check upon government. He had the same object as they professed to have in view, but he thought that suffrage far from universal would effect that object, and therefore that it would be madness to attempt a reform to that extent, when a much less extensive reform would be sufficient.

Mr. C. Hutchinson vehemently opposed the extension of this measure to Ireland, for which he contended that there was no pretence, and strongly arraigned the general conduct of ministers, which, he said, had been reprobated and despised by every foreign nation.

Colonel Beaumont proposed, that the committee should be instructed to limit the duration of the bill to the 1st of March, 1821.

The *Chancellor of the Exchequer* regretted that he could not concur in the motion of his hon. friend. The evils which they were called upon to remedy, had been growing upon us for many years. In 1812 they had assumed so serious a character, as to call for the imposition of very strong measures. In 1817 they had increased to such a degree, as to require the suspension of the *Habeas Corpus*. From that time

to the present, although checked for a short period by the vigour of parliament, they had been increasing till they had attained the full maturity of mischief,—less than five or six years could hardly tranquillize the public mind; and he should move the limitation to be in the words, “five years next ensuing, and from thence to the expiration of the ensuing sessions of parliament.”

Mr. Calcraft and some other members strongly urged the expediency of measures of conciliation, and of inquiry into the distresses and grievances of the people.

Mr. Buxton proposed, that the present bill should be limited to a term of three years.

Lord Milton asked, what feelings ought to actuate the House when they passed their judgment on the present ministers, who, after acknowledging the value of the right of petitioning, had come forward and proposed to abrogate it for ever? The only right left by the present bill would be, not the right to meet, but the right to ask an officer of the crown for leave to meet.

The motion of colonel Beaumont was negatived without a division; on *Mr. Buxton's* motion the numbers were—For it, 153; Against it, 925: Majority, 172.

In a committee of the whole House, Dec. 7, the bill underwent farther discussion.

Mr. Brougham inquired, whether it was meant that henceforth there should be no meetings more general than those of parishes, except in counties and towns corporate?

Lord Castlereagh replied, those also

also which were called by five magistrates.

Mr. Brougham then remarked, that by the terms of this bill, Manchester, Birmingham, Sheffield, Wolverhampton, and other wealthy and populous towns, not corporate, would be excluded from the advantages reserved for other decayed, and comparatively unimportant places.

Lord Compton proposed an amendment, the object of which was, to give the power of calling meetings to 20, or, if it should be preferred, to 30 freeholders of 100*l.* per annum.

Mr. J. P. Grant proposed to extend a similar power in Scotland to "ten persons legally qualified to be commissioners of supply." Both these suggestions were opposed by *lord Castlereagh*, as concessions which it would be unsafe to make, and were finally negatived by the committee.

On the ensuing night the discussion was resumed with great ardour, and some amendments were acceded to, while others were negatived.

The House, after a long debate, divided on the third reading: For it, 313; Against it, 95: Majority, 218. The bill then passed.

Dec. 18th, *Viscount Sidmouth* moved the reference of the Seditious Meeting bill to a committee.

The *Earl of Carnarvon* argued at some length against the principle, and against some of the particular clauses of the bill; those especially by which a single magistrate was authorized to commit to custody any person at a public meeting holding any dis-

course, or making any proposition tending to bring into contempt the government of the country,—of which his lordship observed, that if this law should pass, it would not be safe for any individual, however exalted in station, or independent in principle, to attend a public meeting. If the bill went into a committee, he should move for restricting its duration to July 1st, 1822.

Lord King objected to this bill as part of a system of coercion of the worst nature;—he should support the amendment of his noble friend.

The *Duke of Athol* and the *Earl of Morley* supported the bill, on the ground of the dangerous state of the country, and the necessity for measures of coercion.

The *Earl of Donoughmore* objected to the measure generally, but principally opposed the extension of it to Ireland. There were directions, he said, how it was to be carried into execution in England and in Scotland; but not one for the manner in which it was to be executed in Ireland. The Irish, indeed, knew how to plan rebellion much better than the English; the latter had large meetings, and paraded the streets with flags and music; the former had private meetings, secret committees, and associations of a nature which he should not describe, as the noble lord opposite knew them very well. It almost appeared as if it was the noble lord's intention to teach the Radicals how to do this business—to show them that it was not by marching in large bodies in military array, and in the lock-step; but by proceeding in conclaves of fishes—
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eye, or even of twenty-fives; for that number, in his country, had been found to do very well.

The *Earl of Harrowby* defended, at some length, the principle of the bill, and enlarged on the necessity for it, created by meetings prodigiously more numerous than had been contemplated by the framers of the Bill of Rights, or known in this country till lately, and composed of a much lower class of people. He contended, that rational freedom could only be guarded by some measure of this nature; the law, as it now stood, was not sufficient to ward off the dangers which threatened the country.

Earl Grosvenor rose in reply. The noble earl (*Harrowby*) congratulated himself and those around him on the overwhelming majorities by which the measures of ministers had been supported; but in the course of his own experience, he had found, in one or two instances, that positions supported by overwhelming majorities, were, in the course of six months, overturned. The noble earl had rejoiced in the effect already produced by these measures of coercion;—he thought very differently; in his opinion they were more likely to excite discontent and indignation, than to produce good-humour and quietness. The noble lord spoke of an army at Manchester, an army at Glasgow,—but if a military force were thus employed, must not the inference be, that these meetings were put an end to by violence, not by the operation of law? It was not by such measures as these,—by employing large armies, that the people would be-

come quiet and contented; it was by means of conciliation that their affections were to be won. Those who proceeded in a different course, would, in the end, perceive, that it led to very different results. Previous to the French Revolution, meetings of numerous bodies of the people were prohibited; they were put down by force; and this was one of the causes which occasioned this great convulsion. The noble earl had said, that meetings of disaffected persons had lately taken place, to an extent which could not be permitted without great danger. Let them look at the meetings in Yorkshire and other places; they might there see, that persons of large property, as well as those who felt the severe pressure of the times, assembled together. Did the noble earl really mean to say, that meetings of this sort were never to take place? Did he mean to declare, that persons of this description were never to be heard—that they were never to discuss points of grievance, except when the meeting consisted of certain numbers? Were they surprised, could they be astonished, at the meetings that had recently been held in Yorkshire, and in other districts, when they considered the impoverished state of the country? If the country was, as all persons must acknowledge, in a state of distress and suffering, was it not likely that persons who were affected by the pressure of the times, would meet in large bodies, for the purpose of petitioning? Were they, because those individuals were affected by distress—were they, he demanded,

to turn short on them and say, "No! you shall not meet, because you are poor! You shall not meet, because you are that portion of the people who are most likely to be distressed! You shall suffer, but you shall not have the privilege of complaining?" He was opposed to the present bill, because it frittered away the rights of the people; and it was easy to see, that when it passed, no meetings would be called but to pass resolutions complimentary to ministers. The increase of the military establishment, his lordship regarded as one of the most appalling features of the new system; and on this subject he entered into some detail. He was of opinion, that a revolutionary spirit did not prevail in the country. If ever there was a period when the minds of the people were more enlightened than ever they were before,—if ever there was a period when they were more impressed with the purity of the great doctrines of Christianity, it was now.

After a variety of observations, embracing the conduct of juries in the late cases of libel, in which he maintained that they had perfectly performed their duty,—the Manchester affair, in which he affirmed that the persons employed by the police were the first to create tumult and alarm, the distresses of the poor,—the close alliances of this country with foreign despots, and the general course of policy pursued, in which he said he discovered more of the "vultus instantis tyranni" than of the "civium ardor prava jubentium,"—his lordship thus proceeded: The magistracy

were now vested with powers, so increased, that he might say they reached to the furthest verge of the island; but he sincerely thanked God, that there still remained to Englishmen, even when the Crown itself had enlarged its prerogative, one means, and one only, of legally resisting, to a certain degree, the power of the Crown; by those means, he meant, not adverse force; not the sword; not the dagger; but one small thing (in his idea, however, a most powerful one)—the influence of public opinion. It was that which, when arrested, compressed, and confined, would in its expansion carry all before it; it would break opposing bayonets, and bolts, and bars to atoms; and still more powerful gold would vainly endeavour to restrain it. Let them heap Pelion upon Ossa, it would dash them in its struggles to fragments. If it held that national freedom was the right of a people, they would become rationally free: if it deemed that moderate reform was necessary, moderate reform would prevail; if it considered that abuses should be rectified, abuses would cease. All history proclaimed the triumph of public opinion.

After encountering a determined resistance in all stages of its progress, the bill at length passed; its opponents however thought proper to record their objections as follows:

Dissentient to the Third Reading of the Seditious Meeting Bill.

1st, Because the laws of England, when duly enforced, have always been found sufficient to prevent

prevent any confusion arising from popular meetings, or to punish any disturbers of the public peace; and a too ready acquiescence in the suggestions of ministers for imposing new restraints upon the rights and usages of the people (even if the provisions of the bill were in themselves neither harsh nor unreasonable), appears to us more calculated to add weight to calumny, and to exasperate discontent into hostility, than to defeat the designs of turbulent men, or to reclaim the alienated affections of a mistaken multitude.

2dly, Because the powers intrusted by this bill to magistrates are liable to great abuse, and those who disobey them exposed to dreadful and disproportionate punishment. On the surmise that a stranger is present in a crowd, or on the application of a vague definition to the words of a notice, or to the language of an orator, a justice of the peace may proclaim a meeting to be unlawful, and an Englishman may become a felon for continuing, even through inadvertence, half an hour on a spot where no breach of the peace has been committed.

3rdly, Because the numerous assemblies, alleged in the preamble to be the occasion and justification of the bill, have been confined to particular districts, but the restrictions and penalties thereof are generally extended to the whole kingdom, and even to Ireland, where no such practices have ever prevailed.

4thly, Because the bill, combined with the restrictions of the press, which have already passed, or have been announced in this

House, is obviously intended to fetter all free discussion, and to repress, if not stifle, the expression of public opinion.

Large meetings, in periods of political ferment, furnish the means of ascertaining the designs, and measuring the strength of the malcontents: they tend to disunite and discredit the rash and mischievous agitators of a mistaken multitude; and they not unfrequently serve as a vent, comparatively innoxious, of that ill-humour and discontent, which, if suppressed, might seek refuge in secret cabals and conspiracies, dangerous to the safety of individuals in authority, and subversive of the peace and happiness of society.

(Signed)

VASSALL HOLLAND,
AUGUSTUS FREDERICK,
THANET,
DONOUGHMORE,
GROSVENOR,
ERRKINE.

House of Commons, Dec. 14.

Lord John Russell rose to bring forward a motion of which he had given notice respecting parliamentary reform. His lordship began with stating the anxiety under which he presented a measure for which the present period might appear to some peculiarly ill-adapted. He was not unaware that there were many persons in the House and in the country opposed to all theoretical advantages to be derived from a change in the constitution of parliament. These were willing that the constitution, like the temples of the gods at Rome, should remain with all its dust and cobwebs about

about it, and thought it profane in any hand to remove the corruptions by which it was defaced. Their opponents, on the other hand, the champions of radical reform, seemed desirous to raise their name by applying a fire-brand to a sanctuary which had stood for ages. But without entering on a discussion of abstract principles, he wished to draw the attention of the House to the unrepresented towns, many of which had risen into places of great commercial wealth and importance, while others had sunk into decay and become unfit to enjoy the privilege of sending representatives. On reference to the history of parliament, it would be found that the principle of change had been often acknowledged, and the suffrage withdrawn and conferred on various occasions. Of this the noble lord proceeded to adduce several examples; and after making various remarks on the practical evils resulting from the corruption of small boroughs, most of which were represented by gentlemen who sought a seat in the House from private and personal views, and who uniformly voted with government, he passed on to the evils of non-representation to the populous towns to which he had alluded, and the benefits to be anticipated from extending to them this privilege;—a privilege which could only be extended to them on this principle of change, since neither the principles of the revolution nor the act of union would permit the sovereign to issue his writ for adding to the number of members. After expressing at large both his veneration for the constitu-

tion, and his ideas on the reforms which it required and could safely receive, his lordship, amid the cheers of both sides of the House, proposed several resolutions, which went to establish the principle of change which he had laid down, and some rules respecting the voters of disfranchised places, on whom corruption should not have been proved. The last resolution was for the disfranchisement of the borough of Grampound, the corruption of which had already been proved to the House.

On the suggestion of *Lord Castlereagh*, who acknowledged the moderation with which the proposal of the noble lord had been brought forward, and manifested a desire to concur in its objects to a certain degree, and to conciliate whatever differences of opinion might still subsist between himself and the noble mover, lord John Russell withdrew his present motion. A few days afterwards, he brought in a bill simply for the disfranchisement of Grampound and the transfer of its representation to some populous town; which was read a first time, and the second reading was deferred by his lordship till after the holidays.

House of Commons, Dec. 20.

Lord Castlereagh moved for going into a committee on the newspaper stamp bill.

Mr. Macdonnel said, that the House was now called upon to sanction a further and fundamental alteration in the law of England, by passing a measure which would affect the liberty of the country in its most tender part,

part, the public press, which deserved to be guarded with no less jealousy than the sacred right of meeting to petition. This demand was founded, like the other restrictive measures, on the alleged incompetency of the existing laws, though it appeared that no effort had been made to carry those laws into execution. The two bills against the press, which he should consider in connection with each other, would go further, he was convinced, than any thing which had yet been attempted in abridging the liberty of the country. It appeared, that at the close of 25 years, the people of this country, having, after a succession of miscarriages and disasters which they bore with unparalleled fortitude, enabled the duke of Wellington by their bravery to bring the contest to a glorious conclusion,—were not considered worthy to enjoy the freedom of their ancestors. After the “intensity of light which had broken in upon them during that period, they were rendered incapable of bearing their liberty.” Good God! where was their liberty? The people would loath these very victories which led to such a result, and all the glory of which could not compensate the loss of a single atom of their liberty. On the first provision of the bill about to be committed, that which imposed a stamp duty he should say little, because it seemed to him the least efficacious and important part of it, and because, though he had been a good deal staggered by the petitions read that night, he still thought that something of the kind might be necessary. The provision in

this bill to which he chiefly objected, was that which prevented the publication of any vote under a certain size without security previously given by the printer. He would maintain that this provision was a gross violation of the constitution; for hitherto no security had ever been demanded in this country, unless from a person who, by some overt act, had given reason to believe either that he had transgressed, or that he was about to transgress, the law. But to exact security from a man who had neither violated the law, nor given any reason to believe that he ever would violate it, was to pronounce him *a priori* unworthy of exercising his rights; it was an anomaly in the administration of justice. He held it to be a primary principle of the English constitution; that an Englishman might publish whatever he pleased on his own responsibility; but now, for the first time, it was required of him to find others to share in this responsibility. While one spark of the spirit of liberty remained in the country, such a measure could not be tolerated. Should this measure be carried into effect, he would ask any gentleman in that House, if he would be willing to become security for his nearest and dearest friend, when the consequence might perhaps be his irretrievable ruin? Great as might be the inconvenience and evil of this provision to printers and publishers, the greatest hardship would fall on authors; and among those who would be affected by it, he would take leave to say, were some of the most eminent writers of the age—men who, by their labours, had rendered

dered important services to the constitution and the country. But, independently of the hardship to individuals, the measure would be attended with important consequences to the community; for it was not to be supposed that any man would, after this, record the transactions of the day, unless he could afford to lock up 1,200*l.*;—600*l.* for his printer, and 600*l.* for his publisher.

After a number of remarks more peculiarly applicable to the blasphemous and seditious libel bill than to the one immediately under consideration, the hon. gentleman concluded by calling on the House to cling with gratitude to the respectable part of the press, and to cherish it with a scrupulous and religious care.

Mr. Sergeant Onslow thought that the hon. member had taken a most erroneous view both of the principle and object of the bill. He denied that authors would be in any degree affected by it; it applied to printers and publishers alone, and of these, principally to obscure publishers;—to persons who urged on by the desire of gain had no fear of imprisonment, and would publish any libel, however infamous. He was as warm a friend to the liberty of the press as any person, but he confessed he did not think these bills went in the slightest degree to infringe those liberties. These bills had been compared to a censorship; but he thought there was a wide difference between them and the measures described by *Locke*, and by *Algernon Sydney*. There was a wide difference between an *imprimatur* which went to prevent publica-

tion, and a decent check upon those which might be published. His firm opinion was, that the evils which existed were attributable to the circulation of the most flagitious libels during the last 26 or 27 years, by which he would not say that the great majority of the people had been infected [hear!] but by which an almost incalculable mischief had been accomplished. He would say, that the great majority of the people were still sound; but at the same time, if effectual means were not taken to check the continuation of those abuses, it was impossible to anticipate the ill consequences which might result from them.

After *Mr. R. S. Graham* and *Mr. Marryat* had expressed themselves in strong terms against the measure,

Mr. Denman said, he could not suffer this bill, which formed a branch of that system of coercion which had been adopted by his majesty's ministers, to pass, without calling upon those who, having done something towards the promotion of the system to which he alluded, he hoped they would not now do that which would have a tendency to change the whole system of the law of the press of England. If any thing could induce those gentlemen who held the balance, as it were, between the two sides of the House, to pause before they acceded to any further restrictions upon the rights of the people, it would be the obdurate perseverance with which it was attempted to place the whole laws of the country at the mercy of the ministers of the crown. If they

they compared the doctrines of these gentlemen with all their other modes of proceeding, they would see that the confidence of the public had been lost; and that while they were talking of the shadow, they had suffered the substance to be destroyed by a body calling itself the House of Commons, without possessing any one principle in common with the great mass of the people of this country. It appeared to him, that the two bills before the House, although different in their object, were yet the same in spirit. The present subject for their consideration was, the stamp duty bill. The principle of this bill, he contended, was altogether new, and had the direct tendency of an *imprimatur*. He entreated gentlemen not to allow themselves to be persuaded that this enactment would do but little. He saw, throughout the whole course of the measure, while it would be ineffectual in its operation, it would be mischievous and oppressive to individuals. He alluded particularly to those shackles which it would impose upon respectable booksellers, by calling upon them to enter into recognizances of 300*l.* in London, and 200*l.* in the country, before they could commence business. This principle, if once recognized by parliament, would only be the prelude to harsher and more severe measures. Another clause, to which he thought there was also infinite objection, and from which there was every reason to apprehend danger from its abuse, was that which gave to a single justice of the peace the power of determining offences which were

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proscribed by that act. They all knew that the duties of a justice of peace were already sufficiently arduous and difficult; but if, in addition to these, they were called upon to search for arms by night, upon informations which might be laid before them, to attend public meetings with an armed levy by day, and not alone to impose fines which might be incurred under the Stamp act, but also to search for and secure copies of those works which might be characterized as libels, he would only ask, whether, for the performance of these multifarious duties, they would not require a salary? What would then become of the panegyrics upon unpaid magistrates? Was there any man, or order of men, who would give up their time and submit to the shackles which these duties would impose? It was true that they might receive additional power; but would this compensate for the odium which they would incur in carrying these acts into effect? But if it were alone because these bills extended the power of magistrates, he thought they ought not to pass. In fact, by these bills such persons would have a power of suppressing public liberty, almost amounting to the destruction of the right of petition, in 17 counties in this kingdom.—Upon the clause which required securities, his hon. friend had referred to the times of Charles 2nd, and of the Star-Chamber, as a period when such securities had been taken; but he knew very well, that in the 5th of William 3rd that practice had fallen to rise no more; and at no period since the Revolution had it

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it been adopted. He repeated that the powers granted by this Stamp act was a perfect anomaly in the history of England, and amounted to nothing less than an *imprimatur*. His learned friend was perfectly right to refer to the period of Charles 2nd; for he believed the object and aim of his majesty's government was, if possible, to suppress those liberties which the people had since obtained. That they would succeed, he believed was impossible; but even in the attempt they would alienate the people, and thereby produce those consequences which were the natural result of their wild and absurd dabbling in legislation.

Mr. Bankes considered the present measures of restriction as the salvation of the state, and maintained, that now, if ever, the press was to be restrained, when it had grown up to so monstrous and dangerous a degree of abuse. Those gentlemen who talked of a free constitution, and quoted Blackstone and other elementary and accredited writers who had affirmed the necessity of upholding it in its present state, forgot that there was no sort of conformity between their times and the present. Blackstone could never have contemplated the increase of that class of publications they were now called upon to consider. But he totally denied that the press of this country had ever been free and unshackled. Here the hon. gentleman went into an historical detail of all the measures by which, at different times, the press had been placed under still more arbitrary regulations than those now contem-

plated. He severely reprobated the cheap tracts which sowed discontent and sedition among the vulgar, and reminded the House that it behoved them narrowly to watch an evil which threatened the destruction of property, the demoralisation of every class, and consequences altogether dreadful. There was one other evil which he thought might have occurred to some hon. gentlemen, as connected with the evil they were considering. For his part, he could not help doubting the prudence of carrying the education of the lower classes to the extent which had been proposed.

Mr. Abercromby argued against the precedents adduced by *Mr. Bankes*, and felt himself constrained to give his decided opposition to the bill.

Mr. H. G. Bennet said, the bill itself, though objectionable in every point of view, did not appear to him so alarming as the speech of the hon. gentleman (*Mr. Bankes*). There never, he believed, had been so unconstitutional a speech delivered within the walls of that House since the enactment of the arbitrary statutes it described. Those severe and arbitrary acts, which he had collected as precedents for similar measures now, if good for any thing, would prove too much. Adverting to the regret expressed by *Mr. Bankes* at the progress of education, he said that the hon. gentleman must also regret the progress of religion and morals; for, without education, the blessings of religion could not be understood or appreciated, nor the duties of morality taught and practised.

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practised. After a few other remarks on this subject, he proceeded to the bill before the House, which he opposed, as the duty would raise the price of knowledge to the poor, whose improvement was principally derived from small tracts. With regard to the clause inflicting penalties before publication, by demanding securities which must be considered as equivalent to a bond of 600*l.* he thought it would ruin entirely that useful body of men who supplied cheap publications to the poor. It threw the whole trade into the hands of the rich, and affected a privilege higher than that of trade—the privilege of every Englishman to publish what he pleases, subject only to a punishment for the abuse of the privilege to the injury of others. All the members on the other side who supported this and the other restrictive measures, professed to do so from a desire to preserve the constitution. But what was the constitution? It was not the forms of the constitution that composed the consti-

tution, but the blessings which those forms protected; in the same manner as the forms of law were not the law, or the forms of a court of justice were not administration of justice. The constitution was only the body of rights and privileges which we enjoyed under our political establishments; and among these was pre-eminent the freedom of speech and writing. Gentlemen who professed to support the constitution, while they allowed the destruction of its most essential advantages, might live to repent the day when they drew such a distinction, and forgetting the substance, adhered only to the form. The bill was the greatest invasion of the constitution, as it made it to depend upon a man's fortune whether he should have the right of publishing his thoughts to his countrymen.

The bill underwent farther discussion and considerable opposition in the after stages of its progress; but it finally passed both Houses, and received the royal assent on Dec. 30th.

CHAPTER X.

FRANCE.

Proposal for changing the Election Law carried in the Chamber of Peers.—Fifty-four new Peers created in consequence.—Election Law in the Chamber of Deputies.—Report of Commissioners on it.—Statement in the Chamber of Deputies respecting the Persecution of Protestants in the South.—Threatened Renewal of Disturbances at Nismes.—Protestant Petition.—The Budget.—Law on the Liberty of the Press.—Society of Friends of the Liberty of the Press.—Debate on the Return of Exiles.—State of the French Church.—Letter of the Clergy to the Pope.—Reception of the Missionaries at Brest.—Ordinance for the Building of Churches.—Report on the State of the Establishment.—King's Speech on re-opening the Chambers.

THE two chambers of the French legislature were sitting at the commencement of the year 1819, and in the month of February a motion was brought forward in that of peers which led to an important political result. Count Barthelemy, once a member of the noted Directory, who seems in this instance to have lent himself unconsciously to the designs of others, proposed, that the chamber should take it into consideration whether some change might not advantageously be made in the law of elections. The administration instantly arranged themselves in opposition to this measure; count de Cazes did not hesitate to declare that a more fatal proposal could not have issued from the chamber than that of overturning a law so dear to an immense majority of the nation; and in this sentiment he was joined by the principal members of the liberal or consti-

tutional party. A violent debate ensued, in which personal reflexions were not spared: M. Barthelemy himself, suddenly enlightened as to the tendencies of the measure, deserted his own proposal and declared that he should vote against it. Such, however, was the strength of the ultra-royalist party among the peers, by whom the motion was supported, that the previous question, as it may be termed, was carried by a majority of 89 to 49.

This was a serious blow to the ministry; and after the personal influence of the monarch had been vainly exerted with the chiefs of the *ultras* individually, they judged it necessary to recover a majority in the chamber by an extraordinary exertion of the prerogative. It was determined in the royal cabinet, that 54 new peers should be created, which, with the recall of 22 more, who had

had been struck off the list by the ordinance of July 24th, 1815, would secure a preponderance to the measures of administration.

Meantime a general alarm had been sounded through the country; petitions against the meditated attack on this important article of the charter poured in from all quarters: and a member of the chamber of deputies moved, that for the sake of quieting the public mind, the law which required an interval of ten days before any measure carried in the upper chamber could be submitted to the lower one, should on this occasion be dispensed with. This unconstitutional proposition was negatived; but a firm resolution was evinced on the part of a great majority of the deputies, to support the election law without alteration, as soon as the question should be regularly submitted to their decision. On the other hand, the triumphant majority of the house of peers defeated a measure of the ministers respecting a change in the period at which the financial year should hereafter commence; and the discord of the two chambers was only terminated by the notification of the new creations, which took place in the beginning of March. On the 18th of the same month the chamber of deputies resolved itself into a secret committee, to receive the report of a commission appointed to take into consideration count Barthelemy's motion: it was as follows:—

“ You referred to a commission the examination of a resolution of the chamber of peers of the following tenor:—

“ That the king be prayed to

propose a law, tending to give to the organization of the electoral colleges the modifications the necessity of which may appear indispensable.

“ Your commission recommends the rejection of this proposition, and they have charged me to develop to you the motives of its decision.

“ The law of elections has scarcely existed two years. It was not ranked amongst our institutions until it had undergone in both chambers a deep and solemn discussion.

“ If the proposition be taken literally, it must be allowed that it is reduced to a very simple question.

“ It does not say, in effect, that the modifications of the law of elections are indispensable; it does not even say that modifications appear indispensable; it only anticipates an event when modifications may appear indispensable, and for this latter case it requires a law.

“ But to whom can these modifications appear indispensable? To the king doubtless, to whom the proposition is addressed. But the king, invested with the initiative, does not require to be warned to make use of it when the necessity of so doing may appear to him indispensable. Is it in his duty that they would pretend to instruct him? The mode of doing it would be little respectful. Is it general advice that they would give him? But what guarantee is there that he will hear it at the pleasure of those who offer it? Is it, finally, on a determined subject that they pretend to invoke the initiative? In this case it should be distinctly

distinctly indicated; for it ought not to be prejudged; what wisdom the king would display in a proposition for doing that which to him might appear indispensable.

“ During the two years that the law of elections has been executed, has the convocation of the colleges at the chief town of the department been attended with inconveniences which demand prompt remedies? No; every thing was conducted with facility, calmness and decorum. It appears even, that in this point of view, as in many others, it may be said, in reference to France and England—*Littora littoribus contraria*. At the same moment that elections at the other side of the Channel displayed scandalous and violent scenes, ours seemed to have opened a new career to French urbanity, and to benevolence farther resources for its exercise.

“ Nevertheless, as one inconvenience of the assembling of the electors at the chief town of the department, it is represented that a third of the electors had no share in the last elections.

“ Your committee looked in vain for proofs of this statement. Since there have been elections in France, the number of voters has never been so considerable, in proportion to the number of electors, as at the last elections.

“ But during two years, has not some contingency interfered to interrupt the harmony of the law? Not one has been represented. The only complaint is, that the extension, already so liberal, of admitting to the rights of elective franchise every citizen who pays for a patent 300 francs, is become the source of the most shocking abuses by the mode of

collecting this tax. As it is paid by twelfths, and that a determined time is not required to acquire by this channel political rights, it follows, say they, that an individual may, by once paying 25 francs, vote in an electoral assembly.

“ Your commission demand where, and in what electoral college, individuals have been received who have only been recently subject to the tax on patents, and have only acquitted the twelfth. Nothing of this nature, for instance, took place in Paris, where four patents only were delivered in the interval between the convocation and dissolution of the electoral college. And nevertheless it is from Paris, and on the occasion of the elections of Paris, that the first cries emanated against the abuses of patents.”

After dwelling upon the deficiency of all proof of the mischiefs attributed to the present law of elections, the report states, that the commission had anxiously investigated the details which had been adduced in support of its modification, and concludes by regretting that men should have excited general alarm by entertaining notions of exaggerated and unfounded evils, and earnestly recommend the chamber to listen to the public voices which had been so strongly and energetically re-echoed from all quarters of the kingdom.

Finally, the motion was rejected by a majority of 56 votes, out of a total of 244.

In the course of the debate, M. de Villele, a leader of the ultras, observed, that in one department 600 more electors had voted

voted in 1818 than in 1815; and that such a difference could only be explained by some vice in the law;—a remark which led to disclosures little anticipated by the speaker. M. de St. Aulaire, member of the department of the Gard, instantly rose, and said that it was his department which was meant, and that he would explain the cause of the occurrence. All France, he added, knew that there were more electors in 1818 than in 1815; but all France did not perhaps know, that in the former year 17 Protestant electors were murdered in their way to the electoral college.

M. de Serres, the keeper of the seals, confirmed this statement, which had been listened to with strong marks of emotion, and he proceeded to unfold, in all their enormity, the crimes proceeding from political fury of which this department had been the theatre, and the Protestants the victims, in the years 1815 and 1816. "All possible efforts," said he, "were made by the government of the king to bring to justice the assassins of general Lagarde, who was attacked at the moment when, in the name of the king, he came as a minister of peace. The author of that crime was arrested, delivered over to the tribunals and convicted of having fired upon general Lagarde, while, with his sword in his hand, that officer was endeavouring to appease the multitude. The jury declared, that the homicide was rendered necessary by the want of legitimate defence"—[a movement of horror in the assembly].—"The law directed the president of the court of Assizes to set the ac-

cused at liberty. General Ramel was wounded in the tumult of Toulouse. Carried to his apartments, he was assailed on his death-bed by furious wretches, who tore his body. These ruffians, being brought before a court of justice, were acquitted by the jury, on the ground 'that the blows which were inflicted on the general when in bed, had not determined his death, because the wounds which he had previously received were mortal!'—After some moments of interruption, the minister continued:—"Shall I speak, gentlemen, of a man whose name I feel a horror in pronouncing? Tres-Tallion, accused of frightful crimes, became the object of prosecution, at the instance of the king's law-officers. The judicial authority objected to his being tried in the same city where his crimes were committed, because they entertained a fear for the freedom of the court, from the consternation of the citizens and the terror which the criminal inspired. He was accordingly transferred for trial to Riom. Would you believe the result? A single witness could not be found to depose against Tres-Tallion, and a hundred presented themselves to vouch for his innocence. The terror these assassins inspired was so great, that justice could not find witnesses who durst give evidence for the prosecution, nor a jury who would have dared to find them guilty. Finally, the assassination of M. Fualdes was a party crime, and the government was obliged to exert all its force to protect the action of justice, and to repress those efforts which the

the partisans of the criminals made to rescue them from execution."

This striking disclosure was rendered still more interesting and important by the tidings of a threatened renewal of similar horrors in the city of Nismes, which had just reached Paris.

The news of the triumph of M. Barthelemy's proposition in the chamber of peers had elevated the hopes of the ultras in this city to such a height, that they believed it was once more in their power to insult and attack their Protestant fellow-citizens with impunity; and they were well disposed to exert the privilege. The first symptoms of disturbance were manifested at the theatre, which was unusually crowded on account of the appearance of an actor who was particularly patronized by the royalists. A large garland of lilies was thrown upon the stage; clamours and menaces against the Protestants repeatedly interrupted the performance; and these devoted sectaries were attacked on their return to their houses by men armed with pikes, and led on, amongst others, by the infamous Tres-Tallion.

The prefect of Nismes was at this juncture in Paris; the mayor was deficient in energy; few troops were left in the town, and the Protestants perceived that they had only themselves to rely upon. Resolved not again to submit tamely, as in the year 1815, to persecution and massacre, they now stood on their defence; for several successive evenings the boulevard of the city was occupied with the two adverse parties, who drew toge-

ther to the number of several thousands, and remained observing each other's motions. Meantime the Protestants had conveyed intelligence of the state of affairs to their brethren of the villages of the Cevennes,—that brave and religious peasantry, who still glory in the successful resistance of their ancestors to the tyrannical bigotry of Louis 14th. These mountaineers immediately sent deputies to Nismes, who found the two parties in the state of mutual observation which has been described. One of them immediately walked up to that part of the boulevard where Tres-Tallion and his followers were posted, and undismayed by their menaces, told them, that this time, if the laws did not defend the Protestants, they would find other defenders; if one drop of Protestant blood were spilt, woe to the Catholics of Nismes;—*the mountains would descend*; and he warned them to beware of that moment. This spirited intimation had probably its effect. Meantime troops arrived from Montpellier; the prefect returned; the ultras were overpowered at Paris, and tranquillity was restored to the Protestants of the south.

Respecting this sect, which appears to flourish in augmented zeal and increasing numbers, it may be worth while to mention the following circumstance:—That on February 15th, the reporter of the committee of petitions detailed to the chamber of deputies the complaints of a large number of Protestants, respecting the mode in which the colleges of education were constituted and administered throughout

out the south of France, by which Protestant children were debarred from the enjoyment of the religious liberty secured by the charter to all French citizens. The petitioners stated, that the instruction of their offspring was chiefly directed by Catholic priests, whose influence inspired them with just alarm; that the parents had no opportunity of counteracting that influence by daily exhortations to their children; and that from the existing constitution of the colleges, they could not provide a substitute for parental instruction by appointing ministers of their own communion to superintend the Protestant youth. They therefore prayed, that colleges specially for the instruction of Calvinists and Lutherans might be established in

all the great towns, particularly in Bourdeaux.

Two deputies strenuously supported the petition, and it was referred to the minister of the interior.

On March 15th, the minister of the finances unexpectedly came forward in the chamber of deputies with his estimates for the expenditure of the year 1819.

The first item of charge was for the interest of the consolidated and funded debt; the sum granted for which last year was, 180,000,000 francs, or about 7,500,000*l.*; whereas, for this year there would be necessary a provision of 232,000,000 francs, or above 9,500,000*l.* sterling. The civil list was to be, as usual, 34,000,000 francs.

Expenses of the Ministry:—

	Francs.	£.
Foreign affairs	8,000,000	about 330,000
Justice	17,400,000	..... 725,000
Interior	102,700,000	..... 4,270,000
War	192,750,000	..... 8,300,000
Marine	45,200,000	..... 1,875,000
Finance	257,000,000	..... 10,708,000

In round numbers 623,000,000 £.26,208,000

Including the interest on the sinking fund, and the civil list, the whole supply would be 889,210,000 francs, or 37,050,000*l.* presenting an augmentation of expense, as compared with the former year, of near four millions sterling. This augmentation, though principally arising from the stipulated payments to foreign powers, occasioned some murmurs. A few days after, M. Roi detailed to the chamber the results which had been derived

from the enforcement of the measure which had been decided upon, of applying the funds arising from the sale of forests for the benefit of the sinking fund. The hopes entertained from this resource, he observed, had not been deceived. The sales only commenced in the month of June last, and offers of purchase had arrived from all quarters of the kingdom. Up to the end of 1818 the sales had been effected at an advantage of more than

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than one-sixth above the estimated value. He concluded by congratulating the chamber upon the future appropriation of the revenue, which would be exclusively destined to consolidate the national institutions and promote the public welfare.

The minister of finance afterwards ascended the tribune: he observed, that the chamber had been informed, that the exigencies of the state for 1819 required a sum of 889,210,000 francs; and that it had been demonstrated to them, that the country had resources to meet them without adding to the existing taxes: A country whose resources were artificial could not have surmounted the crisis which France had endured; but their territory was rich in its soil, its trade, its credit, and above all, in an industrious population. The promptness and exactness with which the taxes were collected, proved incontestably the power of the contributors. The minister proceeded to review the various branches of the public revenue: the land-tax, he observed, was estimated at the sum of 363,553,000 francs for 1819. This tax was partially grievous, on account of its unequal assessment; but ministers, though they had its defects in view, judged it infinitely preferable to wait a less hazardous and less necessitous period for retrenching their resources by reducing it. A long peace would admit of great alleviation; and he entertained the hope, that next year some measure might be adopted favourable to landed proprietors.

After passing some compliments on the firmness and loyalty

of the people of France, whose resources were unshaken, he proceeded to enumerate the produce of the several taxes, &c.

Francs.

The direct contributions he expected would produce....	363,553,000
The administration of the domains, the registry, and stamp duties.....	169,566,000
The Forests	17,600,000
The Customs	113,013,000
The indirect contributions, including the produce from the sale of Tobacco.....	174,894,000
The Post duties.....	22,460,000
The Lottery (more necessary for its produce than desirable in its nature)	12,500,000
Salt	5,298,500
Remaining in the Treasury	5,180,000
Reduction from Pensions and Salaries	11,200,000
	889,210,000

About the same time an act was passed for the abolition of that opprobrium of French legislation in the eyes of its neighbours, the *droits d'aubaine*.

The important subject of the liberty of the press,—or rather of the laws by which it was expedient that this liberty should be restrained,—was the next which engaged the attention of the chamber of deputies. The discussion was prolonged through several sittings; a petition was received from the Paris journalists, in a body, for the modification of
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some of the severer provisions of the law, bearing on the editors of newspapers;—and several amendments on other points were proposed by different members. The most remarkable of these related to attacks on religion;—or what in this country would be called blasphemous libels. It was proposed, that to the article enacting penalties for outrages against public morals, should be added the words, “against the religion of the state, or any other.” A spirited conversation immediately ensued, in which one member proposed to substitute the word “religion” generally; another suggested the omission of the terms “public morals,” and the keeper of the seals opposed all the amendments, and particularly deprecated the introduction of any mention of religion, as interfering with the honest spirit of controversy, which would only become more violent if persecuted or repressed. The debate was adjourned; and on its resumption an amendment prohibiting outrages “against public and religious morals,” was at length carried. The provisions of this law against literary offences, were certainly less pernicious than the censorship which previously existed, to the interests of free inquiry; but they were regarded by a considerable party among the French as far too rigid. By this party, a kind of secret society had been formed,—about a twelvemonth before the establishment of the existing ministry,—which now began to be denounced as an object of jealousy by the ultra-royalists. It was called, “The Society of Friends of the Liberty of the

Press,” and numbered from 225 to 250 members, amongst whom were included many authors, many military officers, several members of the chamber of deputies distinguished in what is termed the *liberal* party, and a few peers. Its meetings took place alternately, and as if casually, at the houses of the more considerable members; by this contrivance an article of the penal code was evaded, which subjects to the absolute control of government all societies, consisting of more than 20 members, which shall meet at a stated time and place to discuss religious, political, literary, or other subjects. It was understood that the society, in furtherance of its objects, had exerted great activity in the elections for deputies; and that it had zealously promoted the signature of petitions for the recall of certain classes of exiles. A committee of nine members, appointed to collect information respecting candidates for the representation, had been carrying on an active correspondence through the departments; and it was insinuated in the chamber of deputies, that the government had thought proper to resort to the expedient of causing their letters to be opened at the post-office. No other step however could be taken against a body which sedulously restrained its proceedings within the letter of the law: the society still exists and flourishes, and may perhaps be regarded as a useful counterpoise to the ultra-royalist associations which are known to subsist and to carry on intrigues in various quarters of the kingdom.

Certain petitions to the chamber

ber of deputies, that the chamber would propose to the king to authorize the return of all exiles, without distinction of classes, gave occasion, in the month of May, to a brief but animated discussion. The commission appointed to report on the subject had voted, by a majority of 5 to 4, for passing to the order of the day. M. Caumartin, one of the minority, then delivered a speech in favor of referring the petitions to the president of the council of ministers. In answer to this, the keeper of the seals declared, that with respect to such of the exiles as had only been sent out of France for such a period as the public safety might require their absence, their treatment might safely be entrusted to the royal clemency. "But for the regicides," added he, "never shall they return; except in such cases of age or weakness as the king may be pleased to consider worthy of indulgence on grounds of common humanity.—I demand the order of the day." The tone of decision thus assumed by the minister was successful: the chamber refused to hear such members of the *liberal* party as attempted to reply; and the order of the day was carried by a great majority. Soon after, the king was pleased to authorize the return of five out of the 38 political offenders banished by the ordinance of July 24th 1815. Marshal Soult was one of the persons thus restored to his country. Several of the number had been previously recalled, and it was understood that the same favor would gradually be extended to all, except those who had given

their votes for the death of the late king.

Some documents of considerable interest respecting the state of the Catholic church and religion in France, have been made public in the course of the year.

The first of these was a letter addressed to the pope, by the cardinals, archbishops and bishops of France, which was published at Rome in French and Latin. It is filled with complaints of the unhappy condition to which the French church has been reduced, emphatically described in the following passage:

"Indeed, most Holy Father, and we cannot make the statement without the most profound sorrow, since the moment when brighter days seemed to have succeeded to the storms by which we were for many years assailed, the state of the church, far from being ameliorated in France, is become, and daily becomes, more deplorable. Not only we have not felt the weight of our sorrows alleviated, but it still bears heavy on us; and the time, perhaps, is not far distant when it will seem impossible to raise up our ruins. The ecclesiastical discipline is relaxed, a great number of dioceses are not sufficiently governed, the faithful wander like "sheep without shepherds," the ecclesiastical establishments languish, the body of the clergy is weakened by losses which the small number of pupils of the sanctuary, often shackled in their vocation, disquieted in their instruction, or discouraged by the aspect of misery and the disgusts which await them in the exercise of the sacred ministry, never can repair. Religion

ligion is attacked on all sides. Her enemies seem to unite all their force against her, and propose to themselves nothing less than her annihilation in this kingdom, formerly so Christian and so faithful. Impious books fly and circulate about, and pernicious doctrines spread like a gangrene. Derision, satire and calumny, are weapons eagerly employed against the apostolic pastors and the missionaries, who, full of zeal, consume themselves in preaching, with a marked success, the return to the faith, and consequently to peace and happiness. To complete our affliction, we have seen the very name of religion publicly banished from the repressive laws, and thus is rejected the corner-stone, without which no social edifice can exist. The bishops who govern the dioceses, those who are destined to the sees actually vacant, cannot act in concert, being subjugated and oppressed under the very regulations which were imposed by a foreign tyrannical domination; reduced to combat singly, they must infallibly be overcome, and in a given time,—shorter, perhaps, than that which marked the usurpation,—the church of France will fall never to rise again.”

The missionaries here referred to, were a body of zealous ecclesiastics, not ostensibly, at least, employed by the court, who perambulated the towns and villages of France exerting their utmost efforts to rouse the religious affections of the people in behalf of the ancient faith. It is said, that in the market places of all the towns which they visited, they

erected large iron crosses, on which figures of hearts were engraven, each of them inscribed with the name of one of the faithful. In the town of Brest, a strong disposition was manifested to prepare a rude reception for these emissaries of a faith which had lost the respect of the multitude. The authorities did not at first interfere with energy; but the prefect afterwards made an offer to the bishop to place the public force at his disposal; to which the prelate cautiously replied as follows:

“Sir,—I may be permitted to express some surprise, that under the government of the king, who has given a charter that assured liberty of worship, and who has proclaimed the Catholic religion the religion of the state, this religion cannot enjoy this liberty at Brest. I require only the protection of the law, not its severity. It is not for me to dictate to the authorities the manner of causing it to be respected.”

The same prelate also addressed a letter to the mayor of Brest, in which he thus expressed himself:

“Having received an assurance from you, and all the members of the Council of the Commune, that it would be impossible to maintain the public tranquillity if the missionaries were permitted to fulfil their function, and in accordance with the wishes expressed by a certain number of fathers of families and of respectable citizens of Brest, assembled at the mayor’s house, who shared the same feelings of apprehension, I have thought proper to order the suspension of the mission.

ation. I must, however, deplore being obliged to adopt such a determination, and to see the religion of the state prevented from enjoying at Brest the liberty which the charter guarantees to every worship, and this city, always the object of our tender solicitude, deprived of so great a means of salvation. I conceive I proved to you, and also to the council general of the commune, that no personal fear could have extorted such a determination from me; but when the magistrates of a town assure me, that they cannot answer for the public tranquillity, I must with sorrow yield to the imperious necessity."

A telegraphic dispatch arrived on the same day. It contained these words—"Punish the guilty." But the magistrates had already come to their determination, and the mission was dismissed.

In the month of September a royal ordinance was published, directing the erection of five hundred benefices and chapels of ease in dioceses where the places of worship are found insufficient, and containing various other regulations respecting ecclesiastical affairs. It was preceded by a report from M. de Cazes, in which the minister thus pleads the cause of a suffering and humiliated establishment.

"Your majesty has ordered me to propose the employment of the million of reserve included in the budget for my department, under the head of ecclesiastical expenses. Your majesty's intention has always been, that that sum, as well as the funds, resulting from former reserves which

remain unappropriated, should be distributed this year, in extraordinary succours or in permanent ameliorations, in all the essential branches of the services of religion." The report then states what has already been done for the restoration of religion. It is remarked, that the wounds of the French church have been so deep, that they can only be completely healed along with those of the state; but the time is not far distant when both will disappear under the influence of a paternal and repairing government."

"Religion confined to its duties, which are so many benefits to society, is the support of states, because it is the safeguard of morals and the supplement of laws. Foreign to the exercise of the civil power, it is only connected with it by the assistance which it gives to or receives from it, and which is employed for the advantage of the people alone. Justice and policy require that every thing which is necessary should be granted to it, in order to enable it to fulfil this important and salutary vocation. In a state in which the political powers and the rights of the citizens are regulated by a constitutional charter, to support religion is to support the unfortunate whom it consoles, morality which it elevates, and virtue which it creates and maintains: this is not indiscreetly augmenting temporal authority, which the enlightened wish of the church does not require; it is merely procuring to that influence, entirely moral and spiritual, which religion employs in the interest of governments, and of which they would vainly desire

desire to deprive it, the means of exhibiting itself, and acting without being discredited by the want of power to do good, and to assist those whom it ought to comfort.

“Honoured in its misfortunes by the virtues which it has displayed in the midst of persecution, the Church of France needs not great riches in order to be useful and respected; but she has long been oppressed by poverty, contrary even to the interests of the state, which requires that all the parts of which it is composed should enjoy advantages that belong to them, in order that they may be united, and concur equally in the public welfare.”

After a detailed statement of the grounds of the royal ordinance, the report concludes as follows:—

“Thus, without any new expense, your majesty, by a constant progression, ameliorates the present and fixes the future state of the clergy. Trifling sacrifices for the treasury become great benefits for the church, by strikingly manifesting what public order expects from morality and religion, and what the sovereign wishes to be done, in order to support the clergy honourably in the pious modesty of their wants and wishes. It is in the lower degrees of the clergy, if the sublimity of a vocation every way equally sacred will permit this language to be used,—it is among the ecclesiastics placed nearest to the poor, by their situation and their duties, that your majesty causes to be distributed benefits, which, far from detracting from

the dignity of the episcopacy, will furnish the bishops with new means of extending to all the points of their dioceses, that salutary influence by which they participate in the duties of watching over the maintenance of respect for public peace, and the laws of the state.”

The concordat still remains in a state of abeyance.

After the summer recess, the chambers were re-opened on November 15th, when the king pronounced the following speech:

Gentlemen,—The first wish of my heart, in appearing again amongst you, is to acknowledge the blessings which Providence has been pleased to bestow upon us, and those which it permits us to expect in future.

My family is increased; and I may hope that my remaining wishes may be accomplished. Fresh supports of my house will form new ties between it and my people.

Our friendly relations with the different states of the two worlds, founded on the intimate union of the sovereigns, and on the principle of a mutual independence, continue to form the pledge of a long peace.

By the happy result of my negotiations with the Holy See, our principal churches are no longer deprived of ministers. The presence of the bishops in their dioceses will establish order in all parts of the ecclesiastical administration; they will there propagate the respect due to our holy religion, and to the laws of the state. We shall preserve untouched the liberties of our church. I shall hear the prayers

of

of the faithful; I shall consult their wants and their resources, before I propose to you the measures which the restoration of the worship of our ancestors may still require.

Two years of abundance have repaired, in part, the evils of scarcity. Agriculture has made a sensible progress; all branches of industry have taken a new spring; the fine arts continue to adorn and illustrate France. I have collected round me their numerous productions; the same advantage has been given to the useful arts. Public admiration has equally encouraged them.

The liberation of our soil, and more favourable times, have permitted us to employ ourselves in the amelioration of our finances. I have ordered that there shall be laid before you the state of the public charges, as well as that of the means of meeting them; and I have the satisfaction to announce to you, that the foresight of the legislature has not been deceived by pressing and accidental wants. No new debt will be created for the next year. Already, considerable relief has been afforded to those who contribute to the public burthens. The reduction of the most heavy taxes will not be retarded longer than the discharge of the extraordinary debts contracted by the state may require. The laws have been every where executed with facility, and in no part has the public tranquillity been materially disturbed. Under these circumstances, and with a view to remove more effectually the recollection of past evils, I have thought that I might multiply the acts of clemency

and reconciliation. I have placed no other barriers against them than those which are interposed by the national feeling and the dignity of the crown.

Still, in the midst of these elements of public prosperity, I must not conceal from you, that just causes of alarm mingle with our hopes, and demand at this time our most serious attention.

A restlessness, vague, but real, possesses all minds: every one now demands pledges of a permanent state of things. The nation has but an imperfect taste of the first fruits of legal rule and of peace; it fears to see them snatched from it by the violence of factions: it is alarmed at their ardour for domination: it is terrified at the open expression of their designs. The fears of all, the wishes of all, point out the necessity of some new guarantee of tranquillity and stability. Public credit waits for it as the signal to rise; commerce, to extend its speculations. In short, France, in order to be sure of herself, in order to resume among nations the rank which she ought to occupy for her own and their advantage, has need of having her constitution placed out of the reach of those shocks which are the more dangerous the oftener they are repeated.

Under this conviction, I have again turned my attention to those ideas which already I had wished to realize; but which ought to be matured by experience, and to be called for by necessity. The founder of the charter, with which are inseparably connected the destinies of my people and of my family, I
felt

felt that if there were any improvement which was required by these great interests, as well as for the maintenance of our liberties, and which would merely modify some of the regulating forms of the charter, in order the better to ensure its power and its operation, it belonged to me to propose such improvement.

The moment is come for strengthening the chamber of deputies, and for withdrawing from it the annual action of parties, by ensuring to it a duration more conformable to the interests of public order and to the external dignity of the state: this will be the completion of my work. More fortunate than other states, it is not from provisional measures, but from the natural development of our institutions that we shall derive our strength.

It is from the devoted zeal,—it is from the energy of the two chambers,—it is from their close union with my government, that I would ask the means of saving the public liberty from licentiousness, of establishing the monar-

chy, and of giving to all the interests guaranteed by the charter that profound security which we owe them.

We shall at the same time undertake the task of making all our laws harmonize with the constitutional monarchy. You have already adopted several which have this tendency; and I have given directions for the preparation of others which will ensure individual liberty, impartiality of trials, and a regular and faithful administration throughout all departments and districts.

Providence has imposed on me the duty of closing the abyss of revolutions; of bequeathing to my successors, to my country, institutions that are liberal, firmly established, and durable. You are assembled for this sacred purpose. In order to accomplish it, rely, gentlemen, on my unalterable firmness, as I rely on the co-operation of my faithful and loyal peers of France,—of my faithful and loyal deputies of the departments.

CHAPTER XI.

SPAIN.

Death of the deposed King of Spain.—Design baffled by this Event.—Spread of Disaffection in Spain.—Organised Bands of Robbers.—Conspiracy in Valencia.—Severe Measures and Proclamation of General Elio.—Fresh Change of Administration.—Cadiz Expedition.—Causes of its long Delay.—Mutiny among the Troops of the Expedition.—How quelled by Count Abisbal.—Ruin of the Expedition.—Disgrace of Abisbal.—Further Proceedings of General Elio.—Resistance of the Magistrates.—Authority assumed by the Inquisition.—Ravages of the Yellow Fever.—Decree of the King respecting his Re-marriage.—Reception of the new Queen in Spain.

ON the 20th of January 1819, Charles IV, the abdicated king of Spain, ended his days at Rome in the 71st year of his age, having survived his consort only a fortnight. This circumstance, in itself of small importance, was at the time regarded as a favorable event for king Ferdinand, whose justly discontented subjects it deprived of a rallying point. Charles IV himself had been much less the object of unpopularity than his queen and her favorite the prince of Peace; and his restoration appears to have been for a moment contemplated by the *liberales* of Spain.

In the meantime, the spirit of disaffection was daily extending itself amongst the higher classes of society, and especially amongst the military; whilst the lower, in several provinces,—in Andalusia, Estramadura, New Castile, and particularly in the district of La

Mancha,—indulged themselves in all the excesses which a feeble and ill-conducted government is unable to restrain. The high roads were infested with numerous bands of robbers, evidently acting under a regularly organized system, who manifested somewhat of a political object in their depredations, by attacking with much greater eagerness all persons charged with the receipt of money for government, than individuals travelling on their private affairs. One of these troops is stated to have amounted to 300 men. A conspiracy against the government said to have been formed in the city of Valencia, but of which the proofs are reported not to have been very cogent, gave occasion to numerous arrests and to the infliction of severe punishments. Several persons were condemned to the gallees of Ceuta; colonel Vidal the leader

leader of the enterprise was hanged, and twelve others were shot. General Elio, the military governor of the province, issued on the occasion a truly ferocious proclamation, in which he warned the inhabitants to feel no pity for the "monsters" whose fate they had witnessed.

In the month of May, a fresh revolution took place in the administration, which within the last five years had changed as many times. One of the ministers was ordered to quit Madrid in an hour, and another was *recommended* to repair to some town in the kingdom of Grenada until he should receive an appointment in that quarter. Financial difficulties, which each set of councillors in its turn tried to overcome and found insuperable, were believed to be the true cause of these endless vicissitudes in the cabinet of Ferdinand VII.

The sailing of the long intended expedition from Cadiz for the recovery of the revolted provinces of South America, continued to be postponed from time to time, for the equipment of a single squadron was now an effort which exhausted all the resources of this great kingdom,—once by its power and riches the tyrant or the terror of Europe. The Spanish marine, since the fatal alliance formed with France in the year 1796 and the long series of national misfortunes which had resulted from this step, had sunk into the last stage of decay. The navy had been annihilated, the arsenals emptied, and the forests of the kingdom destroyed. In the present emergency, therefore, the government had found it ne-

cessary to make application to Russia to furnish vessels for the South American expedition, and a considerable number had arrived at Cadiz. But these ships, which were built only of pine, and had already seen much service, were soon discovered to be in so bad a state that very considerable repairs were requisite to fit them for the voyage. During the delay occasioned by this circumstance, a spirit of mutiny gained upon the soldiers destined for the service, which broke out just as other difficulties had at length been surmounted and the preparations appeared on the point of being completed. Very decided symptoms now made it manifest, that the troops would not allow themselves to be embarked on board bad ships, badly fitted out, and above all, badly commanded, in order to restore the colonies to the domination of a prince whose arbitrary system of government had already disgusted themselves. In the night of the 7th of June, count Abisbal (O'Donnel) the commander in chief, became apprised of the existence of a conspiracy in the first division of the army, which he felt the necessity of strangling in its birth. He quitted Cadiz with dispatch and secrecy, and collected the troops in garrison at the Isle of Leon and Puerto Real, to the number of 4,000. With this force having surrounded the mutinous camp, 7,000 strong, he caused the soldiers to lay down their arms, pronounced the dismissal of the officers, above 120 of whom he took into custody, and dispersed the regiments among the towns of Andalusia.

The whole was performed without resistance and without bloodshed, by means of the great ascendancy of the commander over the minds of his troops, but the expedition was totally disconcerted; the mutinous troops could not be trusted, and the regiments by whom they had been disarmed had only been bribed to render this piece of service by the promise of count Abisbal that they should not be embarked for South America: the conduct of this general himself incurred suspicion, and he was dismissed from his command. General Elío continued to pursue his measures for the suppression of conspiracy in the kingdom of Valencia with a keenness which produced not discontent alone among the inhabitants, but resistance on the part of the local magistrates; several of whom were thrown into prison on their refusal to execute the commands of the military governor. The dungeons of the city became so crowded with political delinquents, that it was found necessary to transfer some of the number to Murviedro. Torture is said to have been applied to one of the prisoners on his refusal to acknowledge the words which he was accused of having uttered by one of the secret agents of the police, who had treacherously drawn him into discourse on public affairs. The Inquisition, which had lent itself without scruple to the political enterprises of the government, was invested with the superintendence and control of all the other magistracies.

The scourge of pestilence was soon after added to all the other

evils of this distracted country. The yellow fever declared itself at Cadiz in the month of August, and spreading to Seville and other towns in the south, committed horrible ravages, some particulars of which will be found in our Chronicle articles.

The king, who had become a widower at the close of the preceding year, issued on August 12th the following decree, rendered worthy of preservation by the extraordinary style in which it is expressed.

“ The supreme tribunals of the capital, the deputies of my kingdom, the different municipalities, several religious communities, and many other corporate bodies, have represented to me how advantageous and necessary it would be to the well-being of the nation in general, and to all Christendom, to preserve by means of a new nuptial union the legitimate succession of the throne upon which Divine Providence has placed me. I have listened with favour to the just desires with which all these bodies are animated, and have yielded to their ardent wishes; and considering the high nobility of the Saxon blood, and of the most serene princes who compose that august family, the alliances, ancient as well as recent, that adorn it, the particular attachment that his majesty king Frederick Augustus has always entertained for the crown of Spain, and above all the rare and sublime qualities which heaven has granted to the most serene princess Maria Josephine Amelia, his niece, daughter of the most high and most puissant prince Maximilian, and of the most serene princess

princess Caroline Maria Theresa, of glorious memory; I have chosen Don Ferdinand de Aguilar y Contreras, marquis of Cerralbo, that he should go and propose to that monarch my hand and my throne for the said princess. Having then imparted to his majesty and her highness my sovereign intentions, they have testified with profound veneration how agreeable such an union would be to them, as also to all Saxony. I now inform the council thereof, that it may be apprised of it, and share the satisfaction which this new union creates in me, from which I trust will ensue conse-

quences the most favourable to the Catholic religion and my subjects."

The new queen arrived safely in Spain in the following month. It was hoped that on this joyful occasion an act of grace would have sanctioned the return of a portion at least of the exiled patriots; but conciliation formed at this period no part of the policy of Ferdinand VII; and in answer to certain solicitations on this subject, a confidential minister of his majesty drily answered: "This affair must be left to time."

CHAPTER XII.

GERMANY.

Political State of Germany in general.—Hanover.—Meeting of the Diet.—Important Reforms carried.—New Constitution formed for the Diet.—Wirttemberg.—Popular Principles of the King.—Assembly of the States.—Formation of a new Constitution.—Triumphal Reception of the King by his Subjects.—Bavaria.—First Meeting of the States General.—Gracious Speech of the King.—Reduction of his Army.—Prussia.—Delay in the formation of a new Constitution.—Free spirit of the German Universities.—Kotzebue appointed literary and political Agent of the Emperor of Russia.—His Assassination.—General Alarm.—Proceedings of the Diet at Frankfort respecting the Universities.—Declaration of the Saxon Princes.—Foreign Students quit Jena.—Attempt against M. Ibel.—Arrests and Examinations.—Secret Societies suspected.—Protestations against the Measures of the Prussian Police.—No Plot detected in Prussia.—Coercive Measures of the Diet.—Central Commission at Mentz.—Severities against popular Writers in Prussia.—Sandt transferred to Mentz.—Persecutions of the Jews in many parts of Germany.—Strong Measures of the Conference of Carlsbad in their favour.

THE intimate union of the more important powers of Germany, originally formed by the necessity of combination against the ruler of France, and strengthened since by farther views of common interest and security, has once more converted this vast assemblage of states into a body politic; and enables us, under many relations, to treat of the country as a whole.

Over Germany, as over the rest of Europe, peace continues to reign; but a new impulse given to the minds of men by the circumstances attendant upon "the war of liberation," as it is termed, has effectually opposed

the return of political tranquillity. It will be recollected, that this arduous liberation was achieved, not so much by the councils of princes, or by the disciplined valour of regular armies, as by the generous disdain of a foreign yoke which pervaded the whole population, and precipitated it in a mass upon its oppressor. In the enthusiasm of their joy and gratitude, most of the German sovereigns pledged themselves to recompense the exertions and the sacrifices of their people with the only gift worthy at once of the occasion and of the receivers,—that of political freedom:—In other words, they promised

promised to their subjects constitutions and a representative system. The boon was eagerly claimed; and in all those countries where national councils were actually convoked, their proceedings exhibited a frank and bold spirit which recalls the ancient times of German liberty. In other states, where the formation of a constitution was delayed from time to time, and no summonses were issued, according to general expectation, for the meeting of national assemblies, the people, or at least the educated of the middling class, grew jealous, gloomy and perturbed; a fanaticism of hatred and revenge against the instruments of despotism took possession of many young and ardent minds, and in two instances broke out in deeds of blood. The German potentates became at once exasperated and alarmed; and the measures of chastisement and repression by which they have judged it necessary to encounter the revolutionary principle, form the chief theme of historical narrative for the period here treated, which we now proceed to survey more in detail.

HANOVER.—The states of the kingdom of Hanover were assembled in the month of January, and immediately proceeded to recommend some very important reforms. Torture was abolished on their suggestion, and the regency consented to take into consideration their proposal for doing away the use of expurgatory oaths in criminal cases. They presented a remonstrance against a decree forbidding actions to be instituted for the

payment of the arrears of interest of the royal chamber, declaring themselves ready to pay such arrears; a step which had the immediate effect of raising the value of the paper currency; all confidence in which had previously been lost in consequence of the above decree. The states also petitioned that the army might be reduced from 30,000 to 17,000 men; and this suggestion, notwithstanding an unequivocal wish expressed from England to the contrary, was so far complied with, that the standing force was finally fixed at 20,000. The next great question debated was:—whether the nobles should share in the liability of the third estate to contribute to the public burthens? The deputies of the nobility, apprehensive on this occasion of being outvoted, sought to evade a decision by quitting the chamber; the deputies of the third estate alone not amounting to 52, the number legally necessary for dispatch of business: but this stratagem was defeated by one of the deputies of the third estate, who, placing his back against the door, detained the 52nd member till the proposition was carried in the affirmative. The prince regent (his royal highness the duke of Cambridge), obtained the thanks of the chamber by declaring that all the estates under the administration of the chamber of convents, should in future be separated from the civil list, and applied exclusively to the support of schools and churches. The chamber, however, expressed a wish that these estates should be placed under its superintendance,

dence, and that accounts of the employment of their revenue should be annually presented to it. Near the close of the session, in April, a message was read from the regent stating, "That it is not the plan to make great changes in the constitution, according to which the states have the right to grant taxes, and to share in the legislation; partly because experience has shown the utility of this ancient constitution of the country, and partly because constitutions introduced upon merely theoretical principles will never be so advantageous as those which have been gradually formed according to the wants of the state."

The following sketch has been given of the most important rules according to which the representative assemblies of Hanover will in future be constituted.

In the second chamber will be the members of the board of taxes who are not noble; 3 deputies from the administration of ecclesiastical property; the deputies of the smaller abbeys; one deputy from the university of Gottingen; 29 from the cities; and 22 from the possessors of free estates who do not belong to the equestrian order. The hereditary land-marshal (and in his absence the president of the chief board of taxes), presides over the united chambers. Each chamber proposes three of its members, from whom the sovereign selects one to be its president. The diet meets every year; the members are elected for 6 years, but may be re-elected: no persons will ever be admitted to hear the debates.

The propositions from the sovereign are to be addressed to both chambers: if their decisions do not agree, an union is to be attempted by a commission chosen by both, to which commissioners from the sovereign may be added, to promote an agreement. It is necessary in propositions from the state that both chambers should agree.

In November, the provincial assemblies met to elect deputies to the general diet of the kingdom; which sat on Dec. 28th for the first time in its new form as two chambers.

Wirttemberg.—The sovereign of this kingdom leans to popular principles, and in the struggle between the privileged orders and the citizens at large of which his country has been the scene, has evidently taken part with the latter. The states-general assembled at Stutgard in January; and prince Paul, the king's brother, whose property had long been sequestered, whilst he himself lived in a kind of banishment at Paris, received a notification that his revenues would be restored, and that he was expected to appear at the opening of the diet in quality of heir apparent. It seems that the pretensions of the *mediatised* princes and nobility, who lately held directly of the empire, opposed some obstacles to the reconvoation of the states; and the king appointed a commission to treat with them respecting their claims. They did not at first evince a very tractable spirit; but the perseverance of the king surmounted all difficulties; and in September, the plan of a constitution was accepted

cepted by the representative assembly with few or no modifications. The king soon after repaired to Warsaw, to meet the emperor of Russia, and was successful in obtaining his powerful guarantee for the new constitution; which was now understood to be secured from the interference of the greater powers of Germany. A well earned triumph awaited his return to Stutgard. Two obelisks were erected by the magistrates, inscribed, "To the defender of the country." "To the father of his people." The citizens drew his carriage into the city with shouts of "Long live the king!" and an altar was erected before the palace with suitable inscriptions. The king received these testimonies of attachment with the most frank and cordial expressions of corresponding sentiments; and shaking hands with the first burgo-master, bade him tell all faithful citizens that he would gladly do the same to each of them.

The king of *Bavaria* had granted a constitutional charter to his subjects in May, 1818; but the *states-general* were not convoked for the first time till February in this year. The king, in his speech from the throne, warmly expressed his satisfaction in having at length attained the object of his constant wishes during a reign of 20 years; the establishment of a constitution calculated to promote the happiness of his people. He declared, that in such an assembly as that before him, he beheld a support to his throne and a blessing to his people; and ended by drawing a lively picture of the tranquillity

and union which pervaded his country. This union was, at a later period of the session, somewhat disturbed by a difference between the king and the *states* respecting army-estimates. It ended in the rejection by a great majority of the deputies of a proposed augmentation of taxes for the support of the troops; and the king has probably been compelled, in consequence, to reduce his military establishment.

Such was the situation of the principal among the secondary powers of Germany in the early part of the year: In the meantime, little progress appeared to be made in the formation of a constitution for Prussia; no representative body was there summoned to deliberate on the state of the nation; and circumstances soon occurred in another quarter which, by casting an odium on the supporters of democratical principles, appeared likely to oppose a formidable and permanent barrier to the further extension of popular privileges.

The ardent spirit of liberty which, since the late war, in which they had taken an active part, had prevailed among the professors and students of the German universities, had for some time attracted the jealous notice of more than one of the great continental potentates. It became an object of importance in the opinion of the emperor of Russia, to receive frequent intelligence of their motions, and generally, of the state of public opinion, of morals, and of literature in Germany. For this purpose, he engaged the noted dramatic writer Kotzebue, long attached

attached to the Russian service, but now returned to his native country, to become his official correspondent and to transmit to him full and frequent reports of all that was passing. In the performance of this office, M. Kotzebue had provoked the vehement resentment of the students, who accused him of calumniating the principles and designs of his countrymen to a foreign potentate, whose interference they naturally regarded with as much indignation as alarm.—Apprised of their hostility and dreading its effects, M. Kotzebue was preparing, it is said, to quit Manheim and return to Russia, when a young fanatic named Sandt, a theological student of Jena, obtained admission to him on pretence of delivering letters, and stabbed him to the heart. Having thus completed his purpose, the assassin walked calmly into the street, and falling on his knees, with his hands raised to heaven, exclaimed; “Vivat Teutonia!” and plunged a dagger in his bosom. He was instantly seized, and the wound not proving mortal, was conveyed to prison and strictly guarded. This catastrophe inspired general consternation in the German courts; it was regarded as the work not of a solitary enthusiast but of a body, a tremendous association, bound together by secret ties and sworn to pursue the accomplishment of its political objects through all crimes and all dangers. Diligent investigations were every where set on foot, in which the Prussian government took the lead. The general diet, then

sitting at Frankfort held, it is said, several secret deliberations on the means of restricting the universities to their true objects, on which subject M. Von Heinrich, minister of the ducal and grand ducal houses of Saxony, was instructed to make the following declaration to the diet:—
 “The erroneous opinions on the present state of the German universities which have been recently expressed in writings, in some sense official; the attacks made against the institutions existing in these bodies, particularly at Jena; and the importance of deliberating on the changes useful to be introduced into establishments of learning destined to form the youth of Germany, have determined his royal highness the grand duke of Saxe-Weimar-Eisenach, and his highness the duke of Saxe-Gotha and Altenburg, to bring the subject before the diet, and to order the following declaration, which contains their opinion on this subject, to be inserted in the protocol:—

“1. The state of the German universities is an object of general interest to all the governments of Germany, and on this account ought to be submitted to the deliberation of the diet.

“2. Their royal and serene highnesses will cheerfully lend their aid to bring about a general agreement on certain principles of academical discipline, and will support all measures useful and practicable for facilitating the direction of the interior government of the universities. Thus impressed, they have seen with pleasure that the university of Jena considers itself as forming a
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member of a subsisting association of universities, and that in consequence of a decree of its senate, it refused matriculation, after the disturbances at Göttingen, to all students from that place who were not provided with a certificate of their conduct while there.

“3. But in changes which their royal and serene highnesses will admit, they will not consent to any dispositions which would invade the interior constitution of the universities, and destroy their academical liberties by converting them into gymnasia, &c.

“4. The universities must preserve their freedom of opinion and instruction.”

The grand duke of Saxe-Weimar subsequently declared his resolution to permit no foreigners to study at Jena, without a recommendation from their own government; in consequence, the Prussian students were immediately recalled from this university, as were the Russian ones from all those of Germany.

An attempt made by a young medical student on the life of M. Ibel, president of the regency of Nassau, augmented the general panic; numerous arrests took place in several parts of Germany, but especially in the Prussian dominions; papers were seized; professors of known popular principles were subjected to severe examinations; suspicion was particularly directed against the founders of a patriotic association called the Tugendbund, instituted in 1813, and the members of the more recent bursenschaft, or student's club. It was affirmed, that information

had been obtained of the existence of secret democratic societies, extending widely over the country, in which the plan of converting Germany into a republic, one and indivisible, had been decided upon. Revolutionary poems and daggers were reported to be found among the effects of the persons arrested, and the public were led to believe that an atrocious plot would in time be revealed, though for the present it was judged prudent to refrain from the disclosure of particulars. In the meantime the security and happiness of private life was invaded; no one knew what to fear or whom to trust; secret dilations were listened to, persons were torn from the bosoms of their families without knowing their offence, and in some instances contrary to the laws, and it was remarked with sorrow, that the individuals arrested and accused, particularly in Prussia, were the same who had displayed most zeal in the general rising against the French tyranny, and who had earned for themselves the proud title of deliverers of their country. The senate of the new university of Bonn, made a public protest against the illegal seizure of the papers of three of its professors by civil functionaries, supported by a military force, sent from Berlin; and the chamber of justice at Berlin addressed three successive remonstrances to the minister of justice on the illegal violence of his proceedings. The police, finding at last no proofs of the existence of a plot, offered their liberty to several of the persons arrested; but on terms, it is said, which

which one individual alone thought fit to accept. Finally, a commission appointed by the Prussian minister, prince Hardenberg, to examine all the documents and the papers seized delivered to him their report, stating in the most unequivocal manner, that no man of any influence was concerned in the secret associations; and also that these associations had not for their object the revolutionizing of Germany. They added, that though presumptions, of different degrees of force existed against several of the persons in custody, not one of them could legally be put in a state of accusation.

Thus then ended the cause of this alarm; but not its consequences. These will best be traced from the "Propositions of the minister of his royal and apostolic majesty" to the diet at Frankfort; the "Circular of the cabinet of Berlin," the "Edict of censorship for the kingdoms of Hanover; and that for the kingdom of Prussia." (See State Papers.) Of all the severe measures of coercion indicated in the Austrian Proposition, that which gave most offence to the German people, and which was even a source of discontent to several of the smaller princes, was the proposed establishment of a general central commission at Mentz, authorized to prosecute inquiries in all parts of Germany concerning the "demagogical intrigues," supposed to be in action;—to examine any persons whatever as witnesses on these subjects,—to cause the arrest of suspected persons, and to take the punishment of political offenders into

its own hands. No sooner was the decision of the diet in favor of the erection of this new and formidable tribunal known at Berlin, than the members of the different supreme courts of justice met to protest solemnly against a measure which would so essentially infringe upon their jurisdiction. In a body they desired an audience of prince Hardenberg, and laid through him their complaints before the king. They represented, that by recognizing the late decisions of the diet, and conforming to them, his majesty would renounce the most sacred rights of a sovereign, not excepting that of granting pardons; and that the establishment of a tribunal at Mentz invested with the power of trying Prussian citizens, was incompatible with the dignity of an independent state and in direct opposition to the laws of Prussia. A memorial nearly to the same effect was presented to the king by his minister of state baron Humboldt, which was graciously received and transmitted to the court of Austria. Several of the secondary powers, and the grand duke of Baden in the number, testified their dissatisfaction. The king of Bavaria published the decisions of the diet commanding all persons in authority, and his subjects generally, to conform themselves to them;—adding however the following remarkable salvo:—"having regard to the sovereignty which is guaranteed to us by existing compacts and the act of the confederation, according to the constitution given by us to our faithful people, and according to the laws of our kingdom." Notwithstanding all opposition,

position, the central commission, with the full powers originally projected, met for the first time on October 15. It was composed of seven members, delegated by the sovereigns of the following states.—Austria, Prussia, Bavaria, Hanover, Baden, Hesse and Nassau.

The king of Prussia evinced peculiar zeal in carrying into effect the system thus founded in Germany. Several professors of Prussian universities were dismissed from their posts; the papers of M. Goerres, author of a work intitled "Germany and the Revolution," were sealed up, and the city of Frankfort was somewhat imperiously required to seize all copies of the work and to give up the author. With the former part of this mandate the senate of Frankfort complied, nor did it apparently demur to the latter;—M. Goerres however was enabled to escape into France. A commission was appointed at Berlin to examine into charges of high treason and where it should appear necessary to transmit the prisoners to Mentz. It should seem however that the integrity or the patriotism of the commissioners prompted them to liberate most of the persons brought before them, some of whom were also to receive a public reparation of character. Meantime, the new constitution for Prussia was affirmed to be in a state of diligent preparation, but no public measures have yet been taken to bring it into action.

The assassin Sandt was transferred to Mentz in safe custody, but his trial has been postponed

from time to time, probably in the hope, which has not, it should seem, been realised, of extracting from him some confessions tending to implicate others in a crime which he has repeatedly affirmed to be exclusively his own.

A circumstance equally extraordinary and disgraceful in the annals of modern Germany, was the persecution of which the Jews were the victims during the year 1819. The motive of the injuries and insults inflicted on this unfortunate people is somewhat obscure; but it seems to have been some sentiment more akin to political or commercial jealousy than to the ancient religious antipathy.

The condition of the Jews in Germany had received the most important amelioration within the last twenty years. Buonaparté, on entering Germany, had effaced the ancient stigma impressed upon the race by declaring them "citizens and members of society:" Yet, during the late war, hoping to obtain from the legitimate sovereigns of Germany a confirmation of the privileges thus granted them, the Jews had freely offered their property, and even their lives for the defence of the country; and in return, had obtained strong testimonies of approbation from several of the allied princes; and from the king of Prussia, the rights of citizens, with eligibility to all offices. These acquisitions of civil privileges when combined with their extensive command of capital, enabled the Jews in some commercial towns to assume a port which their Christian neighbours regarded

regarded as presumptuous and offensive; — a cry was raised against them, and but for the powerful and prompt protection extended by the German sovereigns, the fury of the people would apparently have quenched itself in their blood. The senate of the free town of Lubeck had been the first to mark its animosity against this people by reinforcing an edict of 1788, forbidding *all strangers* to carry on commerce of any kind within Lubeck; (see State Papers). A prohibition which is stated to have been followed up, with regard to the Jews, by measures of great harshness and insult. The police officers were ordered to search all Jews openly in the streets, and to burst open their houses and take possession of all their property, sealing up even the common necessaries of life. The senate further decreed, that any person acting for, or in any shape transacting business with a Jew, should for the first offence be fined; and for the second, should be further visited with imprisonment and loss of citizenship; and that any clerk, porter or menial servant living with a Jew, should be imprisoned and expelled the town. The next expulsion of this unhappy race was from the town of Meiningen. This place, it seems, had long enjoyed the *privilege* of admitting no Jews within its walls; nevertheless a considerable number had established themselves there on sufferance; a sudden resolution of the magistrates to enforce again the old regulations, had compelled the lower order of these to quit the

town; but a few wealthy families still lingered, and the magistrates were asked whether it was intended that their longer abode would be tolerated. These authorities referred the question to an assembly of the people; but scarcely had the debate commenced, when some of the citizens collected together the empty waggons standing in the market, and ended the doubt by compelling the remaining Jews to pack themselves and their goods into them and causing them to be transported over the frontiers.

At Hamburg, Frankfort, Wurtzburgh and other free towns in Germany, popular tumults occurred in which the Jews were insulted, plundered and menaced. At length these outrages attracted the attention of the higher powers; and a notification, signed by all the envoys assembled at the conference of Carlsbad, was forwarded to the resident ministers at the towns where these scenes had been acted. They were hereby directed to remonstrate with the local authorities; and to claim for the Jews that equal protection which every government is bound to afford to all its subjects without distinction; they were further to state, that a repetition of the offence would subject these authorities themselves to the punishment due to accessories,—deprivation of rank and office: nor would the chastisement stop here; the place itself would be subjected to military occupation, either by Austria or Prussia, and perhaps, eventually, to accession to some neighbouring state. The king of Ba-

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varis and the grand duke of Baden respectively, issued strong edicts for the protection of the Jews in their dominions, declaring the districts responsible for all the damage done to their property: the students of Heidelberg gallantly sallied forth armed for their protection in a violent tumult which the magistrates had taken

no means to repress. It was observed in some places, that the interposition of troops of the line on these occasions, rather inflamed than appeased the fury of the people; but the *landwehr* were more successful in restoring order. Before the end of the year the ferment appears every where to have subsided.

CHAPTER XIII.

NETHERLANDS.—Law respecting trade with Sweden.—Speech of the Minister to the States General on closing the Session at Brussels.—Royal Speech on opening the Session at the Hague. SWEDEN.—Negotiations respecting the Payments due to Denmark.—Final arrangement of this Affair.—Parga and the Ionian Isles.—Cession of Parga to Ali Pasha by the British.—Tax opposed by the Legislative Assembly of the Seven Islands.—Insurrection in Santa Maura.

THE kingdom of the Netherlands furnishes few subjects of historical notice, on account of the state of tranquil happiness which it appears to enjoy. Early in the month of March, the project of a law relative to the commercial relations of the country with Sweden, and the reciprocity to be exercised towards that power, occupied the attention of the States-general assembled at Brussels.

All the sections agreeing in the principles which dictated this law, declared that the discussion was open. Count Hogendorp, in an excellent speech, supported the project. He quoted the opinion of the celebrated Chaptal, formerly minister of the interior in France, who rejects every system of prohibition as injurious to nations; he would have an unlimited freedom of commerce, which, said he, cannot but be to our advantage.

No other member desiring to speak, M. Fulck, minister of colonies and trade, explained the grounds of the project, which,

being put to the vote, was passed unanimously.

On May 22nd the session was closed by the minister of the interior with the following speech, which he delivered in both languages.

“High and Mighty Lords,—The King, in ordering me to close in his name the session of the States-general, has at the same time commissioned me to testify his satisfaction at the constant and assiduous care which you have shown in the thorough investigation of the various projects of laws which have been laid before you, and of which several were of high importance. I shall not enumerate them; but it is agreeable to the king to be able to inform you, even before your session is closed, that a very interesting law, that on the national militia, has been put into full execution, and that the result answers the hopes which his majesty entertained.

“His majesty thinks that equally satisfactory information may soon be given you respecting

ing the other laws which you have since had before you. He will rejoice at it, because his ambition is the prosperity of the state, and in his heart, the prosperity of the nation is inseparable from his own happiness."

His excellency concluded by recommending to the members worthily to employ the interval till the next session in maintaining that spirit of concord which is the basis of the general welfare and happiness.

The next session of the states was held, according to the appointed rotation at the Hague, when an opening speech was read in the name of the king, of which this was the substance.

"This sitting will be of the highest importance, as the States-general will have to discuss measures which will complete the edifice of the constitution. His majesty has the satisfaction to announce, that the most cordial friendship continues to exist with all foreign powers, and that all of them are animated with the most ardent desire of peace; so that there is every reason to presume, that all the nations of Europe will continue to enjoy entire tranquillity. In this sitting the project of the codes for the Netherlands will be laid before the States. According to the fundamental law, this great work will be laid before the Assembly in distinct parts. Every free and independent nation requires a national legislation. The moment will be most important when the whole can be proclaimed as the law of the State.

"His majesty then proceeds to the finances, in which he says, the Assembly will be convinced,

that economy has been studied as much as possible. He laments, however, that the army is so expensive, and wishes that this branch could be diminished, but the position and relations of the kingdom make it necessary to follow the example of other powers. The state of the sinking fund will be laid before the Assembly: though but a few years have elapsed since it was established, its good effects have been already felt. Some measures will be proposed to remove the few differences which still exist in the duties and privileges of the inhabitants of the Netherlands in all parts of the kingdom, including the Grand Duchy of Luxemburg. The harvest has been, in general, uncommonly abundant. Important manufactories show an increasing activity, and though industry and trade in general still suffer from the unnatural excitement previously given them, and the surprising revolutions in political circumstances, those who compare our situation with that of other countries find no reason to envy them or to lament our own. The good effects of the new administration of our colonies gradually develop themselves. The intercourse with them becomes daily more extensive.

"Deeply penetrated with the sense of my obligation in all the acts of my government, always to have in view the interests of the Netherlands in general, and never to prefer that of a part to that of the whole, I shall continue with calmness and firmness to pursue the path which I have proposed to myself, convinced that

that it will lead to the real happiness of our beloved country, and and the co-operation of your high mightinesses. I hope I shall always continue to find the proof that you do justice to my sentiments and intentions.

Sweden.—The completion of the stipulated payments from the king of Sweden to the king of Denmark, as a compensation for the possession of Norway, was a source of some embarrassment to the former country. The king of Denmark, early in the year, complained to the sovereigns of Russia and Prussia, then met at Aix la Chapelle, of the delay which had occurred in the liquidation of this debt, and representations were in consequence addressed by these potentates to the king of Sweden. Very acrimonious discussions between the respective courts are said to have ensued, and at one period formidable difficulties were opposed to the amicable adjustment of the business. Subsequently, the mediation of Great Britain was called in, and lord Strangford, the British minister at Stockholm, carried on negotiations there for some time in the names of his own sovereign and of the king of Denmark: these were at length successful, and an arrangement was acceded to, satisfactory alike to the contracting and to the mediating powers, by which Denmark was to receive a smaller sum than had at first been stipulated, but by instalments at shorter intervals and securely guaranteed. [See Public papers.] Immediately after the termination of this affair, the king set out for Scania.

Parga and the Ionian Isles.

The cession of a small Christian republic on the western coast of Greece, by his Britannic majesty to Ali Pasha the Musulman despot of Albania, a transaction much canvassed in the English parliament, appears not unworthy of mention in the general history of this year. The circumstances which led to this transaction were the following: Parga, the sole relic of the Venetian dominions on the continent of Greece which was able to baffle down to the year 1800 the conquering arms of Ali, gave admittance some time afterwards to a French garrison, the French having at this time succeeded in establishing themselves as successors to all the possessions of the republic of Venice. In the year 1814, being again attacked by their implacable enemy Ali, and finding this garrison an insufficient defence, the Pargiotes, after repelling the assault by their own valour, found it expedient to seek the protection of Great Britain. This was accorded them by general Campbell the commanding officer on that station; and a body of English troops were received into the town, on the express condition that it should share the fate of the Seven Islands. Some time after, this treaty received the approbation of the Prince Regent.

In the congress of 1815; in utter oblivion as it should appear, of the engagement entered into with this devoted republic, it was stipulated on the part of Great Britain that the whole continent
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of Greece should be ceded to the Porte, in other words to Ali Pasha. When it was first rumoured at Parga that the town was to be delivered up to their ancient enemy, the most dreadful apprehensions were entertained by the inhabitants, and an earnest supplication on the subject was addressed to the British officer commanding the garrison; who answered in March 1817, by orders of sir Thomas Maitland, lord-commissioner for the Ionian islands, that as he had not yet received the regular instructions of his government, he could give them no definitive answer; but that they might depend on his doing all in his power for their advantage, provided they did not forfeit their claim to his protection by any acts of violence or bloodshed. From this reply, the substance of the arrangement thus became apparent, and as no one could doubt the cruelty with which Ali was disposed to treat the place on its coming into his power, sir Thomas Maitland authorised the British commander to exhibit a letter in which he "pledged himself that the place should not be yielded up till the property of those who might choose to emigrate should be paid for, and they themselves be transported to the Ionian islands."

An estimate of the whole property of the people was then made by the commander, who calculated that it would amount to between 400,000*l.* and 500,000*l.* A more particular valuation raised the sum total considerably higher, yet by some chicane, less than a third part was finally awarded. After a variety of pro-

ceedings, tending to show the ferocious and faithless character of Ali, who continually threatened to enter the town by force, without paying a single farthing, two commissioners were at length named, one by this barbarian and one by the British, before whom every individual citizen of Parga was brought up for the purpose of declaring whether he preferred to remain in his native town, or to emigrate. They unanimously answered, that "they were resolved to abandon their country rather than stay in it with dishonour; and that they should disinter and carry along with them the bones of their forefathers."

The commissioners soon disagreed, as might be expected, in their valuations; both were superseded and all proceedings were suspended till May 1818, when new commissioners were named, before whom the Pargiotes repeated their former resolution, and between whom the former differences arose. The Pargiotes, reduced to the utmost distress, sent a statement of their case with proper documents to be laid before the British parliament; but unfortunately the foreigner whom they employed did not hold himself entitled to make any formal application. The cause was indeed taken up by some voluntary advocates in both houses of parliament, but their generous efforts came too late; and the sacrifice was consummated before any specific proposal for their relief could be submitted to the legislature.

"In June 1819, general Maitland, in consequence of the depreciation of property by the neglect

neglect and despair of its owners, finally declared the compensation to be paid by Ali for the Turkish government to be 142,425*l.* sterling; and, shortly after, intimated to the citizens, that he was ready to provide for their transportation to the islands.

“As soon as this notice was given, every family marched solemnly out of its dwelling, without tears or lamentation; and the men, preceded by their priests and followed by their sons, proceeded to the sepulchres of their fathers, and silently unearched and collected their remains,—which they placed upon a huge pile of wood which they had previously erected before one of their churches. They then took their arms in their hands, and setting fire to the pile, stood motionless and silent around it, till the whole was consumed. During this melancholy ceremony, some of Ali's troops, impatient for possession, approached the gates of the town; upon which a deputation of the citizens was sent to inform our governor, that if a single infidel was admitted before the remains of their ancestors were secured from profanation, and they themselves, with their families, fairly embarked, they would all instantly put to death their wives and children, and die with arms in their hands,—and not without a bloody revenge on those who had bought and sold their country. Such a remonstrance, at such a moment, was felt and respected as it ought by those to whom it was addressed. General Adam succeeded in stopping the march of the Muslims. The pile burnt out,—and

the people embarked in silence; and free and Christian Parga is now a strong hold of ruffians; renegadoes and slaves.”*

The consummation of this deplorable sacrifice took place early in the month of June; and immediately afterwards sir Thomas Maitland set sail for Ancona, whence he was to proceed to Rome, for the purpose of negotiating with the pope a kind of concordat for the Catholic clergy of the Ionian isles. The close of the session of the Ionian parliament, prorogued by the lord-commissioner immediately previous to his departure, had been marked by the hitherto unprecedented circumstance of an opposition, and that too a successful one, on the part of the representatives, to a measure of the government. An additional duty of 5 per cent on the export of currants, which had been unanimously voted by the senate, composed of six members, was rejected in the legislative assembly by a great majority; as a measure manifestly ruinous to that important branch of the produce of the islands, which, so burdened, could not sustain a competition with the currants of Patrass, permitted by the Porte to be exported under a very trifling impost. Before the stand thus made by the representative body in behalf of the purses of their constituents, it appears that several new taxes had received the sanction of the legislature, some of which being regarded by the peasantry as an intolerable oppression,

* Edinburgh Review, No. lxiv. Article I.

pression, led to fatal and lamentable results. A formidable insurrection broke out in the island of Santa Maura, and on October 6th it was found necessary to issue the following proclamation at Corfu, the seat of government.

The following proclamation has been published here :—

“ His excellency, who fills *pro tempore* the functions of the Lord Commissioner, makes known with high displeasure, that in the country districts of Santa Maura there has appeared lately a spirit of insubordination, and that the inhabitants of the village Sfachiotes were the first to oppose the municipal officers in the exercise of their functions under the orders of government.

“ This spirit of insubordination reigned for six successive days, during which a considerable number of armed peasants approached the city, and presented to the resident of his excellency a petition in which the peasants laid open their grievances; and whilst on one hand they manifest their attachment to the general government, they show, on the other, hostile sentiments towards several functionaries of the local government, and towards some of the principal inhabitants of the city, to whom they give the name of oppressors, and against whom they appear animated by a spirit of vengeance. The resident received the petition, assuring the petitioners that he would transmit it to the government; and that, if they retired peaceably, instead of continuing to render themselves guilty of a breach of the laws, he flattered himself that

the government would receive it with indulgence, and take it into consideration. Then a part of these misguided men retired; but a great number remained in arms, without, however, committing any act of violence. As soon as his excellency had been informed of these details, he ordered the Resident to issue in his name a proclamation, to assure these misguided men that if they returned to their obedience and duty, their grievances would be taken into consideration by the government, that they would be relieved from the want of which they complained, as soon as it should be proved; but to apprise them, at the same time, that if they did not merit the indulgence of government, by retiring peaceably to their homes, and submitting to the laws, no attention could be paid to their petition.

“ His excellency, considering that the ill-intentioned, who had incited the inhabitants of the country to take arms, might lead them to other acts of violence, thought it prudent to dispatch a great body of troops to provide amply for the safety of that island. On the night of the 9d, before the arrival of the orders relative to the proclamation of his excellency, and before the landing of the troops, a body of peasants, in a state of intoxication, descended from the neighbouring hills, and endeavoured to throw themselves into the city, but they were repulsed by a small detachment, which was at the entrance. Some of them, after having retired, made a circuit, enclosed the city, and set fire to the house of an inhabitant. They were like-
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wise repulsed, and tranquillity was restored.

“ On the following day these misguided men persisted in their mutiny. The resident, wishing to avoid as much as possible the effusion of blood, endeavoured by all means to induce them to retire to their homes; but all his efforts were useless: constrained to employ force he attacked and dispersed them, taking possession of the village of Sfachiotes, the seat and centre of the sedition. Martial law has been proclaimed in the island of Santa Maura, and the public tranquillity will soon be restored, without its being necessary to have recourse to measures of general rigour. The arm of justice will reach and overpower those who, by their ma-

chinations and example, had led the misguided peasant to his ruin.”

The strong measures here indicated, are stated not to have been immediately effectual in suppressing this ebullition of popular fury. On the contrary it is said, that the spirit of insurrection spread throughout the island, and that some lives were lost on both sides in actions between the peasantry and the British troops. Directions subsequently arrived from sir T. Maitland to the local authorities to adopt conciliatory methods, and it should appear that the sacrifice of an unpopular tax was finally determined upon as the only means of conciliating the minds of men.

CHAPTER XIV.

ASIA.

HINDOSTAN.—*Return of the Governor-General to Calcutta.—His Answer to an Address from the Inhabitants.—Appa Sahib.—Deposition of the Peishwa.—Settlement of the Pindarries.—Military Transactions.—General Results of the War.—CEYLON.—Suppression of the Insurrection.—Punishment of the Leaders.—Protest of Sir S. Raffles against the Proceedings of the Dutch in the Malayan Archipelago.—Treaties formed with the Princes of Sumatra.*

MARQUIS HASTINGS, on his return to the seat of government from the brilliant campaign of 1818, received, on August 4th, a respectful and affectionate address of congratulation from the inhabitants of Calcutta. The governor-general was pleased to return them an answer, which forms a highly-interesting and important public document, whether it be regarded as a summary of the events of the war, or as an exposition of its causes, and a defence of the system of policy adopted by the marquis with respect to the native powers. We here present it entire to our readers:—

Gentlemen;—The compliment with which you honour me is truly gratifying. Were I to consider you merely as men of worth and talent, desirous of marking your friendship towards me by a flattering civility, the distinction conferred upon me by the favour from persons of such stamp would

demand the warmest return from my heart. I entreat you to believe that you do meet that return; but with much, very much, superadded to it. In the satisfaction I am enjoying, there is something far beyond individual vanity. The sentiments which you have been pleased this day to express, are not uttered to me alone; they are vouchers tendered to our countrymen at home. I am not alluding to the pride I must naturally feel, in having such a testimony borne respecting me to our native land; the sensation which you have awakened in me is of a higher quality. A wider scope is inseparable from your treatment of the subject than what applies to me personally. You are pronouncing whether they who may be said to have represented the British character on the occasion, did faithfully and becomingly fulfil that exalted trust; and your proximity, your stations, your excited vigilance, eminently

eminently qualify you for returning a verdict, while your manhood would make you spurn at giving through courtesy an opinion which your judgment belied. Many of you have had to contemplate your most important private interests as staked in the transaction to which you refer; but all of you have felt that the national honour, in which you were severally sharers, was involved in the purpose and tenour of the measures I had the lot to guide. Under such an impression, you have stood forward to attest the dignity of British justice has not been sullied. It is a declaration superiorly grateful; for my portion in the aggregate of British fame is more touching to me than a separate and selfish reputation. Your generous partiality towards me has not betrayed you into an indiscreet averment on that point. When we went forth to punish wrong, we were aware how much it behoved us to watch over ourselves, that strength and success might not seduce us into any act of oppression. I venture to believe, that violence or wanton exaction cannot, with the faintest colour of truth, be imputed to our procedures. This, however, shall not rest on general assertion. You shall be minutely satisfied. Though from the distinct feature of occurrences, you have with a gallant confidence maintained our equity, it will be pleasing to each of you to learn details which will enable you respectively to say, "I was not carried away by the kind warmth of my feelings; here are circumstances which, to my deliberate reflection, irrefragably confirm the

conclusions I drew from a less particular statement of the case." The field of our operations was so vast, that you often did not in Calcutta learn events which took place in remoter parts, till after you had been apprised of others considerably posterior which occurred in nearer quarters; so that you did not see how one transaction rose out of another. You will understand them better when they are presented to you in a regular chain. In laying them before you, I cannot make any inconsiderate disclosure. I am acting in the spirit of our hon. employers, who would challenge investigation and encourage exposition. Either for them or for us there is not a passage to be slurred over or glossed.

In our original plan, there was not the expectation or the wish of adding a rood to the dominions of the honourable company. Our knowledge of the decided repugnance, with which any notions of extending our territorial possessions is always viewed at home, would have forbidden such a project. Territory, indeed, was to be wrested from none but the Pindarries; and you will readily comprehend the policy which dictated, that such conquests should be divided between the nabob of Bopul, Scindia, and Holkar. It was useful to strengthen the former, who had attached himself to us devotedly; and it was desirable that the two Mahratta sovereigns should perceive a degree of advantage for themselves, to compensate for the unavoidable dissatisfaction they were to suffer from the completion of our enterprise. The suppression of the Pindarries

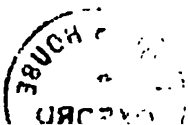
Pindarries was our single object. You have unequivocally proclaimed the absolute necessity of that object; and I cannot imagine that the man exists, who would represent it as one of speculative expediency. Even in that light, the extirpation of the Pindarries would have been a justifiable and a wise undertaking. An association, whose undisguised principle is, to subsist by plundering all around it, is a body placed by its own act in a state of war with every regular government. To crush such a confederacy before it should farther increase that strength which every year obviously augmented, would have been a legitimate and prudent cause of exertion. But such considerations were long gone by. We were called upon by the most imperious duty attaching upon a government, that of protecting its subjects from desolation, to prevent the repetition (confessedly preparing) of invasions, which had for two years consecutively ravaged the Madras dependencies with circumstances of unexampled horror; on that principle we resolved to take the field. To have limited our purpose to the expulsion of the Pindarries from the districts which they had hitherto occupied, would have been worse than childishness. Too numerous and powerful to be resisted by any of the smaller states, they would, in receding from us, only forcibly occupy some other territory equally convenient for annoying us, whence their expeditions would have issued with the improved intelligence acquired by their having learned to measure our movements. It was

indispensable to extinguish them wholly. We were not blind to the difficulties of the task. The interception and dispersion of between five and twenty and thirty thousand horsemen, lightly equipped and singularly inured to fatigue, on the immense field over which they had the power of moving in any direction, was an operation that required no ordinary effort. Much more, however, was to be taken into calculation than the agility of our enemies. It was certain that their peril would be regarded with the greatest anxiety by Scindia and by Ameer Khan. I leave Holkar out of the question, though he was interested in the result, for a reason which I will hereafter explain. The Pindarries were an integral, though an unavowed, and sometimes hardly manageable part of the army of Scindia. They were always the ready auxiliaries of Ameer Khan, with whom community of object, rapine, gave them community of feeling. It was therefore sure that those two chiefs would be strenuous in counteracting our attempts to destroy the Pindarries; underhand, as long as their practice could be concealed; in arms, when disguise would no longer avail. We had consequently to aim at incapacitating Scindia and Ameer Khan from taking the part they meditated. Enough was gained from Scindia, could we place him under an inability of moving; but much more was requisite in respect to Ameer Khan. Though his large army was better fashioned and more systematically organized than the Pindary force, still he was essentially nothing but



but a leader of freebooters. It was of fundamental urgency that his army should be disbanded. Though it consisted of fifty-two battalions, with above one hundred and fifty pieces of cannon, and a powerful cavalry, it was luckily dispersed in small corps, either for the occupation of the widely-separated patches of territory which he had won from different chiefs, or for the extortion of means of subsistence from weaker states. My hope of rendering Scindia and Ameer Khan unable to struggle, rested on this; that I should assemble my force before they suspected my intention, and push it forward with a rapidity which should make any concentration of their troops impracticable. The mere immovability of Scindia would not have answered my purpose. The Pindarries, if pressed by me, would have traversed his dominions and gained the western states, whither I should be precluded from following by a bar insuperable as long as it existed. We were bound by treaty with Scindia to have no communication whatever with those states, so that the Pindarries would, in the disunited Rajpoot territories, have found not only shelter, but the facility of combining their force with that of Ameer Khan. I am showing to you that even here the bonds of public faith were, in my contemplation, less surmountable than physical obstacles. Do you think that I solved this embarrassment by an illicit use of the advantage which I succeeded in gaining over Scindia, by planting myself in the middle of his divisions, and prohibiting any attempt at

their junction? You do not believe it; yet you will like to hear explained on what title I required from him the abrogation of that interdict which forbade our intercourse with the western states. No treaty, in truth, was existing between us and Scindia. He had dissolved it, first by exciting the Pindarries to invade our territories, that he might see how a desultory mode of war might affect our power; secondly, by lending himself the year before to the profligate intrigues of the peishwa, for the subversion of British preponderancy; thirdly, by specific promises given to the Pindarries of making common cause with them, should they be driven to exigency. Will it be said that this was possibly the construction which we put on doubtful information? Though the Pindarry chiefs now prisoners with me have since borne evidence to the truth of all these facts, my vindication shall not repose itself there. Just as I was taking the field, I caused to be delivered to Scindia, in open durbar, his own letters, signed with his own hand, and sealed with his own private seal, addressed to a foreign government, and evincing the most hostile machinations already matured against us. Nothing was said to him on the delivery of those letters other than that the governor-general had not wished to peruse them, and that his highness would perceive the seals were unbroken. I had no need to peruse them, because their contents were displayed by the letters of inferior agents, referring to and illustrating the expressions of the Maha-raja. These particulars are communicated to you



you, that you may see how steadily, notwithstanding the laxity of the other party, our plan of upholding the existing native governments of India was maintained. Did Scindia dispute the verity of the proofs brought against him? No such thing. He sunk under the confusion of the unexpected detection. There was no denial, no attempt at explanation, no endeavour to extenuate the quality of the secret correspondence. On our part, the sole advantage drawn from the circumstance was additional security for the accomplishment of our measures against the Pindarries. The Maha-rajah was told, in mild and conciliatory terms, that the British government would give way to no vindictive impulse on account of what had passed, but would regard his Highness's aberrations, as an indiscretion arising from his not having sufficiently considered the ties of amity subsisting between us; but it was added, that as those ties had not appeared firm enough to secure our just interests, a new treaty should be proposed, which, while it preserved to the Maha-rajah all the solid benefits enjoyed by him under the former one, would give us the certainty of annihilating the Pindarries. Scindia gladly agreed to the terms, which pledged him to active co-operation against the freebooters, and set us at liberty to make those engagements with the Rajpoot states, which alone could induce them to combine and oppose any attempt of the Pindarries to find refuge in the western country. A provisional agreement was settled with those

states instantly on our obtaining the right to take them under our protection.

A more decisive conduct was requisite towards Ameer Khan. As his hand was professedly against every man who had any thing to lose, the hand of every man might justly be raised against him. There were no engagements, express or implied, between him and us. He was, therefore, distinctly told of our resolution not to suffer the continuance of a predatory system in central India. An option on this principle was offered, that he should subscribe to the disbanding of his army, or witness the attack of it in its separated condition. Should he choose the former course, he would be guaranteed in the possession of the territories he had won from states whose injuries we had no obligation to redress; should he risk the latter, he would be followed up as a free-booter with the keenest pursuit that could be instituted against a criminal disturber of the public peace. He had sagacity enough to comprehend that any procedure but submission was hopeless. The positions gained by us through celerity at the outset, rendered the situation of those with whom he had to deal defenceless. Scindia was closely penned between the centre division on the banks of the Sinde, and major-general Donkin's division on the banks of the Chumbul. The latter corps menaced Ameer Khan on the one side, while Sir D. Ochterlony's overhung that chief on the other, and the division under Sir Wm. Kier prevented his escaping southward.

southward. In this extremity, Ameer Khan took the wise step of throwing himself on our liberal justice. His artillery was surrendered to us; his army was disbanded; and the British government stood free from embarrassment in that quarter. At that period, which was early in November, I had to consider the objects of the campaign as completely gained; for the Pindarries, sensible of the impracticability of maintaining themselves in their own territories, had begun their march to fall back, on supports of which they did not then know I had deprived them, and were surrounded by our divisions which were then closing in upon them from every side. An apparently well-grounded hope was thence entertained that the extensive revolution which importantly changed the fortunes of so many states, would be perfected without the effusion of other blood than what might be shed in the dispersion of the Pindarries.

That expectation was not realized; but its failure arose from causes altogether unconnected with the plan of our undertaking, or with any steps used by us in the prosecution of it. I mentioned to you that I reserved an explanation respecting Holkar. Though some of the chiefs of the Pindarries held large Jagheers from Holkar's government, they had acted so independently of it, that they were considered as having divorced themselves entirely from it; and that government, on my notifying to them the determination to suppress the Pindarries, reproated

the lawless ferocity of the freebooters, applauded the justice of my purpose to chastise them, and closed the letter with expressions of every wish for my success. The sincerity of those wishes might have been questionable, though no apprehension of obstruction to our policy would have attended the doubt, had not other and more particular correspondence been at that time in process between Holkar's government and our's. Toosie Bhye, the widow of the late Maharajah, was, as you know, regent of the state, during the minority of young Holkar. Finding herself unable to control the insolence of the airdars, and to preserve the interests of the family, she had sent a vakeel to solicit privately, that Holkar and the state might be taken under the British government. The overture was met with the kindest encouragement. No burdensome condition was indicated, no subsidy required, no stationing of a British force in Holkar's territories proposed; the only outline of terms was reciprocal support, in case either state were attacked, and the zealous co-operation of Holkar's government in preventing the assemblage of predatory associations. While such frank cordiality reigned between the parties, nothing could seem more out of the chances than a rupture; yet upon a sudden the vakeel was recalled, the different airdars with their respective troops were summoned to repair with the utmost speed to the sovereign's person, and the determination of marching to aid the Peishwa was proclaimed by the regent.

regent. What ensued is fresh in your recollection. The Mahratta army found itself surrounded. Earnest representations of the inevitable ruin which they were entailing on themselves, were made on our part to the government, and many times repeated. The sirdars could not imagine such a feeling as the moderation whence these friendly expostulations flowed. Our assurances that their ebullition should be forgotten, and that we would remain on the same amicable footing as before, if they abandoned their extravagant purpose, were supposed to arise from our consciousness of incompetency to coerce them, and that persuasion increased their temerity to the extent of actual attacks on our out-posts.

The regent alone perceived the precipice; wished to withdraw from it; and was publicly put to death by the sirdars for doubting the certainty of victory the evening before the battle which reduced Holkar to a destitute fugitive.

A similarly unprovoked defection was exhibited by the Rajah of Nagpore. If his inimical disposition was not marked with the same insolent vaunt, it was only because he thought the basest insidiousness would give him an advantage in the attempt which he meditated against the life of our accredited minister, residing under the public faith of a treaty at his highness's court. He kept up his solemn protestation of devoted friendship till the very hour of the attack on the residency. His villainous efforts failed, his courage deserted him, he threw himself on our mercy;

he was continued on the musnud, and every reverence was paid to him, till we detected him in a new conspiracy. Then the simplest principles of self-preservation demanded his removal from the throne.

I have stated these two cases before I touched upon that of the Peishwa, because they will strongly elucidate the necessity of the conduct held towards that prince, if prince be not a title unfitly applied to an individual so filthily stained with perfidy. Our endeavour to screen his reputation, by throwing the whole guilt of the Guyckwar minister's murder on Trimbuckjee Dainglia, when the Peishwa himself was not less actively implicated in it, was so perversely met by him, that throughout the year 1815 we discovered the intrigues of his highness at almost every court in India, to stimulate combinations against us, in revenge for our austerity towards his despicable minion. They were thought to be the effects of an acrimony which would soon subside, and much importance was not attached to them. On finding, however, that they were continued, I judged it right to apprise the Peishwa that I was acquainted with the transactions. This was done in the gentlest manner; and the intimation was coupled with a profession that I ascribed those practices to the indulgence of an inconsiderate spleen, which he would chasten in himself the moment he reflected on its real nature. It was added, that in the confidence of his being solicitous to retrace his steps, I was ready, on the profession of such a disposition on his part, to obli-

terate the remembrance of all that had passed, and to invite his fullest reliance on my personal efforts to maintain his welfare and dignity. His answer was a protestation of never ending gratitude, for the gentle tone in which I had roused him to a sense of the track into which he had unintentionally slidden, and which could have led only to his ruin. He charged his agents with having exceeded his instructions, which, nevertheless, he admitted to have been indefensible, but which he would expiate by a strict fidelity to the engagements existing between us, now confirmed anew by his most solemn asseverations. Very shortly after we detected him in the endeavour to collect an army, under the pretence of quelling a rebellion, headed by Trimbuckjee, to whom a constant remittance of treasure was made from the Peishwa's coffers, as we knew by the most accurate information of every issue. We were then constrained to anticipate this incorrigible plotter. We surrounded him in his capital, and obliged him to submit to terms which preserved the ancient appearances of connexion, but deprived him of much strength, should he hazard future machinations. At the same time, what we imposed was only a fulfilment of an article in the treaty of Bassein, by which he was obliged to keep up for us an auxiliary force of five thousand horse. Not one of them had ever been retained for us; and the money which should have furnished them went into his highness's private treasury. But we now required that districts yielding revenue to the requisite

amount should be put into our hands for the levy and maintenance of the cavalry in question, according to the usual custom in the Mahratta states, of assigning lands to sirdars for the subsistence of a specified number of troops. This force, though it would be the Peishwa's for every purpose of service while friendship existed between us, would go into our scale (since we were the paymasters) should his serene highness venture to break with us. He did, you are aware, venture to break with us, but you possibly may not have suspected how beneficial that precipitated step was for us. Had he not done so, the conspiracy to which he had given a substance and shape much beyond what he had conceived, might have burst forth upon us at an unprovided moment, with mischievous concurrence of exertion. The Peishwa trusted to wide co-operation. The sanguinary desire of massacring Mr. Elphinstone made him over hasty in breaking forth, though he had no doubt but that Scindia and Ameer Khan were already in the field against us. The pledges of reciprocal support, settled in 1815, are what I have stated against Scindia in the earlier part of the recapitulation. The Peishwa when he resorted to arms, was not informed that Scindia and Ameer Khan had already been reduced to nullity. They had been put out of the question. But Holkar and the Rajah of Nagpore had yet the power of moving. When after their defeat they were asked what could lead them to the extravagant act of attacking us, with whom they were

were in bonds of plighted amity, each pleaded the order of the Peishwa as not to be contested. Holkar's ministers acknowledged their spontaneous petition to be taken under the wing of the British government; but urged, "the Peishwa is our master, and what he commands we must obey." The Rajah of Nagpore, being after his last seizure charged to his face by one of his former ministers with ingratitude, in making those attempts against which he (the minister) had used absolute supplications, answered, that the conduct of the British government towards him had been an unvaried stream of benefits conferred, that there never had been a transient dissatisfaction, but that it was his duty to fulfil every direction from his superior the Peishwa. After declarations like these, after such proof that not only the stipulations of the treaty of Bassein, which annulled the authority of the Peishwa, but that the most pointed oaths and the strongest obligations for benefits received, could not counterbalance the influence inherent in the name of Peishwa, you will not be surprised at our feeling it irrational to think of re-establishing that title. When the Peishwa, seduced by the invitation of the Rajah of Nagpore, then at liberty and filling the musnud, advanced with his army to the Warda; but on his arrival there, instead of finding the Nagpore army ready to join him, learned that the plot had been discovered, and that Appa Saheb was a prisoner, the impossibility of getting back to his own dominions was apparent. The disposal of them

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was then to be considered. I have shown that there could not be a Peishwa admitted. To raise any of Bajee Row's family to the throne with another appellation would have been a delusion. The indefeasible character of Peishwa and chief of the Mahratta armies would have been ascribed to the individual, in despite of any barriers of form which we could establish. On that principle we could assign to the Rajah of Satarah only a limited territory, and by no means invest him with the sovereignty of the Poonah dominions. On the other hand, should we set up any one of the family without pretension, whether Hindoo or Mussulman, we bound ourselves to uphold against all the distaste and prejudices of the inhabitants of the idol which we had elevated. What was worse, we should have to support against the just indignation of the country that misrule, perhaps that brutal tyranny, which we must expect would take place under any native so called to the throne. It was thence matter of positive moral necessity that we should (for the present at least) keep the territories of Bajee Row, the late Peishwa, in our own hands. A corresponding embarrassment hangs upon us with regard to Holkar, and the state of Nagpore. The exertions made by Holkar, showed to us the dangerous impolicy of leaving that state in a condition to be ever again troublesome: it has on that account been dismembered of two-thirds of its territory. The greater proportion of those lands have been transferred to the Rajahs of Kotah, Boondee,

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and other Rajpoot chiefs whom we wished to strengthen. Part has been kept in our hands to pay the expense of the troops which the unforeseen change of circumstances requires our keeping advanced in that quarter. With respect to Nagpore, we have taken territory instead of the subsidy payable in money by the original treaty. There are two motives for this: one, that we thereby narrow the power of the state; the other, that the tract connects itself with other possessions of ours, and completes the frontier. You are aware that Saugor, which is the possession alluded to by me, is not an acquisition from the late campaign; it was ceded to us by the Peishwa, by the treaty of Poenah. The manager of it having given shelter to the Pindarries, and having suffered levies to be made openly in this town for the Rajah of Nagpore, when that prince was in arms against us, has been removed from his superintendance. By taking it into our hands, we not only consult our own security, but we are enabled to pay from it to the Jageerdar (Nanna Goind Row, who resides at Jaoun) three times the amount of the sum ever before received by him from the rents. If I talk of narrowing the means of Holkar and of the Nagpore Rajah, I do so on the clear principle of right to dispose of territory won in war. Each of these princes had lost all. Whatsoever they now possess is restored to them by us as a gratuitous boon; and the fact will serve to evince the leading inclination with which we set out, of preserving the then ex-

isting governments of India. Though this has not been digression, the explanation of the unexpected manner in which we find our territories increased, has put out of sight for the moment the direct object of our appearance in the field. The dreadful pestilence which made such havoc in the division under my immediate command, forced me to quit the banks of the Sinde, and to seek a more favourable country for the recovery of my numerous sick. I did not find this until I was fifty miles from the river which I quitted. Fortunately the change of air was rapidly beneficial; for a very short time had passed when I received intelligence of an invitation said to have been given by Scindia to the Pindarries. He was reported to have promised them, that if they would come so near to Gwalior as to make his getting to them easy, he would break his treaty, and join them with the force which he had at his capital. The Pindarries were in full march for Gwalior, without meeting even a show of impediment from the troops of Scindia stationed in their route, though the co-operation of his army for the extinction of the Pindarries was an article of the treaty. We hurried back to the Sinde; but this time we chose a position nearer to Gwalior than what we had before occupied. We were within thirty miles of the city, and our advanced guard was sent to occupy the passes through the hills which run at some distance south of Gwalior, from the Sinde to the Chumbul. Those passes were the only route
by

by which communication could take place between the Pindaries and Scindia; and I was nearer to support my advanced guard than the Maha-rajah was to attack it, could he bring his mind to so desperate a stake. With all the suspicious circumstances attending the state of things, our forbearance was not wearied. No unpleasant hints were thrown out. Scindia was told that, as I had learned the approach of the Pindaries, I had thought it an attention due to my ally to place myself between him and a set of lawless plunderers, who would put him into great embarrassment, could they get into his presence and throw themselves on his protection. Civility was answered by civility. The Pindaries finding their hopes baffled and the passage stopped, attempted to retire; but they had been followed close by our divisions, were surprised, dispersed, and slaughtered in a number of small notions. In short they disappeared: And thus our objects were completed.

It remains now to be seen, what is the change effected in our situation.

In England, there are continual declamations against the propensity of the honourable Company's government here to add to territorial possessions already too large. It is forgotten that a tendency to expansion, amounting almost to direct necessity, is the inherent and inseparable drawback on the advantages of a power established so anomalously as that of the British in India. It would be a visionary confidence, to suppose, that your

strength would not excite jealousy, that your riches would not stimulate cupidity, and that your humiliation of those native families which held sovereignty when you first got footing in the country, would not be brooded over with a deep spirit of revenge. Yet a belief in the non-existence of those impulses, is the ground on which they must stand who insist on the progressive increase of our sway as a proof of constant ambition in the honourable Company's local representatives. There may have been cases, though I might find it difficult to indicate them, where prospects of gaining political ascendancy, or too hasty apprehensions of meditated attack, have misled us into hostilities otherwise capable of being avoided: but the general history of our Indian empire is, that we have been wantonly assailed, that we have conquered the unprovoked enemy, and that we have retained the possessions wrested from him, not simply as a legitimate compensation for the peril and expense forced upon us, but on considerations of self-defence, brought home to our conviction by the nature of the violence just offered to us. What recently befel myself, as I have explained it to you, must be the strongest illustration of this eventual exigency. "Recover your strength and try contest with us again," would be deemed a rather absurd address to a treacherous foe whom you had vanquished; but you would as effectively put it on that footing by the restoration of all his means, as if you had given him the advice in terms. Still it may be said, though the augmentation

augmentation of territory may not involve any thing reprehensible, it is not the less to be lamented; since the extension of frontier brings you in contact with new enemies, reduces your strength by widening the circle on the circumference of which it is to act, leaves advanced stations dangerously unsupported, and above all a wider occupation of territory exacts a formidable addition to your military charges.

The argument would be good were the assumptions admitted. Examine whether they ought. Undoubtedly, your sway has been prodigiously extended by the late operations. The Indus is now in effect your frontier; and, on the conditions of the arrangement, I thank heaven that it is so. What is there between Calcutta and that boundary; nothing but states bound by the sense of common interest with you, or a comparatively small proportion of ill-disposed population, rendered incapable of rearing a standard against you. The Maharratta power is wholly and irretrievably broken. Scindia, by having been kept in port while the barks of his neighbours provoked the tempest and perished in it, presents no exhibition of a shattered fortune, but he stands insulated and precluded from any extraneous assistance. I am satisfied of his conviction that his existence depends on his being in amity with the British government, and of his consequent resolution to cultivate our good will. That inclination in him has been, and will continue to be unfeignedly encouraged by us. Were his disposition different, it

would be matter of no concern to us. He is now girded round by states which we have raised to the power of resisting him, even without our aid, by our having allotted to them most of the territory taken from Holkar; and their political views never can coalesce. You will not forget the direct and heavy defalcation from Scindia's strength in the extinction of the Pindarries. Where is that host, the half of which was to wear us out in fruitless pursuit; while the other half was to get behind us and lay waste our provinces? Gone, vanished; multitudes of them slain in a number of desultory actions, still more of them massacred by the peasantry, as (after abandoning their horses and arms to escape from us through the jungles) they endeavoured to make their way through the country in small parties as travellers. There then remain only states which have spontaneously and earnestly prayed to be received as feudatories under the British banner. It is not conquest that has extended our rule, we have beaten down nothing but the lawless violence which had for so many years made those regions a scene of unparalleled wretchedness. It is not the awe of our power which has made all the Rajpoot states solicit to be united with us. A distinct perception, that the misery which they had so long suffered could not be prevented but by their identifying themselves with us, was the sole motive for the anxiety with which they sought the connexion. In the terms of it there is nothing to affect pride or wound

would convenience, so that the confederation carries within it no natural seeds of dissolution. With their internal government we profess to have no right of interference. Mutual support in the field is of course plighted; but the price of our superior contribution to that contingency is an engagement that the feudal states shall not disturb the general tranquillity by attacking each other. Their differences or claims are to be submitted to the arbitration of the British government, and this provision, which extinguishes the necessity for their resorting to the sword on petty points of honour, heretofore enforced by the prejudices of the country, is hailed by them with a just conception of its utility. Thus your enlarged sway is nothing but the influence arising from the reliance of the several states on your moderation, your good faith, and your honest desire to promote their welfare. Should it be said, that to counterbalance this obvious political gain, we must take into account the disadvantages of extended positions, and the charges attendant on increased establishments; I answer, that when the multiplication of points of defence is urged, the diminished means of annoying us are also to be contemplated. I have shown to you that scarcely any continue to exist. Our new situation has not brought us into contact with any thing that can have the wish, or had it the wish could have the power of giving us trouble. All within the Indus is attached to you. The Indus would be a barrier against contact, were there

any state on the other side of it adverse to you in its interests. Should any such hereafter appear, it is not your influencing the governments in the vicinity of the Indus that would be the cause of quarrel; and I cannot conceive any stronger dissuasive to enterprises against us from beyond the river, than the knowledge that all within it are linked with us in the bonds of cordial union. In this view, I deceive myself egregiously if any augmented military charges will not be light indeed, in comparison with the large additional resources secured to meet such eventual demands. This is our benefit in the arrangement: what is that of the Rajpooor states? Deliverance from an oppression, more systematic, more unremitting, more brutal, than perhaps ever before trampled on humanity. Security and comfort established, where nothing but terror and misery before existed; nor is this within a narrow sphere, It is a proud phrase to use, but it is a true one, that we have bestowed blessings upon millions. Nothing can be more delightful than the reports I receive of the keen sensibility manifested by the inhabitants to this change in their circumstances. The smallest detachment of our troops cannot pass through that country without meeting every where eager and exulting gratulations, the tone of which proves them to come from glowing hearts. Multitudes of people have, even in this short interval, come from the hills and fastnesses, in which they had sought refuge for years, and have re-occupied their ancient deserted villages. The ploughshare

ploughshare is again in every quarter turning up a soil which had for very many seasons never been stirred, except by the hoofs of predatory cavalry.

Here, then, is a display of general advantage, and an exhilarating promise of public quiet. Every one of the facts on which I have founded the representation, is capable of being disproved by each of you with little trouble of inquiry, if I have advanced them incorrectly. I have strangely hazarded my character if they are liable to refutation. If they are not, what we have done is befitting the policy, the equity, the benignity of our country.

You justly appreciate the admirable energy of the officers commanding the divisions to which the more active part of the service fell; and the zeal of the whole of the troops, with the splendid gallantry of those who were on any occasion engaged, merits all the praise which you have offered.

I concur ardently with you in the sentiment you express, of our obligation to aim at rendering what we have done still more beneficial to the inhabitants of India. The main obstacles to our infusing improvement are removed; and we may certainly disseminate useful instruction, without in the slightest degree risking dissatisfaction, by meddling with the religious opinions of the natives. Informations on practical points is what is wanting to the people: for, from the long course of anarchy in those parts, all relations of the community are confused. This go-

vernment will not lose sight of the object. We may surely succeed in inculcating principles of mild and equitable rule, distinct notions of social observances, and a just sense of moral duties, leading, perhaps, in God's good time, to a purer conception of the more sublime claim on the human mind. At least let us do what is in our power. Let us put the seed into the ground, and Providence will determine on its growth. Should it be the will of the Almighty that the tree should rise and flourish, and that the inhabitants of these extensive regions should enjoy security and comfort under its shade, we shall have done much for many of our fellow creatures; but we shall have done well also for that in which our liveliest interest is fixed. The cherished memory of our forecasting beneficence will remain to future times in India the noblest monument of the British name.

The subsequent events, of which intelligence has reached England, may be comprised in a brief summary. Appa Sahib, the captive rajah of Nagpore, had found means to make his escape from a British force under capt. C. Brown, which was escorting him to a place of safety, and flying to the Maha Deo hills, found harbour with a barbarous and independent tribe called the Goonds. From the wrecks of his own force, and that of the peishwa, he was speedily enabled to collect around him a body of 3,000 Arab mercenaries, and being joined from time to time by troops of the vagrant Pindaries was enabled to recommence a predatory

a predatory and irregular warfare. Captain Sparkes, with a gallant little band of 100 men, was cut off after a desperate resistance by this sanguinary chief, who would listen to no terms of surrender: several neighbouring forts were captured by him, and the adjacent villages mercilessly plundered. His troops were regularly defeated by the British whenever they could be brought to action, and his quarters so straitened as frequently to reduce him to great extremities; but the difficult nature of the country has proved his security, and no assassins have yet been received of his death or captivity.

The deposed peishwa, whom it was judged necessary to separate by a vast space of country from the scene of his former greatness and the kind of superstitious reverence surrounding the chief of the Mahratta nation, was announced to have reached Mutra in the month of November on his way to Batur, near Cawnpore, his appointed place of exile. Above three months had been occupied in his journey; a delay arising, partly, it is said, from the severity of the rains, by which two rivers were rendered for a time impassable, and partly from British humanity, which dictated the delicate attention of permitting the vanquished prince to repose on the numerous days of illness according to his calendar, and of Mahratta festival, which occurred at this period of the year.

A still more gratifying instance of the benign and enlightened policy of the governor-general was exhibited in the treatment of

the Pindarries. The remains of this people, after its complete destruction as a hostile force, were collected together, and formed, under the protection and at the expense of the company, into two colonies, one of which was planted at Goruckpour in the Bengal provinces, the other, and more considerable, in Bhopal, a small state to the north of the Nerbudda. Thirty large villages were here constructed and occupied by the "reformed Pindarries," who are described as a simple, inoffensive tribe, perfectly willing to lay aside the habits of vagrancy and rapacity forced upon them by necessity, and to occupy themselves with peaceful industry, in fertilising the territory they formerly devastated.

Dispatches from major-gen. sir W. Grant, published at Bombay in Feb. 1819, gave an account of the capture of the strong fort of Raines, belonging to the state of Sawant Warre in the Walwan district, in consequence of which this territory returned to the relations of peace and amity with the British, which it had lately violated. The important fortress of Asseerghur, between the Nerbudda and the Tapy, which had been held out by one of Scindiah's refractory chiefs, was stormed in the month of March by major-general Deveton; the chief and his principal officers, reduced to an unconditional surrender, were to be given up to Scindiah, and the garrison sent to their respective countries; a measure which would effectually pacify that district. A strong hold in Berar, garrisoned by 600 predatory Nauticks, was likewise reduced

reduced by major Pitman, commander of the Nizam's regular forces in Berar.

In the district of Patna, Achel Sing, a rebel chief who had seduced the inhabitants from their allegiance to their own rajah and their friendship with the company, found occupation for another British corps. Major-gen. Keir, immediately after his successes in Sawunt Warree, was dispatched to reduce to order the province of Cutch, where the rajah had treacherously murdered his brother, an act which it was resolved to resist as a contempt of British authority. This prince who had vainly imagined his fortress of Booj an impregnable asylum, saw it taken by escalade in a few hours, and himself a prisoner to general Keir. Several other affairs of detachments took place in various quarters, all tending to enhance the credit of British valour and discipline, and to impress upon the native powers a strong sense of the vigilance of the governor-general and of the hopelessness of all attempts to disturb the general tranquillity of the country. It is needless to dwell on the particulars of these actions, small for the most part in themselves, but great and splendid in their combined result, which has been thus comprehensively stated. From the mouths of the Indus north-east to the Sutledge, from the Sutledge south-east to Chittagong, from thence to Cape Comorin and Ceylon, an area containing thousands of miles, and embracing 25 degrees of latitude and 22 degrees of longitude,—all is now at peace—we have no public

enemy to oppose. It is little more than twelve months since we were threatened by a confederacy of the native powers, which had for its aim the renewal of every sort of plunder and devastation, and the reduction of the British authority where it had long been paramount. The whole is now dissolved. The turbulent spirits which broke forth, boasting of their strength and power, have shrunk into nothing. The hosts that assembled tumultuously to support their pretensions, are overthrown and dispersed.

“Our attitude during the war was imposing and grand, and the accomplishment of the legitimate objects of the contest has now placed us in a situation to diffuse, with a liberal hand, the comforts and blessings of a wise and enlightened government. The happy effects of an impartial administration of just laws are now beginning to be felt over all the states recently overrun by robbers, and plundered by the rapacious chiefs to whom they in vain looked up for protection.”

Ceylon.—The insurrection of the Candian provinces in favour of a pretender to royalty set up by certain rebellious chiefs, which had occasioned so much embarrassment and danger to the British authorities in that island, has been brought to a fortunate termination. By the following general order, dated head quarters, 31st October, 1818, intelligence was communicated of the capture of the most important among the insurgent leaders.

“The commander of the forces congratulates his majesty's and the

the hon. company's troops under his command, on the important and decisive event of the capture of the two principal rebel leaders, Keppetapole and Peleme Telawe, which may be considered as the death-blow to that rebellion their efforts have successfully been pointed at to subdue. This important capture was effected in consequence of the unceasing and unremitting pursuit and exertions of the detachment under the command of capt. Fraser, aid-de-camp to the lieut.-gen., during the most inclement weather, and with many privations, and which were rewarded by a division of that detachment, under the immediate command of lieutenant Wm. O'Neill, 83rd reg. coming unexpectedly and by surprise on the residence of these and the third noted rebel Madugalle, and other inferior leaders, near to Parawahaganime, on the borders of the Seven Korles and Nieuvre Kalawe, on the 28th in the afternoon, after a fatiguing march of sixteen miles, when the party succeeded in making prisoners the two primary objects of their search, and the others, who have fled, may be expected either to surrender or be quickly made prisoners."

Madugalle and another chief named Ihagama, afterwards fell into the hands of the British. All the four were then tried as rebels and received sentence of death; and the Ceylon Gazette thus relates the characteristic circumstances which attended the execution of Keppetapole and Madugalle.

The two prisoners were carried in the morning, according

to their own request, to the chief temple in Kandy, called the Dalada Malagawe, or temple of the sacred relic, where they went through their devotions, attended by the priest, in a small room adjoining to that in which the relic is deposited. Keppetapole then came out into the anti-room, where he entered with much composure into conversation with Mr. Sawers, observing that no person could alter the destiny that was allotted to him, and quoting in support of this vain theory of predestination an apposite passage from the books of Boodha. While he was speaking a noise was heard within the temple, and it appeared that Madugalle had run into the inner apartment, and claimed sanctuary under the protection of the relic; he was soon removed, and both the prisoners were then marched under a strong guard to the place appointed on the bank of the Bogumbera tank, near the spot where Ellapola had suffered. When they arrived on the ground both the prisoners requested some water, which was immediately brought, and they washed their faces and hands; Keppetapole then tied his hair up in a knot behind, and sat down upon the ground near a small shrub, which he grasped with his toes, apparently to keep himself firm in his position. For a few minutes he recited some verses out of a small Pali book, which he requested might be delivered to the care of Mr. Sawers for his younger brother. When the book was taken away, he continued to repeat Pali verses until the executioner at two blows severed

severed his head from his body. His whole behaviour was manly and collected, and he met his death with a firmness of resolution worthy of a better cause.—The conduct of Madugalle was just the reverse; he was too much agitated either to tie up his hair or to bend down his head himself: he was able only to make a faint cry of Arrahhaug, one of the names of Boodha, when his head was struck off also at two blows.—A very great concourse of Kandians, among whom were many chiefs, assembled to witness this execution.

Pelime Talawe and Ihagama, whose sentence of death has been remitted to that of banishment, set out on the day of the execution, with two other prisoners, under a strong escort, for Columbo.

A general surrender of arms through every province of the interior speedily followed these and some other acts of vigor, and all appearance of resistance being thus ended, the governor was enabled to quit Candy for the seat of government. All was loyalty and submission among the natives as he passed, and addresses of congratulation from the inhabitants of Columbo hailed his second victorious return from the Candian provinces.

In the Malayan archipelago, some subjects of discussions of a rather unpleasant nature appear to have arisen between the British and the officers acting under the authority of the king of the Netherlands; and the following official documents on the subject appear worthy of being laid entire before our readers:

Protest of Sir Thomas Stamford Raffles, lieutenant-governor of Fort Marlborough, against the aggressions of the Dutch in the Malayan Archipelago.

Protest.—The honour and interests of the British government rendering it indispensable that a public and formal protest should be made against the proceedings of the Dutch authorities in the Malayan Archipelago; I do hereby, as the nearest British authority, solemnly and publicly protest against the following proceedings of the representatives of the Netherlands government.

—When the agents of the British government transferred the government of Java to their excellencies the commissioners of his Netherlands majesty, they called upon the commissioners-general to fulfil the engagements which the British government had contracted with the native princes during its administration of Java. The British authorities considered themselves bound and entitled to insist on their doing so, that having accepted the benefit of those acts which were favourable to them, they could not reject the burden of those which they deemed otherwise. No provision was made in the engagements with the native princes, for the contingency of the colony returning to Holland. Holland, indeed, did not then exist as a nation, and the authorities who administered Java would have been fully warranted in resigning the whole country to the native princes. The language which was in consequence held out to the natives, was that of a government competent to make agreements

agreements in perpetuity.—Without such a language, the British could never have done what was done for the eastern islands. Those leading measures, of which the Netherlands government are now deriving all the benefit, could never have been effected, had not the natives relied on the British government being able to secure them in a perpetuity of those rights which they had recognised.—The commissioners-general of his Netherlands majesty, however, refused to guarantee those treaties, and the consequence was a formal protest on the part of the British authorities, who, on account of this and other measures of the Netherlands government, were compelled to leave Batavia, under a declaration, that there was an evident disinclination to concede any thing to the name and character of the British nation in the Eastern Seas; and that, judging by the general policy evinced, there seemed reason to believe it to be the wish of the Netherlands government to erase the recollection of the British administration, and studiously to prevent the native princes and chiefs perceiving any influence of the British government in the arrangements of that transfer.—Such were the early impressions of the British authorities, and the subsequent proceedings of the Netherlands government will show how far they are correct.—The British government considered the native princes as independent sovereigns, and treated with them accordingly. The Dutch refused to guarantee or respect our treaties, and would appear to have

considered those faithful allies of the British nation as unconstitutionally subjected to their disposal.—If this be unjust with regard to the settlements actually subjected to European control, what must be thought of it with regard to those states which have risen into importance, and maintained their connexion with Britain in opposition to the restrictive policy of the Dutch? The representatives of his Netherlands majesty would seem to aim at an absolute despotism over the whole Archipelago, with a view of excluding other European nations. The British had encouraged sentiments of freedom as far as was compatible with tranquillity, and had led the natives to rely upon them for the continued enjoyment of them.—But whatever may be the arrangements or arguments of the Netherlands government with regard to the Archipelago generally, it is not necessary to go beyond the confines of Sumatra for evidence of the system which they seem determined to pursue, and against which it is the main object of this paper to protest. The circumstances are as follow.—By the 2nd article of the convention of the 13th August 1814, the British government ceded the island of Banca to the king of the Netherlands.—This island, valuable on account of its tin mines, had, in the year 1812, been previously ceded to Great Britain by his highness Sultan Najemudin, of Palembang, on the express condition that all former contracts and agreements should be annulled, and that the Sultan should
be

be maintained and supported in his dignity by the British government, without the further interference of the European government in the affairs of Palembang. So important was this stipulation considered by the Sultan, that on the 1st August 1813 it was an express article of an explanatory treaty, that the former clause, which stipulated that his highness should do homage, or consider himself always dependent on the government of Java, was "null and void," as being unnecessary under existing circumstances.—When the British were about to withdraw from Java, and arrangements were made for the transfer of Banca, it was necessary to withdraw the small British force which had provisionally remained at Palembang for the protection of the Sultan. On that occasion the Sultan appealed to the British government in the strongest terms. The following extract from one of his highness's letters to the hon. Mr. Findall, may be sufficient for the present purpose:—"I hasten to send back my ambassadors to Batavia to wait upon my friend the lieutenant-governor, of whom I earnestly entreat that he will confirm and settle all the arrangements regarding me and the country of Palembang, as heretofore existing, and that those relations may remain uninterrupted, notwithstanding the establishment of the Dutch government on the Island of Java. I cannot on any consideration separate myself from the friendship existing between me and the British government; and I place my reliance on the British go-

vernment, that their protection may not be withdrawn, &c. &c. I cannot understand any other power upon which I can place my dependence than the English government, &c."

In the same manner as the British authorities had called upon the commissioners-general to guarantee the treaties with other princes, they called upon them to respect that with the Sultan of Palembang; but the commissioners refused a compliance with this request: a solemn protest was accordingly made on the part of the British government, and the question referred to the authorities in Europe. The grounds on which the British authorities felt themselves warranted in requiring, in a particular manner, that the existing treaty with the Sultan of Palembang should be respected, were obvious. That treaty had been fully recognised, as well by his Britannic majesty as by his majesty of the Netherlands; it was no longer a connexion dependant on the local government of Java. The island of Banca was not considered to revert to the Dutch as a matter of course, under the general provisions of the convention of 1814; it required that an express article should be inserted in the convention, and his majesty the king of the Netherlands having received the island of Banca under that express article, must be bound to respect the treaty by which it was originally ceded to the English. The very act by which the Netherlands government took possession of Banca, confirmed the independence of Palembang, and rendered

rendered it incumbent on the British government to maintain the independence unimpaired. While the British government availed itself of the benefit which they derived by the treaty with Palembang, they were surely bound to fulfil that part of it which was beneficial to the Sultan. Having transferred Banca to a foreign power, the British government became bound in honour and good faith to fulfil the express condition on which they first obtained it.—Bound, therefore, as the British government was, to maintain the rights and dignity of the Sultan, as the price for which Banca may be considered to have been purchased, and deeply interested as it was in protecting the independence of the port of Palembang, it was with surprise that I received, on the 17th of June, a letter from the Sultan, of which the following is an extract.—“At this present time there is much trouble and anxiety owing to the confusion and alarm spread by the arrival of a great Dutchman, called Edelia Muntinghe, who wishes to enter the country of Palembang, and says he was sent over by the Dutch commissioners-general, for the purpose of communicating with me. At present he is at Minto, and it is uncertain when he may come to Palembang. The object of his mission I do not know, but he has ordered a ship of war to precede him up the river, &c. &c. I hope that my friend will afford me whatever assistance he possibly can, and also give me instructions in order to prevent the Dutch from at all or in any way

affecting my present state and situation, by introducing disturbance and confusion in the country, and by co-operating with those who wish to destroy my respect and authority; for I most fully rely on being, through the kindness and assistance of my friend, securely and firmly established in the rule of the country, &c. &c. I request my friend will send me an early reply, and that my friend will at the same time send me something to hold to, for I am still in a state of very great anxiety and alarm.”

On receipt of this intimation, capt. Salmond was directed to proceed to Palembang, as agent of the British government, under instructions (dated Fort Marlborough, 20th June 1818) of which the following is a copy, viz.

“To Capt. Salmond.—Sir:—You are hereby appointed to proceed on a special mission to Palembang, the object of which is to afford to the Sultan the protection of the British government.—2. I am unacquainted with the measures which may have been pursued by the Dutch government with respect to Palembang; but whatever they may have been, they can in no way interfere with the duty of the British government, to support the present Sultan, Ratoo Achmed Najumudin, on the throne, to which he was raised by their authority. This, indeed, was the express condition on which he ceded the island of Banca.—3. The Dutch government have no claim whatever to a footing at Palembang, by virtue of the recent convention, and therefore it depends upon the Sultan, as an independent

pendent prince, whether he chooses to admit them or not. In his recent communications to me, he expresses himself to be in the utmost distress and anxiety, in consequence of the disorder and confusion into which the country has been thrown, by the expected arrival of a Dutch commissioner, and in full hope that I will give him proofs of my assistance and friendship, calls upon me to know what I can do for him, as his sole reliance is upon the British government, who raised him to the throne.—4. From this it would appear, that the Sultan has not yet entered into any formal arrangement with the Dutch government; but as they may have taken measures for forming an establishment, in defiance of the protest of the British government and of the rights of the Sultan, no time should be lost in calling upon the Sultan to make his election; and if he is desirous of excluding the Dutch, and of remaining under the British protection, an explanatory treaty should be negotiated.—5. At all events, it will be your duty to convince the Sultan that he is not abandoned by the British government; and should he place himself unequivocally under its protection, to afford him that protection to the extent of your means, and to require that the Dutch withdraw all pretensions, and in no way further interfere with the affairs of Palembang.—6. It is, perhaps, unnecessary for me to suggest the propriety of all your communications with the Dutch authorities of Banca or elsewhere being as guarded as

possible, but at the same time in the spirit of harmony and good understanding which exists between the two governments.—7. I inclose the translation of the accompanying letter to the Sultan of Palembang, which you will be pleased to deliver to his highness immediately on your arrival.—Relying on your judgment and discretion in the execution of the duty reposed in you, I am, &c.

(Signed) T. S. RAFFLES."

The following is the Letter to the Sultan, alluded to in the above instructions:—

"To his Highness Ratu Achmad Najemudin, Sultan of Palembang.—(After compliments.) I have received your highness's letter, sent by your Utarans, as well as the letters from the members of your highness's family. Your highness calls upon me for assistance, in order that you may be maintained on the throne of Palembang; I, therefore, lose no time in sending to your highness's court captain Salmoud, a gentleman in whom I place every confidence, and who will be my representative in inquiring into the grievances complained of by your highness and your family. This gentleman has also full authority from me to adopt all arrangements that may tend to your highness's security.—I have to request to bespeak your highness's kind offices to captain Salmoud and the gentlemen in his suite.—I have nothing to send my friend but the British flag.—Written at Marlborough, the 21st June 1818."

Subsequently

Subsequently to the departure of Captain Salmond, a further letter was received from the Sultan, of which the following are extracts:

"I further acquaint my friend, that on the 20th of Rajah 1233, the great man, called Warner Herman Muntinghe, entered Palembang with apparently hostile accompaniments, consisting of one ship and one brig of war, a gun-boat, and upwards of twenty small prows. There were also with him Rajah Abib, a native of Siak, and Pangeran Shirif Mahomed, together with many other persons of different descriptions. He also brought me letters from the commissioners-general and the governor-general of Batavia. These letters which I received inform me that they send Mr. Muntinghe as a commissioner to make inquiries respecting Banca and Palembang, and request me to pay him due honour and respect as their representative. On a subsequent day he waited upon me, and said he brought orders to me from the commissioners-general at Batavia, requiring me to make a division of the villages, &c. in order that one-half might be given to the former Sultan, Mahomed Budrudan, and the other remain with me. He at the same time wished to give me 1,000 Spanish dollars a month, and told me I must conform to these orders; that if I did not, an act similar to that of major Robinson's would certainly take place, namely, that of dethroning me. His vessels of war were anchored directly opposite the gate of my fort, as if he intended to have re-

course to compulsive measures, without further discussion.—Be it known to my friend, that whenever I mentioned the name of my friend, the British government, his anger increased; and if I am not now at once assisted by my friend, my destruction, perhaps my death, is inevitable. Let the orders and assistance of my friend, whatever they may be, come quickly to Palembang.—Further, I have been found fault with for receiving my friend's letter, and have been told by him (Mr. Muntinghe) not to send any more people to Bencoolen. I replied, "How, can I not receive the letters of my friend, having been raised to the throne by the British government; I certainly must remember its kindness and attachment, and never can forget the same, or separate myself from it," &c. &c. He also desired me to dispatch persons without delay, to overtake those I before sent with the letter to my friend, and get back the same from them; and it is owing to this circumstance, that I am now enabled to forward the present letter to my friend; and let him not take offence at the unsuitable manner in which it is done. But my friend knows too well how unhappily I am at present situated to do this, &c. &c. I having nothing to send my friend but tears which never cease to flow."

The following additional instructions (dated Fort Marlborough, 24th June 1818), were in consequence forwarded to Captain Salmond, on the 24th of June.

"To Capt. Salmond.—Sir, since

since your departure a letter from the Sultan of Palembang, of which the enclosed is a translation, has been received.—The Dutch having proceeded to actual measures of aggression, I have deemed it necessary to address the chief authority of that nation at Palembang, and as circumstances have considerably changed since your instructions were issued, I must leave the rest to your discretion and judgment.—I enclose a copy of the letter addressed to Mr. Muntinghe, together with the proclamation therein referred to, for publication, if necessary.—I am, &c.

(Signed) T. S. RAFFLES."

Copy of a Letter to W. H. Muntinghe, esq. dated Fort Marlborough, 24th June 1818.—"Sir; It is with the utmost astonishment and surprise that I have just received information of the measures pursued by you at Palembang, as representative of the commissioners-gen.—It is stated that you have taken up a warlike position off the Sultan's palace, and demanded of him to surrender one-half of his country to his brother, the deposed Sultan Mahomed Budrudan, and in the event of not doing so, threatened him with dethronement.—It is impossible, Sir, for you to be ignorant of the circumstances under which the Sultan Najumudin was raised to the throne; and that his Britannic majesty having by an express article of the convention ceded Banca to the king of the Netherlands, is bound to protect the Sultan in his rights and dignity.—The king of the Netherlands having further accepted and taken possession of

that island under the treaty, has, by that act, fully acknowledged the independence of the Sultan; whatever, therefore, shakes the authority of that prince, shakes also the only title by which his Britannic majesty could cede Banca to the Netherlands government.—I can hardly bring myself to believe that this act, on your part, is authorised by the commissioners-general; and much less that you, Sir, above all men, should have taken upon yourself to act in the manner above stated, towards a prince under the immediate protection of the British government.—The Netherlands government have no right whatever, under the recent convention, to claim any interference at Palembang; and all interference there, after the protest of the British government on leaving Java, and in defiance of the authority of the reigning Sultan, is an unwarrantable and unjustifiable aggression on their part.—As such I view your conduct, and hereby protest against all your measures, holding you liable to answer to the authorities in Europe for every act injurious to the rights and dignity of the Sultan.—I do hereby further declare null and void all arrangements that you make at Palembang of the nature alluded to; and I require of you to lose no time in removing from Palembang all military force of every description now stationed there.—With reference to the little respect paid by the commissioners-gen. to the protests of the British government on their quitting Java, I shall deem it my duty, in the event of demur on your part, forthwith

forthwith to proclaim at Palembang and throughout the Archipelago, that all interference of the Netherlands government in the politics of Palembang is unauthorized, and that your arrangements are declared null and void.—I expect that the government of Batavia will at an early period receive instructions to withdraw from Palembang; at all events, an immediate reference will be made to his majesty's ministers on the subject, and it will be for the consideration of the authorities at home, to decide in how far the measures pursued by you shake the title on which Banca was ceded to the king of the Netherlands.—Until the affairs of Palembang are satisfactorily arranged, I shall retain the settlement of Padong on this coast.—I have the honour to be &c. (Signed) T. S. RAFFLES.—P. S. I intrust this letter to captain Salmond, who is charged with a special mission from me to the court of Palembang, and I have to request you will respect him and his suite accordingly."

In consequence of the state of affairs thus communicated to captain Salmond, and the information he obtained on his route, he deemed it advisable to proceed without the escort which had accompanied him over the hills, and to direct that the party should not follow until orders were received from him, a precaution taken by capt. Salmond in order to prevent the possibility of disturbance, or the misinterpretation of his views, which under the change that had taken place were simply to deliver my

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letter, and to ascertain the sentiments of the Sultan.

On the 2nd inst. a dispatch, of which the following is an extract, was received from capt. Salmond.

"I have the honour to inform you that myself and suite arrived at Palembang about 8 A. M. on the 5th inst., and were received by his highness the Sultan Achmed Najemudin, who conducted us to the small fort or palace lately occupied by the Ex-Sultan, which was given us for our accommodation. His highness immediately entered into the engagements which you had suggested, with much pleasure (and on which I shall further communicate with you on my arrival at Fort Marlborough, as I am necessitated to close this letter in haste), and as a proof of his alliance with the British government, immediately hoisted the Union Jack on the walls of the fort.—In the afternoon I received a visit from captain Bakker, of his Netherlands majesty's frigate at anchor in this port, accompanied by captain Vander Wyck, of the engineers, who brought a letter from Mr. Muntinghe, to which an immediate answer was requested; but as the subject of it required some deliberation, the want of rest which we had experienced some days past made me desirous to postpone a reply until next morning. It however contained three propositions, to which I immediately gave a verbal negative answer, that is, 1st. That after receiving a reply to the letter you addressed to him, I would immediately fix my departure for Bencoolen the same day.

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day. 2nd. That on my return home, I would accept of a military safeguard from outside as far as the limits of Bencoolen. 3rd. That I would immediately withdraw the British colours hoisted on the Sultan's palace.—Shortly after sunset in the evening, a number of the natives, who were in the palace with us, informed me of the circumstance of an armed party having surrounded the same, and prevented further ingress or egress; and they were represented to be the partisans of the ex-Sultan and Rajah Ahbib, of Siak. I immediately directed inquiry to be made at the outer gate by whose orders they were placed there; to which they replied, Mr. Muntinghe's, and that they would oppose any one that attempted to pass them. I then wrote to Mr. Muntinghe on the subject, and was informed, in reply, that not having acceded to the abovementioned requisitions, he was called upon to take these measures to maintain the rights of his majesty the king of the Netherlands; and that, in addition to the former requisitions, he now added that of demanding our arms and ammunition, and putting myself and suite under the safeguard of the Netherlands government, or it would become unavoidable to repel, what he was pleased to term our hostile measures; to which, of course, I refused to comply. I soon afterwards received another letter from Mr. Muntinghe, principally on political points, to which it was unnecessary for me to reply, and concluded upon insisting upon his first offer. In answer I

referred him to my former letter. At half-past three A. M. on the 5th, I was awoke, and found that three officers with an armed party were come to the palace, and, upon their entrance, they presented a letter from Mr. Muntinghe to surrender myself and suite. I objected to deliver over the arms, but told the officers that I would parade the Bugguesses, and if they thought proper, they might take them, which they did, when an armed force of Europeans were brought in front, and we were immediately escorted to the water-side by an armed party of Europeans and natives, and conveyed over here. The side arms of myself and Bugguesse officers were left us.—My political functions being at an end, I have written a private letter to lieutenant Haslain, recommending him to return with the escort to Moarro Bulliti to wait your further orders, and beg to inform you that I consider it as impossible for them to land here, or even to proceed down the river, if opposed, which it is most probable they would be by the vessels of war of his majesty the king of the Netherlands now at anchor off the fort."

Capt. Salmond having ascertained that the Sultan had in no way committed himself to the Netherlands government by any legal act, the following are the articles of the treaty entered into on the 4th July, 1818:

"This is a solemn treaty this day entered into between his highness Rattoo Achmed Najemudin, Sultan of Palembang, on the one side, and captain Francis Salmond,

Salmond, as the representative of the hon. sir Thomas Stamford Raffles, lieut. governor of Fort Marlbro', on the other:—1. His highness being desirous of the protection of the British government, and of excluding all other European nations from his dominions, the lieut. governor of Fort Marlborough hereby agrees to furnish such military establishment as shall be adequate. 2. The Sultan, on his part, agrees to receive the said military establishment, and to provide for the expenses thereof. Signed, sealed, and delivered, in duplicate, at Palembang, this 4th day of July, 1818."

It may not be unnecessary to remark, that the first application of the Sultan for the advice and assistance of the lieut. governor of Bencoolen was received on the 17th June; and that on the 21st June his highness was informed that the British government would render him the protection required; that in the interim, and while informed of the preliminaries between Palembang and Bencoolen, the Dutch commissioner commenced his measures of coercion; and that on the 4th of July the engagements between the court of Palembang and the lieutenant-governor of Bencoolen were confirmed and proclaimed by the hoisting of the British flag on the walls of the fort.—In explanation, it would appear, that on the 24th of June, only ten days previous to the arrival of captain Salmond, and while it was publicly known that a British agent was on his way to Palembang, rafts and provisions having been provided by the Sultan for the

convenience of the party on their way down the river, the unfortunate Sultan was compelled to resign his authority, and to deliver over his palace. On that day the Dutch commissioner stated that he obtained seals and signatures to a treaty, which nominally transferred all authority to the Dutch; but it is not proved in what manner the same was obtained. That they were obtained in an unlawful manner, that is to say, *vi et armis*, and by intimidation, cannot be denied; and, indeed, the letter from the Sultan above quoted, and the act of his immediately hoisting the British flag, would be sufficient evidence, were not the details which could be produced conclusive on this head. The Sultan is understood to be at this moment a close prisoner; and, not to introduce into this paper any particular which might be construed into a desire to lower the character of these proceedings below a fair standard, it may be sufficient to insert the following extracts from the commissioner's statement, in order that it may be contrasted with the evidence above adduced:—

"I have the honour to acknowledge the receipt of your official letter, dated Fort Marlborough, the 24th of June last. If the information which has reached you with regard to the measures I was pursuing at Palembang, under the authority of the commissioners-general, has been able to raise your surprise and astonishment, it was on the other hand with no less degree of regret and consternation that I was affected on the perusal of your letter, and on being apprised of the further

measures you had determined upon, if you allow me to say, on such a slight foundation.—The natives, on whose reports only every information depended that could have reached Fort Marlborough at the date of your dispatches, left Palembang at a period when I myself had not yet arrived at that place, when no overtures of any nature had as yet been made to the court of Palembang, when the military force stationed at Palembang was still far below the usual rate of that garrison, and when of consequence every intelligence sent off with regard to the demands I had to make, and to the military force I should station there, could only be conjectural and premature, and naturally would be exaggerated and erroneous.—So they have in fact proved to be. The military force even now collected at Palembang falls short of what a usual garrison ought to be, and does certainly not exceed the limits of a mere protection to a settlement where not a single entrenchment nor place of safety is to be found.—If, therefore, the usual means of self-preservation have been able to raise the apprehensions and anxiety of a pusillanimous court, it is a mere accident, not to be imputed either to me or to the higher powers under whose authority I was acting.—Nor did my instructions say to use threats or military force against any of the Sultans.—It was not these warlike means that were depended upon for the success of my mission. A hope for this success was raised on a better foundation: on the natural force of truth in con-

vincing the Sultan Naya Moedin of his wrongs, and of the acts of hostility which he had committed, or allowed to be committed, by his subjects, as well on our own territories as on those of our allies, and on the irresistible influence which the principles of a liberal and humane administration would have on the hearts of all the people of Palembang, as soon as they were tendered to them, in lieu of that state of bondage and oppression to which they had been degraded by the unwarrantable conduct of their Sultan, Naya Moedin, and his adherents. And, instead of threats and warlike force, I have the greatest satisfaction to acquaint you, that it was by mere peaceful and persuasive means, not only without drawing a sword or firing a shot, but without a single affray, without any individual being hurt, or even restrained or curtailed in his personal rights or liberty, that I was fortunate enough to establish a new state of affairs in this country, and to obtain the free assent of both the reigning and the ex-Sultan to arrangements which, according to my own view of the subject, and under the orders under which I acted, most certainly I had a right to make; and from the operations of which, it may be expected, that the whole population of Palembang, from the very low state of want and oppression to which they have been reduced, will make a rapid stretch towards the enjoyment of ease and plenty, and of all those rights and comforts which are dependent on a state of personal security and civilization.—It was by the warlike rumours of your mi-
litary

litary detachments descending from the mountains that my messengers were stopped on their way, going up to the poor inhabitants of the country, to announce to them the abolition of their Tiban and Tookon, of every kind of forced labour and delivery of produce, and, above all, of the abominable custom of enslaving, not only individuals, but whole families and generations of them, for the trifling amount of a civil debt.—But how could it be the fate of these humane principles, to be stopped in their course by a friend to humanity, by excellence? how could the patron of these principles rise up in opposition to the accomplishment of his own system, and the lieutenant-governor of Fort Marlborough oppose, what it was, and ever will be; the glory of the late lieutenant-governor of Java to have first proclaimed?—I am sensible, hon. Sir, you would want here to put a stop to my argument; you would remind me that it is on a right by contract that you found your claims, and, pointing to the final clause of the treaty you allude to, propose your system, that the Sultan of Palembang was an independant prince, under the protection of the British government, where former rights were to be left untouched, even should humanity suffer by it.—As it seems that on these points a difference of opinion has existed between the commissioners-general and the late British authorities on the island of Java, it perhaps might be my duty to withhold from entering on the subject: and confining myself to the orders under which I am bound to

act, I refer you for explanations to the higher authorities at Java; but considering the decisive measures you have already entered upon, and the circuitous way by which any explanation could reach you from Java, I will take it upon myself to enter into some explanation, though always with due deference, and save the different view my superiors might take of the subject * * * *”

On the tone in which the Netherlands government are determined to maintain their system, some idea may be formed by the following additional extract from the letter of the commissioner at Palembang:—

“Of the facts constituting such a breach of faith (on the part of the Sultan) they, the Netherlands government, are naturally, as an independent power, the sole judge in these quarters of the earth; and it would be highly improper to enter into any justification of them but before their higher authorities at home, who have a right to call for it, and to whom a reference lies open on the subject.”

On the act of publicly arresting the person of the British representative, after that officer was publicly accredited and recognised in that capacity by the Dutch commissioner, and while he was sleeping under the protection of the British flag, hoisted by an independent prince in alliance with Great Britain, there can be but one opinion; but so little is an act of the kind now thought of by the Dutch authorities, that the commissioner, though voluminous in his correspondence on other points, does
not

not even condescend to offer an explanation, much less an apology, on this. Whatever measures might have been found necessary for the support of the authority that thus had so unjustifiably been wrested from the hands of an unfortunate prince, under the immoderate protection of the British government, it is to be regretted that nothing less than open insult, and the degradation of the British character in the eyes of the natives, and this on a spot where British valour had recently been so conspicuous, and where the Dutch gratitude was so imperiously called for, would have been resorted to.

Justly indignant at conduct so unjustifiable on the part of the representative of a nation at peace and friendship with Great Britain, and desirous to check the progress of a system of which it is to be feared this will not be found a solitary instance, I do hereby most solemnly and publicly protest—First, Against the whole of the proceedings of the Netherlands government at Palembang, as unjustifiable, and in direct violation of the rights and treaties which it is incumbent on them to respect; by which proceedings, not only the character of the British government is seriously involved, but its proceedings with regard to Banca rendered questionable.—Secondly, I protest against the general proceedings of the Netherlands government, in disregarding the solemn protests made by the British authorities before they quitted Java, and do declare null and void all arrangements, not provisional in their nature, which may have been

made in defiance of those protests.—Thirdly, I further protest against any military force being sent by the Netherlands government to any place within the Archipelago, with which the English are in alliance and carry on trade, in which the Dutch flag did not actually fly on the first of Jan. 1803, with the exception of such as may have been in the charge of the British government at that date, and which may be regularly transferred.—Lastly, and in the strongest manner, I protest and appeal against the insult offered to the representative of the British government, in the arrest of the person of captain Salmon, the British agent at Palembang, holding the representatives of the Netherlands government in these seas responsible for all the acts of aggression and insult connected therewith, and which will hereafter be made known in another place, unless prompt and adequate satisfaction is given.

In conclusion, I deem it necessary to state, that the object of this protest is not directed against the minor measures of their excellencies the commissioners-general or the commissioner at Palembang, nor is it intended to affect the personal good understanding and harmony which happily prevails. I have reason to respect and esteem them. It is against the political system which, as representatives of the Netherlands government, they have felt it their duty to adopt, that I protest; a system by which the interest of the Netherlands government appear to be exclusively considered, without the least reference

force being had in how far the honour and interests of the British nation may be involved thereby. To such a system it is incumbent on me to oppose the rights and duties of the British government; and it is to be hoped, that when the character and interests of both nations are duly considered and deliberated upon by higher authorities, such a liberal policy will be resolved, as will at once put an end to the confusion and irregularities which must continue, and even increase to an alarming extent, while the present system is allowed to be persevered in.

Done by me, the lieutenant-gov. of Fort Marlborough and its dependencies, at the Court-House at Marlborough, this 12th day of August, 1818.

(Signed)

T. S. RAFFLES.

(Registered)

W. R. JENNINGS,

Secretary to Government, and Registrar.

The following documents, received since the signature of the above protest, are annexed, as connected with the very extraordinary proceeding at Palembang, and from which it would appear that the Sultan Achmed Nujemudin has been actually deposed, and his brother raised to the throne in his place, by the Dutch commissioners at Palembang.

Translation of a Letter from Sultan Achmed Nujemudin, of Palembang, to the Lieutenant-Governor of Bencoolen.

"Capt. Salmond, on his arrival at Palembang, had immediately

an interview with the Sultan, when he presented to him a letter, and a flag that accompanied it, from the hon. the lieutenant-governor of Fort Marlborough, which were received with the greatest joy and with every mark of respect.—The flag was then ordered to be hoisted, and a letter sent by captain Salmond to Mr. Muntinghe. It is not known what may have been the nature of the communication thus made, but Mr. Muntinghe sent to call capt. Salmond, and to order him to pull down the British flag which had been hoisted by the Sultan. Captain Salmond replied, that he dared not to pull it down; and after this, not to enter into details, there came a party of Dutch soldiers, together with a party of Palembang people favourable to the interest of the ex-Sultan, and also of Siaks, to the number of at least 700 in all, by the two latter of whom the residence of the young Sultan was surrounded by order of the Dutch, so as to prevent all communication with him.—At sunset the flag, according to custom, was ordered by the Sultan to be lowered and taken in. He himself was then confined by the Dutch, and no egress or ingress on any account permitted, and early the following morning the flag-staff was cut down by the Dutch.—The Sultan's place of confinement was a small apartment on the eastern side of the new fort, which did not admit of more persons being accommodated there than ten petty officers, who were all that were with him, the rest of his people being obliged to remain outside. Captain Salmond and those with him were

were taken by Mr. Muntinghe, at four o'clock in the morning, and have now been sent off direct to Batavia in a small vessel.—The persons who were deputed by the Sultan to meet and receive captain Salmond on his arrival at Palembang, viz. three Pangerangs, a Tummungung, a Ranga, and a Demang, were all seized and placed under arrest within the Dutch entrenchment.—The Sultan still continues a close prisoner, and no communication is permitted between him and any one outside. The only persons allowed to pass in or out of the place where he is confined are some women, who are employed to fetch water and buy provisions for him, and it is only at stated times that this indulgence is granted, and for a very limited period that they are allowed to be absent. Such is the inconceivable state of misery and distress to which the Sultan has been reduced. Trusting, however, to the benevolence and compassion of the British authority at Bencoolen, and firmly relying on assistance from thence, he has peaceably borne with and submitted to all that has befallen him. Night and day he anxiously hopes that the honourable the lieutenant-governor will afford him speedy relief; for so great is the misery and the shame he now feels, that he cannot keep his eyes dry."

Deposition of Ki Baha Sanghing and Pali Jenah, taken at Fort Marlborough on the 1st August, 1818.

The deponents state as follows:—The letter this day brought by

them to Fort Marlborough, from the Sultan at Palembang, and presented to the hon. the lieutenant-governor was smuggled out of the place where the Sultan is at present confined, within the precincts of the New Fort, by one of his female attendants, who are employed to fetch water and provisions, and on that account alone are the only persons permitted to pass in and out, and that only at stated times, and for very limited periods. The strict manner in which these women are searched by the Dutch guard placed over the Sultan, every time they go in or come out of his place of confinement, and the circumstance of one of them, on whose person a letter from the Pangeran Depati to his wife, merely respecting some domestic affairs, was found, being nearly flogged to death, rendered much precaution necessary, and the letter in question was accordingly bound on to her naked thigh, and thus escaped detection. Similar precaution was necessary to enable the deponents and their followers to get safely out of Palembang, guards and spies being stationed above the town to stop and examine all persons passing up and down; and for this purpose they withdrew one by one to an appointed place of rendezvous in the woods, and thence departing together, travelled by stealth across the country, and by a difficult and circuitous route reached Fort Marlborough in twenty-one days. The letter, which, from the handwriting, appears to them to have been written either by the Sultan himself or his brother the Pangeran Depati, who was in confinement

ment with him, was delivered to them by the female already mentioned, with injunctions from the Sultan to convey it without delay to the lieut.-governor of Fort Marlborough, and on no account to let it fall into the hands of the Dutch, or any of the ex-Sultan's people. It was well understood that Mr. Muntinghe first of all endeavoured to obtain the consent of the Sultan to arrangements that were favourable to the interests of the ex-Sultan, and prejudicial to his own, but of which they do not know more of the particulars than that the Sultan was to have a monthly allowance of one thousand dollars, five coyangs of rice, and 100 gantangs of salt, and be paid the gross sum of 25,000 dollars, to repair and improve the old palace for his accommodation.—That the Sultan positively refused to enter into any such agreement, on which Mr. Muntinghe acted as he has done, in opposition to the wishes, and notwithstanding the remonstrances of the Sultan; that they are perfectly sure the Sultan never put his hand or seal to any treaty or written document whatever connected with the measure lately adopted at Palembang: on the contrary, he invariably told Mr. Muntinghe that he could not, and would not accede to any arrangements proposed by him; that he had not the power to resist his acts, and could not prevent him from doing whatever he pleased with himself and the country, but that he would not voluntarily resign any of his rights or authority.—He refused to move out of the palace, although pressed in the most urgent manner to do so, and

it was not till after the Dutch frigate and other vessels were placed opposite to it, and he was told that it would positively be battered down about his ears, and preparations were apparently making to carry the threat into effect, that he agreed to move into that part of it where he is now a prisoner, still refusing to quit it altogether.—The Regalia were not got from him till after the departure of captain Salmond for Batavia, and many threats had been used on the part of Mr. Muntinghe, to take him by force and send him to Batavia.—The ex-Sultan, in consideration of being again placed upon the throne by Muntinghe, agreed to make over to the Dutch the whole of the interior of the country, and to pay down the sum of five lacs of dollars in cash and valuables; the sum of four lacs was received by Mr. Muntinghe, and shipped by him; the payment of the remaining lac was to be made after Mr. Muntinghe's return from the interior, and his effecting the expulsion of all the British troops from the territory of Palembang.—The warlike equipment which Mr. Muntinghe fitted for this purpose, consisted of about 100 troops, Europeans and natives, 100 Siaks, and 1,000 Palembang people, armed in various ways, and who were conveyed in 1,804 boats, in which were mounted eight large guns, and about 100 small ones.—When they left Palembang the Dutch had a ship of war of 22 guns, and a large military force there.

(Signed)

T. S. RAFFLES.
Fort Marlboro', Aug. 15, 1818.

Sir

Sir Stamford Raffles has been meritoriously occupied in the task of exploring the interior of Sumatra, never before penetrated by Europeans, with the purpose of extending British influence over that large and valuable island. In three journeys he entered the country in as many different directions; proceeding inland from Manus, in the South, he reached the provinces occupied by a people called the Pasummahs;—from Bencoolen he crossed the island to Palembang, and in the north he penetrated to

Menancabon, the celebrated capital of the Malay empire. The result has been the discovery of a magnificent country, highly cultivated, abounding in the precious metals, and thickly inhabited by a fine race of men, whose friendship appears to have been effectually conciliated. Sir Stamford Raffles was successful in forming treaties with many of the native princes, in virtue of which a new, and apparently rich field has been opened to British enterprise and British commerce.

CHAPTER XV.

NORTH AMERICA.

Refusal of the United States to admit Consuls from the Republics of South America.—Negotiations with Spain respecting the Cession of Florida.—Decision of Congress on the Seminole War.—Negro Conspiracy in Georgia.—Discussions on Slavery in Missouri.—Number of Slaves in the United States.—Commercial embarrassments.—Address of the President on returning to Washington.—European Emigrants.—Official Letter respecting them.

THE government of the United States has been occupied during this year with several objects of deep interest, some of them connected with its foreign relations, others with its domestic polity. Soon after the return of the commissioner sent from the United States in the year 1818, to examine and report upon the situation of the new republics of South America, application was made by General don Lexo de Clementi to be recognised as minister plenipotentiary from the republic of Venezuela: an official refusal to this demand was returned by authority of the president, on the ground, that the name of Clementi had been "avowedly affixed to a paper drawn up within the United States, purporting to be a commission to a foreign officer for undertaking and executing an expedition in violation of the laws of the United States," and also to another paper avowing that act and otherwise insulting to the government. Mr. Deforest who demanded to be recognised as consul general from Buenos

Ayres, also met with a repulse, because the United States could not receive him in that capacity without an acknowledgment of the independence of the government of which Puerreydon was the supreme director. Subsequently, the President laid before Congress a report by the secretary of state concerning persons desiring to be accredited as consuls on behalf of the independent governments of South America, in which it was admitted, that consuls were received by the government of the United States from acknowledged sovereign powers with whom they had no treaty;—it was added however, on the authority of Vattel, that the appointment could not be carried fully into effect without recognising the authority of the sovereign from whom it proceeded. In these facts, the determination of the United States to stand neutral in the great contest between Spain and her colonies till success shall decide it, may clearly be discerned.

The negotiations with Spain respecting

respecting the cession of the Floridas met with numerous obstacles; Ferdinand VII was induced to refuse the ratification of the treaty already signed by his plenipotentiary, which it had been stipulated that he should give at latest in the month of August; but he at the same time declared his intention of sending to the United States a confidential minister to explain the causes of this delay. The light in which the conduct of the king of Spain was regarded in the cabinet of Washington, and the measures proposed in consequence, will best appear from the message of the president to congress, printed as well as the treaty itself amongst our State Papers.

The conduct of the war with the Seminole Indians by general Jackson, formed the subject of a long and able report from a select committee to the senate in congress [See State Papers] on which basis warm debates were carried on during a period of three weeks.

In conclusion the whole question involving very momentous constitutional points, was decided favorably to the general whose military zeal had been declared by the committee to have overstepped the boundaries of law, of justice, and of humanity. The strength and perseverance of the minorities strikingly displayed itself however in each successive stage of the business.

The question was taken on the resolution reported by the committee on military affairs, disapproving the proceedings in the trial and execution of Arbuthnot

and Ambrister, and decided in the negative.

The amendment moved by Mr. Cobb to the resolution reported by the Committee of military affairs, having been modified, was then rejected.

The Committee rose and reported its decision.

A motion was made to postpone indefinitely the further consideration of the whole subject; when,

After some discussion, the previous question was required, and being taken, was decided in the affirmative; which precluded any other than a direct question on the proposition before the House.

On the question, then, to concur in disagreeing to so much of the report as relates to the case of Arbuthnot, the vote was, by yeas and nays—

For concurrence in disagreeing to it, 108—Against it, 62.

On the question to concur in disagreeing to so much of the report as relates to Ambrister—

For concurrence in disagreeing to it, 107—Against it, 63.

A motion was then made by Mr. Cobb, that the House do come to the following resolution—

Resolved, that the late seizure of the Spanish posts at Pensacola and St. Carlos de Barancas, in West Florida, by the army of the United States, was contrary to the constitution of the United States.

A motion was made to postpone indefinitely the further consideration of the proposition, and decided in the negative—

For

For the postponement, 83;
Against it, 87.

The main question was then taken on Mr. Cobb's motion, and decided in the negative—

For agreeing to it, 70; Against it, 100.

The planters of Georgia had long been disquieted by those apprehensions of domestic treachery which the justice of Providence appears to have inseparably connected with the existence of domestic slavery; and in the month of May their vigilance led to the detection of a formidable conspiracy. It appeared that a plan had been framed by the negroes of Augusta and the neighbouring plantations to set fire to the city and destroy the inhabitants; after which they designed to take possession of the shipping of Savannah and to attack the town, and ultimately to transport themselves to Florida or St. Domingo. After a patient investigation of the whole plot, several of the leaders were found guilty and put to death; one of the number is stated to have been actively engaged in the insurrection and massacre in St. Domingo during the year 1793.

No political question has come home more forcibly; or in a greater variety of forms, to the bosom of every citizen of America than that of the continuance of negro slavery in their free and mighty empire. By the inhabitants of the northern, or eastern states, this practice has long been regarded as the bane and opprobrium of their country; the importation of fresh slaves has already become illegal in nearly

the whole of them, and in many, slavery itself has ceased to exist. By the planters of the South and West, on the contrary, the privilege of cultivating the soil by the labor of slaves is still defended with all the pertinacity of avarice, and justified on the detestable plea of necessity. In Congress, the opponents of slavery had gained several victories; and unable to procure its universal and immediate abolition, they had at least succeeded to a considerable extent in settling limits to its duration; and they had hoped to put an effectual check to its establishment in the newly-settled states of the West. During the session of 1818, the state of Missouri was rejected as a member of the Union solely because its inhabitants opposed the insertion of a clause to preclude the further progress and continuance of slavery. On the other hand, the inhabitants of Missouri denied the right of the legislature to exercise any other control over the articles of a state-constitution, than what should be necessary to preserve its republican character. A meeting on the subject was held in the month of May 1819, at the remote town of St. Louis, where it was voted, amongst other resolutions, that a second attempt on the part of Congress to oppose their admission on such grounds, would be an attempt to expel the territory of Missouri from the federation of the States, and would compel them to exercise the right which is inherent in every province, of forming a constitution and state-government for themselves. This important

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portant affair in which the interests of justice and humanity were threatened on one side, and the integrity of the North American union on the other, has subsequently engaged the most serious deliberation of Congress, but the result remains to be reported

in the history of the ensuing year. In the meantime, the following appalling statements respecting the magnitude of the evil of slavery in the United States, has been published in that country, from documents of unquestionable authority.

The whole number of slaves in all the States of the Union was, as appears by the census of each of the following years,

In 1790	In 1800	In 1810
694,280	889,881	1,165,441
Increase in 10 years, from 1790 to 1800, 203,624		
Increase in 10 years, from 1800 to 1810, 251,875		
Increase in 20 years, from 1790 to 1810, 481,160		

The slave population from 1790 to 1800 increased 14-61 per centum; from 1800 to 1810, 35-84; and from 1790 to 1810, 70-75 per centum; and the ratio of increase, it will be observed, is augmenting, the first ten years being under 24 per centum, and the latter ten years upwards of 34 per centum per annum. The number of free persons in the United States, according to official returns, were, in

1790 ... 3,190,455	| 1800 ... 4,356,032	| 1810 ... 5,947,678
"and all other persons except Indians not taxed,"		
1790 ... 59,120	| 1800 ... 108,607	| 1810 ... 181,924

From these facts, principally extracted from "*Seybert's Statistics*," it appears that in the year 1810, when the last census was taken, nearly 1-6th part of the whole population were slaves! They were at that time divided among the states as follows, viz.

Rhode Island.....	108	North Carolina	168,824
Connecticut	310	South Carolina	196,365
New York	15,017	Georgia	105,218
New Jersey	10,851	Kentucky	80,561
Pennsylvania	795	Tennessee	44,535
Delaware	4,177	Louisiana	34,660
Maryland	111,502		
Virginia	392,518	Total	1,165,441

New Hampshire, Massachusetts, Vermont, and Ohio, are already fortunately exempted from the presence of this great moral and political evil. Pennsylvania and New York will likewise soon take their station in the same rank, having made the re-

quisite legislative provision: The increase in number, since the year 1810, is probably 300,000 more.

The commercial embarrassment and distress so prevalent in Europe, has reached America also; a sudden and ruinous fall in the value of every species

of

of commodity took place, in consequence of a general failure of demand: the state banks almost throughout the Union were involved in difficulties, and the management of several became the subject of severe scrutiny; private failures grew alarmingly frequent, and an universal want of confidence impeded and nearly destroyed commercial intercourse. No very permanent check to the prosperity of the country appears however to be apprehended from the result of this commercial crisis, however distressing for the moment; and the president, on his return in August to the city of Washington, after a long progress through the extended territories committed to his administration, thus expressed his general satisfaction in what he had observed in an answer to an address of the corporation and citizens.

“In returning to the seat of the national government, after so long an absence, and so extensive a journey, I derive very great satisfaction, as you will readily conceive, from so kind a reception by my fellow-citizens and neighbours.

“In the view which I took during my former, as well as my recent tour, through so great a portion of the Union, I have seen every thing which could give satisfaction to one who takes a deep interest in the welfare and prosperity of his country, abounding as it does in all the means necessary for public defence and individual comfort; a people virtuous and intelligent, attached to their free institutions, and firmly resolved to support them,

displaying on all occasions that manly and independent spirit, without which no institutions, however pure in their principles, can be long sustained; a people attached to each other, by the ties of consanguinity and a common interest—ties constantly gaining strength from causes that are daily developing themselves.

“While these powerful causes bind us so closely together, and we continue to exhibit such unequivocal proofs of it to the world, rendering justice, as we do, to every other nation, we may expect a like return from them, and shall not fail to obtain it.

“Although in these journies my attention has been principally directed to the great objects of defence, yet to them it has not been exclusively confined. I have endeavoured to examine with care the dependence and connexion of the various parts of our union on each other, and have observed, with great satisfaction, the eminent advantages which they respectively derive from the intercourse existing between them.

“To the condition of the Indians I have always paid attention, and shall feel happy in giving effect, as far as I may be able, to the wise and salutary laws of Congress, calculated to promote their civilization and happiness.

“In the improvement of this metropolis the whole nation is interested. It is gratifying to me to find, that there is but one opinion on this subject. In providing the necessary public buildings, and promoting the growth and prosperity of this city, Congress

gress have heretofore displayed a liberal policy, in which, it may be presumed, they will persevere. To give effect to such a policy will afford me peculiar satisfaction."

It may here deserve mention, that since the general peace, large bodies of distressed peasantry from various countries of the European continent, had been impelled to cross the Atlantic in search of the means of subsistence which their native soil no longer afforded. Many of these unfortunate emigrants, ignorant in every respect of the state of the country which they had chosen as an asylum, and destitute of every resource against immediate disappointment, found themselves soon after their arrival, in a state of forlorn and helpless misery which excited at once commiseration for the immediate sufferers, and alarm for the fate of the thousands who were preparing to follow them. In this emergency M. Maurice de Furstenwaerter, by whom various benevolent efforts had been made to relieve the distresses of German emigrants to the United States, wisely judged it an act of patriotism to publish in Germany the following official communication received from the American government.—A document strikingly illustrative of the genius of a commonwealth.

" Washington, June 14, 1819.

" Sir,—I have had the honour of receiving your letter of the 22nd of April, with the enclosure of the Baron de Gagern, your relative, and a copy of your printed report: I hope, and indeed entertain no doubt, that the

latter may be of great utility to such of your countrymen as may have formed erroneous ideas with regard to emigration from Europe to this country. It has been clearly shown to you, and you have accurately seized the idea in your report, that the government of the United States has never taken any steps to invite or encourage emigrants to come from any part of Europe to America. It has never held out any inducements to draw to this country the subjects of a foreign state. Motives of humanity have sometimes determined it to offer certain facilities to some emigrants who may have arrived here with the intention of establishing themselves here, and who had need of particular assistance for executing their intention. Neither the government of the Union, nor the different states that compose it, despise or disdain the increase of strength and prosperity which the nation might receive from a mass of new inhabitants, healthful, laborious, and temperate; nor are they more indifferent to the great advantages which this country has derived, and is still deriving, from the concourse of adopted children coming from Germany; but there is one principle on which all the institutions of this republic are founded, and which is a permanent objection to granting favours to new comers. This is not a country of privileges, but of an equality of rights. The Sovereigns of Europe grant to certain classes of individuals certain privileges, which have some object of political utility; but it is the general opinion here, that
privileges

privileges granted to one class of people are necessarily an injury to some other.

“Emigrants from Germany, or from any other country, have not on arriving here any favour to expect from the governments; but in case they should desire to become citizens of the state, they may flatter themselves with enjoying the same rights as the natives of the country. If they possess property, they may reckon upon finding the means of increasing it with moderation, but with certainty; if they are poor, but laborious, honest, and know how to be satisfied with a little, they will succeed in gaining enough to support themselves and their families; they will pass an independent, but a laborious and painful life, and if they cannot accommodate themselves to the moral, political, and physical state of this country, the Atlantic Ocean will always be open to them to return to their native countries. They must bend their characters to necessity, or they will assuredly fail as Americans in all their schemes of fortune; they must throw off, as it were, their European skin, never more to resume it; they must direct their thoughts rather forwards towards their posterity, than behind them to their ancestors; they must persuade themselves that whatever may be their own sentiments, those of their children will assuredly approach more to the habits of the country, and will catch something of the haughtiness, perhaps a little contemptuousness, which they have themselves remarked with surprise in the general character

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of this people, and perhaps still more particularly in the individuals of German origin who are born in this country.

“This sentiment of superiority over all other nations, which never leaves them, and which has been so very displeasing to foreigners who have visited our shores, proceeds from the opinion entertained by each individual, that in quality of a member of society there is no person in this country superior to him. Proud of this feeling, he regards with some haughtiness those nations among whom the mass of the people are regarded as subordinate to certain privileged classes, and where men are great or insignificant by the hazard of their birth. But from this it also happens, that no government in the world has so little means of bestowing favour as that of the United States. The governments are the servants of the people, and they are regarded as such by the people, who create and depose them.

“They are elected to administer the public affairs for a short space of time, and when the people are not satisfied with them, they cease to maintain them in their functions. But if the means of the government to do good are limited, the means of doing ill are limited also. Dependence here in the affairs of government is precisely in the inverse ratio of what takes place in Europe. The people here do not depend upon those that govern them; but the latter, as such, depend constantly upon the good will of the people.

“We know very well that of
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the quantity of foreigners who every year come to our country to fix their abode, none of them come from taste, or from any regard to a country to which they are totally strangers, and of which the Germans do not understand even the language. We know that they come here not for our advantage, but for their own; not to labour for our prosperity, but to ameliorate their own condition. Thus we expect to see very few individuals of Europe who enjoy in their own country ease, happiness, or even any gratification, come and settle in America. Those who are happy and contented remain at home, and it requires a principle of motion not less powerful than want to remove a man from his native country, and the place where the tombs of his ancestors are placed.

Of the small number of emigrants of fortune who endeavoured to settle in our country, a considerable portion were dissatisfied with our singular customs, and after a certain residence returned home. There are certainly some exceptions; and in the most opulent and distinguished class of our fellow-citizens, we have the good fortune to count some individuals who would have acquired fortune and distinctions, even had they not passed into a new country, and another portion of the world. We should feel great satisfaction in seeing yourself among this number, and that it would accord with your dispositions and sentiments. I have the honour to be,
Sir, &c.

“ JOHN QUINCY ADAMS.”

CHAPTER XVI.

SOUTH AMERICA.

VENEZUELA—*Expedition of Morillo against Angustura defeated—Revolution of New Granada—Victory of Boyaca—Flight of the Viceroy.—Occupation of New Granada by the Army of Venezuela—BUENOS AYRES—Operations in Chili.*

THE progress of that great political operation, the successive enfranchisement of the vast provinces of Spanish America from the control of the mother country, and their formation into a cluster of separate but allied republics, continues to render this portion of the western hemisphere an object of profound attention to every people of the civilized world.

On this ample scene, several distinct centres of action are distinguishable, which it will be expedient slightly to indicate before a more minute detail is attempted of the events of the year.

The city of Angustura on the river Orinoco, has become the capital of the republic of Venezuela, of which Simon Bolivar is the president. It was against this state exclusively that the Spaniards were enabled to carry on military operations during 1819, and the campaign of general Morillo against the patriots of Venezuela, with the progress of the latter in the kingdom of New Granada, will form the most prominent feature of the ensuing narrative. The United States of the river de la Plata, of which Buenos Ayres may be termed the soul, have experienced no

disturbance from the mother country beyond the menace of invasion by the mighty armament which so long a series of impediments has still detained within the harbour of Cadiz. Monte Video, and the surrounding district on the northern shore of the Plata, are held by Artigas, an independent chieftain with whom the authorities of Buenos Ayres carry on by turns hostilities and negotiations.

The republic of Chili united in a strict alliance with Buenos Ayres, besides securing its own independence, has been enabled to carry on offensive war against Spain by sea; and it was with the fleet of Chili that lord Cochrane has attacked Callao, and placed for some time the whole coast of Peru in a state of blockade. Macgregor, by whom Portobello was surprised and plundered, is said to be avowed by none of the new republics, and can therefore be regarded in no other light than a free booter, and the same may be said of the person styled commodore Aury. We now return to the principal seat of war.

Venezuela.—Early in the spring, general Morillo the Spanish commander-in-chief, quitted his headquarters in the city of Caracas

at the head of about 10,000 men, and directing his course inland, entered upon a toilsome route of many hundreds of miles with the intention of reaching the banks of the Orinoco and dispossessing the independents of the city of Angostura their capital. In the mean while, Bolivar, who had received a very important accession of force, principally from the arrival of English troops, prepared for a campaign comprising a rather complicated system of action. An encampment was formed in the Island of Margareta of about 1,500 men, who were to remain there in readiness till circumstances should decide on what point of the coast a descent might be attempted with most effect in support of the operations carrying on in the interior: general Santander was dispatched to the westward to oppose the advance of a body of troops sent from New Granada to form a junction with Morillo; General Marino marched into the province of Barcelona to intercept the division of Morillo's army which was destined for an attempt upon Angostura; and Bolivar in person, attended by Paez, at the head of a light cavalry armed with lances, composed of the free people of colour and the inhabitants of the plains, called Llaneros, watched the motions of Morillo himself. On every point the efforts of the Venezuelans were crowned with success. Marino totally defeated the force opposed to him at a place called Cispero or Centaura, in the neighbourhood of Barcelona, and concentrating his forces advanced upon that important city. This

success decided the destination of the troops at Margareta. The Spanish squadron of six large vessels and eight fleecheras had been shut up by the Venezuelan fleet of 15 ships of war, in the port of Cumana, which was placed in a state of blockade; and in the mean time col. Ursler, with 300 English and German auxiliaries under gen. English, forming part of the expedition from Margareta, effected a landing at Barcelona, and on July 18th carried the fortress called the Moro, with the loss of only 19 men. Three Spanish ships which came with troops in aid of the place were also captured, and another division of general Urdeneta's force from Margareta, disembarked to the leeward of Cumana to form the siege of that place. Santander advancing into the plains of Casanare, forming the western boundary of the province of Parinas, encountered a Spanish division of about 3,500 men, over whom he gained a splendid victory, cutting to pieces or making prisoners of the whole. Disappointed of this expected reinforcement, Morillo, notwithstanding some partial advantages with which he began the campaign, was gradually driven back, by the incessant harassing of an enemy greatly superior to him in cavalry; and retreating northwards and westwards, received, on July 26th, a defeat at a place called Columbuso, a short distance from the mouth of the lake of Maracaibo.

In the state of feebleness and destitution to which the army of Morillo had thus been reduced, Bolivar was enabled to avail himself

self to the utmost of the victory of Santander, by which an unobstructed course was opened into the kingdom of New Grenada; a province already ripe for revolution, from the inhabitants of which he received frequent deputations, congratulating him on his victories, and offering him supplies of men and money. Departing from the cautious and defensive system which he had judged it necessary to preserve in the early part of the campaign, the president directed his march from Varinas towards Santa Fe de Bogota, the distant capital of New Grenada. His own bulletins will best record his success.

BATTLE OF BOJACA.

Fourth Bulletin of the Liberating Army of New Granada.

Yesterday, at day-light, our advanced corps giving notice that the enemy was in march by the road of Samaca, the army was put under arms; and as soon as it was ascertained that he intended passing the bridge of Bojaca, in order to open direct communication, and be in contact with the capital, we marched by the high-road to prevent him, or force him to give battle.

At two in the afternoon, the enemy's first division reached the bridge, where he saw only our advance of cavalry. Not then able to ascertain our force, and believing those opposed to him were nothing more than a reconnoitering party, he attacked them with his Cazadores to clear the way whilst the main body followed up. Our divisions quickened their march, and to the great surprise of the enemy, the

whole of our infantry showed themselves in a column on a height commanding his position. The enemy's van had ascended part of the road, following our advance, and the remainder of his army was below, about a quarter of a league from the bridge, and showed a force of 3,000 men.

Our battalion of Cazadores of the van sent out a company of skirmishers, and with the remainder in column attacked the enemy's Cazadores, and drove them back precipitately to a wall, from whence they were also dislodged; they then passed the bridge, and took up a position on the other side, and in the meanwhile our infantry came down, and the cavalry marched along the road.

The enemy made a movement by his right, which was opposed by the rifles, and the British company. The battalions, first of Barcelona and Paez's Bravos, with the squadron of the cavalry of the upper plain, marched by the centre. The battalion of the line of New Granada, and the Guides of the rear, joined the battalion of Cazadores and formed the left. The columns of Tunja and Socorro remained in reserve.

The action began at the same instant all along the line, general Anzoategui directed the operations of the centre and right; he ordered a battalion to be attacked which the enemy had sent out as skirmishers in a glen, and forced it to retire on the main body, which, formed in column on a height with three pieces of artillery in the centre and two corps of cavalry in the flanks, waited the attack.

Our

Our troops of the centre, disregarding the fire of some corps of the enemy posted on their left flank, attacked the main body. The enemy gave a dreadful fire, but our troops, with the most daring movements, executed with the strictest discipline, surrounded all the enemy's corps. The squadron of cavalry of the Upper-plain charged with its wonted valour, and from that moment all the efforts of the Spanish general were fruitless; he lost his position. The company of horse grenadiers (all Spaniards) was the first that cowardly left the field of battle. The infantry endeavoured to reform on another height, and was instantly destroyed. A corps of cavalry in reserve waited ours with the lances in rest, and was pierced through-and-through by our lancers; the whole Spanish army, in complete rout and closed in on all sides, after suffering dreadful carnage, threw down their arms and surrendered.

With an almost simultaneous movement, general Santander, who directed the operations of the left, and who had met with an inconsiderable resistance from the enemy's van, and to which he had only opposed his Cazadores, charged with some companies of the battalion of the line, and the Guides of the rear passed the bridge and completed the victory.

All the enemy's army remained in our hands. General Barreyro, commander-in-chief of the army of New Granada, is a prisoner, and was taken in the field of battle by a soldier of the first Rifles, Pedro Martinez: the second in command, colonel Xime-

nez, is also a prisoner; almost all the commandants and majors of corps, a multitude of inferior officers, and more than 1,600 men are likewise taken, and moreover all their arms, ammunition, artillery, horses, &c. &c. Hardly 50 men escaped, and amongst them some chiefs and officers of cavalry, who fled before the action was decided.

General Santander with the van, and the Guides of the rear, pursued at the same time the dispersed to this place, and general Anzoategui, with the remainder of the army, remained all night in the field.

The advantages are incalculable which will ensue to the republic from the glorious victory of yesterday.

Our troops never triumphed more decidedly, and have seldom engaged troops so well disciplined, and so well commanded.

Nothing can be compared to the intrepidity with which general Anzoategui at the head of two battalions, and a squadron of cavalry, attacked and overthrew the enemy's main body, and to him the victory is in great measure due.

General Santander made his movements with vigour and firmness. The battalions (Pæz's Bravos) and the first of Barcelona, and the squadron of the Upper-plain, fought with astonishing valour. The columns of Tunja and Socorro joined the left on the battle being decided. In short, his excellency is highly satisfied with the behaviour of every chief, officer, and soldier of the liberating army on this memorable day.

Our

Our loss consists in 13 killed and 53 wounded; amongst the former, lieutenant of cavalry, N. Perez, and the Rev. Miguel Diaz, chaplain of the van; and amongst the latter, major Joseph Raphael de las Heras, captain Johnston, and lieutenant Rivero. General head-quarters, in Venta Quemada, the 8th of August.

C. SOUBLETTE,
Chief of the Staff.

Fifth Bulletin of the Liberating Army.

Lieutenant-col. Mugica, with the corps of Guides and Dragoons, continued the pursuit of the enemy on the 8th, at day-break. At 11, his excellency followed with the squadron of Llanoarriba, and joined him at Choconta. On the 9th, all the infantry set out. On the 10th, on the arrival of his excellency at the bridge of Comun, he received advice from the capital, that the Viceroy, the Audience, with the guard of honour, and the regiment of Cazadores of Aragon, and all the civil and military officers, had abandoned it on the morning of the 9th, leaving it in a state of frightful anarchy. His excellency hastened his march; and on the same day, entered the capital amidst the acclamations of an immense population, which knew not how to express its joy—a population, which, after three years of the most cruel oppression, beheld itself unexpectedly liberated, and could not help doubting its immense good fortune. The streets and the public places were filled with people. All sought to see

his excellency the president, in order to convince themselves of the reality.

The Viceroy Samano has fled in the direction of Honda, and Calzado follows him on the southern side. All the cavalry and the corps of the rear-guard pursue him on all sides, and there is reason to hope that none will escape.

The Liberating Army has attained the object which it proposed on undertaking the campaign. After 75 days' march from Pueblo de Mantecal, in the province of Varinas, his excellency entered the capital of New Granada, having overcome greater labours and difficulties than were foreseen on undertaking this great operation, and having destroyed an army three times stronger than the invading one.

The precipitation with which the Viceroy and his satellites fled, on the first report of the battle of Bojaca, did not permit him to save any of the public property. In the Mint we found more than half a million of dollars in cash; and in all the other magazines and depôts sufficient completely to arm and equip a numerous army. It may be said, that the liberation of New Granada has ensured infallibly that of all South America, and that the year 1819 will be the end of a war, which, with so much horror to humanity, Spain has waged since 1810.

The General in Chief
of the Staff,

CARLOS SOUBLETTE.

Head Quarters at Santa Fe,
11th of August.

In an official despatch, dated
at

at Santa Fe, on the 14th of August, and addressed by the president Bolivar to the vice president of the Republic, he says, that "the people of New Granada, regardless of their own defenceless state, by attacking dispersed parties of the enemy, have actively co-operated in his absolute extermination, taking arms, and making a great number of prisoners." He adds, that "notwithstanding the general devastation which this kingdom has suffered, the Republic may reckon on a *million dollars in cash*, besides the large sum which the property of the fugitive oppressors and discontented will produce."

The rainy season caused a temporary interruption to military operations. Morillo entrenched himself for some time in Tinaquillo, the independents having taken possession of St. Fernandez de Apure and of Calaboza, immediately on his evacuation of those places. Marino with 2,000 men remained posted at Maturia in Cumana, ready to co-operate with 1,500 Irish troops of gen. Devereux's legion which Bermudez was organising in Margaritta. Paez prepared to march with 6,000 men against Morillo. Bolivar continued strengthening himself in New Granada; and such was the general spirit of animosity against the Spanish government, which had endeavoured to support its declining authority by acts of the most atrocious cruelty, that the people every where joined his standard. On the re-opening of the campaign, he is said to have found himself at the head of an army

of 8,000 men raised in New Granada, and to have sent a detachment against Santa Martha. The Spanish garrisons had been greatly weakened before the invasion of Bolivar by the aids which it had been found necessary to dispatch to Lima, and there is reason to believe that by the end of autumn, the whole of this extensive kingdom, or province, with the exception of Carthagena, was free. Meanwhile, a congress assembled at Angostura was occupied in examining the articles of a constitution, nearly resembling the English, which had been submitted to its scrutiny by Bolivar, and which appeared to meet with general approbation. Such was the prosperous state of the "United Republics of Venezuela and New Grenada," at the latter end of the year 1819.

Buenos Ayres.—The most full and authentic account of the present state of the provinces of the river de la Plata, which has reached Europe, is to be found in the report of the North American commissioner sent purposely to inquire into their situation which was laid before Congress, and afterwards printed; it is here subjoined.

"The country formerly known as the vice-royalty of Buenos Ayres, extending from the north-western sources of the river La Plata to the southern cape of America, and from the confines of Brazil and the ocean to the ridge of the Andes, may be considered that which is called "the United Provinces of South America.

"Under the royal government,
it

it was divided into the Intendencias, or provinces of Buenos Ayres, Paraguay, Cordova, Salta, Portos, Plata, Cochabamba, La Paz, and Puno. Subsequently to the revolution, in the year 1814, another division was made, and from the provinces of Cordova, Salta, and Buenos Ayres, were taken those of Cuyo or Mendoza, Tucuman, Corrientes, Entre Rios, and the Banda Oriental. The others, it is believed, retained their former boundaries, and, with the exception of Paraguay, are generally called "Upper Peru."

"This widely-extended country embraces almost every variety of climate and soil, and is capable of almost every variety of production. A large part of it, however, particularly on the west side of the river La Plata, and southerly towards Cape Horn, is deficient in wood, even for fuel, and in water; that which is found is generally brackish.

"Although three centuries have passed by since the Spaniards made their first settlement in this country, and some considerable towns and cities have grown in it, yet its general improvement and population have by no means kept pace with them; for the lower provinces have been almost entirely abandoned to the immense herds of cattle which graze on their plains, and require only the partial care of a comparatively few herdsmen; and the inhabitants of Upper Peru have been engaged more generally in the business of mining than was favourable to improvement or population. Certain small districts have peculiar advantages,

are said to be well cultivated, and very productive; but agriculture has, in general, been very much neglected. It is, in a great degree, confined to the vicinity of towns and cities, and may be said to limit its supplies to their demands. This state of things, combined with the regulations of the former government, the influence of climate, and the force of example, has stamped the character of indolence upon that class of society usually considered as the labouring class. The same causes have not operated, at least with the same force, upon the other inhabitants of the country; hence they are more industrious, and more active; their manners are social, friendly, and polite. In native talents they are said to be inferior to no people; and they have given proofs that they are capable of great and persevering efforts; they are ardently attached to their country, and warmly enlisted in the cause of its independence.

"It is not necessary for me to enter into a detail of the causes which led to the revolution in 1810. The most immediate, perhaps, are to be found in the incidents connected with the two invasions of the country by the British, in the years 1805 and 1806, and in the subsequent events in Spain, as they had a direct tendency to show to those people their own strength, and the incapacity of Spain to give them protection or enforce obedience. The groundwork was, however, laid in the jealous and oppressive system adopted at a more early period by the kings of Spain, whose policy it seemed to be to keep
within

within as narrow limits as circumstances would permit the intelligence, wealth, and population, of that part of America subject to their dominion, as the surest means of preserving an empire which they considered the great source of their wealth and power.

“The revolution having been auspiciously commenced in the city of Buenos Ayres, was warmly and zealously supported by the mass of the people descended from the Spaniards; but the native Spaniards, as well those domesticated in the country as those in the service of the king, were almost all opposed to it, particularly at the time, and under the circumstances, it took place. Dissentions were the immediate result, and their long-standing jealousy and distrust of each other have, by subsequent events, been heightened into deadly hostility, which time alone can wear away. These dissentions have been considered as one of the causes that produced those which subsequently took place among the patriots themselves, and which have been most serious obstacles to the progress of the revolution. Other obstacles, however, have been presented by the royal government in Peru, which has hitherto not only been able to sustain itself there, but has found means, by enlisting the native Peruvians in its service, to send at different times considerable armies into the upper provinces on the La Plata, where the war has been carried on from the commencement of the revolution to the present day, with various success; the great extent and peculiar character of the country,

and the want of resources, having prevented either party from making a blow decisive of the contest. When we came away, the advantage in that quarter was on the side of the Spaniards, as they were in possession of the provinces of Upper Peru, which had, to a certain degree at least, joined in the revolution, and some of which are represented in the Congress. Every where else they been obliged to yield up the government and abandon the country, or submit to the ruling power. The peculiar situation of Monte Video, on the east side of the river La Plata, open to the sea, and strongly fortified, enabled the Spanish naval and military forces, at an early period in the revolution, to make a stand there: they were ultimately obliged to surrender it; not, however, until long protracted, and, perhaps, ill-directed efforts on the part of the assailants, had giving rise to many jarring incidents between those that came from the opposite shores of the rivers,—probably the effect, in part at least, of ancient jealousies, kept alive by the individual interest of different leaders; these have been followed by events calculated to produce a still greater alienation; and, although several attempts have been made to bring about a union, they have hitherto been unsuccessful. The provinces of the “Banda Oriental,” and the “Entre Rios,” on the eastern side of the river, under the direction of general Artigas, are now at war with those on the western side, under the government of the Congress of Buenos Ayres.

“This

“ This war has originated from a combination of causes, in which both parties have, perhaps, something to complain of, and something to blame themselves for.

“ General Artigas and his followers profess a belief that it is the intention of the government of Buenos Ayres to put them down, and oblige them to submit to such arrangements as will deprive them of the privileges of self-government, to which they claim to have a right. They say, however, that they are willing to unite with the people on the western side of the river ; but not in such a way as will subject them to what they call the tyranny of the city of Buenos Ayres. On the other hand, it is stated that this is merely a pretext ; that the real object of general Artigas and some of the principal officers is to prevent a union on any terms, and to preserve the power they have acquired, by giving an erroneous excitement to the people who follow them. That it is wished and intended to place these provinces on a footing with the others. That the respectable portion of their inhabitants are aware of this fact, and anxious for a union ; but are prevented from openly expressing their sentiments from a fear of general Artigas, whose power is uncontrolled by law or justice ; and hence the propriety and necessity of aiding them to resist it. Armies have accordingly been marched within the present year into these provinces ; but they were not joined by a number of the inhabitants, and were defeated with great loss.

“ This war is evidently a source

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of great injury and regret ; and, at the same time, of extraordinary irritation to both parties ; for, independently of other causes of recrimination, each accuses the other of having brought about that state of things which threatens to place a most important and valuable portion of their country in the hands of a foreign power, who has invaded it with a regular and well-appointed army, and is gradually taking possession of commanding points, from which it may be difficult for their united force hereafter to dislodge them. That they will unite is, I think, to be calculated on, unless some event disastrous to the cause of the revolution itself takes place, for their mutual interest requires a union. But more of moderation and discretion may be necessary to bring it about than is at this time to be expected from the irritated feelings of some of the principal personages on both sides.

“ The city of Sante Fe, and a small district of country around it, also refuse to acknowledge the authority of the government of Buenos Ayres.

“ In Paraguay, the events of the revolution have differed from those in any other province, as the inhabitants of that country have uniformly resisted the efforts of the other provinces to unite them. After having aided the Spanish placed over them to repel a military force which had been sent to overthrow them, they themselves expelled from their country these authorities, and established a government of their own, totally unconnected with that of the other provinces, with whom they manifest an unwillingness

ness to keep up even a commercial intercourse. This has given rise to a suspicion in the minds of some, that there is a secret predilection among them for the ancient order of things. But, from what is said of their cold and calculating character—from the safe position of their country, and its capacity to supply its own wants, it is probable that their object is to husband their resources, and profit by the exertions of others, without giving their own in aid of them; and possibly, in case of ultimate failure, to place their conduct in a less objectionable point of view before the government of Spain. Whatever may have been their motives, they have hitherto contrived to escape, in a great measure, the evils of war.

“ Their resources, in men and money, are said to be considerable, and no country is more independent of foreign supplies.

“ Their conduct furnishes a striking contrast to that of the people of Buenos Ayres, who entered into the revolution with unbounded zeal and energy, and have ever been ready to meet the difficulties of so great an undertaking. This circumstance, connected with their local situation, greater resources, and more general information, and perhaps the fact of their having been the first to get power into their hands, have had the effect to give them a controlling influence over the revolutionary government, which has not failed to excite, in some degree, the jealousy of the other provinces, and amongst themselves a feeling of superiority little calculated to allay their

jealousy. Great evils were at one time apprehended from this state of things; but the congress which met at Tucuman, in March, 1816, composed of deputies from the several provinces then united, assumed the sovereign power of the country, boldly declared its absolute independence, and adopted a provisional form of government, which is understood to have the effect of allaying dissensions, and of introducing a more regular administration of public affairs.

“ It will be seen from the documents in your possession, that this provisional constitution recognizes many of the principles of free government; but with such drawbacks as are little calculated to enforce them in practice. Great allowances are doubtless to be made for the circumstances of the times, and the danger and difficulty of tearing up ancient institutions, or of adapting new principles to them. But, after due allowance for all these considerations, it did not appear to me that so much had been done for the cause of civil liberty as might have been expected, or that those in power were its strongest advocates. It is generally admitted, however, that some changes for the better have been made. Much care seems to be taken to educate the rising generation, and, as those who are now coming on the theatre of action have grown up since the commencement of the revolution, and have had the advantages of the light thrown in by it, it is fair to suppose that they will be better prepared to support and administer a free government, than those whose habits were

were formed under the colonial government of Spain.

“ The commerce and manufactures of the country have grown beyond its agriculture. Various causes, however, have contributed to lessen some branches of manufactures since the revolution, but commerce is understood to have been increased by it. A much greater variety and quantity of foreign goods are imported, and a greater demand is opened for the productions of the country. The city of Buenos Ayres is the seat of this commerce. From it foreign and some domestic goods are spread through the interior, as far as Chili and Upper Peru; and, in return, the various productions are drawn to it. This trade is carried on principally by land, as is that between the different provinces; though some small portion of it finds its way up and down the large rivers forming the La Plata, which is itself not so much a river as a great bay. The abundance of cattle, horses, and mules, and of some other animals peculiar to the country, which are used in the mountainous regions of Peru, furnish facilities for transportation not to be found in any other country so little improved: hence the price of transportation is very low, and the internal trade greater than it otherwise would be; though it had been materially lessened in some important branches by the war with Peru, and the system adopted in Paraguay.

“ The export and import trade is principally in the hands of the British; though the United States and other nations participate in

it to a certain degree. It is depended on as the great source of revenue to the state; hence they have been tempted to make the duties very high, and to lay them upon both imports and exports, with the exception of lumber and military stores. This circumstance, connected with the fact that payment is demanded at the custom-house before the goods are delivered, has led to a regular system of smuggling, which is said to be carried to great excess, and, doubtless, occasions the official returns to fall short of the actual amount of the trade. This may be the reason why they were not given to us. The articles imported are almost every variety of European and East India goods, principally from England; rum, sugar, coffee, tobacco, cotton, and timber, from Brazil; lumber of almost every description, cod fish, furniture, gin, and some smaller articles, from the United States, together with military stores, which, however, find their way into the country directly from Europe, and are thus furnished at a cheaper rate than we can sell them. The principal articles of export are taken from the various animals of the country, tame and wild, from the ox to the chinehilla; copper from Chili, and some of the precious metals, drawn principally from Peru; but, as gold is worth seventeen dollars the oz. and passed by tale at that rate, very little of it is exported; hence, the currency of the country is gold, for they have no paper-money. The “libranzas,” or bills of credit, issued by the government, are, however, an article of traffic among

among the merchants, as they are received in payment of one-half of the duties. No distinction is made in favour of the trade of any nation, save only that the British merchants have some peculiar facilities granted them in relation to their letters, which are an object of taxation, at least so far as applies to those sent out of the country.

In the official statements given to us, to which I beg leave generally to refer for information as to the foreign relations, the productions, military and naval force, revenue, and population, the latter is stated at 1,900,000, exclusive of Indians. This is understood as comprehending the population of all the provinces; but, as some of them are not under the government at Buenos Ayres, I have thought it proper to annex the several estimates I have collected of the population of each province, as they may serve to give some general information on that point. The most immediate difficulty felt by the government, whilst we were in the country, seemed to arise from the want of money; for, although the debt was small, their credit was low. It had not been found practicable to adopt a system of finance adequate to the exigencies of the times, though it would seem, from the statements given to us, that the revenue of the last year exceeded the expenses. The important events of the present year in Chili, of which you are informed, will doubtless have the effect to raise the credit of the country, and to lessen the pressure upon it, at least for a time, and will probably leave the go-

vernment more at leisure to attend to its internal affairs.

When we came away, it was understood that a committee of the Congress was engaged in drafting a new constitution, the power of forming and adopting it being exclusively vested in the Congress. Whether it will assume a federal or a national character is somewhat doubtful, as there are evidently two parties in the country, whose views in this respect are very different, and it is believed that they are both represented in the Congress. The one party is in favour of a consolidated or national government; the other wishes for a federal government, somewhat upon the principles of that of the United States.—The probability seems to be, that, although there might be a majority of the people in the provinces generally in favour of the federal system, it would not be adopted, upon the ground that it was not so well calculated as a national government to provide for the common defence, the great object now in view. The same general reason may be urged, perhaps, for giving to the latter, should it be adopted, less of a republican character than probably would have been given to it in more quiet and peaceful times. There is danger, too, as the power of forming and adopting the constitution is placed in the hands of a few, that the rights and privileges of the people may not be so well understood or attended to as they would have been, had the people themselves had a more immediate agency in the affair. It is not to be doubted, however, that it will at least have

have a republican form, and be bottomed upon the principles of independence, which is contended for by all descriptions of politicians in the country, who have taken part in the revolution, and will, it is believed, be supported by them, in any event, to the last extremity.

“ Their means of defence, of which they are fully aware, are, in proportion to their numbers, greater, perhaps, than those of almost any other people, and the duration and the events of the war have strengthened the general determination never to submit to Spain. This determination rests upon the recollections of former sufferings and deprivations; upon a consciousness of their ability to defend and to govern themselves; and upon a conviction that, in case of submission on any terms, they would, sooner or later, be made to feel the vengeance of the mother country. These considerations, doubtless, have the most weight upon those who have

taken a leading part. They, of course, use all their influence to enforce them, and thus to keep up the spirit of the revolution. In this they probably have had the less difficulty, as, although the sufferings of the people have been great, particularly in military service, and in raising contributions necessary for that service, yet the incubus of Spanish power being thrown off, and with it that train of followers, who filled up almost every avenue to wealth and consequence, the higher classes have been awakened to a sense of advantages they did not before enjoy. They have seen their commerce freed from legal restraints, their articles of export become more valuable, their supplies furnished at a lower rate, and all the offices of government, or other employments, laid open to them as fair objects of competition. The lower classes have found their labour more in demand, and better paid for; and their importance in society greater than it formerly was.”

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Estimate of the Population of the Province of Buenos Ayres, Cordova, Tucuman, Mendoza or Cuyo, and Salta, under the Names of the different Towns or Districts which send Representatives to the Congress.

* * By an imperfect census, taken, it is believed, in 1815, Buenos Ayres contained 93,105, excluding troops and transient persons, and Indians.

	By more recent Estimates, excluding Indians.	Excluding Indians.	Including Indians
Buenos Ayres.....	105,000	120,000	250,000
Cordova	75,000	75,000	100,000
Tucuman	45,000	45,000	20,000
Santiago del Estero	45,000	60,000	
Valle de Callamarea	36,000	40,000	
Rioja	20,000	20,000	
San Juan	34,000	34,000	
Mendoza	38,000	38,000	
San Luis	16,000	16,000	
Injuy	25,000	25,000	
Salta	50,000	50,000	
	489,000	523,000	

Provinces of Upper Peru.

Cochabamba	100,000	120,000	200,000	
Potosi	112,000	112,000	250,000	
Plata, or Choreaz	112,000	112,000	175,000	
La Paz.....	—	—	800,000	
Puno {	Under the name of Santa Cruz de la.....	120,000	—	30,000
	Sierra	—	—	150,000
	Ouiro	—	—	50,000
Paraguay.....	—	—		
Banda Oriental and Entre Rios	50,000	—		

A few incidents of later occurrence remain to be noticed. Pueyrredon, the Supreme Director of Buenos Ayres, announced, early in the year, his intention of retiring from office; and in a speech to Congress of

February 25th he requested that it would proceed to the nomination of his successor, recommending only that their choice should fall on a military character, as the best calculated to guide them in safety through the

the storms by which their infant state was menaced. After an interval of hesitation, brigadier-general Rondeau was elected, and entered upon his functions on June 9th. An armistice was concluded with Artigas, chief of Montevideo, and the Bandar Oriental, which appears not to have been since broken, though no alliance was formed between the parties. A treaty with the republic of Chili was formed, the articles of which will be found amongst our state-papers, and the union of the states of Buenos Ayres, Santa Fe, Entre Rios and Corrientes, has been consolidated by a definitive league. The constitution, consisting of 138 articles, clearly and concisely drawn, has been published and received the assent of the people. The following are its most important provisions :

The legislative power is to be exercised by a national congress composed of two houses, that of Representatives and that of Senators. The former is composed of delegates elected in the proportion of one for every district containing 25,000 inhabitants. The deputy must be upward of twenty-six years of age, must have been seven years a citizen previous to his nomination, and must possess 4,000 dollars of property, or some equivalent which is not well defined in the article. The representatives sit for four years, but a half of the chamber is renewed every two years. The House of Deputies originates all money bills, and has the special right of impeaching ministers and the high officers of state. The Senate is to consist of the same

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number of provincial senators as there are provinces; of three military senators, of one bishop, and three ecclesiastics; of a representative of each university, and of the director whose period of government is ended. The appointment of the senators is for twelve years, and they must at their nomination have attained the age of thirty, having been nine years a citizen. The legislature is to sit for about six months in the year: they have freedom of speech, and other necessary privileges. They have the power of citing the ministers before them, to obtain any requisite information. Any of them may originate laws. When the projects of law have been agreed to by both houses, they are to be transmitted to the director for his sanction, who must return them in fifteen days, either with his approbation or objections. If he approves, the bill becomes a law; if he states objections, these objections are considered; but if two-thirds of the members of both Houses support the original project, their votes constitute a final sanction without a second application to the director. The supreme director is elected by the two Houses assembled. He is to be supreme chief of all the land and sea forces. He is to open the sittings of the Legislature; he appoints all the officers of the public force, envoys, consuls, and others; he chooses and dismisses his ministers, who are responsible for their conduct while employed under him; all objects of finance, police, public, national, and scientific establishments, as well as all those formed

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and supported by the funds of the state, are confided to his supreme charge and inspection. He has the power of pardon, except in cases of state conviction. The supreme judicial power of the state is to reside in a supreme court, consisting of seven judges and two recorders, nominated by the director; every one of whom must have been a regular barrister eight years, and have attained the fortieth year of his age. This court shall, exclusively, take cognizance of all causes relating to envoys and consuls from foreign nations, all causes in which a province may be a party, all those concerning public functionaries, all those relating to crimes committed against the law of nations, &c. The members exercise their functions during good behaviour. The supreme court, as well as the other tribunals, is open to the public.

Chili.—This newly established republic has completely succeeded in driving the Spanish forces from its territory. General Balcarce, commander of the army in the south of Chili, having possessed himself without resistance of the forts of Dos Arigales and Nacimiento on the Indian frontier, came in contact with colonel Sanchez, followed by about 480 men, the remains of an armament sent from Cadiz. The colonel was on his retreat to Valdivia, but the Araucan Indians had refused to allow him to pass. He had lost all his baggage, and was also encumbered with a helpless train of women, including a convent of nuns with their confessor at their head. Under these circumstances, he was apparently

left without other resource than that of accepting the honourable terms of capitulation offered by the Independent general to the last forlorn relics of a Spanish force in Chili.

Lord Cochrane, vice-admiral of the republic, sailed from Valparaiso in the month of January with four of his largest vessels, with the intention of attacking two Spanish frigates in the harbour of Callao. In this attempt he was unsuccessful, but he was able to give formidable interruption during several months to the trade of the coast of Peru, and occasionally to make captures of considerable value. In the month of July lord Cochrane declared the port of Callao, and in fact the whole Peruvian coast, in a state of blockade, but his attempts upon this important port all proved ineffectual; and it is probably attributable to this failure, that the Spaniards still hold Peru in subjection, notwithstanding the revolutionary propensity which seems to have manifested itself in this, as in the surrounding countries.

General Macgregor, with a trifling force, carried in a few hours the town of Porto Bello, notwithstanding the superior numbers of the garrison; a rich booty and a large supply of military stores fell into his hands, and he addressed on the occasion the following boastful proclamation to his army:

“SOLDIERS!—The army of New Granada has covered itself with glory. Porto Bello, the most famous fortress of South America, could only withstand a few hours the valour of our army. The

The light brigade, under the orders of the gallant general Rafter, overcame obstacles and difficulties which only men animated with your enthusiasm could have attempted. The advance, led by the brave captain Ross, attacked the enemy with such intrepidity, that they fled with fear and astonishment to their walls.

"The navy, under commodore Hudson, in covering the landing, and in the diversion he made in attacking the Spanish forts in the harbour, did every thing that their intrepidity gave me a right to expect from them. The captains and seamen of the transports are deserving of every praise for the exertions they made in landing the troops.

"Soldiers!—Our first conquest has been glorious; it has opened the road to fortune and additional fame. Panama invites our approach, and the South Sea shall soon behold upon her shore the conquerors of the isthmus.

"GREGOR M'GREGOR.

"Head-quarters, Porto Bello,
April 10."

In the midst of these anticipations of glory and plunder, and on the eve of his departure for Panama, M'Gregor was surprised by general Hone, the Spanish commander at Panama, who advanced unperceived by a circuitous route through the thick woods which flank the town. The house in which Macgregor had taken up his quarters was entered before he had received the slightest intimation of the approach of the enemy, and he saved his life by leaping out of a window and afterwards swimming on board his

ship. His troops, notwithstanding the desertion of their leader, made a gallant resistance and obtained honourable terms of capitulation; but the place was recovered by the Spaniards and was a salutary check given to the audacity of these lawless adventurers. Macgregor, with the wreck of his troops, repaired to Aux Cayes, where he remained for some months inactive, awaiting the arrival of British succours. Being at length in circumstances for a new attempt, he sailed from Aux Cayes with about 200 men, said to be the remnant of more than 1,200 British soldiers, who had perished through hunger and disease, and bent his course towards Rio de la Hache, a town of new Grenada to the west of the gulph of Maracaibo. This place was carried by assault, with the loss however of one third of the English troops; it was recaptured after a few days with the slaughter of nearly the whole of the survivors. Macgregor himself is stated to have remained safely on board his ship till the first action was over, and to have returned to it before the commencement of the second. He was afterwards deserted by his surviving officers, and his disgraceful career is probably terminated for ever.

The Independents have for some time past possessed so decided a preponderance of maritime force on both shores of the Isthmus of Darien, that the Spaniards in these parts are compelled to endure without redress the outrages of the swarm of pirates who now infest the seas. Commodore Aury, one of the most

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most formidable of the class, obtained, early in the summer, the complete command of the Gulf of Dulse, where he carried on a shocking system of pillage. Amongst other places, he made himself master of the forts of St. Philip and Isabel which he quitted at the end of two days, having in that short space of time collected, and without the loss of a

man, 1,500 serons of indigo, and 300,000 dollars in specie. The exploits of an Aury or a Macgregor, though utterly insignificant to the final decision of the great question of South American independence, may yet be permitted to claim a place in contemporary history as concomitants of a state of turbulence, revolution, and civil war.



CHRONICLE.

JANUARY.

Marlborough-street.

WM. M'GLASHAN, a dancing-master, in Riding-house-lane, was charged by Mr. Davies, a corn-chandler, near Fitzroy-square, with robbing him under the following circumstances:—The prisoner had been engaged to attend in his professional capacity. It happened that Mr. Davies was frequently from home; and the prisoner, availing himself of the opportunity, took the children into the counting-house, and, under pretence of showing them slight of hand tricks, contrived to send them into different parts of the house. In their absence, he opened the till and desk, and helped himself to its contents. Mr. Davies said, he had missed money to a considerable amount, and was at a loss to account for the theft: at length, suspicion attached to the prisoner; and, on obtaining a search-warrant and proceeding to his lodgings, he found a bunch of keys, on which was a key particularly marked, which Mr. Davies identified as belonging to the desk in his counting-house. Upon the prisoner were found duplicates of a time-piece, pledged at Mr. Grover's,

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in Greek-street; and a diamond, pledged at a pawnbroker's in the Strand. His servant also found the key of the till concealed under the carpet.

14. *Guildhall.*—A lamentable instance of the effects of infatuation and religious enthusiasm was exhibited at this office yesterday. Samuel Sibley and Maria Catherine Sibley his wife, Samuel Jones and his son, a boy of ten years old, Thomas Jones, John Angel, Thomas Smith, James Dodd, and Edward Slater, a boy of 12 years of age, were brought up from the Compter, by Beaton and Gibbon, officers of Cordwainers' Ward, who had with great difficulty, and at the hazard of their own lives, rescued the prisoners from the fury of an immense mob, in Budge-row, Cannon-street, about ten o'clock yesterday morning.

These deluded people were, it appeared, disciples of the lately famous Joanna Southcott, of whom our readers heard so much two or three years ago, and conceived themselves directed by God to proclaim the coming of the Shiloh on earth: for this purpose they assembled at the west end of the town, in order to enter the only gate of the great city (Temple-bar), through which they marched in procession about nine o'clock

o'clock in the morning; they were each decorated with a white cockade, and wore a small star of yellow riband on their left breasts; Sibley led the procession, bearing a brazen trumpet, adorned with light blue ribands, and the boys carried each a small flag of blue silk. In this manner they proceeded through Fleet-street, up Ludgate-hill, and along St. Paul's Church-yard, to Budge-row, a great crowd following them, increasing continually as they proceeded. Having arrived, as they supposed, in the middle of the great city, they halted, and began to perform their ceremonies. Sibley sounded the trumpet, and proclaimed the second coming of the Shiloh, the Prince of Peace, on earth; and his wife cried out aloud, "Wo! wo! to the inhabitants of the earth, because of the coming of the Shiloh." This cry was repeated several times, and joined in with a loud voice by the others in company. The crowd was by this time immense, every avenue was stopped up, and the passage of carts and carriages rendered impossible. The mob began with laughing and shouting at these miserably deluded people, and at length proceeded to pelting them with mud and every sort of missile they could procure; they, on their part, being most of them stout young men, resisted; the fight became general and tremendous, the flags were torn down, and Sibley and his associates with great difficulty preserved, by the exertions of the officers, from falling victims to the infuriated rage of the mob, and conveyed to the Compter.

Their appearance, when put to the bar, bespoke the dangers they had gone through; the men had all been rolled in the mud, and Sibley bore evident marks of violence in his face.

On being called upon by the magistrate, Mr. Alderman Bridges, to give an account of their conduct, in thus disturbing the public peace, Sibley, with an air of authority, directed the others to be silent, and, addressing the Alderman, said, he regretted there was not time for him to enter into the particulars of the mission of God to him. He had been commanded by a voice, through the boy Slater, to announce that the Prince of Peace was come upon earth. He was commanded to proclaim the second coming of Shiloh, in the same manner, and with the same authority, as John the Baptist had proclaimed his first coming. This proclamation he was to make three times in the midst of the great city, by the sound of the trumpet. He and his companions were obeying the commands of God, and in so doing had conducted themselves peaceably, and interfered with no one, when they were attacked by the mob.

He was proceeding to explain the nature of the visions with which the boy had been favoured, and his wife was raising her voice to bear testimony to the fact of the Shiloh being on earth, whom she said she had had in her arms four times, when the magistrate interrupted them, and observed that it was evident, if they were not insane, that they were acting under a strong delusion, and pointed out to them how much better

better they would have been employed in pursuing their regular avocations, than in being the cause of public riot, and endangering their own persons, recommending them to desist from any repetitions of their gross absurdities and delusions.

The men in reply said, it was right they should obey God; but they would do whatever the magistrate directed, and desist from any further proclamation, assuring him at the same time that nevertheless the Shiloh was come.

The Alderman said he would not rely on their promise, and should detain them all in custody till they could procure him some better assurance than their own words for their peaceable demeanour in future. They were accordingly conveyed back to the Compter in two coaches to protect them from the mob; one of the men on stepping into the coach unbuttoned his coat, displayed his yellow star; and placing his hand on it, proclaimed aloud that it was God's colour.

The male prisoners are journeymen mechanics, and appeared to be simple, deluded, but peaceable men. Sibley, the leader, is a watchman in Coleman-street ward.

On Monday last an inquisition was held at Snape, Suffolk, before John Wood, jun. gent., Coroner for the Liberty of St. Etheldred, on view of the body of Elizabeth Emerson, aged about 18. It appeared in evidence, that she had enjoyed a sound mind and perfect understanding up to seven o'clock on Sunday morning, about which time her mistress, Mrs. Groom (wife of a large and

respectable farmer in that parish), reprimanded her slightly for some trifling misconduct: in about half an hour afterwards she was found hanging by a cotton handkerchief to the curtain-rod of her mistress's bed, quite lifeless. The jury, after an investigation of the circumstances for four hours, felt themselves under the painful necessity of returning a verdict of *Felo de se*; in consequence of which the body was, about seven o'clock the same evening, committed to the earth of a crossway in the parish, in the presence of numerous spectators, who behaved with great decorum during the awful ceremony.

15. *Extract of a Letter from St. Ann's, Jamaica, Nov. 14, 1818.*—"We have had terrible weather; last night we had the severest hurricane I ever experienced: it must have done immense damage. Several buildings are blown down, amongst the rest my kitchen; this is the first time I have known a building blown down here. Several cocconut trees, the toughest wood known, being composed entirely of elastic fibres, are snapped in two. Sleep during the violence of the tempest was out of the question. I was in a low house, well sheltered, notwithstanding which it tottered at intervals, as if occasioned by an earthquake. Many left their houses for security; others, frightened from their beds, just sheltered within their doors, starting out when the tremendous gusts threatened their destruction. We had heavy gales from the N.E. and E. for three days before, which had raised a tremendous sea, which came
 a 2 pouring

pouring into the harbour: it had subsided previous to the hurricane, which blew from the South.

16. *Vienna*.—It was last Wednesday evening that an express from Count Trantmansdorff, the Austrian minister at Stutgard, brought the afflicting news of the death of the Queen of Wurtemberg to the Prince Metternich, who immediately waited on their Majesties with the mournful intelligence. It has excited universal regret, as the greater part of our nobility had an opportunity, during the visits of this excellent Princess, in 1814 and 1815, to become acquainted with her extraordinary endowments.

19. *Madrid*.—The bands of malcontents begin to show themselves in old Castle. One of these bands, consisting of 200 men, has posted itself between Burgos and Valladolid, and has committed disorders in the cloth-manufactory of Escaray.

Lately, one of the bands that infest the Sierra Morena, composed of about 50 persons, the greatest part mounted on mules, penetrated as far as Mentiél, a place become celebrated by the adventures of the hero of Cervantes, the famous Don Quixote. In this troop there was remarked a Franciscan, who had doffed the frock to follow this honourable profession: this good father had still his gray cloak, shortened indeed for the purpose of allowing him greater facility in mounting his mule. These honest people limited their demands to some fanegas of grain, and leathern bottles of wine, with which they regained their haunts.

ST. LOUIS (*Senegal*) Jan. 19.

(*Extract of a Private Letter addressed to a Merchant at Caen.*)

—A great number of ships have arrived here from Europe, and several others are expected, exclusive of those forming the expedition. The colony is incumbered with merchandise, and nothing is selling.

The arrival of the expedition is anxiously looked for, to see what course things will take. It is hoped that the projects of government will open fresh resources to trade. Some millions of pounds of cotton have been shipped for exportation. It is very fine, and from its amelioration by the care of its cultivation, it perhaps cannot be excelled. It is worth 45 sols a pound, when shredded; but this new branch of industry wants encouragement; and I do not perceive that any thing has been done to promote this. We find here cotton of a nankeen colour, which grows, like the other, without cultivation, and which may be advantageously used in our manufactures.

Our Galam expedition has not been attended with all the success which we anticipated. It left this on the 17th of August, 1818, to the number of nine vessels, under convoy of three Royal brigs of war; they were three months in proceeding up the river, about 900 leagues. The navigation is dangerous, because it must be attempted during the hottest and worst part of the season. This flotilla, with the exception of the *Argus* Royal brig, and a merchant-vessel, destined

ted to pass the year at Galam, returned about the middle of December. They effected nothing, except bringing away some grain. The most grievous part is, that all the Europeans to the number of 90, were taken sick, and 15 of them died. Fears are entertained for those who remain. An express just received announces the death of the Governor, M. Chatellux, geographical engineer.

The English expedition under Major Grey, which set off last year from Gambia to explore the Niger, has been detained at Galam by the rains which prevail during the months of August, September, and October, and also by other unforeseen obstacles. However this may be, it is now united to ours, which is not established at the ancient fort St. Joseph, but at a few leagues below the river Faleme.

Major Grey dispatched Adrian Partarieux, a mulatto of St. Louis, attached to his suite, to bring him a supply of men and effects from Gambia; they will join him by land; the journey is 21 days. An English officer has arrived with an escort of blacks at Sego, where Major Grey is desirous of constructing a galliot, with which he purposes to ascertain the course of the Niger.

Guernsey, Jan. 23.—Wednesday night last, about eight o'clock, we experienced one of the most violent storms that ever happened here, in the memory of the oldest person; the lightning fell on the pinnacle of St. Martin's church, and damaged it greatly; the weathercock, and the large stone on which it was fixed, were beaten down; it penetrated into

the belfrey, following a wire that was fixed to a small bell, which conducted it to the pulpit; almost all the pews were damaged, the seats in the galleries torn up, as well as the stairs, and the plaster torn off the walls in several places: the pillar where the ten commandments were placed, as also several of the pillars which supported the arches of this edifice, have cracks in them more or less large; in short, there is scarcely a part of the church which has not felt the effects of the storm; all the windows have been broken; the entire of the east window, wood-work and all, was driven into the church-yard. Several persons who were on the roads at the time were thrown down on the ground, and the windows of a house opposite to the church were nearly all broken.

Leipsic, Jan. 23.—The new year's fair has turned out very ill, and though some business was done towards the conclusion, it was not sufficient to have much influence. Money is scarce; and many limit their expenses more than is advantageous; others must limit them in order to struggle through life with misery and want. The badness of the fair was chiefly caused by the new Prussian tariff of customs, and the consequent regulations which were put in force exactly during the fair, and may be said to beleaguer Leipsic on three sides. Every thing may, indeed, be imported into Prussia; but the duties on importation and consumption are so high, that every body hesitates to import any thing. The market people who bring provisions to the city take no goods back with them.

them. Many persons think that, by degrees, things will be so managed, that many of the disadvantages will be avoided: but others are of opinion that the system of high duties will be modified or even abolished, because it will not produce to Prussia the revenue it expects, and is besides as inconsistent with a confederation of states as with the act of the confederation. The Russian and Polish merchants thought of conveying their goods through Bohemia, but first applied at Berlin, and another regulation was immediately made with respect to Russia and Poland.

Greenock, Jan. 25.—Arrived on Saturday last, the Highlander, Donald, from Charleston, in 32 days; experienced continued gales of wind during the passage. On the 8th inst., in lat. 39. 48. N. long. 39. 4. W. spoke the Mondera, 7 days from Philadelphia. On the 14th, in lat. 45. 32 N. long. 26. 4. W. at 7 A. M. saw a sail apparently in distress; bore down, and found her to be the Triton, Hogarth, of North Shields, from St. John's, N. B. She had sprung a leak on the 14th ult., and on the 5th inst. became completely water-logged; same night carried away her foremast, bowsprit, and main top-mast, boats, and every thing on deck, and stove in her counter. At nine A. M. Capt. Donald lowered down his boat (a heavy sea running) and took Capt. Hogarth, eight men, and four boys, off the wreck, reduced almost to skeletons, having been ten days without either meat or drink. James Gould and Andrew Graham died the day previous to the rest being picked up, from fatigue, cold, and hunger. At

11, spoke the brig Mexican, from New Orleans, 33 days out, and bound for Havre-de-Grace; sent a boat on board her with six of the stoutest of the Triton's men, all in a fair way of recovery.

FEBRUARY.

1. Monday week being the day appointed to appeal against the supplementary charges on windows in Bath, the commissioners of that city unanimously decided against the extra charges, declaring all Venetian windows made previously to the year 1785 chargeable only as one window, and Venetian windows made subsequently to that period chargeable as two windows only. The appellants, to the number of upwards of 700, are, by this decision, relieved; subject, however, to a case for the opinion of the judges.

Portsmouth.—An experiment has been tried in this dock-yard, to ascertain if a grass, the common produce of New Zealand, and which may be cut down three times a year, is applicable to making large and small ropes. A favourable report, we understand, is made of it. The article is strong and pliable, and very silky in its nature. It can be brought into this country at less than 8*l.* per ton; one-seventh of the cost of hemp.

The quantity of fish caught and cured this season at Newfoundland does not amount to more than two-thirds of an average supply; which circumstance has caused a great demand for the cured fish of this country. Portsmouth herrings have obtained a great

great preference in this demand, from the care taken in packing them; they are found to reach even the West India islands in a better state than the Scotch herrings, which being roed, and very luscious, do not keep so sound. The French boats have purchased large quantities at Portsmouth, at a higher price than the curers of that town can afford to give; but as they are not allowed to salt them after the 1st of February, the whole which may be subsequently caught will come into the market.

London, Feb. 1.—The solemn and magnificent requiem of Mozart has seldom produced so deep an impression as at the Spanish chapel on Saturday morning, associated as it was with the sacred offices of religion, and the funeral obsequies of the young queen of Spain. The chapel was hung in black, and the coffin placed in the centre with the crown over it, and the arms of Spain and Portugal at each side. The Catholic Bishop, Dr. Poynter, officiated. The presence of the Duke of San Carlos, Duke of Wellington, the French, Portuguese, Dutch, and Neapolitan ambassadors, accompanied by their secretaries, the Spanish officers, all in their state dresses, and the Spaniards residing in this capital, dressed in deep mourning, added to the grandeur and solemnity of the scene.

2. Died lately, at Notter, near Landrake, lieutenant-col. O'Dogherty, of the Royal Marines, one of the most eccentric characters in England, who for more than 20 years occasionally visited Plymouth-market on an old white

horse, lean as Rosinante, whose lank appearance, combined with his own singular habiliments, formed together a spectacle of wretchedness fully equal to any thing described of the celebrated Elwes. In his last visit to Plymouth, a few weeks since, he seated himself on the steps of the Plymouth Telegraph office to eat an apple. His dress then consisted of a dirty night-cap round his head, surmounted by the poll of an old hat without a brim, a rough waistcoat patched all over, greasy leather smallclothes, kept up by listing braces outside the waistcoat, with wads of straw round the bottoms of his legs. In his hand he wielded a large hedge-stick. Amidst all this seeming penury, he possessed some very excellent freehold estates in the above parish, well stocked; yet he chose to quit the family mansion, and lived in a small cottage in its vicinity, without a pane of glass in the windows. He nightly entered it by a ladder, which he drew after him, and slept in a corner of one of the rooms upon a wretched pallet.

The brig Ann, of Jersey, from Whitehaven for St. Michael's, has been brought into St. Ives, in distress. She had been out 22 days, and was driven 600 miles to the westward of her course, and had carried away her foremast and main-topmast. She was prevented from going on shore to the westward of St. Ives, by the intrepidity of the pilots, who ventured to her assistance in a tremendous sea, and thus saved not only the vessel and cargo, but, in all probability, the lives of the crew; as, had the vessel grounded, there

there was scarcely a possibility of their being preserved.

Paris, Feb. 2.—The commissioners sent from Spain, to charter transports for the expedition which is said to be preparing at Cadiz, had made a contract to that effect with a mercantile house at Bourdeaux. As soon as this was known among the merchants there, it was severely reprobated, and the Chamber of Commerce made a formal representation against the measure. The head of the house which had made the contract travelled post to Paris, to counteract the representation of the Chamber of Commerce: but the president of the Council of Ministers had been informed beforehand, and on the same day laid the affair before the council; they unanimously resolved not to permit contracts of this sort. The merchant from Bourdeaux had then the prudence to desist from his pretensions. What, however, is more singular, is what came out subsequently, namely, that the court of Madrid, for the purpose of paying the one-third of the freight, which was to be paid down in cash, had ordered its consul at Paris to realize the liquidated claims of Spanish subjects, and to pay over the proceeds to the commissioners for chartering transports. It was further discovered, that the consul had already sold on 'Change from 70 to 90,000 francs of rentes. This produced much irritation, and the French government has taken measures to put a stop to these scandalous proceedings, until proper explanations are received from the cabinet of Ma-

drid. A great part of the Spanish claims had been bought by Frenchmen, on the faith of treaties. Almost at the same moment when the Spanish government itself permits these flagrant acts of immorality, it opens a loan for 3,000,000 of dollars in Cadiz, and thereby betrays the insidious policy with which it sets up companies and juntas of merchants at Cadiz, for the special purpose of entering into contracts under their responsibility, for procuring transports and other articles.

2. A letter in Glasgow, dated the 22nd ult., at Bangor, in Ireland, from an officer on board of the *Seaforth*, belonging to Messrs. Gladstone, of Liverpool, and which sailed from thence on the 2nd ult., states, that that ship during the late storm encountered extreme danger, and suffered very considerable damage, and was driven successively into the islands of Colonsay, and Isla, and latterly into Bangor. The hurricane that prevailed exceeded any thing that the oldest seaman on board had ever witnessed. It is melancholy to relate, that during the tempest two vessels were observed to go down within a quarter of a mile of the *Seaforth*, the names of which could not be learned, as the crews of both perished.

It blew heavy gales of wind at Plymouth on Saturday and Sunday. On Sunday night the storm increased almost to a hurricane, and continued to blow with tremendous violence through the whole of Monday. Although it was difficult, from the force of the tempest, to approach the coast, many persons ventured to
stations

stations commanding a view of the Breakwater, in order to observe the sublime spectacle of that vast erection throwing off the seas which the Atlantic was dashing against it. The foam was seen flying at least 80 feet above the Breakwater.—On this day the Heron sloop of war was seen standing in under bare poles, and anchoring just within the Breakwater: she owed her safety entirely to its protection. The scene was interesting almost beyond description. Several of the boats which ventured out in the harbour, on Monday, were upset, but happily the persons on board were all picked up, so that no lives were lost.

3. The Report of colonel Stephenson, surveyor-general of the Board of Works, as to the practicability of superseding the practice of climbing-boys by the use of machinery, is on the whole favourable to the use of machines, though the result of the experiments is, that the three Royal architects concur in opinion, that climbing-boys cannot be at present totally dispensed with. Colonel Stephenson directed an intelligent clerk, Mr. Davis, to superintend experiments, in order to ascertain the truth. Mr. Davis reports, that the flues of the metropolis may be divided into four classes. For the first class, the machines now in use are quite efficient; for part of the second class, they are also competent; and for the remainder of this class the ball and brush are perfectly efficient. In the third class, where the ascent is at all preserved, the ball and brush act effectually, as they do even in the

fourth class, where there are no parts entirely level. The proportions of the different classes he found to be as under:—Out of 1,000 flues, 910 are of the first class, 50 of the second, 30 of the third, and 10 of the fourth.

Advices have been received from Ceylon, by the way of Madras, communicating the intelligence of the capture of the Malabar chief, pretender to the crown of Candy, who is supposed to have been the chief cause of the insurrection which has so long prevailed in that island. Together with him was made prisoner, his prime minister, Kappitipola.

6. Intelligence from Constantinople, dated the 24th December, states, that the chief of the Wechabites, Abdallah, and his Iman, were brought prisoners into that capital on the 16th of the same month. After being led in chains through the principal streets, they were taken to prison and put to the torture. On the following morning, they were brought before the sultan, and beheaded. Their naked bodies were exposed during three days, and then delivered to the populace.

8. In the *Moniteur* of the 3rd, there is a report addressed to the King, by M. de Cazes, as Minister of the Interior, having for its object the general improvement of agriculture throughout France. To this report is subjoined a royal ordinance, giving effect to the measures recommended in it. A council of agriculture is to be established, under the superintendence of the Minister of the Interior, consisting of ten members. With this council a corresponding

pending member for each department is to communicate, upon all subjects connected with agricultural improvement. The names of the persons composing the council are also given in the *Moniteur*. Among them are the duke de la Rochefoucault, count Chaptal, and baron Ramond.

8. *Irun*.—The report in circulation that the king had appointed a successor to general Elio in the government of Valencia, is not confirmed. The number of persons arrested and detained in the prisons of Valencia is considerable, and the most perfect calm reigns in that city; but those who know the character of the Valencians place no reliance on this deceitful tranquillity. The people of that province are both the most frascible, and the most capable of dissembling their rage, in the whole monarchy.

The sea, from Cape Ortegal to Santa Maria, near Cadiz, is covered with Insurgent cruisers, who occasion incalculable mischief to our commerce.

11. Accounts from Marinpol, in the government of Catharinaslaw, of the 17th December, say, that "the Chevalier Joubert, who has been sent by the French government to Cachemire, to conduct from that country to France a number of the Cachemire goats, of whose wool the valuable shawls are made, has arrived at Marinpol on his return. The flock of goats that he has brought with him amounts to 1,800. They were almost all of them white. When they were drawn through Marinpol, the cold was at 15 degrees of Reaumur, and the snow half an arskreen deep, and this

temperature of the air seemed to agree with them. They were to be drawn from Marinpol to Theodosia, and there embarked for France."

The subjects for the prizes given by the representatives in parliament for the university of Cambridge for the present year, are, for the Senior Bachelors, "Quenam fuerit Oraculorum vera indoles ac natura?"—Middle Bachelors, "Inter veterum philosophorum sectas, cuiusnam potissimum tribuenda sit laus veræ sapientiæ?"—The subject of the Seatonian prize poem for the present year is, "Moses receiving the Tables of the Law."

19. *Sierra Leone, Dec. 15*.—Sir George Collier has arrived on the coast, in his Majesty's ship *Tartar*; and it is hoped he will prove successful, not only in clearing those seas from the numerous pirates which have infested the whole line of coast from hence to Bonna, during the last two years, but that we shall hear no more of the slave trade, which, during the same period, has been carried on with such success and facility, by the Spaniards, French, and Portuguese, for want of a man of war.

Since February, 1818, no vessel of war has appeared at the British settlements on the Gold Coast: the last arrival of any force was his Majesty's ship *Semiramis*, commodore sir James Yeo; since whose return the slave-ships have anchored, and carried on their abominable trade within sight of the British forts, to the number of six, seven, and eight vessels at a time, with impunity.

Our gold trade has declined very

very much of late on the coast, in consequence of a protracted warfare between the Ashantees and the natives of Bantucco. It is from these two principal states that we derive most of our gold, the Fantee nation acting more as intermediate agents than principals in such barfers.

Government having considered the trade of Ashantee of sufficient importance to induce them to send out a consul to that country, it is hoped that he will have some influence in bringing them to terms of accommodation, and directing their minds to the less sanguinary employment of commerce.

13. Mails from Jamaica, to the 12th of December, contain long accounts of the losses of the late hurricane in November.

His grace the duke of Manchester has issued a proclamation for the opening of the ports of Jamaica to vessels of all nations, for the space of three calendar months, for the importation of flour, rice, &c. owing to the destruction done in the late hurricanes. Private letters from Bermuda state that island still to remain in a dreadfully sickly state; the fever continued to rage with great fury; the deaths were more than had been known for many years. At the date of the last advices (the 28th of November) the weather had become cooler, and it was expected would have an effect of moderating the disorder.

Accounts had been received at Jamaica from the Spanish Main, stating, that a severe engagement had taken place, in which the insurgent army had met with considerable loss. On the 24th of

November, there were 92 merchant vessels, consisting of English, French, Dutch, and Americans, in the harbour of Angustura, and seven more were met in the river Oronoko, destined for the same place.

A volcano had been discovered on Prince George's estate, in the neighbourhood of the Indian River, in the parish of St. John: it was represented as the greatest curiosity of nature: its height from the base to the top was six feet; circumference of the base, 49 feet; ditto, to the top, 9 feet 5 inches; ditto, at the opening, 2 feet 2 inches.

Great distress prevailed at Nassau, on account of the destruction by the late dreadful fire.

Some severe gales of wind had been experienced at the Bahama islands in December; but no material damage had been sustained. A schooner of St. Salvador had been wrecked on the east end of Eleclhera; the vessel, cargo, and all hands lost. The American schooner Liley, from Port-au-Prince, was wrecked off Exurna; vessel lost, master and crew saved.

The Royal Bahama Gazette, of Dec. 26, states, that the Insurgent privateers were blockading Havannah, and there was no force there adequate to the task of coping with them. They boarded every vessel that came in or out of the harbour. A large Spanish ship had been taken possession of by them; and it was said the whole crew were murdered, and the vessel sunk: This had created the greatest alarm at Havannah, and a considerable degree of interest was excited among the inhabitants

habitants for the protection of the trade.

An act had been passed at Nassau, declaring that all slaves, not being actual natives of Africa, should be deemed and taken to be creoles, and subject to a tax, and that to be paid by the owners of the said slaves.

Ragged Island, N. P. was under a blockade by a set of piratical boats, several of which had landed, plundered the place, and murdered several of the inhabitants.

14. An inquest was held on the body of Sarah Wark, who was found dead on the floor of her house, situated about nine miles from Belfast. From the nature of her dealings she was occasionally absent for days together, and from that the neighbours were under no fear for her safety. In the end of the house was a small window, nearly filled up with stones; but a dog, probably attracted by the smell of the corpse, had got into the house through it. Not being able to get out again, it barked, and a person looking in at the hole, discovered the body. The neighbours forced the door, when a most shocking spectacle presented itself. The body lay on the floor, and close by it a hatchet. One of the hands, apparently cut off by the wrist, lay in a perfect state near to the body; the other hand was not to be found. On the right side of the forehead the skull was deeply knocked in, and there was also a large wound a little below the chest; and, what added to the revolting spectacle, a small pig, which had belonged to the woman, was found in the house, and

had devoured almost the whole flesh of the face, the arms, and the upper part of the body. From all the circumstances, the jury had no hesitation in returning a verdict—"That the deceased had been murdered by some person or persons unknown."

16. New York papers to the 22nd, and Boston to the 24th ult. have arrived.

The report of the committee appointed to investigate the affairs of the Bank of the United States has been published. It occupies ten columns of an American paper. A deputation of the committee had proceeded to Philadelphia, Baltimore, and Richmond, to collect information. After minute details, the committee conclude the report by stating, that the Bank have violated their charter in four instances—

1st. In purchasing two millions of public debt, in order to substitute them for two millions of similar debt, which it had contracted to sell, or had sold, in Europe, and which the secretary of the Treasury claimed the right of redeeming.

2nd. In not requiring the fulfilment of the engagement made by the stockholders, in subscribing to pay the second and third instalments on the stock, in coin and funded debt.

3rd. In paying dividends to stockholders who had not completed their instalments, the provisions of the charter in that respect were violated.

4th. By allowing persons to have more than 30 votes each, on various pretences of being attorneys, &c.

The

The committee do not offer any remedy for these evils. The affairs of the Bank in consequence remain in a very unsettled state.

American Bank stock was as low as 93.

16. *Bombay*.—The *cholera morbus* still continues to rage amongst us, but it has decreased considerably during the last few days. The number of deaths from the 17th to the 31st of August, by this disease, on the island of Bombay, is—males, 311; females, 226: total, 537. The number of deaths from other causes, during the last month, is 634; making 1171 total of deaths in August.

Advices from Tannah state, that the disease was declining there; but that it was prevalent amongst the villages of Salsette. Accounts from Bassein mention, that the disease had reached that place; from which circumstance we infer, that it appears to be progressively moving to the northward. It reached Bancoote, to the southward, some days ago.

16. *Madras, Oct. 3*.—The latest accounts from Ceylon, brought by these papers, are of a gratifying description. We mentioned, some time since, as a credible report, that the Pretender and his minister, Kappitipola, had been captured, and this intelligence is now confirmed. It has had, as might be expected, the most beneficial consequences, in allaying the rebellious spirit so prevalent among a certain class of the natives. Their influence and intrigues are at an end, and the delusion they inspired has also ceased. In every province the people of all descriptions were

hastening to submit, and to give the surest proof of their sincerity by the surrender of their arms. In the seven Korles, arms are brought in every day in abundance. In Hewahette, where captain Cleather was so vigorously attacked, and his escorts so continually annoyed, all hostility had nearly ceased, and there was every prospect of that province, the most rebellious of all, being restored to tranquillity. In Wellassy every thing is perfectly quiet. The new works at Paranagam are in great progress. We hope our next advices from this quarter will communicate the pleasing intelligence of the entire suppression of the recent insurrection.

Hamburgh, Feb. 16.—The history of the trade of Hamburgh deserves to be written by a judicious historian. There is, probably, no commercial city where the sources of gain have experienced such remarkable alterations. It is well known, that our city owes its original prosperity to the breweries; at present our beer is, of all the kinds brewed in Germany, the worst, at least the most unknown. Ten years ago our sugar-refiners flourished, and our sugar was exported to the remotest countries, even to those which had sugar-refineries of their own. The latter, indeed, is still done, especially to Russia, where only Hamburgh sugars, as being the most durable, are fit for being sent into the interior of that immense empire; but since sugar-refineries have been excessively multiplied in all foreign countries, and the prices of refined sugar are in no proportion to those of raw,

raw, the exportation of this article is now so inconsiderable, that the manufacturers must be diminished in number every year, or become bankrupts. At present, insurances have become a branch of business to an extent never before known. We already rival, in this branch, even the English themselves; want of credit, and of a bank to facilitate the circulation of capital, render the insurance of other continental cities difficult. Hamburg has at present twenty active insurance companies, each with a capital of from 450,000 to 1,500,000 marks banco; besides these, there are a great number of private insurers.

Constantinople, Dec. 15.—The Pacha of Diarbecch has sent to Constantinople a circumstantial report of his expedition against the rebels of Mardin. This report has been accompanied by a thousand heads, severed from the vanquished. These sanguinary trophies have been exposed, as usual, at the gate of the Seraglio. The Tartar who brought them, has obtained a Pelisse of honour. Presents have also been sent to the Pacha.

17. *Extract of a Letter from Jamaica, Dec. 28, 1818.*—“I am glad to inform you of our arrival here on the 18th instant. We left Madeira on the 19th of November, and the same day, at three, were boarded by a pirate ship, of 16 guns, who took possession, drove all our crew below, and placed sentinels over the scuttle; run the ship before the wind under the Decorters, rummaged and searched the ship for money, as they said, and

plundered us of a quarter-cask of Madeira, one barrel of porter, one cask eight dozens of bottled porter, one dozen of poultry, spy-glass, and my best sextant, besides wearing apparel, and drank three dozen and a half of Port wine, and sundry other stores. The crew were apparently English; they frequently threatened to put us all to death, to prevent information, which I fully expected they would do, from their conduct. The commander told me he was a second Paul Jones, and cared for no flag; money he wanted, and money he would have. After dark, he was for cutting away our masts, and made the carpenter hand his axes up; he persisted in it a long time; and all being intoxicated, we had a great deal to do to dissuade him from cutting them away. At last they swore me not to return to Madeira, or to give any information of them before our arrival in Jamaica, as, if they caught me attempting it, I was to expect no mercy; and being informed by the pirate, the brig of war in sight was the Parthian, we informed them she stood into Funchall Roads for water, and bound for Jamaica. They left us about nine at night, and allowed us to make sail, they laying to, which we did, and during that night sprung our foremast. On the 22nd, in the morning, at day-light, Palma bore E. S. E. distant eight or ten leagues, observed the same pirate, with all sail, standing after us; expected no other than he was coming to put his former threats into execution. I endeavoured to get in shore of him, but coming nearly calm, and he gaining on

on us, at eight armed our boats, and took to them, not being able to defend the ship, as the only means of saving our lives; rowed for Palma; but the breeze soon after springing up from the westward, enabled him to come fast up with us, soon got us under his guns, and were obliged to go alongside to meet our fate, without hopes of mercy; but, to our great surprise, met with every kindness; they towed us up to the James again, which we regaining about four o'clock, after returning me my sextant and spy-glass, and giving us fruit, he said he would see us into the Trades, and kept with us all night, and the next morning sent his boat with orders to make the best of our way to Jamaica, and he stood towards the Isle of Teneriffe. He had plundered a British schooner a few days before, which put into Madeira while we were there; and he said that he had sunk a Greek, and all hands but one."

18, "*Gibraltar, Jan. 18, 1819.* Sir,—I have just received an official letter from Minorca, of the 28th ult., informing me that a vessel had arrived there from Tunis, after a passage of eight days, bringing accounts that the deaths in that city amounted to above 400 per diem. The master of the vessel reported, that just before he sailed, he heard that the deaths had increased to above 600 per diem.

"A Dutch frigate has just arrived at Mahon, from Algiers, bringing dispatches up to the 15th ult., by which it appears, that fresh attacks of the plague had taken place in that city. The contagion was supposed to have been

re-introduced by persons who accompanied the bey of Constantinas, Califfa, with the quarterly payments for the Algerine government.

(Signed) "GEORGE DON.

"P. S. The deaths by the plague at Tunis, according to the official returns, from the 1st November to the 1st December, amounted to 12,117.

"GEORGE DON.

"His Excellency
Sir H. Wellesley."

In repairing the principal altar of the lower church of St. Francis d'Assise, the body of its holy founder has been discovered, after having lain there unknown for 600 years. The sovereign pontiff, apprised of this discovery, has given orders to the bishops of Boligno, Perouse, Spoleto, and Assise, to repair to this latter town, after the Epiphany, and to make an authentic recognition of the body, with all the necessary forms. The intention of the holy father is, that these precious remains shall be transferred with pomp to the upper church, and be there exposed to the veneration of the faithful.

Hastings, Feb. 23. A fishing-boat, with three men, was this morning upset in a storm, in endeavouring to get into Hastings. The poor sailors took to a raft, and being very near shore, they might all have been easily saved if there had been a life-boat at this place, and thus their sufferings, and the agonies of their friends and families, might have been avoided. The three unfortunate men continued for nearly an hour to float near the shore, at the mercy of the waves, and with-

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in sight of the multitude, who were unable to give them help, till two of them were washed off and lost, one after the other, and the third was at last thrown ashore in a state which makes his recovery very doubtful.

24. Died, at Edinburgh, on Sunday evening, the 14th instant, John Sackeouse, aged 22, a native of the west coast of Greenland. This Eskimaux has occupied a considerable share of the public attention, and his loss will be very generally felt. He had already rendered important service to the country in the late expedition of discovery, and great expectations were naturally formed of the utility of which he would prove on the expedition about to sail for Baffin's-bay. The admiralty, with great liberality and judgment, had directed the greatest pains to be taken in his farther education; and he had been several months in Edinburgh with this view, when he was seized with a violent inflammation in the chest, which carried him off in a few days. He was extremely docile, and though rather slow in the attainment of knowledge, he was industrious, zealous, and cheerful, and was always grateful for the kindness and attention shown to him. His amiable disposition and simple manners had interested those who had opportunities of knowing him personally, in a way that will not soon be forgotten. To the public his loss, we fear, is irreparable—to his friends it is doubly severe. Just before his death, the poor Eskimaux said he knew he was going to die; that his father and mother had died in the same way;

and that his sister, who was the last of all his relations, had just appeared to him and called him away.

25. A very interesting meeting took place at Freemasons'-hall, of about 260 of the Irish children educated and clothed at the schools, generally called *Catholic*, in George-street, St. Giles's. The chair was taken by the earl of Gosford, who supplied the place of the duke of Bedford, their patron. Sir Digby Mackworth opened the business, by stating the great obstacles formerly opposed to the education of these children, from the prejudices of Roman Catholic priests; but which now, in a considerable measure, had subsided, in consequence of the liberal and unexceptionable system of education pursued by the committee.

A letter was read from the duke of Bedford, who could not be in town, highly praising the institution, and inclosing a draft for 20 guineas, in addition to his former donations. Mr. Wilberforce spoke in strong terms of the usefulness of these schools; and said, it was a happy event that the duke of Bedford had diligently ascertained the real nature of this establishment, and the conduct of its teachers, but particularly of Mr. Finigan, the master, before his grace would accept the nomination of patron; and that every doubt being thus removed, the schools had gained no small reputation, in consequence of the duke's temporary reluctance.

Many animated and impressive speeches were made, after a public examination of the children (both girls and boys) had been witnessed:

witnessed; and the company dispersed, with a full conviction that 1,300 poor and ignorant descendants of Irish parents had been trained up in the fear of God, and educated in useful knowledge: the females, as was stated by Mr. Butterworth and Mr. Blair, had received the farther benefit of being instructed in needlework by several ladies, besides learning to read, write, and perform the rudiments of arithmetic.

MARCH.

2. Lausanne.—At the request of the Spanish Ambassador, the Directory has communicated to the Cantons the Royal Decree, according to which all foreign adventurers who may be taken under arms, under the banners of the American Insurgents, or furnishing them with ammunition or arms, will be punished with death.

4. Revel.—The navigation hitherto has not been closed—a circumstance that has not occurred in the recollection of the oldest person here.

Frankfort.—A reclamation presented to the Germanic Diet recalled the remembrance of the celebrated diamond necklace, which produced so strong a sensation in France, and throughout all Europe, a short time before the French Revolution. Several Englishmen, who had lent to the Cardinal de Rohan, Prince Bishop of Strasburg, a sum of several millions of livres for the payment of this necklace, and who had received in mortgage some property

situate on the right bank of the Rhine, now demand the payment of this debt from the Grand Duke of Baden, who is now in possession of this property, charged with the debts for which they had been pledged, but who refuses to liquidate them. Dr. Jassay, an advocate of this town, is charged with this affair.

The property of the bishop of Strasburg, situate on the left bank, was sold during the Revolution, for the creditors, who were then in England, and could not make their demands.

8. Brussels.—It is said, that the works for the erection of the new palace for his majesty, after the plan approved of by him, will commence in a fortnight. On the other hand, the works for the monument which is to be erected on the field of Waterloo will begin immediately. This monument will be of a prodigious elevation, and of immense extent at its base. It will resemble an Egyptian pyramid. The spot chosen for it is that where his royal highness the Prince of Orange was wounded on the memorable 18th of June, 1815. The sum of a million of florins is said to be destined to this monument.

Gotha.—Before M. Von Stourdza left Weimar to proceed to Russia, he received a letter from two students of Jena, couched in these terms:—"You have allowed yourself, in your pamphlet on Germany, to attack a considerable portion of the German youth and the honour of our country. We demand satisfaction for this outrage. We challenge you to single combat, after the manner of our ancestors. A German allows

his adversary the choice of weapons. If, as we have heard, you refuse to fight unless when challenged by a noble antagonist, know that we the undersigned are noble."

M. Von Stourdza, in his answer, said, that he could not reply to all the challenges which were addressed to him, and would neither employ his sword nor his pen in repelling the attacks of which he was the object, for no other reason than because he fulfilled a duty imposed upon him by the order of his imperial master, under whose direction the pamphlet in question was drawn up and printed.

After this communication, the sub-rector demanded of the two young men a retraction, which one of them did verbally, and the other in the following written terms:—"Since M. Von Stourdza declares, that he only acted in the capacity of a public servant; and that he only devised, wrote, and drew up the obnoxious paper, under the direction of the autocrat of all the Russias, I, a free German, see no reason for demanding satisfaction from a writing machine; and declare, that I renounce all claim of satisfaction from M. Von Stourdza."

The Persian Ambassador arrived in Paris on the 6th inst. It was remarked in the different towns which his excellency has visited, that, true to the customs of the eastern ambassadors, he did not offer the smallest gratification to the persons employed in the public establishments, doubtless persuaded that the sovereign of each territory ought to do the honours of his country.

Limerick.—On Friday night a number of villains went to the house of a man of the name of Kelly, in the neighbourhood of Croom, for the purpose of getting arms; but on meeting with resistance from Kelly and his son, one of the villains fired at the son and shot him dead. The boy's sister suddenly exclaimed that further resistance was useless, and begged her father would surrender the gun, as she knew one of the party to be her uncle's servant, who would save the rest of the family; the fellow turned about, and levelling his gun at the poor girl, also shot her—they then went off. Two of these fellows came to the wake of these unfortunate people on Saturday night, and were apprehended.

11. The report of the commissioners for the herring fishery, of their proceedings for the year ending the 5th April, 1818, has been printed by order of the House of Commons. It concludes with stating, "the commissioners think it is apparent that the character of the British fishery is rising both at home and abroad; for while the quantity of herrings cured gutted is annually increasing, the quantity cured ungutted is every year diminishing, and that the demand has kept pace with the quantity they gut. They have also to mention, that while the exportation to the continent of Europe has nearly equalled that of the preceding year, and the exportation to Ireland and the West Indies has increased, a new market has opened in the East Indies, to which different shipments of herrings have been made both from Greenock and

and London; from the former with great success, but the result of the latter is not yet known, and they trust that India will soon become a permanent and valuable market for the consumption of British herrings."

Guildhall.—Yesterday, Bartholomew Broughton, the naval officer who already has undergone several examinations, on suspicion of having robbed the White Horse Inn, Fetter-lane, and the Swan-with-two-necks, Lad-lane, where he had slept at different times, was brought up before the sitting magistrate for what was considered a final hearing, it being understood that one of the bank-notes stolen from the White Horse Inn had been traced to his possession.

On his entering the office, his countenance betrayed great indisposition, which was supposed to be the result of mental agitation; subsequently he complained to Leadbeater, the marshalman, who had him in custody, that he was very ill, and at length confessed that he had taken laudanum. Medical assistance was immediately sent for, and the prisoner taken into the magistrate's parlour: an emetic was administered, but without effect, and subsequently another. In this state he was placed at the bar in a chair, when the worthy alderman, considering him not in a fit state to undergo his examination, therefore remanded him till Friday next: and he was accordingly conveyed to the infirmary at the Compter, with instructions to the officers to send for the medical attendant immediately.

The fact of his having taken laudanum was at first doubted, inasmuch as from the quantity the prisoner stated himself to have taken, and the length of time which had elapsed since he took it, symptoms of a much more violent nature were to have been expected; it was however discovered, on inspecting the phial, that it had contained laudanum, which the medical gentleman considered, from the symptoms, must have been in a very diluted state; and that after the operation of the emetic, the prisoner was not likely to be materially affected by it. The laudanum, there is no doubt, was brought to the prison by his wife.

On Saturday last, about 11 o'clock at night, a most destructive fire broke out in the extensive water corn mills at Chester, which, notwithstanding every exertion of men and engines, raged with such impetuosity, that in the short space of three hours scarce a vestige remained to mark the site of the building. One man, we are sorry to add, in endeavouring to save some property, fell a victim to the devouring element, and was literally burnt to a cinder. The cause of this catastrophe has not been clearly ascertained, but it is conjectured to have originated in the kiln used for drying oats for making meal. We are happy to add, that a great part of the property is insured; the total loss of which is estimated at 30,000*l.*: Colonel Wrench, the proprietor of the building, is the greatest sufferer. A similar accident occurred nearly 30 years ago, but not so extensive in its

consequences, as the buildings and machinery had lately received every possible improvement.

12. In consequence of the great fall in the market for raw cotton, expresses have been sent from Liverpool, over land to Calcutta, in order to countermand, as speedily as possible, any further shipments of that article. An absolute engagement is said to have been entered into by the persons bearing the expresses, to deliver them, allowing for accidents to life or limb, in three months from the date of leaving England.

Rome.—The Prince Regent of England has requested the holy father and cardinal Gonsalvi to permit the English painter, sir J. Lawrence, to take their portraits for the gallery of Carlton-house. This artist is soon expected here.

16. *Lausanne.*—On the 4th inst. a dreadful conflagration nearly entirely destroyed the large village of Azmoos, district of Sargans, canton of St. Gall. Nearly the whole population of this village, and of the neighbouring communes, were at work at the dykes on the banks of the Rhine; and before any help arrived, 113 houses were consumed by the flames, and 313 individuals, forming 78 families, were reduced to the most afflicting misery by the loss of their live stock, furniture, and provisions. The church and 25 habitations escaped this disaster, which has been alleviated in some measure by prompt relief from the government of St. Gall. In 1716 this village experienced a similar fate.

The misfortunes which the inhabitants of St. Gall have endured, during several years past, from the stagnation of trade, fires, and inundations, cannot be too much lamented.

17. A steam-boat has been built at Trinidad to ply between Port Spain and San Fernando, touching at Point-a-Pierre; she has three cabins, for the white, coloured, and slave passengers, and was to commence her trips on the 21st of December.

22. The Amity, which has arrived at Liverpool from New York, has brought considerable remittances, and some extensive orders, to some of the first houses in Lancashire and Yorkshire, particularly for fine broad cloths; but the coarse and inferior kinds are quite unsaleable at any price in the American markets, which are represented in these letters as completely glutted with our common fabrics. Cotton wool is so low in the American markets, that the principal planters in many districts have come to the resolution of decreasing the quantity grown by them, for a given time.

24. The Southwark-bridge was opened for passengers at 12 o'clock at night. It has 30 lanterns, lighted by gas, which give a most brilliant effect. Thus, in the space of 4 years, another ornament has been added to the metropolis. There was no ceremony observed on the occasion; but as St. Paul's struck 12, the toll of one penny commenced. The roads intended to lead to the bridge on the Surrey side are in great forwardness: one has been planned, from the

the Elephant and Castle, to cross St. George's-fields, passing the back part of the King's-bench prison, thence across Great Suffolk-street, to meet at a right angle with New-bridge-street, in Union-street.

Constantinople, Feb. 25.—The marquis de Riviere, the French ambassador, having caused to be arrested and kept in safe custody a band of thieves, composed of Frenchmen, Corsicans, and Italians, who had formed a project of entering his palace by night, it was in contemplation to try them by the officers of the embassy; the different ministers of their sovereigns residing here were informed of the intended measure, and gave their consent to it. It is asserted that his highness, informed that these malefactors had also committed thefts in various shops at Constantinople, would not consent that the French embassy should exercise its jurisdiction over the accused, and that he charged the reis-effendi to forbid, in the most express manner, all the ambassadors similar usurpations upon the rights of the grand seignior. In consequence of this, last month, complaints were addressed to the Divan, on the part of the different embassies, in which they require, on this point, the execution of the treaties. It was even alleged, that in the case of malefactors, subjects of powers whose representatives reside in Constantinople, being convicted of offences against the subjects of the grand seignior, the Turkish judges should address the jurisdiction of the ambassadors, in order to bring the offenders to trial.

26. The French government are taking decisive steps to re-establish the fortresses which the allies had dismantled: 360 pieces of cannon have been ordered from La Rochelle to the eastern frontier, and above 500 condemned pieces had been sent to the foundery of Strasburg to be re-cast.

31. *Washington.*—The president departed from this city yesterday, in the steam-boat, for Norfolk, with an intention to proceed by Pasquotank, the Albemarle, and Pamlico sound, to Wilmington, Charleston, and Savannah, having in view, in reference to public defence, a careful inspection of all the inlets for the ocean. The reports of the board of commissioners, consisting of officers of the corps of engineers and of the navy, relative to a naval depot, dock-yards, and fortifications, point out the objects peculiarly deserving his attention. From Savannah his course will probably depend upon circumstances. The season, it is expected, will be too far advanced to admit his passage by land to New Orleans, if, indeed, it were proper to take that route before the late treaty with Spain is carried into effect. Should he not continue his journey towards New Orleans, it is said that he will proceed westward by Augusta, through Tennessee and Kentucky, to the new States, or to some of them. In that section of the Union, many objects of the highest interest present themselves to view, a correct knowledge of which, it is believed, would be useful to all employed in public councils. Our relations with the Indian tribes, under the immense
cessions

cessions of territory obtained from them by the treaties of the last year, are of that character. The game on which they have principally relied heretofore will no longer furnish them with a subsistence. New efforts will be necessary to civilize them; and effectual regulations must be adopted for the purpose, or they will perish. The great amount of the public lands, which constitute an inexhaustible source of wealth to the whole nation; the disposition of our troops to protect our frontier-settlements and preserve peace with the Indians; to protect the Indians themselves from injustice, and to secure the public lands from intrusions; are subjects highly worthy of the attention of those to whom the management thereof is intrusted, and particularly of the chief magistrate.

Mr. Monroe has evidently considered it his duty to attend in person to these objects since he was elected into the present office, and particularly to measures relating to the public defence. The late war obviously formed an epoch in our history, and furnished the motive, if it did not impose the obligation on the chief magistrate, to give to those measures the utmost activity and vigour. We have not forgotten the imminent perils of that momentous struggle; the desolation of our coast, throughout its whole extent; the great number of our citizens who were called, even from the most remote parts of the interior, to its defence; and the waste of life from disease which followed. Had the coast been fortified, 1-10th of the force would

have been more adequate to its defence, and more than 9-10ths of our citizens and property thus lost would have been saved from destruction. We all recollect the ability and virtue with which the citizen then at the helm sustained that struggle, and his persevering firmness in moments of the severest trial. Mr. Monroe then acted under him, in the department of war; and having witnessed the difficulties of that struggle, he thinks it incumbent on him to exert every means in his power to carry into effect the salutary laws and provisions of Congress, since adopted to avert like calamities in the event of another war.

Such, obviously, are the motives and the objects that, in the opinion of the president, impose upon him this arduous duty; which he commenced soon after the national concerns were confided to his hands, and which he is now prosecuting.

The secretary of war set out with the president, and will accompany him until he leaves the coast for the interior.

APRIL.

1. *Gibraltar*.—“There have been no less than three duels this day between the officers of the 64th regiment, and the officers of the American sloop of war *Erie*. According to report, two of the officers belonging to the United States, are dead, and one of the officers of the 64th is severely, but not dangerously, wounded. The dispute arose between

tween the purser of the United States frigate, which has since sailed, and a lieutenant of the 64th regiment. The officers of the 64th were put under arrest by the commander in chief, and when challenged by their opponents, stated this circumstance."

3. A warrant was issued by Mr. Shebbeare, coroner, to the minister and parish officers of Great Worldham, Hants, directing them to take up the body of a man named Francis Stephens, who died on Wednesday, from drinking nearly a gallon of beer in about a quarter of an hour, on the preceding Sunday. The jury returned a verdict—Died from excessive drinking. The coroner stated, that clergymen, as well as parishes, were liable to presentment and fine, and also to indictment, for suffering a body to be buried without sending for him where the death was sudden, or had been occasioned by violence; and from its having been repeatedly done, he expressed his determination to indict the first parish officers who should hereafter render themselves liable.

Rome.—The emperor and empress of Austria yesterday made their solemn entrance here, under salutes of artillery and every other testimony of respect. The august travellers alighted at the Quirinal palace, where his holiness, on learning their arrival, proceeded even to the antechambers of the palace to welcome them.

The holy father received his illustrious guests with every mark of affectionate regard. After conversing with them some time, his holiness introduced the cheva-

liers and ladies destined to form their suite. Their majesties were then conducted by cardinal Gonsalvi to the apartments prepared for their reception.

5. *Haarlem.*—For some time past a plan has been spoken of to drain the Mere of Haarlem, which is of the extent of 26,000 acres, and to render it fit for the purposes of agriculture; this plan has been discussed several times at different periods, and has now been submitted to his majesty.

Valenciennes.—The events which have borne heavy upon France for some years past had caused the triple line of fortresses to be neglected, which extends from the Upper Rhine to the North Sea, and forms an almost insuperable barrier, when it is well defended. Marshal Gouvion St. Cyr, the minister of war, has adopted a plan, which the king has approved, to increase the strength and independence of France, by making its power respected abroad; besides, the ancient system of defence created by Vauban has undergone some changes by the cession of the important fortress of Landau to Germany, and of Philippeville and Marienburg to the Netherlands; on the other hand, Luxemburg, the Gibraltar of the centre of Europe, is a fortress of the German confederation. The frontiers of Prussia touch those of France, and the Moselle and the kingdom of the Netherlands will shortly be covered by a line of fortresses which are erecting with a rapidity that is truly astonishing. Under those circumstances, it has been judged indispensable that France should take a respectable

spectable attitude; in consequence, all the fortresses of the first, second, and third ranks, will be successively put in an excellent state of defence; the artillery, and all the materials necessary to arm them completely, are to arrive from the interior of the kingdom during the spring, and will be distributed among the fortresses which need a supply. The cannon unfit for service will be recast at Douay, where the regiment of artillery of Toulouse is expected this week to replace that of Douay, which goes to La Fere. The new organization of the army proceeds with rapidity; the legions of foot, and the regiments of horse in garrison in the sixteenth military division, daily receive a considerable number of recruits. Many old soldiers willingly resume their arms to serve their country anew, especially since a great number of the officers who have so often led them in the field of glory have been recalled to their standards. The third battalion of each legion is forming, and soon the complete organization of the army of reserve will end the new military system. Many officers on half-pay have lately received commissions and notices of the corps in which they are to serve. The two regiments of infantry of the Royal Guard in garrison in this city and Lille are also completing, by voluntary enrolments. Tranquillity, order, and peace, reign in our provinces, where the prevailing spirit is excellent. While the manufactures of Picardy, Artois, and French Flanders, become every day more prosperous, a formidable army of douaniers on

our coast and frontiers protects our natural industry. It is almost impossible for contraband goods to pass this triple line; every douanier piques himself on hindering foreign manufactures from entering France; and it may be said that they show in this service, independently of their own interest, a truly patriotic zeal: they consider the seizure of English goods in particular as a sort of triumph of which they boast.

9. Letters from Saxony state, that caravans of German families continue to pass by Leipsic and Frankfort-on-the-Oder, towards Poland. On the 16th of March, nine waggons passed through Weimar on the same destination. The reason assigned for this emigration is the want of fertility in the soil. The government of Poland offers the emigrants many facilities towards establishing themselves in that country.

The Universities of Duisbourg, Munster, and Paderborn, are now aware of their destiny. That of Paderborn is suppressed. At Munster there remains but one course of theology and of the other ecclesiastical sciences for the young men of the diocese of Munster who are destined for the priesthood. The professors retain their appointments during their lives, under the condition of fulfilling the duties to which they shall be called.

The celebrated defender of the liberty of the press, Mallinkrodt, who was condemned by the criminal tribunal of Cleves to two months imprisonment, for having published that the military exercises disturb the devotion of persons

sons assembled in the churches, has been absolved by the superior court of Magdebourg, which has annulled the sentence of the tribunal of Cleves. The friends of the liberty of the press in Germany exult so much the more in this event, as an express order of the king of Prussia had declared that no writer shall be punished for treating of that which refers to the abuses that may take place in the administration. In consequence of this, the liberty of the press is supposed to be legally recognized in the Prussian states.

Stockholm.—Together with the new law against smugglers and defrauders of the customs, an equally severe ordinance respecting navigation has been published, which is to be in force from next year: both together are expected to have the most important consequences for the course of exchange, the manufactures of the kingdom, and the revenues of the crown. National and foreign captains are allowed to sail directly into 14 ports only, and declare their cargoes; the places belonging to other ports (among which is Stockholm), where they are to put in to make their preliminary declaration, and be visited by the officers, are strictly prescribed, and all others prohibited under a penalty of 500 dollars banco, or nine months hard labour in a fortress; as well as anchoring without necessity even in the right channel, or sailing in without pilots, who are ordered to have the superintendance till the arrival of the custom-house officers. Vessels under 15 lasts burthen are not to sail with any but Swedish productions, and to

bring back none but productions of the place where they have landed their cargoes. Every Swedish captain coming from a port where there is a Swedish consul or commissioner, shall have with him a duplicate of his ship's manifest, signed by the consul or commissioner, by the custom-house officer and the ship-broker of the place, together with an extract of the contents of all his bills of lading; and shall also show to the consul within three days after his arrival, his last Swedish passport, and bring it back (signed by him) to his own country. The declaration of the captain shall be made within 4 hours after his arrival, the special declaration of the owners of the goods within 8 days, and the payment of the duties within 30 days; unloading in the open sea, or in a prohibited manner, or in the absence of the custom-house officer, costs the loss of the goods, 3 years hard labour in a fortress for the captain, and confiscation of the ship and cargo, together with the punishments pronounced against smugglers, for such of the owners of the ship or of the goods who have been privy to the misdemeanors, &c.

10. The Troon harbour, on the coast of Ayrshire, which was begun by the Duke of Portland some years ago, has been some time completed. The Duke is said to have expended 200,000*l.* on this undertaking, the object of which is, to afford a shipping for the coals of the extensive mines belonging to the Duke of Portland in that district.

11. The spirit of emigration from

from Portsmouth continues unabated. Every packet for Havre conveys numerous passengers destined for America; and not less than 500 Englishmen are supposed to be now at Havre, waiting for a fair wind, many of whom have been there upwards of a month. About 70 persons, chiefly artisans and mechanics, with women and children, amounting in the whole to at least 200, have embarked during last week, intending to proceed from Havre in an American brig belonging to Baltimore, which has been taken up expressly for the purpose. The expenses of the voyage are to be defrayed out of a fund which has been accumulating for some time past by a small weekly subscription, and the total charge for each passenger is said to be less than 4*l*.

The *Moniteur* contains a royal ordinance, approving the institution of a "Royal Society for the amelioration of prisons." This ordinance consists of 23 articles, regulating the manner in which the said society shall carry into effect, throughout the whole kingdom, the purposes for which it has been specially created. The King declares himself the Protector, and authorizes the Duke d'Angouleme to become the President of the Society. The statutes and regulations of the Society, as well as the list of the founders, are ordered to be submitted to the Royal approbation.

14. A short time since a kind of volcanic eruption took place in the Swiss canton of Tessino; a small mountain, near Monthio,

opened and poured forth volumes of smoke, masses of rocks and flames. Considerable blocks of stone were detached from the mountain and rolled into the bed of a neighbouring river. The air was, even on the following morning, impregnated with sulphur, and fire was seen in the crater which had been formed.

15. Letters and papers to the 10th ult. from Havannah have been received, by which we learn that the fleet of Spanish ships which sailed from that port on 26th of February, under convoy of a frigate and sloop of war, for Cadiz, had a few days after their departure experienced severe weather, and were compelled to return to the island. Several of them narrowly escaped being captured by the Insurgent privateers; and had the vessels continued on their voyage, no doubt several of them would have fallen into the hands of the corsairs, if separated from the ships of war accompanying them. The slave-trade with the coast of Africa in January and February last had been less active than usual. The Havannah Diary contains only a small list of ships which had arrived within that period, but a number of vessels were preparing to leave Cuba, and would return after having obtained fresh supplies of negroes.

20. Advices from Gibraltar to the 23rd ult. state, that the Governor of the fortress had just received the unfavourable news of the increase of the plague at Tunis, and the towns in the immediate neighbourhood.

Hamburgh, April 20.—In consequence of the stipulations entered

tered into in the Diet at Frankfurt, our military organization will soon undergo a material change. The garrison, now amounting only to 800 men, will be augmented to 1,500, among whom will be 600 young men of our city guard, chosen by a regular system of conscription, and under conditions to take the field in cases of necessity.

23. *Dover*.—The Duke and Duchess of Kent landed here to-day, about two o'clock, from the Royal Sovereign yacht, after a fine passage in about two hours and a half from Calais, where they have remained several days waiting for the spring tides to allow of the yacht sailing out of Calais harbour with safety.

25. *Dover*.—About three this afternoon his majesty's schooner Pioneer arrived in the roads, and very shortly after the boat belonging to the Customs put off from her under a salute. She had on board the Persian ambassador and suite, who on landing were greeted with another salute from the guns at the heights. As the schooner had been seen for some time before her arrival, there was an amazing concourse of people assembled on the beach, and the novel nature of the arrival of ten or a dozen persons habited in silks and turbans, with duggers and long beards, in no small degree attracted the attention of the inhabitants.

27. The Leeds and other Yorkshire papers notice the alarming decrease of upwards of 240,000 pieces of cloth in the manufacture of this year, as compared with last.

28. *Paris*.—Prince Paul of

Wurtemberg, who has resided in Paris for the last two years, has addressed a letter to the Germanic Diet, complaining of the arbitrary acts which the King his brother thinks he has a right to exercise towards him, in virtue of a family law which the King succeeded in compelling Prince Paul to subscribe about a year ago. According to an article of this law, a Prince of the Royal Family cannot absent himself from the kingdom without the consent of the King. The King has lately ordered Prince Paul home, under pain of confiscating his *appanage*. The Prince, who thinks, that in returning he would expose himself to acts of violence on the part of his brother, declares that he will not return to the kingdom till his Majesty has fulfilled the 13th article of the act of the Germanic Confederation, which stipulates for the establishment of constitutions in the Germanic States; and till the relations between him and the State, and between him and his brother, be constitutionally regulated.

Last evening, about six o'clock, the borough of Southwark was thrown into the utmost terror and confusion, by the explosion of a steam-engine on the premises of Mr. Smitherman, a sawyer of mahogany and other woods, in White-street, Borough: the report was as loud as the firing of cannon. The copper was blown (a fact almost incredible) the distance of 300 yards, upon the roof of a warehouse four stories high, where it is now to be seen, which it damaged considerably; the engine-house, and some of the premises adjoining, were blown

at Norfolk, nearly ready for sea. She takes out with her from 20 to 30 midshipmen, and is expected to be absent about two years.

6. *Paris*.—Nobody is ignorant of the scandal which has resulted from the conduct of several priests, in refusing Christian sepulture to persons whom, whether right or wrong, they considered as dying in final impenitence. The bishop of Arras has issued instructions to all the curés in his diocese, not to refuse ecclesiastical sepulture to any Catholic on any pretence whatever.

8. *Hatton-Garden*.—An application was yesterday made to the magistrate, W. L. Rogers, esq., by Mr. Bodkin, one of the overseers of the parish of Clerkenwell, under Mr. Sturges Bourne's new Act for amending the Poor Laws.

A wretched-looking Irish woman, and three young children, without shoes or stockings, and almost naked, were brought into the office by the beadle. Upon examination by the worthy magistrate, it appeared that the husband of the pauper, having been unable to procure work, had some time since deserted his family, and that although they had lived in this country upwards of 20 years, and that all the children were born in the parish, no legal settlement had been obtained: by the new act, therefore, they were liable to be immediately sent to Ireland as vagrants.

Mr. Bodkin proceeded to remark upon the cruelty of the provisions of this act, which for the first time in this country regarded poverty as a crime.

Magistrate.—Sir, whatever opinion may be entertained upon this act, I have no discretion; if you demand it, I am ready to grant the order.

Mr. Bodkin.—Sir, I do not demand it, but I do feel myself most unpleasantly situated. Whilst other London parishes are availing themselves of the powers of this act, if ours abstain from doing so, the natural consequence will be to attract to us the whole of the burthen. The duty of an overseer now calls upon him to do that which every man's feelings must surely most strongly condemn. My only object in bringing these miserable objects before you is to arouse the public to a sense of the inhumanity and impolicy of the act. I cannot, indeed, bring myself to believe it will be long suffered to remain in force, or that the numerous persons of rank and influence in the metropolis, connected with Ireland, can refrain from an endeavour to effect some immediate qualification of this clause.

The poor woman wept bitterly at the idea of being sent to starve upon the coast of Ireland, where she was now altogether unknown, and expressed the utmost gratitude on being informed it would not be the case. The magistrates appeared strongly impressed with the severity of this enactment, and Mr. Bodkin (who is intimately connected with the Mendicity Society) declared it as his decided conviction, that its consequence must be greatly to increase the number of beggars, by sending all the Irish poor of the metropolis into the streets.

before the public, I never asked any writer to say any thing favourable of me, nor gave any person any uneasiness for having written ill of me; and though very sensible of kindness, I have never answered calumny. M. Bellart will, therefore, permit me to refuse his protection, and, without knowing the offence, to declare, that I do not consider myself offended. I disclaim all proceedings in this respect, and oppose them with all my power. I have the honour to salute him,

(Signed) LA FAYETTE.
 "Paris, April 27, 1819."

In answer to the letter of M. la Fayette, M. Bellart caused the following letter to be published:

"The Attorney-General has the honour of replying to the Marquis de la Fayette, that it is for the interest of society that a prosecution should be instituted against the authors of *L'Ami de la Royauté*, who have imputed to the Marquis the commission of an atrocious action, and one of the most abominable crimes of the Revolution. In these latter times individual injuries and outrages have become so frequent, that although it is the duty of the magistrates to repress them, it has become impossible to act against all of them. They are therefore reduced to the necessity of choosing those which present the most odious characters, and which are the most hurtful to the general interests. Of this species are the calumnies which accuse of crimes functionaries of elevated rank, to whom the confidence of the public is necessary; which accuse them of offences connected to epochs, the

memory of which the wisdom of the King has ordained, in the name of public peace, should not be revived; which finally may produce some disastrous consequences, similar to those which too many families have occasion to mourn. The laws which are in existence, and which it is the duty of the Attorney-general to put into execution, without assuming the liberty of deciding on them, command him to bring this species of crime before the tribunals. He performs this duty with impartiality, without any exception of persons, and with the sole intent of preventing, as far as in his power, all attempts to re-excite the storms of civil discord. The generosity of the Marquis de la Fayette need not, therefore, be alarmed at an action, over which it has no influence, which it does not interest in any manner, and in which the public minister accounts private interest as nothing. The Attorney-general has the honour of assuring the Marquis de la Fayette of his high respect.

(Signed) "BELLART,
 "Attorney-General."

MAY.

4. The marriage between the Infant of Spain, Don Francis Paul, and the Princess Charlotte Louisa of Naples, was celebrated at Naples on the 15th ult. The princess was to quit that city on the 24th, to proceed to Spain.

5. The Americans are fitting out, for the first time, an expedition round the world. The Congress frigate, captain Henley, has been selected for the purpose, and by the last advices was lying at

chester, where his wife resided, whom he had never lived with, to prevail on her to go and live with him at Edmonton. On his road from Caxton towards Godmanchester, he fell in with a return chaise and got into it to ride to Godmanchester, and there was a man in the chaise known to Weems. In the course of conversation, Weems stated to the man, that he was going to Godmanchester to get his wife to go and live with him at Edmonton: but that there was a girl at Edmonton he was acquainted with, a very nice girl, whom he liked much better than his wife, and should much like to marry her. On the man saying that was impossible, he being a married man, Weems replied, that "when he had got his wife at Edmonton, he should soon be able to get rid of her." Weems remained with his wife at Godmanchester till Friday, when they both left that place early in the morning to walk to Edmonton. They walked from Godmanchester to the spot where the murder was committed, being about 16 miles, without resting. When they arrived at the fatal spot, they stopped: the woman being tired, laid herself down on the grass by the road side, about a mile from Arrington. While they were resting here, a woman named Susannah Bird, of Wendy, who was going to Royston, saw the deceased sitting on the ground on the right hand side, near Mr. Russell's fields, and Weems was on the other side, opposite his wife. Directly after she had passed, she saw both Weems and his wife go to Russell's field; they stood

looking about, and appeared as if they were noticing her, and she kept looking back at them. When she got to lord Hardwicke's white gates, she lost sight of them all at once, and then kept on her way to Royston. As she was returning from Royston, she met the same man near Royston with a bundle, whom she had before observed. She asked him what he had done with the young woman he had with him in the morning? He said, "I left her behind; she is about spun up. I cannot get her any further, so I left her to get on by the coach. Susannah Bird then came on, met the coach, and looked for the young woman, but could not see her outside or inside. She says something struck her that the man (Weems) had done something wrong to the woman, that he had killed her; she went on, and saw a person hoeing in Mr. Wilkinson's field, to whom she told the circumstances, and said to him that "she would go to the next field (being the place where she saw them in the morning), and see if she could discover what betided the young woman." She passed through the gate where she saw Weems and his wife go in, and immediately discovered the young woman lying in the ditch, her face nearly flat to the ground, her shawl over her face, and her bonnet on the shawl: her body was covered all over with grass, which was strewed over her by hands full: only a foot and one of her fingers could be seen; there were marks on the grass by the ditch, as if there had been great struggling and rolling about, and there was the trace

trace of a man's foot from the place where the grass was tumbled about, to the spot where the body lay. She called to the man in Mr. Wilkinson's field; he came; they removed the grass, and on examining the body, her garter was found round her neck tied very tight; she had the fellow garter on her left leg; she was quite dead, and black in the face. Pursuit was immediately made after the supposed murderer, who was apprehended in a waggon. Information of the body being found was sent to the coroner for the county; he arrived at eight o'clock in the evening, and he had scarcely finished swearing the jury before a chaise arrived, in which was Weems. The jury sat till between one and two o'clock on Saturday morning, and, after taking a body of evidence, they returned a verdict of Wilful Murder against Thomas Weems, the husband of the deceased, who was committed upon the coroner's warrant to the county gaol to take his trial at the next assizes. We understand the prisoner has made a full confession, and described the means by which he perpetrated the horrid deed.

21. *Edinburgh.*—This forenoon, a most melancholy occurrence happened at Leith. During the whole morning it had blown a very strong gale from east, and a boat, in attempting to cross from Leith, with her crew, consisting of four men, a woman, and a child, was lost within a hundred yards of the pier, and in sight of hundreds of people, without any possibility of affording them assistance. The boat was pulling

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down the harbour, and had scarcely quitted the pier-head, when a sea struck her, by which she was instantly upset. In this situation some boats attempted to reach the poor crew, who were alternately now above and now under the water. They say in the exertions that were making, two of them appeared to keep a desperate hold, and one was observed to take off his hat and wave it with sad impatience, but as the boats approached, the cross sea became more dangerous, and they were forced to leave them to their fate, after three of the men had successively been driven from their hold, and the last, after having clung to the wreck for about 20 minutes, sunk to rise no more.

3. The equipment of the *Hecla* and *Griper* being completed for discoveries in Baffin's-bay, and the alterations being finished in the latter vessel, viscount Melville, accompanied by the board of admiralty, proceeded on Friday afternoon to inspect them. On the arrival of his lordship at Deptford, he was received by commissioner Cunningham, at the dock-yard, accompanied by some of the members of the navy board, and directly went on board the *Hecla*, where his lordship, &c. were received by lieutenant Parry, who has the command of the expedition, with the accustomed honours. Every part was minutely inspected, as also the accommodations for the officers, and for birthing the crew. The same ceremony took place on board the *Griper*, lieutenant Liddon. Lord Melville, and the gentlemen who accompanied him.

D

expressed

expressed their approbation of the whole, and in the evening they returned to town. The vessels drop down immediately to Longreach, below Woolwich, where they will take on board their guns and ammunition; and then to the Nore, for the crews to receive their wages; after which they will proceed on their voyage, stopping at the Orkney islands for some small supplies.

22. Advices from Buenos Ayres to the 18th of February were received yesterday. The warfare of the Independents with the irregular banditti inhabiting the country about Santa Fé still continued, and the communication with Chili had in consequence become very uncertain, and the roads insecure to travellers. The Portuguese, by orders from Rio Janeiro, have again permitted the navigation of the Uruguay. A very valuable Spanish ship, called the Christina, from Cadiz to Lima, has been carried into Buenos-Ayres, a prize to the Union privateer. A Government express had been received from Chili of the 26th of January, bringing intelligence that lord Cochrane had gone to Talcahuano to blockade six ships that had arrived there from Lima with troops to reinforce the Royalists.

24. The system of mutual instruction for the children of the poorer classes, according to the plan of the British and Foreign School Society at London, and the society for the same great object at Paris, has, within the last two years, been adopted in many parts of the Russian army, and is now so successfully prosecuted, that from the north to

the south of Russia, a considerable number of schools for the education of the children of soldiers, upon this economical and efficient plan, are exhibiting the system in a state of great perfection. As far north as Siberia, they have an establishment for training masters, who, when qualified, are sent to different parts of the empire; and in the neighbourhood of Odessa, in the south of Russia, there are schools for above 10,000 of the military. At Petersburg there is a school for the children of soldiers, exceedingly well organized upon the plan; and another, consisting of about 250 men, has been recently opened for the soldiers themselves, a certain number of whom are taken out of the different regiments, in order that when qualified they may be able to teach upon this method. The progress they make, particularly the Cossacks, is quite astonishing. In the space of 15 days, several who did not previously know a letter were able to read short words, and even to write them well upon a slate. Prince Alexander Galitzin, the minister of public instruction, has laid before the Emperor an extensive set of reading lessons, from the Holy Scriptures, for the use of all schools upon this plan in Russia, of which the Emperor has expressed his high approbation, and has not only sanctioned them, but ordered the money to be paid for a large edition. These lessons are very extensive, and consist of three parts: 1st, Historical Lessons, taken from the Old Testament; 2dly, On our duties towards God and man, under their different

different heads; and 3rdly, A brief harmony of the four gospels, with some of the most striking facts in the Acts of the Apostles. The selection is made in the very words of the text, without note or comment; the whole is printing in common Russ, and will, when finished, form the most complete set of reading lessons for schools upon this system which has yet appeared.

25. Her Royal Highness the Duchess of Kent was safely delivered yesterday morning, at Kensington-palace, of a Princess, at a quarter past four o'clock.

25. *Madrid*.—The minister of Marine is still at Cadiz, to direct in person the grand armament, which in all appearance will be ready to sail by the end of July. A fine frigate of 36 guns, fitted out at Corunna, lately arrived at Cadiz with 15 transports under its convoy. In their passage they met many insurgent privateers who did not attempt to attack the convoy. They also expect at Cadiz a division from Carthagena, consisting of two frigates and several transports, and several more from Barcelona: 100,000 piastres have just been sent from this city to Cadiz, to accelerate the preparations, which are carrying on with double activity, because the government feels the necessity of striking a great blow this year, the Insurgents being more resolved than ever to defend their cause. All hopes of an arrangement with Buenos-Ayres, and of its submission to the mother country, have vanished; nothing remains but to try the force of arms. All the accounts from South America

give reason to presume that the struggle will be bloody and desperate.

26. *Carlisle*.—In consequence of the riotous disposition of the weavers, who have assembled here in very great numbers yesterday and to-day, the Mayor and Magistrates have waited on the commanding-officer, Major Kennedy, requesting him to suspend the march of his squadron of the 18th Hussars, who were to have marched for Liverpool to-morrow; which request has been complied with, and the detachment is halted till further orders.

27. *Old Bailey*.—Edw. Crane was indicted for stealing two sheets from Thomas Brown, of Somers-town.

It will be recollected, that last sessions the prisoner was indicted and acquitted of a felony, in consequence of the refusal of the prisoner's sister, Charlotte Leslie, to swear against her brother, and she was committed to Newgate in consequence. The prisoner was now brought up, charged with another felony.

Charlotte Leslie was conducted from Newgate to the witness-box, and asked, whether she would on this felony give evidence. She said, that the prisoner was her brother, and that nothing should induce her to do it.

Mr. Justice Bayley.—Attend to me, woman. You have a much higher duty to perform than you seem to be aware of. You have a duty to your country and to your God to discharge; and if you refuse to take the oath, you will neglect that duty.

Charlotte Leslie.—I know that;
but

but I will not swear against my brother.

Mr. Justice Bayley.—Then I shall commit you.

Charlotte Leslie.—I am ready to bear any thing. I never will swear away my brother's life.

The woman was then taken back to Newgate.

The other witnesses were then examined, and the Jury, being sufficiently satisfied, found a verdict—*Gilty*.

28. A private letter from Rome, dated the 10th inst., give some melancholy details of the ravages of the plague in Tunis. The town of Tunis has lost half its inhabitants; the terrors of the sword will shortly be added to this dreadful scourge; news has arrived of an insurrection among the Arabs in the interior, and they are about to march against the capital, to the number of 15,000 horsemen, commanded by a Tripolitan, named Califer-el-Haver. The Tunisian minister had put himself at the head of a body of troops, and marched to repel the invasion.

29. *Paris*.—His Holiness the Pope has erected the Bishopric of Quebec into the See of an Archbishop, and has elevated to the rank of Bishops, the two Grand Vicars of the See. There are now six Catholic Prelates, including the Archbishop of Quebec, in the English possessions of North America. They are protected by the government of Great Britain.

31. On Tuesday last a meeting of the coal-merchants of Newport, and the proprietors of collieries in its neighbourhood (at which every colliery working the

brown ash coal, with the exception of one only, was represented), was held at Westgate-inn, in the town of Newport; at which distressing statements of the present situation of the trade were made, and universal conviction prevailed of the absolute necessity of speedy relief. We are sorry to be given to understand, from the best authority, that great numbers of workmen have been discharged from the collieries within a short space of time, and that others have temporarily suspended their workings.—*Shrewsbury Chronicle*.

JUNE.

1. *From the Carlisle Patriot*.—We have already adverted to the low rate of wages which the manufacturers of this city and neighbourhood have for some time past been compelled to allow their gingham weavers, in consequence of the depressed state of this branch of trade.

On Tuesday evening, they assembled upon the sands in great numbers; a committee of 12 was appointed, and the whole body agreed to the publication of an address, which was read in manuscript, &c. The following day many of the leading men determined not to work unless the manufacturers allowed them more wages; and they went from shop to shop in every part of the town and neighbourhood, and compelled all others to follow their example, taking the unfinished work from the looms, and sending it home to the masters. In the evening they again assembled on the

the sands, to hear a letter from Mr. Curwen read, in answer to one transmitted with the petition before alluded to. On Thursday strong parties went to Penrith, Wigton, Dalston, Brampton, Longtown, &c. and compelled the weavers there to follow their example. Many would fain have continued their labours, but were forced to desist by threats of all kinds of visitations.

On Wednesday the address was circulated and posted through the city and neighbourhood.

Yesterday, the weavers of the adjacent towns arrived here and joined their brethren, and about four o'clock, the whole assembled upon the sands, to the amount of nearly 2,200, where they passed some resolutions; the greater part afterwards marched into the market place and English-street, in close order, without the least noise or disturbance, and in a short time those resident at a distance departed for their homes in the most peaceful manner. In the course of the day, the Committee issued another hand-bill, pledging themselves that every thing would be conducted with a scrupulous regard to the public tranquillity, and they also made a communication to the Mayor, explaining their wishes and their object.

Hitherto, with the exception of the violence and threats employed in compelling the unwilling to leave their work, the men have conducted themselves with great decorum, and we hope they will continue to pursue this line of conduct. The detachment of the 18th Hussars for some time past quartered here, under the

orders of Major Kennedy, was to have marched on Thursday morning on its route to Ireland, but at the requisition of the Mayor and other Magistrates, its departure is very properly delayed.

A plan was submitted to government for the incorporation of a body of directors, to regulate the emigrations to the Cape of Good Hope. The proposal was rejected, but the following memorandum from the Secretary of State for the Colonial department accompanied the negative.

I. The Landdrost shall be authorized to assign a proportion of waste, and to any person wishing to hold it, situate to the eastward of Bosjesman's river in the district of Witenhage, adapted to the wants and means of the applicant; thus a father of a family, having grown-up sons, or other relations residing with him, whose means would enable such relatives to occupy land apart on their own account, may have the quantity of land he is permitted to occupy increased in proportion to the number and means of such relatives; it will be evident that such associations will be the greatest security; and it is evident, by many examples within the knowledge of each of you, that such associations, even under less favourable circumstances, have been unmolested.

II. These lands will be granted to the occupiers at a rent now to be fixed, which rent, however, will be remitted for the first ten years; and, at the expiration of three years (during which the party or his family must have resided on the estate), the land shall

shall be measured at the expense of Government, and the holder shall obtain (without fee) his title thereto, on perpetual quit-rent; subject, however, to this clause beyond the usual reservations, that the land shall become forfeited to the Government, in case the party shall abandon the estate, and cease to reside or occupy the same.

III. Parties wishing for grants in the district here mentioned, will not be necessitated to make a direct application to his Excellency the Governor as in other cases, but it will be sufficient for them to address the Landdrost, pointing out where they propose to settle, and the authority of the Landdrost shall be sufficient warrant to the party, of the intention of his Majesty's Government in this regard.

IV. The Landdrost is, however, to be particularly cautious in the distribution of ground, so as to preserve waters, that the most extensive accommodation possible may be afforded in that regard to future settlers; the necessity of which must be obvious from the supposed scarcity of springs in the districts in question.

V. In order likewise to obtain the most accurate information possible with respect to springs in the whole of this district, the Landdrost is called upon to give publicity to the proclamation issued, offering rewards for the discovery of springs proportioned to their strength.

VI. The Landdrost will communicate to the colonial secretary, quarterly, a list of persons taking lands under this invitation, and

describing as accurately as possible the situation of the occupancies.

N. B. Any individual who will procure and convey to the colony subordinate labourers, and either reside or appoint an agent to reside with them in the colony, will be entitled to receive under the usual condition, land in the proportion of 100 acres for every male of above 17, actually settled on the land granted.

2. Accounts from Leipsic state, that the bookselling trade has not suffered in Germany by the stagnation of trade, and the scarcity of money. The number of new works published at the present fair of Leipsic amounts to upwards of 3,000, and comprises every work that has been printed in Germany since Michaelmas, and all that will be published before Midsummer. Medicine and Surgery furnish this time the greatest number of works: the number in this department amounts to 78.

2. In one of the ships belonging to the Hudson's-bay Company, which recently left the river for their settlements, Lieut. Franklyn, late Commander of the Trent, in the expedition to reach the North Pole, has taken his passage for the purpose of exploring that part of America to the northward of Hudson's-bay. The route this officer is to take will be nearly the same as that pursued by Mr. Hearne, in 1770, who stated that he reached the sea at the entrance of Copper Mine river. Lieut. Franklyn will be accompanied by about five Europeans, one of whom is a surgeon; and on their arrival at the Copper Mine river, are

are to pursue such farther course as may appear proper.

During the voyage of discovery last year to Baffin's-bay, a bottle was thrown into the sea from the *Alexander*, lieutenant Parry, on the 24th of May, when that ship was off Cape Farewell. It contained the latitude and longitude the ship was then in. About two months since, the bottle was found on the island of Bartragh, in Killala-bay, and an account of it forwarded to the Admiralty. It is supposed it must have floated at about the rate of eight miles per day across the Atlantic.

Rome, June 3.—Two individuals have been arrested at Ferrara, accused of being Carabonari; they are called Tomasi and Chiari. The number of persons condemned to prison, and to forced labour, increases at a deplorable rate. The prisons cost 750,000 Roman crowns.

There was felt, on the 26th of May, at Cornetto, a small town in the patrimony of St. Peter, 15 leagues from Rome, a violent shock of an earthquake, which damaged a great number of houses. The famous cupola, called Castello, remarkable for its antiquity and Gothic architecture, was completely thrown down. It is said that this earthquake has been felt on the whole Mediterranean coast.

Madrid, June 3.—On St. Ferdinand's day, the edict on the prohibition of books was published in all the churches of Madrid. The works prohibited by this decree are to the number of 40, and are divided into three classes. In the first class are included those prohibited even to be read by per-

sons to whom the holy office grants private licence or permission to read prohibited books. They amount to ten; among which are, an "Essay on Instruction in general, and on the Study of Mathematics in particular," "The History of the Inquisitions of Spain and Portugal," by Joseph Lavallee, &c. The second class comprehends those prohibited *in totum* to all who have not a licence; among which are, the "Annals of the Inquisition," by Llorente, &c. In the third class are three works whose revision is ordered.

5. Yesterday afternoon, about five o'clock, letters were received in town, announcing the safe delivery of the duchess of Cumberland of a prince, and that both mother and child were doing well.

7. An article from Frankfort, of the 29th ult., says, "Great complaints are made here of the stagnation of trade. Large capitals are out of circulation, and discount is at 3 to 3½ per cent. The only business of any importance now carried on is, in public paper currency. We have a most favourable prospect of an abundant harvest and vintage: the prices have declined considerably. Wine, which sold two months ago at 800 florins per tun, is now sold for 500 florins. The finances of this city have experienced a great loss by the badness of the Easter fair: this loss is estimated at 70,000 florins. The tolls alone brought in 12,000 florins less than last fair."

9. Tuesday the 18th ult. a little girl about four years of age, the daughter of W. Telford, of Crossdale,

dale, situate at the head of Ennerdale Lake, accompanied its mother to the peat-moss, at the foot of what is called Great Banna Fell, and in the course of the afternoon rambled to the adjoining peat pots, where some of the neighbours were at work. The mother being one of the last at work, and not seeing the child, imagined one of the neighbours had taken it home. This not proving the case, an immediate search commenced, in which a great number of people assisted. It was unavailingly continued through the four following days and nights. On Sunday, many more assembled; some of whom extending their search as far as Foultern Tarn, observed a clog-mark in a steep track, seemingly accessible only to shepherds. As it was evident this could only be made by the little wanderer, an active search commenced in that direction; and on the eastern side of Herdis, in a place called Clea Gill, the little innocent was discovered, with its head reclined on its arms. As not the most distant idea was entertained it could survive six days and five nights of incessant hunger, and exposure on these bleak mountains, it occasioned no small consternation amongst those who first discovered it, when, on calling out, "it was found!" it raised its head, and desired they would not hurt it. When found, its feet were partially covered with water, and much swollen. This was the only water, and consequently the only sustenance within its power to procure during the time it was missing. It instantly recognised its father, the neighbours, and

even some of their dogs, and complained of hunger. Food being sparingly administered, it was taken home, and is now running about, seemingly well. The place where it was found was much paddled; and it is conjectured it had wandered there on the night it was lost, as a small cavity where it was found, from which it could occasionally emerge, must have been the means of its wonderful preservation; otherwise it seems impossible it could have survived the inclemency of the weather on Friday night.

Frankfort, June 12. The propensity to emigration increases progressively in the kingdom of Wurtemberg. Several societies direct these emigrations to America. It is said that several thousand persons have resolved to go and settle there. Some emigrants have lately returned from Odessa with full powers from such of their companions as have still money to receive in their former country, in order to terminate their affairs. They have brought letters from emigrants to their friends who have remained at home, of which copies are in circulation in the kingdom.

14. Pipes are now laying down in the principal streets adjacent to Covent-garden, preparatory to the whole of the parish being illuminated with gas.

On the 15th ult. the port of Cronstadt was entirely free from ice, and 50 vessels had arrived there since the opening of the navigation.

Newfoundland papers have arrived to the 12th ult. They state that the seal fishery had been uncommonly successful. Between

30 and 40 vessels were employed in it from St. John's, and 162 from Conception-bay.

Accommodations are preparing on board a vessel at Gravesend, for conveying to St. Helena a surgeon and a priest, to attend on Buonaparté. Two or three domestics, among whom is a cook, proceed thither also, to be added to the establishment at Longwood.

15. A private letter, received yesterday by a respectable house in the city, states, that an intended insurrection of the Georgia negroes had been discovered and frustrated. The following is an extract:

"Augusta, May 6. A plot of insurrection of the blacks of this place and surrounding country, as well digested, perhaps, as that of St. Domingo, and which was to have been executed on Saturday last, but for providential interference, was yesterday fortunately discovered, and many of the ringleaders are now committed for trial, and will probably soon meet the awful sentence which awaits them."

19. We are happy to state, that part of the master manufacturers have agreed to give 8s., 9s., and 10s. per cut of gingham, 11, 12, and 13ths, instead of the late prices, averaging about 1s. advance on the cut. All the workmen are actively employed in finishing the webs which they had begun previously to the turnout, thus manifesting their entire obedience to the law; though it is understood, that they have expressed their determination not to continue in the employment of those who refuse the advance,

after the present work is finished. — *Carlisle Journal*.

21. On Whit-Tuesday a fight took place at the village of Twer-ton, near Bath, between two brothers, named Wiltshire, of the adjoining parish of Newton. One of them had been knocked down, and the other was in the act of kicking him, when a man, named Ashley, touched him by the elbow, and said, "Don't kick him; for if you do, you will kill him; it is a shame for brothers to be fighting;" at which, Wiltshire turned round, and vociferating to Ashley, with a tremendous oath, "I'll knock your brains out, or any one who takes his part," instantly struck Ashley a violent blow under his ear, who fell to the ground, never to speak again; and, after lingering till the following Friday, he died. The coroner's jury who sat upon the body returned a verdict of "Wilful Murder," against Wiltshire, who has been committed for trial.

Liverpool, June 21.—Among the arrivals yesterday at this port, we were particularly gratified and astonished by the novel sight of a fine steam ship, which came round at half after seven, p. m. without the assistance of a single sheet, in a style which displayed the power and advantage of the application of steam to vessels of the largest size, being 350 tons burden. She is called the Savannah, captain Rogers, and sailed from Savannah the 26th of May, and arrived in the Channel five days since; during her passage, she worked the engine 18 days. Her model is beautiful, and the accommodation for passengers elegant and complete.

This

This is the first ship on this construction that has undertaken a voyage across the Atlantic.

30. On Monday morning a gang of desperate villains entered the premises of Messrs. Bland and Weller, music-dealers, and Mr. Alvey, goldsmith and jeweller, of Oxford-street, near Rathbone-place, but were fortunately detected in their perhaps murderous career, having loaded fire-arms, &c. in their possession. Mr. Alvey, on Sunday night last, retired to rest, with his family, but had not been long in bed when he heard a noise, which rather alarmed him, and concluded that mice were busily employed in the walls, and it being rather dark he refrained from getting out of bed. He fell asleep, but shortly afterwards was awoke by another noise, which appeared like bricks falling from the wall. He immediately alarmed his family, and he listened for a short time, and plainly heard the discourse of some men, from which he was convinced their lives were in danger, and he scarcely had time to cross his apartment, when the wall of the room broke in, and he perceived a man's arm; he made use of some exclamation, and ran to inform the watchmen, who immediately came to assist. They stationed themselves, some at the back and others at the front of the houses of Messrs. Bland and Co. and Mr. Alvey, while others went into the House. One of the watchmen heard a noise at one of the shutters, to which he placed his back; but shortly after, he with the shutter was thrown down, and two of the villains rushed out; one ran towards So-

ho-square, and the other up Rathbone-place, pursued by the watchmen, and they were both taken into custody. The other escaped the back way. On returning to the house, the coat and hat of one of the thieves were found by the side of an aperture, which would admit of the watchman's body, through a large brick wall, into Mr. Alvey's room. A phosphorus box, matches, a crow-bar, screw-driver, a whistle, false key (which opened all the doors), a brace of loaded pistols, which lay in readiness in case of detection; and in their pockets a powder-case was also found, and some property ready packed up. They were taken to the watch-house, and yesterday morning were carried to Marlborough-street office for examination.

JULY.

Earthquake in India. [From the Bombay Gazette, July 7.]

We hasten to lay before our readers a selection from the numerous communications we have received respecting this awful visitation. It was slightly felt at Poonah, and we believe it did not reach to the southward of that city, or extend much beyond the tropic.

Camp, Bhooj, June 19. At seven o'clock on the evening of the 16th of June, an earthquake destroyed the whole district and country of Kutch; accounts that have been received mention, that from Luckput Bunder to Butchao, the whole of the towns and villages are more or less in ruins. The towns of Mandavie, Moon-dria,

dria, and Anjar, have suffered extensively and severely: but the city of Bhooj, and the fort of Bhoojia, between which our force is encamped, are reduced, the former to ruins, and the latter so breached as to be useless as a fortification. This, however, is the least part of the evil: at the moment of the crash, it is apprehended, and I fear not any way exaggerated, that 2,000 of the inhabitants were buried in the mass.

Even now the effects of this horrible visitation are felt (though three days since the first shock) in constant and hourly vibrations of the earth. The inhabitants have been obliged to forsake what were once their halls, and encamp outside upon some small hills. Their distress cannot be well described; bruised, maimed, and agitated with fear, they go daily into the city to work upon their several houses, to try and extricate the mangled remains of wives, children, and relations whilst in their pious labour the putrid stench nearly exhausts them; cattle, which have fallen in numbers, add greatly to the noisome evil. The walls, from the sandy nature of the stone, are crumbled in a mass, and the narrow streets of Bhooj entirely lost, thus adding to the difficulties of the sufferers. The upper stones of the palace fell, and buried, amongst others, the mother of the deposed Rao. What houses stand are so shattered as to be liable to fall in the ruins; and the very complete wreck of the wall on the southern side, as well as the demolition of nearly all the towers and gateways, render it

impossible for Bhooj to be a city again. The loss of lives cannot be confined to the city. I fear, in all the towns and villages, mortality has been great. I am inclined to think, from the circumstance of a volcano having opened on a hill, 30 miles from Bhooj, that the country will not experience a repetition of the evil.

From our camp being in a plain, no very material damage has been sustained; the tiles of a few temporary-erected houses were knocked off, and the walls shattered.

I shall attempt to give you the sensation felt by those both in camp and city. In the latter, I was informed by a gentleman, who nearly suffered by a house falling over him, that, riding on without an idea of what was to happen, upon the first notice, a heavy, appalling, deadened noise, the motion of the earth, walls of the houses on each side of the street tottering and falling outwards, impressed upon him an idea, and he called out, that a mine was sprung; whereas, another gentleman imagined the bank of the Tank was forced by the water; these ideas were accompanied with an unpleasant giddiness of the head, and sickness of stomach, from the heaving of the ground.

In camp, a similar sickness and giddiness were experienced; and in ignorance, until the shock was over (which lasted a minute), of the nature of the noise below the earth, some sat down instinctively, others threw themselves down. One was paying work-people in a circle, and upon seeing

ing him squat, the whole followed the example, and sat round him, "the very picture of despair." The sensation I felt was, a giddiness and horror at perceiving a small hillock, close to which I was riding (a short distance from the camp), completely agitated, and at the same time my horse plunged, from the ground moving. This was the case also with an officer I was riding with.

I have on inquiry ascertained that, many years ago, and in the remembrance of the oldest inhabitants, an undulating motion had been felt before in Kutch; but never, I hope, will again be attended with such a horrible catastrophe; the distress of which has been so great upon the inhabitants, that I confess I fall short of ability to describe it.

Translation of a letter from a respectable native to a correspondent at Baroda, dated 18th June, from Isoria:—

"I have sent you a letter, and given you an account of every thing that has occurred here. Yesterday, the 9th of Jest. Vud (the 16th of June), in the evening, a noise issued from the earth like the beating of the Nobut, and occasioned the trembling of all the people. It appeared most wonderful, and deprived us all of our senses, so that we could not see; every thing appearing dark before us, a dizziness came upon many people, so that they fell down. The walls of the fort of Isoria, in many places, were completely overturned, and the guns fell from the bastions; the inhabitants ran home to their houses, many of which fell down. For one hour this remained; the

buildings in the town, some fell, and the others appeared as if falling; the walls of the fort that remained after the first shock, appeared in a ruined state. For an hour and a half the inhabitants did not know each other; after that time all was hush and still, and we then returned to our houses; at night a trembling seized our bodies, and on Wednesday morning some horsemen who arrived, came to me and reported, that in the fields the earth opened and threw up water; to see which I went there, and such was the case, and the water came up from the earth in many places, and it appeared like the rushing of water when drawn from a well; it remained all night in the fields, and in three or four places the earth had given way, and sunk 100 feet in depth, which space was filled with water. Many of the wells, which had before this plenty of water, were left empty; and many pools, that formerly were dry, were now filled with water. The like of this was never heard or seen before. When I returned into the town, the inhabitants reported to me, that during my absence the earth again was shaken; and when I was washing my body afterwards, I felt two or three violent shocks again, and the house I was in was much shaken. After this, people did not seem willing to remain in the town; I therefore left it, and encamped one coss off. I received accounts from Nowanuggar, that the forts of Balumbo and Amraw have fallen down, and some people had died, as had likewise some cattle. The same has occurred at Junkaria.

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I have received the news from the country round for 16 coss; and beyond the Run, at Joo-nah Bunder, the same has also happened.

“ This is the wonderful decree of Almighty God, which I do not understand. For your information I have written this small account; all that has occurred it is impossible to describe. To-day, between twelve and two o'clock, the same has happened. On Wednesday night, some people assert, that the earth was again shaken. I have this moment received accounts from Moorvee, that the same has occurred there; that some of the houses and part of the walls of the fort have fallen, and the people suffered great losses. I do not know to what extent damage has been done.”

Camp near Bhooj, June 17. We are at present in a shocking state of alarm. Last evening, between six and seven o'clock, we were visited by a dreadful earthquake. The wall that surrounded Bhooj is almost levelled with the ground, and the few towers which are left standing are merely broken remains; the houses generally unroofed, others in ruins, and most of the large buildings, including the palace, greatly injured; the wall of the Hill-fort is down in many places, and there is a complete breach near the gateway. The right of our camp rests a short distance on the left of the latter, fronting the town, and extends along the bottom of the hill to a little beyond the large tower on the south-west point. I am happy to say, that we have had none materially hurt, four Sepoys only bruised, who were on duty

in the town; but I fear that a great many casualties have occurred among the poor natives; some hundreds are said to have lost their lives. There is at present so much confusion, that the numbers cannot be ascertained.

We had several shocks during the night, and they have continued at intervals this day; the last one about two hours ago, when I could scarcely keep upon my legs; the sensation is horrible while it lasts. They have suffered, we understand, in the same way at Anjar.

P. S.—Three, *p. m.* There is a slight shock at this moment. I trust in God they will cease altogether.

Extract of a Letter from a Correspondent at Baroda, dated June 26.—On the 16th, about seven o'clock, *p. m.* the whole of the city and around it were thrown into the greatest consternation, by a very severe shock of an earthquake, which continued without intermission between two and three minutes. I was at a friend's at the time; we were sitting in his upper bungalow, which rocked so violently, I really thought it would have fallen before we could get below stairs. The next morning, about eleven o'clock, we experienced another, though slighter, convulsion.

On the 18th we felt two more, one at eleven, *a. m.*, and the other at twelve at night: and on the 20th we also had two more shocks: God knows if it is yet all over. It appears to be going from the south to north. At Palampore it was accompanied by a noise in the earth just like thunder.

Its ravages at Ahmedabad have been considerable. The two large Minarets near the Jumah Museed in that city, are overthrown. One of the gates in the town has fallen down, and nearly 300 houses. The fort of Rampoor, near Pullgarde, is nearly demolished.

Extract of a Letter from Anjar, dated June 17.—It is with sincere regret that I have to inform you, that this place was visited by an earthquake yesterday evening, at ten minutes before seven o'clock. The effects of the shock, which lasted nearly two minutes, have been the levelling of the fort wall to the ground; not 100 yards of the wall remain in any one spot; and guns, towers, &c. all hurled in one mass of ruin.

The destruction of the town has been distressing and awful; not a quarter of the houses are standing, and those that do remain are all in ruins. I cannot yet state the particulars of the losses; but I may in one word say, that a flourishing population has been reduced, in one moment, to wretchedness and misery. I fear we shall have to lament the loss of upwards of 100 people, besides those hurt.

Stockholm, July 9.—“The 5th of June was a dreadful day for Jonkoppings Lau, and especially for Bryarums Soeken, belonging to the parish of Tofferyd. It is the custom there to cut down trees, to let them lie on the ground to dry, put fire to them, and burn the ashes for manure. Some negligence had taken place in performing the operation, and the long-continued drought, and a high wind, occasioned the fire

to spread, till at length all the forests were in flames. Though the inhabitants of several districts assembled, and exerted themselves with the most desperate courage to stop the progress of the conflagration, the several forests, and a great quantity of corn, were burned, and the churches and several places were threatened with destruction. It is impossible to picture the misery and injury caused by this event. Two entire farms, with the implements of husbandry, &c. were destroyed. The value of the forests reduced to ashes is estimated at 90,000 dollars banco, and that of moveable effects at 4,500 dollars.”

Paris, July 8.—The extraordinary *fête*, which was some time announced, at Tivoli, took place on Monday night, and has been signalized by a frightful catastrophe. Among the numerous entertainments which had been promised to the public was, the ascent of Madame Blanchard in a luminous balloon, ornamented with artificial fire-works. Accordingly, at half past ten o'clock, this intrepid aeronaut, dressed in white, having also a white hat with feathers, entered the boat. The signal being given, the balloon rose gently, but by throwing out ballast, Madame Blanchard caused it to ascend more rapidly. The Bengal fire-pots illuminated this brilliant ascent. The aeronaut waved her flag; and the air resounded with acclamations. Suddenly the balloon entered a light cloud, which completely extinguished the fire-pots. Madame Blanchard then ignited the artificial fire-works, which pre-

duced the effect expected, when some of the flying fuses were seen to direct themselves perpendicularly towards the balloon, and the fire communicated with its base. A frightful brilliancy instantly struck terror into all the spectators, leaving no doubt of the deplorable fate of the aeronaut.

It is impossible to paint what passed at this moment at Tivoli. Cries of agony burst forth in every direction; a great number of females suffered violent nervous attacks; and consternation was painted upon the countenance of every one.

The gendarmes instantly galloped towards the place where it was presumed she would fall, and the lifeless body of Madame Blanchard was, in a quarter of an hour, conveyed to Tivoli. She fell from a height of more than 400 feet, in the rue de Provence; the body was still in the boat, being caught in the cords by which it was attached to the balloon.

We need hardly add, that at the general command all the amusements ceased, and that no more fire-works were played off. A collection was instantly opened in favour of Madame Blanchard's family. The unfortunate woman was about 45 years of age.

9. The number of suicides attempted or executed in Paris during the months of January, February, March, and April last, amounts to 124, of which 33 were by females. Among them were 64 unmarried, and 60 married men or women. The greater part terminated their lives by means of fire-arms, charcoal va-

pour, or by drowning; among the latter there were 46. Of the entire number, 53 destroyed themselves from a disgust of life; the remainder, in consequence of derangement in their affairs, misconduct, play, and debauchery. Comparing this period in the present year with the corresponding period of the last year, there appears an increase in the present year of 41 deaths.

Lausanne, July 9.—The Federal Diet was opened at Lucerne on the 5th instant. The different legations attended divine service, each in the church of its own confession. They proceeded then to the hotel of his excellency the president, near the church of the Jesuits. After the deputies, in the presence of the foreign ministers, had implored the blessing of heaven on their future labours, the president addressed to them a discourse full of eloquence and patriotism. The different deputations then took the federal oath. They then proceeded to the hall of the Diet, which was solemnly opened by a second speech, in which the president, after drawing a picture of the present state of the confederation, both in its external and internal relations, pointed out the objects which would afterwards occupy the attention of the assembly. The deputies of every canton then communicated individually to the Diet the wishes and sentiments of their high constituents.

10. Yesterday morning, about three o'clock, the gaoler of the Borough counter was alarmed by a knocking at the gate of that prison, upon opening which he

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was told by a neighbour, that a prisoner, heavily ironed, had fallen from the top of the prison and broken both his legs. Upon going to the spot where the unfortunate person lay, the gaoler found that he was no other than Williams, whose desperate attempt to get away when pursued for robbery, was frustrated by the spirit and sagacity of a Newfoundland dog, that leaped into the river after him. The greatest surprise seized all the persons connected with the prison, the security of which, particularly in the place where Williams was confined, was considered the very strongest. Williams was carried in agony to Guy's hospital. Alderman Joshua Jonathan Smith found, upon examining the prisoner and the gaolers, that the prisoner had been locked up at the usual hour the night before; that the prisoner had contrived to remove the iron bar which was fastened across the hole through which light and air were admitted, and got over a number of spikes, supposed to be impassable to any animal above the size of a cat; that he then contrived to reach the top of the prison, and tied a rope, which he had made of the matting on which he used to sleep, round the chimney, and was letting himself down, when the rope broke, and he was dashed to the ground.

10. *Union Bridge on the Tweed.*—The foundation of a suspension bridge over the Tweed was laid on Monday se'night by Wm. Molle, esq. of Mains, Chairman of the Meeting of the Commissioners of the Berwick-road trust. A bottle, containing the

coins of the present reign, and a Berwick newspaper, were deposited in a cavity of the stone. An inscription on a copper-plate includes the name of Mr. Molle and the date of the foundation, it also records the name of the inventor and contractor, Capt. S. Brown, R. N. The Chairman addressed the Meeting, and in the course of his speech he made the following important observations on the nature of the intended structure and its comparative cheapness:—"I consider this species of bridge to be the commencement of a new era in the progress and improvement of the arts. The substitution of iron in place of wood, in various arts, has been deemed a capital improvement, but it was reserved to the present ingenious inventor of the iron-bar bridge of suspension, to be the first to apply bars to the construction of works of this nature; and, if the present attempt should succeed, I may venture to predict, that bridges of this kind will become general throughout the kingdom, for they can be erected in a shorter time and at a much less expense. A stone bridge would have cost at this place near 20,000*l.*; whereas our present bridge (the span of which will be about 430 feet), is only to cost 4,900*l.*, not a fourth of the expense of the other."

13. *Explosion of a Steam Boat.*—A serious accident of this nature happened on Monday se'night at Grangemouth. The steam-boat Stirling, Captain Sutherland, having undergone some repairs, was preparing to start from the harbour for Newhaven, when, in consequence of the safety-

safety-valve not being opened sufficiently to allow the escape of the accumulating steam, the boiler exploded, and nine persons were more or less scalded, three of them severely; but although a number of passengers were on board, and many people on the wharf opposite at the time, providentially no lives were lost.

13. On Sunday last, the town of Dereham was visited with the most awful storm of hail, accompanied with thunder and lightning, ever remembered by the oldest inhabitant. It commenced at two o'clock, and continued with little intermission till near four, with dreadful violence. The pieces of ice which fell during that time weighed from one to two ounces, causing devastation in the fields and gardens within the circumference of their fury. There is scarcely a house in the town that escaped without the loss of several panes of glass; and those premises in more exposed situations have individually sustained damages in broken glass amounting from 20*l.* to 30*l.* At Reepham and the neighbouring villages, the immense pieces of ice which fell have done considerable damage to the hot-houses of Wm. Bircham, esq. Sir R. P. Jodrell, and many others in the neighbourhood, and also to the windows of their dwelling-houses. Mr. Bloomfield, of Spurham, had 120 panes of glass broken, and many individuals from 10 to 40; but the most serious effects, it is feared, have been produced to the different crops. The stems of corn in many places are completely cut through by the violence of the hail; and the tor-

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rents of rain have, in several instances, swept plants, soil, and manure, entirely off the turnip lands; carried away fences which have stood beyond the memory of man, and ploughed up furrows in the roads, in some places to the depth of two feet. Several of the farmers who viewed with satisfaction and gratitude their ripening crops in the evening, had experienced a damage in a few hours to the amount of from 100*l.* to 600*l.* each. Many of the houses in Reepham had 3 feet of water in them, and their articles of furniture floating about.

13. *Paris.*—A great number of private letters and several journals of the departments continue to give frightful accounts of the disasters caused by the late storms. On the 7th instant, a hail-storm laid waste Malleroy, in the arrondissement of Montargis. On the 9th, almost all the arrondissement of Rambouillet was desolated. Hail-stones fell as large as five-franc pieces. On the same day, the plains of Limours, Gomez, and Sarclay, in the department of the Seine and Oise, experienced a similar calamity. We are told that the vines have cruelly suffered in the Cote d'Or, and at Vraison; and in the neighbouring communes, in the department of the Lower Alps, the hail exercised equal ravages. The crop of olives, of grapes, and of corn, is entirely destroyed.

15. *Holyhead.*—"The Talbot steam-vessel, which arrived here this morning from Howth, took fire, whilst lying close to the pier; but by the great exertions of the persons then present she was saved from total destruction. A

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considerable part of her deck, however, has been cut away, to prevent the fire spreading. A poor fellow, who was employed in this work, had his finger chopped off in the hurry and confusion inseparable from so alarming an accident. The vessel has, fortunately, in this instance, been saved, as it was perfectly calm; had there been a breeze, she must have burned down to the water's edge."

Lynn.—During the dreadful thunder-storm on the evening of Monday se'nnight, the electric fluid struck the top of Sedgford steeple, on the west side, and precipitated to the ground several stones of considerable magnitude, making a breach in the wall of about a yard square. The lightning also passed through the church, entering it at a window near the porch on the south side, and after crossing it in a north-east direction, it made its escape at two places in an upper window, near the chancel on the north side. An evening school was held previous to the occurrence of the above accident, which happened about nine o'clock in the evening. The dismay occasioned by the awful conflict of the elements may be better conceived than described; the children rushed out of the church nearly in a state of distraction, uttering the most dreadful shrieks—parents in search of their children—the incessant and vivid flashes of lightning, succeeded momentarily by dreadful peals of thunder, accompanied with torrents of rain and hail, such as were never remembered by the oldest inhabitants, formed a scene truly

terrific. A girl, about 14 years of age, the daughter of Robert Nobes, was left in the school-room, and on being missed, her father went in search of her, when, on entering the room, he found her lifeless on the floor. Fear is supposed to have been the cause of her death, as there was no appearance of the electric fluid having entered the room. A few pieces of mortar were detached from the ceiling, which in all probability was effected by the shock communicated to the steeple, or by the concussion of the stones falling to the ground.

16. The emperor of Morocco, Muley Soliman, lately assembled a corps of troops behind the river Sebon, for the purpose of compelling the revolted inhabitants of the mountains of Tedla to pay tribute. Scarcely had the troops assembled, when those mountaineers who are called Berberes, surprised the Emperor's camp at night. The black guard of that prince was almost entirely destroyed. His treasures, valued at 400 quintals of silver, twelve of his women, his private tent and his baggage, remained in the hands of the rebels. The Pacha, governor of Tangiers, died of his wounds; and Muley Ibrahim, the Emperor's eldest son, was wounded in the head. That young prince, it is said, escaped to Fez through the exertions of some Moors who protected his flight. For ten days the emperor himself was supposed to be killed. He found his way, however, in disguise, into Mequinez, escorted by a single Moor, who was with the rebels, and who, having been the first to enter his sovereign's

reign's tent, informed him of his peril, and procured him the means of regaining his capital amidst the greatest dangers.

17. *Quebec.—The Lumber Trade.*—The quantity of lumber in the port of Quebec is now greater, we understand, than at the same period of any former year, excepting 1811. The tonnage of the vessels arrived already exceeds the whole tonnage of 1816. The vessels are loading with the greatest expedition to make two trips; and to facilitate them in loading, the Telegraph steamboat has been employed in towing the rafts to their respective stations, which she effects with the greatest ease when the tide is in her favour. The season has continued favourable since the cold weather at the close of May. The same apparent alteration in the climate of this country is observed this year as last, relatively to the more southern parts in the adjoining countries. There has been more snow and frost late in the spring, south of Lakes Ontario and Erie, and along the Atlantic coast, even to Virginia, than about Quebec. The time of the coming-in-leaf and blossoming of the trees has been nearly the same throughout the whole tract of country just mentioned. In this neighbourhood, so far, there is every prospect of abundant crops of hay and grain.

After the 28th instant, the London and Yarmouth mails will be conveyed in a patent mail-coach, which will travel so much quicker than the usual mode of conveyance as to enable that town to answer letters one day

earlier than heretofore. The mail leaving London at the usual time, will arrive at Yarmouth at 11h. 40m. the next morning, and depart at 3 the same afternoon. Yarmouth is 124 miles from London, and it will be the only town in the kingdom at so great a distance enjoying such accommodation.

Winchester.—The General Quarter Sessions of the Peace for this county commenced on Monday last at the Castle of Winchester, before sir Thomas Baring, bart., and a full bench of magistrates. The report of the visiting justices was read, and the court resolved, upon their recommendation, that children, not at the breast, should not be admitted with their mothers into the gaol Bridewell.

19. By an act passed in the last session of parliament, which has been in force since the 5th of July, the power of inflicting penalties in cases where fabricated pepper may be found upon any premises, was transferred from the customs to the excise. This power, which never was acted upon in the customs, has been attended with very important consequences in the hands of the active agents of the excise. The moment the act passed, barrels of fabricated pepper began to roll into his majesty's warehouses. One officer seized eighteen hundred weight; another seized fifteen hundred weight; and the utmost confusion has been occasioned amongst the ingenious fabricators, who have been making fortunes by this manufacture. The new whole pepper is made up of the hulls of mustard-seed,

glue, and chalk, and a certain quantity of stuff called P. D. The profit derived by the manufacturer, upon each pound, is 2s. 4d., and the sale has been most extensive, the proprietors, who are now in jeopardy, having all of them respectable characters, and being men of active, industrious, and as would appear from the speculations in which they were detected, enterprising habits.

The penalties affixed to the offence bear a fair proportion to those inflicted upon dealers convicted of selling other spurious articles, by which the health of the community may suffer. The prosecutions are to come on in November, in the court of exchequer.

The seizures of spurious pepper already made amount, if estimated at the rate of sale made by the manufacturer, to an immense sum, that rate being 3s. 6d. a pound; if upon the utility of the article in substituting real pepper, to little or nothing. The P. D., which composes the greater part of the materials, is sold at 4d. a pound.

Ten communes, in the arrondissement of Montargis, were desolated in the night of the 7th inst. by a tremendous hail-storm, accompanied by thunder and lightning. Every thing was destroyed for the space of 20 leagues; the stoutest men were struck with the greatest terror: within the memory of man, it is said, there has not been so entire a destruction. Sixty hours after the dreadful catastrophe, hailstones were found of the size of

an ordinary egg. The damage is estimated at 4,000,000 francs, (upwards of 170,000*l.*) There have been dreadful storms also in several other quarters. In Deux Sevres, a space of seven leagues was desolated by hail, which lay on the ground to the depth of three or four inches; two of the hailstones weighed 12 ounces. There have been similar storms in the neighbourhood of Bourdeaux and Alenon.

23. *Rome.*—The Baron de Rumohr, who resides in a country-house within about 400 paces of the town of Olevano, received some time since a very disagreeable visit. It was evening, and the Baron was sitting in company with only his son and the Swiss painter Saladee. Suddenly the door was thrown open, and a fine man, covered with a mantle and having a red silk handkerchief twisted round his hat, entered, and asked where was the baron. He, suspecting danger, made a sign to his companions, and replied, that he would go and call the baron. Leaving the room, he encountered at the door 4 men armed with muskets, but he saved himself from them by flight, and arrived at Olevano in search of assistance. The pontifical soldiers, however, were rather slow in their movements, and the robbers succeeded in carrying off the painter and young Rumohr. They were taken to about the distance of a league in the neighbouring woods, where they found all the robbers united, in number about 50. They were young men, few of them being above 20 years of age, having very beautiful scarlet

stand, have already resumed their work at the new rate of wages, but a large proportion of the mills are entirely at a stand.—*Leeds Mercury.*

28. On Monday evening, a most disgraceful and daring scene of riot and plunder took place at West-end fair, Hampstead. The numbers of the ruffians have been estimated as high as 200. Many of them were armed with bludgeons, and those who were not, tore up the trestles of the stands for weapons to defend themselves against the police-officers and constables, whom they over-powered. The life of one of them was yesterday stated to be in danger. The daring and outrageous conduct was principally between 6 and 7 o'clock, when every person passing the two entrances to the field where the fair is held, was attacked and rifled. Numbers whose pockets could not be opened easily, had the skirts of their coats cut off, and the pockets of their small-clothes turned inside-out. The conduct of these ruffians towards the females was most brutal, and compelled them to utter the most distressing shrieks and screams. Their arms were held up, their clothes cut, and every article of wearing-apparel torn from them. To effect their diabolical purposes, the villains have been estimated to have been in gangs of 10, 20, 30, 40, and even as high as 50.

29. *Bow-street*.—In consequence of the outrageous daring scene of disorder, robberies, wounding and ill-treating of a number of persons at West-end fair, near Hampstead, on Mon-

day evening and during the night, an additional number of constables belonging to the above office, as well as officers from Hatton-garden office, were ordered to attend for detecting and apprehending the offenders. A number of the inhabitants of Hampstead were sworn in as special constables by Mr. Cartwright, the magistrate of Hampstead, to assist the regular police on Tuesday evening. Notwithstanding the increased number of the police, they were not equal altogether to cope with the villains, who assembled in numerous bodies, armed with bludgeons and other weapons, acting in a more daring and outrageous manner than on Monday. The ruffians were divided into gangs, and were estimated at more than 150. Not satisfied with obtaining the property, they beat and otherwise maltreated the persons of their victims. Money was not sufficient; they deprived those who came under their grasp of even their wearing apparel, and left them nearly naked. Hats, shoes, coats, handkerchiefs, all were considered as booty by these rapacious wretches. Nor were the disgraceful scenes of riot and plunder confined to the fair. Similar acts of violence and depredation were practised in the fields and on the roads in the vicinity. The police, by great exertion and at much personal risk, succeeded in securing thirty of these miscreants, the strength of two gangs; one of which consisted of about a dozen, and the other of about twenty. They apprehended them in the booths.
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These gangs yesterday underwent an examination before Mr. Hicks, but as many of the persons who had been attacked were unable to attend, all the evidence against them has not yet been collected. The examination occupied the magistrate till 5 o'clock. The smaller gang, consisting of 11, were first put to the bar.

Thomas Hunt, a constable of Hampstead, being first examined against them, gave a general description of their conduct at the fair, in robbing, knocking down, stripping and beating, the weak and defenceless, with every aggravation of inhumanity and brutal outrage.

James Friend, a plumber in Chelsea, gave an account of the treatment he received at their hands. He walked with a friend to West-end fair, about 9 o'clock in the evening of Tuesday. As he was passing a field near the fair, he was attacked by a gang, amounting, as he thought, to 17. The first person that seized him by the collar and arm, he was confident, was the prisoner Cassidy. The witness was then knocked down with a bludgeon, and received a stab on the right side, which fortunately was not dangerous. They tore his clothes, and robbed him of a 1*l*. Bank-note.

Thomas Cooke, a printer in Long-acre, identified the prisoner William Burke as one of the depredators. Richard Hinds, one of the larger gang, was charged with assaulting and wounding a Mr. Clarke, who appeared to give evidence against him. Several others of the larger gang were identified by those whom they

had attacked or plundered. The constables, likewise, deposed to their outrageous conduct and to their possession of stolen property when apprehended. Those of the prisoners against whom charges were brought by proper witnesses were committed. The rest were sent to the watch-house, and are to be brought up to-day for the purpose of being examined, and identified by those whom they have robbed.

AUGUST.

St. Helena, August 7.— Buonaparté is in better spirits than he has been for some time; his health much as usual. Whatever others, of any rank or station residing here, may affect to state concerning him, be assured very little is actually known. He has so long imposed a seclusive life upon himself, that he appears to have at length obtained all the habits of a confirmed recluse. He had become so entirely abstracted, even from the distant view of those whose duty it was to make a daily report of his being alive, that it became necessary to inform him, that if he did not voluntarily afford the officer on duty an opportunity to certify the fact required from him, namely, that he was "alive," there would be a necessity of the officer's making a daily personal visit to him for that purpose. He has since relaxed in his manners in this respect, and has been out of his house a little. The new house building for him is expected to be finished in about nine months.

months. The island is generally healthy.

13. An inquest was held at St. Alban's, before Isaac Piggott, gentleman, Coroner for that borough, on the body of Mr. William Hart, who unfortunately lost his life by the overturning of the Holyhead mail-coach on the preceding Tuesday night, and a verdict of Manslaughter was given, not only against Thomas Purdey, the driver of the Holyhead-mail, but against George Butler, the coachman of the Chester-mail, who were racing one against the other in a furious manner, when the coach was over-set. The deceased was church-clerk of Hagley, near Stourbridge in Worcestershire, and was on his return from London, where he had been on a visit to some of his relatives. Mr. Thomas Archer, a bootmaker in Cheapside, was on the coach-box at the time of the accident, and had his left leg terribly shattered and his right arm broke above the elbow, and he now lies at the Woolpack-inn, with some hopes of recovery; and two other of the passengers, who were hurt severely in the head, are pronounced out of danger.

15. The port of the town of Odessa, which in 1817 was declared free by an ukase of the Emperor of Russia, was opened to trading ships of all nations.

16. We learn by the return of the Tartar (Commodore Sir George R. Collier, bart. and K. C. B.) from the coast of Africa, that Princes-Island, near to the Bight of Biafra on the Guinea coast, is now the principal, and indeed the only point of rendez-

vous on that part of the coast of Africa, for the dealers in slaves. Spanish and Portuguese vessels (the only extensive traffickers in this inhuman trade now) from Cuba, rendezvous there. On arrival, the supercargo shifts his cargo of bale goods and hard ware into small schooners belonging to the authorities of that settlement, and proceeds to the Bight of Benin, or Biafra, either to Bona, Calabar, or Benin rivers. Here he bargains with the respective chiefs, or kings, for so many hundred slaves, which are generally ready by anticipation: they are now purchased for goods of the value of *3l. 17s. to 4l.* per head, for children under 10 or 12 years; and above that for *5l.*; women of a handsome shape and appearance are one or two pounds sterling higher. At Prince's Island they are landed, and if no English man of war is in the neighbourhood, are re-embarked at *25l.* charge per head to the Spanish Captain. If any man of war is there, they are received into factories, until opportunity offers for sending them off to Cuba. The vessels are generally schooners (termed American clippers), bought by Spaniards at St. Jago de Cuba, and pretend they are bound to the coast south of the Line; and to carry on this deception the better, the Portuguese on board the smaller vessels are told, they are anchored off some port south of the Line, such as the Congo or Benguela. The most unmitigated cruelties continue to be inflicted upon the poor African race, by these barbarous slave-dealers. It is an astonishing fact, that two slaves who

who were rescued by a boat's crew of the Tartar and brought on board that ship, belonging to a cargo which had been relanded on the appearance of the Tartar, were weighed by the officers, when it appeared that the weight of the lad was 45, and the man 64 lb.

19. *Ghent*.—On Wednesday evening numerous arrests took place in our city. The cause is said to be, want of passports, or the irregularity of them. Among the persons arrested, it is stated, there are military of different ranks and of various countries. Captains of recruiting parties, and a Saxon Baron. A report is spread that the object of the abode of these gentlemen here was, to enlist men for the service of the Insurgents in the Spanish colonies.

Madrid.—General Elío reigns in Valencia. The environs of that city are infested with brigands. Letters from Murviedro, the ancient Saguntum, state that hundreds are immured in the dungeons, and that the cries of the wnfortunate persons put to the torture sometimes excite the horror of the inhabitants. The lordship of Biscay has made a strong representation against the conduct of Camp Marshal Longa, a judge of contraband in that province. He has, however, been absolved by a royal decree. The inquisition still prosecutes the Freemasons with great zeal.

20. *Dresden*.—"His excellency the Spanish minister will repair to Court to-morrow in grand state, formally to solicit the hand of her Royal Highness the Princess Maria Josephine, for his

sovereign. The marriage will be officially declared to-morrow, and celebrated, by proxy, the 28th."

21. *Manchester*.—Notwithstanding a strong caution issued by the boroughreeve and magistrates, the populace began to assemble on Thursday night, in considerable numbers, at their old scene of rendezvous, the New-cross. A body of military were sent to disperse them; who immediately on their appearance were attacked with stones and brickbats by the mob; a dreadful conflict ensued, in which two of the populace were killed, and many were severely wounded, who were taken to the Infirmary.

The military succeeded, at last, in clearing the place; but shortly after the routed mob again assembled in Tib-street and the lanes adjacent, and attacked the houses of several persons who have made themselves obnoxious; among others that of a Mr. Graves, a constable. Some Yeomanry at length arrived, and put the rioters again to flight, after which it does not appear that any new outrage occurred.

Rio Janeiro.—On the 12th inst., being the anniversary of the birth-day of his Royal Highness the Prince Regent, the Treasurer and Managers of the Contribution Fund of this city laid the foundation stone of the first Protestant Chapel in the Brazils, in the presence of a considerable number of the most respectable merchants and other British subjects of this place. Previous to laying the stone, the Rev. Mr. Crane read the 24th and 84th Psalms, when a bottle, containing a few English newspapers, and the coins of several

several nations of Europe, was deposited; after which, the Rev. Mr. Crane pronounced the chapel to be dedicated to St. George and St. John, in honour of his Royal Highness the Prince Regent, and his most faithful Majesty. The stone was then set in its place, and the ceremony concluded by a very appropriate prayer for the Divine protection and blessing on the work that day begun.

23. *Rome*.—The famous scheme of fishing for statues appears to have failed. The researches in the Tiber have now been continued 3 weeks, and nothing has been found. The directors themselves allow, that they have no indication as to any parts where their labours might be successful, but that they proceed entirely at hazard.

A fine bust of Caracalla has been found near Torue-Sapienza, not far from the site of the antient city of Gabii. It was there the English painter, Hamilton, found a great part of the antiques which are now in the Borghese Museum.

The banditti of Frosinona still cause much alarm. Within these few days they advanced to the gates of Tivoli.

24. *Menai-bridge*.—The first stone of this stupendous structure was laid without ceremony on the 10th instant, by the resident engineer, Mr. Provis, and the contractors for the masonry, Messrs. Straphen and Hall. When completed, it will connect the island of Anglesea with the county of Carnarvon, and by that means do away with the present ferry, which has always been one of the greatest obstacles in the

establishment of a perfect communication between England and Ireland through North Wales. The design is by Mr. Telford, and is on the suspension principle; the centre opening is to be 560 feet between the points of suspension, and 500 feet at the level of high water line; the roadway to be 100 feet above the highest spring tide, and is to be divided into two carriage-ways of 12 feet each, and a footway between them of four feet. In addition to the above, there are to be three stone arches of 50 feet each on the Carnarvonshire shore, and four of the same dimensions on the Anglesea side. It is estimated to cost 70,000*l.*, and will probably take three years to complete it.

25. *Constantinople*.—The last riot which broke out in this capital against the Jews was far more violent in its character than any which has taken place in the various towns of Germany. One of that sect was dragged from his carriage in open day and stoned; it is said death has ensued. The most severe measures are enforced against the perpetrators of these excesses; already the secretary of an advocate, who at the head of a gang broke into a Jewish house and demolished the furniture, has been tried and sentenced to rasp dye-wood, which is the last punishment, except death, and is even more horrible.

30. *Gibraltar*.—"The fever is very bad in the Isla and its neighbourhood; a report has reached us to-day, that it is at Tarifa, where it is said two men got in from the Isla; the street where they live is blocked up, and

and we have not heard of its spreading there. It is also reported that some persons at Algeiras have been put into the Lazaretto, suspected of coming from an infected place. The governor of Algeiras (O'Donnell, brother to the Count D'Abisbal) has placed a cordon to prevent people passing from the Isla, and issued a proclamation making the penalty death to any person infringing the edict. The malady is spreading, and I fear will run all over this part of the country. Our communication is not entirely cut off: persons resident at St. Roque are allowed to come in and go out of the garrison. A book is kept by the inspector of strangers at the cordon, containing the names of all persons who are allowed to pass; and those who are not included, if they wish to go out, must apply to the Town Mayor and assign some very urgent necessity. A proclamation to this effect was issued yesterday."

31. *Stockholm*.—"The day after to-morrow his majesty will set out on his tour to the northern provinces of the kingdom. The object of his majesty's journey is to choose the place for the site of the new fortress, which is to serve at the same time as the chief military depot of Norway. His majesty had proposed to the Diet to grant a million of dollars for the purpose, which they were forced to decline, on account of the distressed state of the country. The plan, however, is not given up; and it seems to be nearly settled that the fortress will be near Askersund, between the Wenner and the Wetter-lakes.

We learn that the Emperor of Russia, during his present tour in Finland, will come over the frontier, near Tornea, to examine some of the great iron-works in Sweden. The Governor of North Bothnia will go to meet his imperial majesty and receive him on the Swedish territory. The English general lord Lyndoch has arrived here from Copenhagen. The emperor of Russia will arrive at Abo on the 6th of this month, and after staying there two days, go to the Aland islands. Many persons leave this city every day, in order to be present on the entrance of the emperor into Abo."

27. *Rome*.—"The robbers on the roads near this city continue to range with impunity, and to form the principal annoyance to which travellers are subject. An Italian surgeon, who was taken by banditti a few days ago, was only liberated on his procuring a ransom of 300 Louis: his *cacciatore*, whom he had taken to protect him, was put to death in cold blood in the most cruel manner. A vigorous edict was issued about 14 weeks ago, offering a reward of 500 scudi for every brigand brought in alive or dead, with 1,000 for every capobanda (captain), and ordering the town of Sonnino, which is their chief hold near the Neapolitan frontier, to be levelled with the ground. You will be surprised to hear how vigorously it has been executed. The town of Sonnino has at length found grace in the eyes of its spiritual father, and is no longer to be swept away from among the nations: ten holy friars have been sent to preach to the repentant

repentant city, and to cast out the evil spirits which are still suspected to be lurking among them; while the image of Christ, dressed in mourning for the occasion, is to be carried in procession through the streets. These scoundrels carried off a woman lately, and after using her in the most brutal manner, fired at her as a mark. You will hardly believe that the governor of Sonnino gave these miscreants a grand dinner a few weeks ago, and sat down to table with them, after having previously been obliged to give them hostages for their safe conduct: many of them are in easy circumstances; the most ferocious are said to be boys of 16 or 18."

31. The wolves begin again to exercise their ferocity in the well-wooded environs of the town of Auxonne. In the night of the 23rd of this month two of these carnivorous animals attacked a little boy at Villiers-les-Pots, and another at Tillenay, who were watching their masters' horses in the pastures of these communes. The former of these children, who was sleeping rolled up in his cloak, was dragged the distance of about 200 paces; but in consequence of the cries of his comrades, who were also watching horses, he escaped with only a slight wound. The other child, while sleeping in the midst of five or six other children, was seized by a she-wolf and dragged 100 yards, nor did she let him go until she found herself attacked by dogs and men. The child was severely wounded.

28. *Frankfort*.—A great number of the citizens of Frankfort

assembled on the 70th anniversary of the birth of Goethe, to testify, in a solemn manner, how highly they estimated the honour their city had obtained, by giving to the world this favourite of the German muse.

On the eve of the anniversary, the Frankfort Museum held an extraordinary sitting, at which there was a very numerous auditory. Several pieces of music were executed; speeches analogous to the occasion were delivered, and some of the immortal poet's verses were recited. To-day a numerous company dined at the Weidenbusch-hotel. The poet's bust was placed in the centre of the room, the head crowned with golden laurels, enriched with emeralds. There was an inscription to the following effect:—
"Homage of admiration offered to J. W. Goethe, the favourite of the Muses, by the inhabitants of his native city, Aug. 28th, 1819."

SEPTEMBER.

1. It appears by letters to the 20th of May from the Caps of Good Hope, that the Caffres have been so completely discomfited in every situation to which they directed their attacks, that it is confidently expected they will be long prevented from making new aggressions on the British territory. The scarcity not only of grain, but of all kinds of provisions, was so great, that the governor had thought it prudent to restrict all the inhabitants, as well as the troops, to certain short allowances, until the arrival of supplies from England. In consequence

be allowed to copy the protocols of the Diet.

8. *Montreal*.—A most melancholy accident has prevented the receipt of our American papers. The steam-boat Phoenix has been destroyed by fire on Lake Champlain. The following particulars may be relied on, as communicated to us by one of the crew:—On Sunday last, about 10 minutes past 2 a. m. while the vessel was abreast of Stave-island, wind blowing hard, one of the hands on deck went below to the kitchen to get something to eat, when he perceived smoke issuing through the partitions which divide it from the pantry. Bursting open the door, he was driven back by a volume of flame. All on board were immediately alarmed; the two boats lowered, and 27 passengers safely landed on Providence-island, distant about 3 miles. They then returned and picked up the remainder, who, forced by the progress of the fire, had thrown themselves into the water on whatever they could find to support them; with the exception of the following persons, who were drowned, viz. Mr. Manning, pilot; Mrs. Wilson, boat-maid; Harry Blush, sailor; Andrew Harrison, cook; Stephen Kellis, pastry-cook; and a lad about 15 years old.

When the accident was first discovered, the master endeavoured to run the steam-boat on Stave-island, distant about three-fourths of a mile, but one of (what our informant calls) the plunger-straps being consumed, and its fellow continuing to work, the boat veered round, and would

not obey her helm. Much is said concerning the sang-froid of one Judge Hoyt, who seeing the boats push off, lashed himself to a bench (having previously dressed himself with much deliberation), threw himself into the water, and lay so quietly on his raft, that the boat's crew supposed him dead: when picked up, he declared, with great non-chalance, that he had no doubt he should have floated for a couple of hours.

Most of the passengers being in bed at the moment of alarm, escaped in a state of semi-nudity. The steam-boat drifted on Colchester-reef, where she burned to the water's edge, and now lies.

Constantinople, Sept. 10.—We have just witnessed a great ministerial revolution. The grand seignior all at once caused a grand levee to be announced, to which all the ministers repaired. When they were thus assembled, he began by declaring, that he deposed the mufti, Mustapha Assim Effendi, and appointed in his place the former grand judge of Romelia, Hadge Halel Effendi. A few days afterwards he deposed the grand master of the ceremonies, the minister of the interior, and the grand marshal. The grand admiral was arrested by order of the captain pacha and carried on board a vessel moored near the Seven Towers. He was accused of not having behaved with sufficient firmness in the late insurrection of the Janissaries, and of committing rapine in the Archipelago. Being convicted on those charges, he was strangled and his body thrown into the sea.

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The former hospodar of Moldavia has been received with great distinction by the grand seignior.

11. Loss of the ship Mysore.—“The Mysore left China on the 1st of December last, and had proceeded as far as the coast of Cochin China, in about lat. 19 N. when she experienced a heavy gale of wind from the northward and westward, in which she scudded, as long as was deemed safe, under a reefed foresail; but on the 7th it blew so violently, that the ship was obliged to be hove to, under her bare masts; this had not been effected ten minutes before her lower yards, top-masts, jib-boom, &c. were all swept away; and at the same time it was found that she had sprung a dangerous leak, and six feet water was reported in the hold: all other duty was laid aside, and every one repaired to the pumps, where their exertions proved unavailing, as by eight, *p. m.* the water had risen in the ship to 15 feet, and the gun-deck was also half full: it was then determined to save as many of the crew as possible, by getting their two remaining boats out (the other boats having been torn away from either quarter). About nine o'clock the large cutter was got, and Mr. Wemys was charged with the care of keeping clear of the ship, and to remain close under the lee while the long-boat could be got out; nearly one-half of the boat's crew deserted Mr. Wemys while getting clear of the ship, owing to a large hole being knocked in the boat against the ship, and only seven Lascars remained with him, one

of whom he employed in stopping it with a blanket, and the other six were employed at the oars. The gale having considerably abated, about eleven the long-boat was nearly hoisted out, and captain Dobie hailed Mr. Wemys to approach the ship as quick as he could; immediately after they heard a terrible crash, as if the ship had burst, or a heavy gun gone off, which was followed by a general shriek from those on board. Captain Dobie hailed the cutter as before, “Pull hard, Wemys, and approach us;” but in a moment after, the ship sunk from their sight, and every soul perished. Nothing was seen except a large white whirl, or boil in the water where the ship had been, and they appeared surrounded with the cries of people for assistance. The night was dark; and although they made every exertion to move the unwieldy boat toward the sound of voices, first on one side and then on the other, they failed in being able to save a single soul. Mr. Wemys now found himself in the open sea, without a morsel of any thing to eat or drink, or a compass to steer by: they were so overcome with fatigue, that they fell into a sound sleep in the boat's bottom, and remained until next day; they then set the reefed sail, and steered by the sun for Pulo Sapata, which they made on the second day, but could not land on account of a heavy surf: they made Pulo Candore three days after, but could get nothing to eat, except some fish they caught among the rocks, as the hostile appearance of the inhabitants prevented their going up amongst

the trees: they were eight days more before they made Tringano, and their only sustenance was six small biscuits, found on one of the Lascars, and water they caught when raining. The rajah of Tringano treated them hospitably for a month, and then sent them in a prow to Malacca, where they arrived on the 23rd of January.

11. *Bombay*.—On the 2nd ultimo, the inhabitants of Ahmedabad were much surprised by the appearance of a royal tiger, which was brought alive from a neighbouring village; he had been caught in a large cage constructed on the principle of a rat-trap, with a goat for the bait, but partitioned off with strong bars, so as to be beyond the reach of the tiger; the goat was, however, taken out dead, without having apparently suffered any injury; we may therefore conclude, that the animal died entirely of fright. A large fierce dog, of the northern breed, was put in the cage for his food, and the gentlemen who were present were much surprised at observing the dog, instead of being alarmed at the terrific animal, immediately rush forward and seize him by the nose; and it was a considerable time before the tiger could disengage himself. After having been kept for some days to gratify the curiosity of the natives, a gentleman of known celebrity in the sporting world, put an end to his existence by shooting him with a rifle through the forehead; the ball was afterwards extracted, and was completely flattened, which shows the extreme hardness of the skulls of these destructive animals. At

the village at which this animal was caught, above 60 people are said to have been destroyed by him.

Frosinoni, Sept. 13.—I arrived yesterday with some friends in this town from Tivoli, and found the whole road full of military detachments. We have visited the town of Souino, the demolition of which is proceeding with great speed. It is situated upon a mountain, and contains 3,000 inhabitants. As soon as a family quits its abode, military carpenters pull off the roof, and then the masons demolish the walls. The town-hall will not be demolished. It will be converted into a barrack for a brigade of carbiners. In a few weeks the town will be entirely razed to the ground. The government assists the inhabitants as much as possible in their emigration; all the indigent are transferred to Rome. This expulsion from their native soil and their paternal roof, occasions many affecting scenes in most of these families.

Cadiz, Sept. 14.—In consequence of the excessive heat of the weather for the last six or eight days, the fever has increased to an alarming extent. It is calculated that upwards of 3,000 persons are laid up with it. The number of deaths is from 30 to 40 daily, out of a population of 70,000 souls. The governor, and all the troops intended for the expedition, left this last week; since when we have been completely shut in. The communication with the vessels in the bay is also closed.

Madrid, Sept. 14.—The contagious fever of the Isle of Leon has

has astonishingly increased within a few days. Between the 1st and the 20th of August, the number of deaths was 105, the recoveries 392, and the new cases 723. From the 20th, the day on which the communications were cut off, to the 31st inclusive, 345 persons died, 663 recovered, and the number of sick rose to 1,313. This rapid and fatal progress is the consequence of the indigent class, which is very numerous, being destitute of all resources and means of cure for any kind of malady, particularly for the yellow fever. The town continues to be guarded with the greatest rigour.

The tardy discovery of the contagion is the cause of its having been propagated to different points of the vicinity. Though, according to the last accounts, the sanatory state of Cadiz and Port St. Mary appears, generally speaking, good, it cannot be dissembled that those two towns conceal the germ of the malady in their hospitals, and even among the inhabitants, according to some symptoms that have manifested themselves. The Supreme Junta of Health has adopted various measures for subduing the malady in the spot which it occupies. A subscription has been opened at Cadiz for the poor of the Isle of Leon, among whom the mortality daily increases. It is demonstrated that misery and want carry off more than the fever. According to the last reports, 192 died in the first four days of this month. On the 4th alone there were 57 victims.

Coblentz, Sept. 17. — A pamphlet, intitled "Germany and the

Revolution," by M. Gœrres, was yesterday seized, and officially sealed, by order of our regency. The authorities only succeeded in obtaining possession of a part of the publication, the remainder had already been dispatched to another country.

20. On Monday, Sept. 20th, the two eldest boys of C. A. Elton, esq. (Abraham and Charles, about 14 and 13 years of age), who, with the rest of the family, were spending some time at Weston-super-Mare, went to a small island near the bathing spot called Birbeck, the passage to which is dry at low water, the connexion with the rocky shore being by a causeway thrown up by fishermen to hang their nets on; here the young gentlemen were amusing themselves by searching for small fish, shells, &c. when the tide, which steals round the island almost imperceptibly, overtook them, and formed a junction, which cut off their retreat. In this situation they were seen by a young lady, who made signs to them of their danger, and gave an alarm, but from the impossibility of floating a boat, from the shallowness of the beach in which it was moored, and which could not be flooded for an hour, all assistance became vain. In their attempt to reach the shore, the youngest was carried out of his depth, when the eldest, who was not in so much danger, stripped and dashed to the rescue of his brother; the tide, however (which in this place rushes like a mill-pond), was gaining rapidly on them, and, in spite of every exertion, they were both enveloped in the flood. As soon as the

the tidings reached the afflicted father, he immediately repaired to the spot, with feelings agonized beyond description. The greatest anxiety was manifested upon every countenance; and as soon as a boat could be floated, colonel Rogers, with two rowers, pushed off for the island; but all search was in vain: their bodies have not yet been discovered, though the jacket of the eldest has been picked up. They were handsome and accomplished youths, with rare talents and amiable dispositions, educated entirely by their father, to whom they were constant companions.

Details relative to the sickness in the town of San Fernando (Isle of Leon), and of the measures taken to arrest its progress:—"About the middle of July last, some fevers began to make their appearance in this town, which, being examined by a commission nominated by the faculty of medicine for that purpose, did not appear to be accompanied by any alarming symptoms, and were only considered as the effect of the season. Such was the state of the public health until the 19th of August, at which period the commandant-general of the province, in consequence of more alarming reports than those which he had previously received, convoked the committee of public health, and, agreeably to its recommendation, renewed his orders to the commission noticed above, to visit the military hospital and that of St. Josef, in the town of San Fernando. The character of the malady was now changed, and several of the sick were found to have the yellow fever.

"From that moment, the most vigorous precautions were enforced. A cordon was established round San Fernando; the troops cantoned there received orders to encamp in the environs, distant from all communication, during an interval of eight days; the commandant-general communicated the afflicting event to all the authorities of the province, as also to all the captains-general of the peninsula. According to the report of the committee of health of Cadiz, however, the contagion had only appeared in the town of San Fernando.

"However encouraging the above circumstances might appear, with respect to the malady being exclusively confined to the town of San Fernando, the supreme committee of health, in consideration of the progress which it might have made previously to its discovery, and under the apprehension that it might have spread to some neighbouring place, deemed it prudent to extend their control (at least during the space of one month previously to the discovery of any contagious character) over all communication with the ports on the Cadiz coast, from Chiclana as far as Rota inclusively; and on the 27th of August, the necessary orders were dispatched to the commandant-general of the province of Cadiz, to the general-in-chief of the trans-atlantic expedition, and to the vice-president of the supreme committee of health of Seville, to establish a cordon of troops, which might prevent any intercourse between the ports on the Cadiz coast and the interior, and which might separate the
troops

troops destined for the expedition, which had orders to encamp between the said cordon and the inland provinces.

“The chief secretary of state, moreover, has just established between Xeraz de la Frontera and Port St. Mary, an office for the fumigation of letters, which are to be conveyed with all the precautions customary under similar circumstances. Finally, that no measure may be omitted in an affair in which every individual is interested, the captain-general of Estramadura, and the intendants of Cordova and Jaen, are specially charged to watch that each committee of health in those provinces exercise its zeal, not merely in active operations, but by inspection and vigilance, in order to prevent the least communication, and to guarantee security and the public confidence.”

Madrid. Sept. 21. — The supreme council of Castile, on the 10th of this month, registered an order of the king communicated by the duke de l'Infantado, president of the council and minister of grace and justice, commanding the establishment in the capital of a school on the Lancasterian plan. This school is to serve as a model for all the other schools which it is the king's pleasure should be established throughout the kingdom. His majesty has appointed the duke de l'Infantado, the dukes de Montemar and de Villahermosa, the marquis de Ceralbo de Santa Cruz, the dukes de Medina Celi, de San Fernando, and others, to superintend these several establishments. He has also forbidden all tribunals, corporations and other persons to whom

the laws of the kingdom confide the care of public education, to interfere with this Lancasterian system of instruction, and has appointed don Juan Kearney, with a salary of 16,000 reals, as director of the facultative part of the system.

The judgment relating to the attempt of general Porlier, pronounced on the 9th of July last by the supreme council of war, and approved by his majesty on the 12th of August, comprises 242 persons. The following is an extract from the judgment:—

“Brigadier de Ramon Romay, colonel Peon, major Pierre Miqueliz, captains Lopez and Arguez, lieutenants Umedia and Ubarnes of the marine, all guilty of contumacy, are condemned to be degraded, shot in the back, and their property confiscated. If they surrender, they shall be heard in their own defence. Captains Castaneda and Peon are condemned to the same penalty, but with this difference, that they shall not be heard in their defence. Andres Roxo, merchant, shall also be shot in the back, and his property confiscated.

“The other penalties are, deprivation of employment, and condemnation to the galleys for different periods from two to ten years. In this class the condemned amount to 20 officers of various ranks. Those suspended from their employments and imprisoned in forts, from six months to four years, amount to 23.

“The number of persons acquitted, and of those against whom proceedings have been suspended, amounts to 148, nearly all officers; among whom are,
 *
 three

three colonels and three lieutenant-colonels."

In consideration of the enfeebled health of the auditor of war, don Manuel Saturio Garcia, and his sufferings during a long imprisonment, he is sentenced to be deprived of his office, and to be confined at Ceuta for the term of five years, under the surveillance of the governor, from whence he cannot remove without the special leave of his majesty.

Rome, Sept. 22.—The government persists in its resolution of demolishing the town of Sonnino, which has long served as a refuge for the robbers. The work of demolition has already commenced. Lucien Buonaparté, returning from an airing in his carriage, was attacked by two robbers; but the carbineer, Fiordiponte, who accompanied the carriage, put them to flight after a smart conflict. The two robbers have been discovered and arrested.

Manchester, Sept. 22.—Mrs. Wroe and her shop-boy have been again taken into custody for publishing a libel. This poor woman, who has a child at her breast of only five months old, was, after being some time in custody, discharged upon two persons giving bail for 50*l.* each. This is the second time she has been in prison within ten days, and forms the thirteenth process which has been instituted against Mr. Wroe, the proprietor of "The Observer," and his family, within about four months. Mr. Wroe was arrested twice upon the warrants of the magistracy, and held to bail in each case, himself in 500*l.* and

two sureties in 250*l.* each. Three bills of indictment were shortly afterwards found against him at the quarter sessions and the same amount of bail was required in each case. This bail Mr. Wroe was unable to procure, and was therefore compelled to absent himself in order to avert imprisonment. In his absence, the other processes have been instituted, including the bills found by the grand jury at Lancaster; but the major part of those processes have consisted merely in the warrants of the magistracy, without the interposition of any jury.

Leeds, Sept. 23.—Two troops of the 6th carabiniers arrived here yesterday, and this morning proceeded on their route for Newcastle. They are to be followed by other troops for the northern district, where much alarm and uneasiness still exist. Here, thank God! all is still and tranquil; at least as far as can be judged from exterior appearances, although much angry feeling is known to exist among the labouring classes; and the Reformers are daily acquiring a considerable addition to their numbers, by fresh converts to the doctrine of universal suffrage, election by ballot and annual parliaments. The female Reformers here present a most formidable show, in point of numbers, and take an active part in the cause in which they have embarked.

St. Thomas's, Sept. 24. During the whole of the day of the 21st instant, the appearance of the weather strongly indicated an approaching storm; consequently every precaution within the power of

of human foresight was taken, by the vessels in the harbour, to enable them to resist its destructive effects; but the event has unfortunately proved, how weak are the utmost efforts of human power. In the evening of the 21st, it began to blow with much violence from the W. N. W., attended with torrents of rain (which continued to fall without intermission during the storm), from one until four of the morning of the 22nd. The hurricane was most severe, and blew with a degree of violence greater than had ever before occurred in this island within the recollection of the oldest inhabitants; the wind occasionally shifting between W. N. W. and S. S. W. At day-light, the wind having moderated a little, our town and harbour presented a truly-melancholy and appalling appearance; all the fences have been destroyed, many houses unroofed, and some entirely blown down; every wharf injured in some degree, and many of them entirely carried away. When the wind had moderated sufficiently, and the tremendous torrents of rain had ceased to obscure the atmosphere, the extent of our loss was discovered: of the numerous fine vessels that floated in our harbour on the morning of the 21st, not one rode out the gale but his majesty's ship *Salisbury*, admiral Campbell (she having dragged considerably from her original situation); the Danish ship *Harriet Doris*; the Danish schooner *Patriot*, and two sloops. The whole of this beach, in the south-eastern extremity of the harbour, is completely lined with the wrecks, but few of which,

it is feared, will ever be got off. It is to be lamented, however, that a number went down; from which circumstance we are apprehensive that many, many lives have been lost, in addition to the great number already ascertained.

We wish we had it in our power to close the record of destruction here; but, unfortunately, the ravages of the gale were not confined to the sea. We learn from the country, that the warehouses and buildings in almost every plantation in the island, have been materially injured, many of them wholly blown away over a few estates. Some negroes have been killed, which, together with the destruction of the cane, has completely destroyed all our expectations of the ensuing crop. To attempt to estimate the loss our unfortunate island has sustained, is impossible: the melancholy list of vessels stranded, amounts in all to 77 ships and 26 boats.

26. It is calculated that there are at present in Paris from 13,000 to 14,000 individuals, natives of Great Britain. This is independent of the number of English families settled in various other parts of France.

28. The fruit market at Guildford, on Saturday, was supplied with an immense quantity of fine grapes, which sold briskly, at about two pence per pound. Several tons more were sold on that day than at all the markets of any former seasons together.

28. On Friday a coroner's inquest was held at the Bird-cage, on Stamford-hill, over the body of a journeyman plumber, who lost his life whilst working on the estate of a gentleman named Osborne

borne, by the imprudent use of charcoal fire. It appeared from the evidence adduced before the jury, that the deceased had been employed in soldering a leaden pipe at the bottom of a well 130 feet deep, which was situate in a garden belonging to Mr. Osborne, and had lighted a charcoal fire inside the well, for the purpose of melting the lead and heating his irons. The fire burnt briskly, when the deceased left the well for some purpose or other, and soon afterwards returned. A female servant belonging to the house was shortly after passing by, when curiosity induced her to look down, and she perceived that the light was out, and at the same time heard a noise somewhat resembling the groan of a person in great pain, but from the great depth of the place could not hear distinctly. She also perceived a vapour of a suffocating smell overflowing the mouth. Being much alarmed, she ran for assistance, and returned with a young man, who was about to descend into the well, but had not gone down many steps before he sprung out, fell down, and was dreadfully convulsed. By this time a number of persons had collected round the spot, lanterns were lighted, and being suspended by a string, were lowered into the well, with a view of ascertaining the situation of the unfortunate man, whose expiring struggles were now heard very plainly; but no sooner were they immersed into the well, than they were instantly extinguished by the noxious vapour, and the by-standers were in the greatest perplexity, as none dared venture down, or

knew in what manner to act, until a passenger directed them to make use of the only effectual measure which can be used upon such occasions for dissipating the impure gas—namely, throwing down water; which was immediately done, and the young man who had first ventured to descend, again went down with a rope. The vapour, however, was not entirely gone, and upon reaching the bottom it was with great difficulty that he could hold his breath long enough to affix the rope to the body of the deceased, whom he found lying upon his face. The body was instantly dragged out, and every medical endeavour was used to restore animation, but without effect.—The jury, after a patient inquiry into the circumstances, found a verdict of “Accidental Death.” The young man who so courageously ventured into the well, has ever since been seriously indisposed, from the effects of having inhaled the gas.

OCTOBER.

7. Two British subjects, John Hudson and John Jones, were tried under a special commission in Jamaica, on the 29th of July last, for having, in violation of the laws for the abolition of the slave trade, brought some African negroes to that island, for the purpose of disposing of them as slaves. The prisoners were both found guilty and sentenced to transportation; the former for seven years, and the latter for three years. This was the first trial

trial of the kind that had taken place in Jamaica.

Hamburgh, Oct. 3.—Yesterday the theatre of this city gave a representation in honour of the memory of Prince Blucher. The theatre was hung with black, and the greater part of the spectators were in mourning. The stage represented a dark grove, in the middle of which was a simple monument, under lime and cypress trees. Groups of soldiers were near the colours, covered with crape. An address composed for the occasion was spoken; and the whole made a deep impression on the audience.

Madrid, Oct. 7.—The epidemic draws towards its end in the Isle of Leon. Nobody died of it during the last days of September, and no bulletin of health was published. It was proposed to offer thanks to God by a solemn Te Deum. The fever makes some progress in Port St. Mary. The last Bulletin states, that between the 24th and 28th of September, there died in that town by the yellow fever 23 persons; and that on the 28th, 343 were labouring under the disease. At Cadiz, its ravages continued to be alarming; and it was remarked, that the daily mortality was greater than at any former epoch when the epidemic prevailed, although formerly the population was more numerous. From the 13th of September, the day on which it manifested its existence, to the 30th of the said month, no fewer than 939 died. On the latter day 74 persons died. On the 1st inst. 83 fell victims to the malady; and the number on the subsequent

day was increasing in an extraordinary manner. The board of health of Seville has established houses of observation without the city, and ordered the inhabitants of the quarter Santa Cruz, where the malady principally prevailed, to repair thither.

Leghorn, Oct. 9.—We have received from Morocco some official details respecting the revolution of which that empire has been for some months the theatre.

The province of Glava, in the empire of Morocco, is surrounded by high mountains, and extremely populous; it enjoyed for several centuries the most entire freedom, and was not subject to any tax whatever. Many Jews are settled here, who pretend to possess the monument of Joab, the contemporary of David. In 1778, when Sidi Mohammed, father of the present emperor, was crossing its frontier mountains, he was attacked by the inhabitants of Glava, his ministers were made prisoners, and his treasure, which was on the point of falling into the hands of the rebels, was carried off into Europe by a Jew, who was a minister, and who never returned. The emperor, justly irritated, immediately assembled his forces and laid waste the province of Glava, against which he carried on the war until his death.

In the month of June of the present year, as the imperial prince, Mouley Ibrahim, was crossing these mountains on his route to Tafilet, being about two hours' march a-head of his army, he was attacked during the night by the mountaineers, who seized his treasure, made prisoners two ladies

ladies of his court, and mortally wounded the prince himself. The emperor, who was not far off, owed his own escape from the brigands to the fidelity of a young Jew, named David Ben Michaud, a paymaster of Fez, who dispatched a courier to inform him of the danger to which he was exposed. The imperial prince died of his wound on the following day.

Indignant as well as afflicted at this daring crime, the emperor assembled an army which he divided into three corps, one of which was directed to the circuit of Tafilet, in order to take the rebels in flank; the other marched on Serarah; and the third, led by the monarch in person, proceeded direct to Glava. The marches were so well concerted, that the three operations succeeded at the same time and in the most complete manner. The emperor scoured the route even to the town of Glava, by blowing up the rocks which barricaded the defiles through which it was necessary he should pass: 400 mountaineers joined the imperial army: there were amongst them 10 armed Jews, who, on being brought before the emperor, declared to him that they had been forced by their superiors to take up arms. The emperor, who owes his life to a Jew and who has been two years married to a Jewess, ordered his soldiers to bring before him all the individuals of this sect which might fall into their hands, at the same time promising them a reward of 50 ducats for each. A great number were in consequence brought before him.

On the 20th June, the emperor entered the town of Glava, and gave to each of the above ten Jews a corps of a thousand soldiers, in order that they might seek and save all the inhabitants of their religion who were dispersed in the country and oppressed by the Glavians. At the same time he ordered, that the eyes of all the prisoners of war should be put out; and to effect this operation the victors made use of their ramrods. The rebels were farther condemned to subsist upon alms for the remainder of their lives.

The imperial army made considerable booty in gold and silver; they seized cattle to the value of three millions of piastres, and 8,000 horses of great beauty.

The Glavians, on flying to the mountains for refuge, left behind them their women, who were conducted prisoners to Tafilet. The wives and children of the Jews, on the contrary, were escorted to Mequinez (the residence of the emperor), where orders were issued to furnish them with every necessary at the expense of the imperial treasury.

This victory has been celebrated in Morocco, and in all the towns of the empire, in the most magnificent manner; the emperor, however, deeply deploras the loss of his cherished eldest son, to whom he was desirous of bequeathing his crown.

The conspiracy of the Glavians is attributed to a nephew of the emperor, who aspired to the throne and who appears to have excited the rebels to open tumult. The proof of this was discovered amongst the papers of the deceased

ceased prince imperial, who had not denounced it to his father:

Malia, Oct. 6.—“ You will have heard of the act of piracy supposed to have been committed by the William, Delano, of Liverpool, upon the Helen, Cornish, from the same port. The insurance companies here hired and dispatched a brig to Smyrna, in search of the William, and we have now the pleasure of seeing her at anchor in our port, with the master and crew (except one man, who escaped) in irons. She was found in the bay of Smyrna, and immediately recognized by two of the Helen’s crew, who were sent up; when lieutenant Hobson, the commander of the hired vessel, immediately took possession of her. Since their arrival here the crew have confessed their guilt, and are endeavouring to recriminate upon each other as to the instigators. They will be tried shortly. It is feared that the mate of the William, named Robinson, has been murdered, for perhaps refusing to join the rest.

11. The bust of the Liberatrix of Orleans will soon ornament the place publique of Domremy (Vosges). On a pedestal, from whence will flow a pure and limpid stream, four pilasters of the Doric order will be raised, serving to support a roof of stone, having two fronts. A crypt, placed under this portico, will receive the bust of the heroine: on the frieze is to be placed the following inscription:—“ To the memory of Jeanne d’Arc.” A second inscription will state, that this monument has been voted by the department of Vosges. The

execution of the bust is confided to M. le Gendre Heral.

Stockholm, Oct. 12.—The following anecdote is related here respecting the papers left by Gustavus 3rd. He had given orders that they should be deposited in the university of Upsal, which was carried into effect. They were placed in two large chests, which, according to the king’s order, were not to be opened till 50 years after his death; but the latter order has not been attended to. It was alleged, that the two chests were not clearly described in the king’s will, and that it was possible they might be changed for others. In order to avoid this inconvenience they were opened, when it was found that the literary labours of the deceased king consisted of a secret history of his reign. The two chests have been again closed and placed in the same depository, under the seals of the present king and of the archbishop of Upsal.

Vienna, Oct. 12.—It is reported here, that the emperor of Russia and several sovereigns of Germany will come to this capital at the period of the opening of the congress on the affairs of Germany. It appears that the resolutions of Frankfort are not relished by all the courts; and it may be presumed, that their execution will involve serious difficulties; the more so, as the majority of the inhabitants of Germany appear to be hostile to these decrees.

12. At this date, 11,000 persons lay sick in Cadiz alone, the entire population of which has been estimated at no more than 70,000

70,000; the deaths from the 1st to the 7th October, were stated by the board of health at 588; and on the 12th, 105 of the unfortunate patients died. At Seville, from some yet unexplained cause, the mortality had been greater in proportion to the number of infected persons than at Cadiz, the deaths in the former city amounting to one case in three. On the whole, the malady did not seem to have in the least abated. Its propagation over so large a surface of the Spanish territory, was manifestly favoured by the dispersion of the troops, whose duty was, to restrain its ravages; and to this same breach of duty may also be ascribed the absolute and final frustration of the long-meditated enterprise against the patriots of South America.

North Shields, Oct. 15. — An alarming riot took place here yesterday evening, in which a man unfortunately lost his life. The circumstances are these:—

The keelmen upon the river still refusing to go to work, an effort was yesterday made by the mayor of Newcastle, assisted by the civil power and four or five boats, manned with sailors and marines from a sloop of war in the harbour, to bring down a few keels laden with coals from different staiths above, and cast them on board such vessels as were waiting for their cargoes. Between five and six o'clock in the afternoon the keels arrived, accompanied by the mayor of Newcastle and a body of special constables in one of the steam-boats, and the sloop of war's boats above mentioned. At this

time a number of persons, but principally boys, were assembled on the New Quay, opposite the Northumberland Arms, and they kept hissing, hooting and groaning, while the coals were casting into the ships lying opposite the quay. Nothing serious, however, from such an assemblage was apprehended; and accordingly, about half past five o'clock, the mayor, the water-bailiff, &c. landed from the steam-boat, and, crossing the quay, went into the Northumberland Arms for the purpose of getting some refreshment. The mayor, though a very popular magistrate, was, however, grossly insulted on leaving the boat. One man, in the act of throwing stones, the mayor secured with his own hands, and had him conveyed into the Northumberland Arms, where he was detained. Shortly after, the noise upon the quay increased; more stones were thrown into the steam-boat, which was moored close to the quay; and the special constable and others left on board, being unable to defend themselves, dispatched a small boat to request the protection of the marines, who had then returned to the sloop. One boat, with an officer and a few marines in it, presently arrived, and pulled up close under the stern of the steam-boat, the persons on board of which had by this time, one and all, been driven to seek shelter in the cabin. The boys still kept plying their missiles from the quay, hissing and hooting at the parties on the water. To frighten them, as was supposed, two muskets were now fired by the marines; but they were loaded only
only

only with blank cartridges. A pause of a few minutes ensued, and then a fresh shower of stones was poured into the steam-boat, one of which struck the officer. Now a third musket was fired, which killed a sailor standing on the front of the quay, and who was merely a spectator of the fray. No Riot Act was read; no magistrate, in fact, was near, except the mayor of Newcastle, who has no jurisdiction at Shields, except upon the water, and the people assembled had never dreaded being fired upon. Cries of "Murder!" followed.

Women and men indiscriminately joined in assaulting the boats with stones and brickbats, but the marines immediately pulling off, the fury of the mob was very soon directed to the Northumberland Arms, into which house, it was said, the officer who commanded the marines had gone, and where were then present the mayor of Newcastle with other gentlemen, the water bailiff, &c. Here the mob set no bounds to their rage. "Manchester over again!"—"Blood for blood!"—were vociferated incessantly. The windows and window-frames of the two lower stories of the house were completely demolished. Some metal pipes for gas, which lay contiguously, were applied in breaking open the doors. At this critical juncture, when the rioters had actually broken open the street-door, the high constable of Shields arrived, and declaring that at the risk of his life he would preserve the peace of the town, he succeeded, by his spirited conduct, in allaying the frantic feeling of the mob. They demanded

the release of the person who had been taken into custody by the mayor, as well as the surrender of the officer of marines, who, they contended, had taken refuge in the house. The man was very prudently set at liberty; but the officer not being in the house, they were allowed to search for him, which they did very slightly, and then retired, and in a few minutes all was perfectly tranquil.

Shortly after, a small party of dragoons arrived, but their services were then wholly unnecessary. At ten o'clock scarcely a man was to be seen in the streets. The mayor of Newcastle did every thing in his power to keep the peace; but assailed by an infuriated mob, and shut up as he was at the Northumberland Arms, it was impossible for him to make any effectual exertion for the restoration of peace and order. This morning all continues quiet, but large bodies of sailors are prowling about, and bitterly complaining of the conduct of the magistrates in not granting warrants for the apprehension of the marine, or officer of marines, who, as they say, so prematurely and inhumanly fired upon the people.

A coroner's inquest was held upon the body to-day; but after the examination of three witnesses, the proceedings have been adjourned till to-morrow. Enough however already appears to exonerate the officer from any charge of having himself been the person who shot the unfortunate man. Much anxiety is felt for the result of the inquest. The jury is very respectable.

Preston, Oct. 16.—Three men,
who

who have been engaged in the fabrication of pikes, have this week been apprehended and lodged in the house of correction in this town. Their names are, John Miller, of the township of Mellor, near Blackburn; James Morris, of Haslingden-grain; and John Knowles, of Rawton-stall, near Haslingden. John Miller, a youth, 20 years of age, was taken in his grandfather's smithy, in the act of working one of these instruments on the anvil, in the evening of Tuesday last, and brought before the rev. T. D. Whitaker, LL. D. of Blackburn. During the examination a crowd assembled in the streets, and some apprehension was entertained of an attempt to rescue the prisoner; but a party of the 7th dragoon guards being called out, no serious mischief occurred. After a short hearing, the prisoner was committed for a farther examination: at present he, in common with the other two, stands charged on oath "with having fabricated certain weapons called pikes, or pike heads, with intent that the same pikes or pike heads should be used for the purpose of effecting, by force and violence, a change in the laws and constitution of the united kingdom." The other prisoners were, we understand, apprehended in consequence of declarations made by John Miller, or his grandfather, Ralph Miller, the latter of whom has eluded the vigilance of the officers. Miller was brought to the house of correction here on the night of Tuesday, under an escort of the 7th dragoon guards; and Morris and Knowles were conveyed under a similar escort

to the same place in the afternoon of Wednesday. We are informed that their farther examination will be deferred until the magistrates receive an answer to a communication which has been addressed to his majesty's ministers. Miller is evidently a youth of weak intellect; Morris has much of the character of a rough country blacksmith; but Knowles seems to possess a considerable share of intelligence, and to be a man of keen, sarcastic observation.

Leipsic, Oct. 18.—Six years ago, on this day, the city and its neighbourhood were the scene of the most dreadful horrors: half a million of warriors were engaged in mortal conflict, and to-day all in and round the city is as quiet as if Leipsic had never been the theatre of so horrible a spectacle. The traces of destruction are almost utterly obliterated, and the battle lives only in remembrance. The fair is now quite at an end; and though many complaints were made, it is, however, stated to be of the description we call moderately good. Very great wholesale business was transacted. The number of Jews from Poland, Austria and Prussia, was not small. Silk goods and middling woollen cloths were particularly in demand. The English have again made very large sales, because they sell their goods cheap, and not seldom throw them away. Great and well-founded complaints are made by the retail dealers, whose numbers increase extremely every fair. It is said there were nearly a hundred more retail dealers at this Michaelmas fair, than at last Easter fair. The quantity

quantity of goods increases in an astonishing manner every fair, and the sale becomes constantly less. The inhabitants of the provinces ceded to Prussia, cannot for the most part visit the fair, because the tariff makes the goods too dear for them, and hawkers bring them cheaper to their own doors. We have not heard of any considerable bankruptcy this fair.

Madrid, Oct. 21.—Their majesties' nuptial ceremony was solemnized at court yesterday, in the presence of all the great officers of state, dignitaries, foreign ministers, &c.

The religious ceremony will take place to-morrow, in the church of St. Francis the Great. The august bride will be given away by the infant don Carlos; cardinal don Louis de Bourbon, archbishop of Toledo and primate of the Spanish kingdoms, &c. will perform the ceremonial.

Individuals attempting to enter Madrid, whether provided with passports or not, who come from the infected provinces, or those suspected, and not having been examined by the health committees, nor presented themselves to the officers of the cordon established at various points to perform the regulated quarantine, are declared irrevocably liable to suffer death.

22. Although the 16th article of the constitutional charter of Poland declares, "that the liberty of the press is guaranteed, and that the law will regulate the means of repressing its abuses," the emperor Alexander has abolished that liberty by his own au-

thority, in the following document:—

"Wishing to prevent the abuses that may take place from the liberty of the press, till a new law be made to check it, we have decreed as follows:—

"All gazettes and periodical writings will be henceforward subjected to a government censorship."

The other two articles of this decree relate to the mode of executing the imperial mandate. A second decree says—

"To complete our ordinance of the 22nd of May, which subjects journals and other periodical publications to a government censorship, we decree, that the article which applies to periodical publications, shall likewise apply to all writings, and to works of all kinds which may be printed in the kingdom of Poland, whether periodical or not.

"This provisional ordinance shall have the force of law, till the legislation on the press shall be definitively fixed by a decree of his imperial and royal majesty."

The ordinance is dated Warsaw, July 16, 1819.

23. Between one and two o'clock yesterday morning, a great fall of snow commenced, accompanied by a violent hurricane. The wind blew from the north-west, and has done considerable damage in and about the metropolis. The roads at the entrance of London were in several parts impassable, particularly at Walthamstow, where a number of trees were torn up by the roots and lay across the highway, compelling travellers to
make

make a circuit of several miles. The snow had also accumulated near a foot deep, and the pathways in the fields were not passable for foot passengers.

23. Within these few months, many new and excellent arrangements have been adopted throughout the country for expediting the mails. Liverpool now receives all its letters, with the exception of the York mail, early in the morning, instead of at various hours in the day, and dispatches them many hours later (after exchange time) than it formerly did; with a dispatch one day later of its foreign letters intended for the continent. A complete and direct moving chain of mail-coaches proceeds about 1,000 miles, from Penzance to Thurso, by Bristol, Birmingham, Manchester, Carlisle, Edinburgh and Aberdeen. By a late junction at Manchester, Scotland receives and dispatches letters one day quicker each way; and by a newly-established mail-coach from Aberdeen, travelling daily to the Land's-end and Thurso, through a country no stage-coach ever went, and where in general no post-horses were kept, in most instances the letters reach that extremity of the island several days sooner. The counties of Caithness, Ross and Sutherland, each subscribed 200*l.* towards any loss the proprietors of this mail-coach might sustain.

The nuptials of her imperial and royal highness the archduchess Caroline, of Austria, with the prince royal of Saxony, were celebrated by his imperial and royal highness and eminence the archduke, cardinal archbishop

of Olmutz, in the presence of the whole court, with unusual pomp. His holiness has conferred upon their imperial highnesses and eminences, the archduke Antony, cardinal archbishop of Gran, and the archduke Rudolphus, cardinal archbishop of Olmutz, brothers to his apostolic majesty, the *palium*. Prince Napoleon, duke of Reichstadt, has been nominated by the emperor coadjutor to the archbishop of Olmutz, and leaves Vienna for Olmutz, to reside with his uncle, the cardinal Rudolphus, where three priests of the order of Jesus will take charge of his theological studies.

Newcastle, Oct. 23.—Since the unfortunate affair of Thursday se'nnight, North Shields has continued in a most agitated state. Crowds of disorderly persons have nightly assembled in the streets, and alarmed the inhabitants by their threats and frightful shouts. On almost every door and wall there has been written, "Blood for blood," and other terrible and threatening expressions; the shops have been nightly shut up immediately after dark. So daring have the mob been, that they have actually threatened to burn or destroy the ships of war in the harbour, if the person who fired the fatal shot was not given up.

On Friday se'nnight (the 15th inst.) an inquest was held at the George tavern, Dockwray-square, before Stephen Reed, esq. coroner, on the body of Joseph Cleckson, the unfortunate person who was killed upon the New Quay, during the riot on the preceding evening. The examination of the witnesses

witnesses lasted five days, when, after a patient investigation of most contradictory evidence, the jury on Wednesday afternoon returned a verdict of "Justifiable Homicide." This verdict, we regret to state, has caused the evil-disposed to break out into fresh acts of violence. About seven o'clock the same evening, as Mr. Coppin, one of the jury, who resides near Milburn-place, was sitting in his parlour, a pistol-shot was fired at the window, but owing to the thickness of the window-shutter, the bullet fortunately did not pass through, or otherwise it would have proved fatal, from the direction in which it had been fired. A short while after, another shot was fired at the house of Mr. Fenwick, in Milburn-place, brother to the foreman of the jury; the villains having mistaken the houses of the two brothers, who reside next door to each other; the windows of Mr. Fenwick's house were also broken. This shot was also providentially unattended with any fatal consequences. Both these shots are strongly suspected to have been fired by four men dressed in blue jackets and white trousers, who were seen in the neighbourhood at the time; and who, after the last shot, ran down the steps in front of Milburn-place, and, seizing a boat, escaped on the river. About the same time, a new mortice door-hinge was thrown through one of the bed-room windows of Mr. Hall, another of the jury, who resides in the same neighbourhood; it fell upon a bed in which a child was asleep. These daring outrages, as might be expected,

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excited the alarm and roused the indignation of all the respectable inhabitants, who, at a meeting held the next day, resolved to offer a reward of 300 guineas for the discovery of the miscreants, and to use every exertion to bring them to justice. A most liberal subscription was instantly entered into for this purpose. The streets of the town were patrolled by cavalry on Wednesday; and on Thursday evening, conjoined parties of special constables, cavalry, and infantry, were preparing to patrol the streets that night.

Accounts of these disturbances have been transmitted to government, and a large ship, on board of which are 300 marines, is daily expected to arrive off Shields.

We are happy to state, that the keelmen on this river returned to their work on Friday morning. The sailors on the Wear also returned to their work last week, the ship-owners having acceded to their terms.

On Saturday last, the South Tyne and the Axwell and Bywell yeomanry cavalry assembled in this town and Gateshead, where they have since remained on duty. Some companies of the 40th foot have also been stationed in this town, and have each day paraded in marching order.

Brussels, Oct. 24.—The following article has been communicated to us, and gives some new details of the troubles which took place last year in the island of Java:—The troubles which broke out in Cherebon (Java), at the beginning of 1818, show to what a degree the Javanese suffer themselves

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to be led astray by superstition; and how, on the other hand, the prudence and intrepidity of our brave countrymen were displayed on that occasion. The chief of the insurgents had declared himself to be a saint, who could not be touched by any of the European arms, and much less killed. This trick had gained him numerous partisans, so that it was found necessary to march troops against them. An action ensued on the 4th and 5th February, 1818; the rebel Javanese took flight the first day, but on the 10th they again advanced in great numbers. Lieutenant Bornemann, being sent with 33 lancers of Bengal to occupy a position, was attacked by the pretended saint, who was followed by 1,000 Javanese, each armed with a creese or dagger. Lieutenant Bornemann, who had only his 33 lancers with him, ordered them to do nothing against the rebels without his express commands: waiting for a favourable opportunity, he rushed forward himself upon the chief of the insurgents, and after a short skirmish cut off his head, to the great astonishment of the Javanese, who, seeing him rolling in the dust without his head, lost all confidence in his sanctity, and fled in disorder. Some few of the rebels were cut down, and some taken prisoners; the rest escaped into the woods. The personal courage of lieutenant Bornemann cannot be sufficiently praised.

Paris, Oct. 23.—On the evening of the 19th inst. four young Germans were arrested in Paris; they stated that they belonged to the legion of Hohenlohe. It has since been discovered, that three

of them are students of the university of Jena.

25. The duke del Infantado has addressed a letter, of which the following is a translation, to the Secretary of the British and Foreign School Society:—

“Madrid, Sept. — Sir, I have the pleasure of handing you a copy of a royal decree, which authorizes the establishment of schools upon the Lancasterian system throughout the kingdom, and have reason to hope that it will be adopted in all the towns and villages of the realm, as numbers already come to our central school, which was opened in April last, and in which 320 boys are educated.

“I have impatiently awaited, and now eagerly embrace, this opportunity to assure the members of the British and Foreign School Society, of my sincere feelings of gratitude for the honour they have been pleased to confer on me, by electing me an honorary member of that charitable and patriotic association; an honour that I esteem much more than I can express.

“DUKE DEL INFANTADO.
“James Mellar, esq.”
The Royal Decree.

His excellency D. Juan Lozano de Torres, secretary of state, and of the office of Favour and Justice, on the 30th of March last, addressed to his grace the duke del Infantado the following Royal Order:—

“The king our sovereign lord being desirous of affording the first elements of education to the most indigent class of his beloved subjects, of which they are in diverse places deficient, and for which

which the gratuitous schools established throughout his dominions do not at present provide, authorizes the introduction of the Lancasterian system of education, as set forth by your grace, who, together with other noblemen of the first rank in the kingdom, actuated by the love of their sovereign, their country and their fellow-subjects, have established a school in this capital at their own expense, to serve by way of experiment.

“The exertions used by your grace, and others who have co-operated with you, in promoting so laudable an undertaking, have been highly approved of by his majesty, and having taken into consideration the praise-worthy sentiments which excited the projectors of this system of education, his majesty has thought fit to direct that a Central School be established in this capital, for instructing upon the aforesaid method, which may serve as a model for other schools in the kingdom, that this mode of instruction may be adopted in any towns in his dominions; provided that one school only of this description be established in each town, and that it be at the request of the respective municipalities, but not otherwise; not even requiring the established masters to adopt the system against their will, though supported by the public funds.

“The Lancasterian schools are to be upon a new establishment, and wholly dependent upon the Central School in the capital. And, in order to prevent deviation from this method—to watch over the uniformity of these

schools—to observe the progress of the scholars—to qualify such masters as are to conduct the schools—and otherwise to promote the objects of this institution, his majesty gives to your grace competent authority jointly with the duke of Montemar, the duke de Villahermosa, the marquis de Ceralvo, the marquis de Santa Cruz, the duke de Medinaceli, the marquis de Astorgas, the duke de San Fernando, and the count de Santa Coloma, to conduct the same; and you are required, through the secretary's office, to give an account to his majesty of whatever may relate to the aforesaid system, the schools wherein it is to be practised, and the masters charged with conducting the same, forbidding the tribunals, corporations, and others, who by the laws and royal decrees are charged with the superintendence of education, to take any cognizance thereof, provided they are not obstructed in the exercise of their functions.

“That a director-general be appointed for the superintendence of schools, with a salary of 16,000 rials of vellon (\$50l. sterling), to be paid out of the surplus revenue of the public lands, which appointment his majesty has deigned to confer on D. Juan Kearney. And lastly, it is his majesty's sovereign will, that becoming thanks be given in his royal name to your grace and to the other individuals who have co-operated with you in this patriotic measure, for the zeal shown in serving him and the state; and by his majesty's direction I communicate it to your
grace

grace for your own satisfaction, and that of others concerned in the same; and to the end that this royal decree may be carried into effect with the greatest punctuality and exactness by the publication thereof to whomsoever it may concern."

The foregoing royal order has been communicated to the council by the president; who, having seen the same, together with the resolution of the exchequer officers,—who, by a decree of the 15th of July last, were pleased to order that the general treasury of the revenue of public lands should direct what is most expedient to be done with respect to the payment of the salary of the 16,000 rials of vellon allowed to the director of the said schools, for which purpose the necessary order was issued the 20th of the same month;—it was deemed proper to ask for a copy of the plan which is to serve as a rule for this mode of instruction. In consequence whereof, and of what was recently set forth by the said exchequer officers, it was agreed that his majesty's resolution, contained in the order herein transmitted, be published and circulated without prejudice to the privileges of the council and those of the public cause.

Whereof I inform your lordship, by the advice of this supreme tribunal, for your own information, and that you may circulate it to the magistrates of the towns in your department for the same purpose. May the Lord preserve your lordship many years.

(Signed) D. B. MUNOS.
Madrid, Sept. 10.

Constantinople, Oct. 25.—"On the 16th, the two elder Duzoglies were beheaded at the Seraglio gates, and two others, a brother and a cousin, hung at the door of one of their country houses on the Bosphorus. On the 17th, the head of Apturaman Bey (late director of the mint), who had been sent into exile with a pension of 30,000 piastres, was brought to town and placed by the two first-mentioned, where they remained three days.

"On the 23rd, another of the Duzoglies, who had been absent on account of bad health, was brought in, and of course placed in confinement. Nothing has yet been done with respect to the other parties implicated; but there can be no doubt that, as soon as every thing is confessed and recovered, to which it is said they have been enforced by torture, the same fate is reserved for them.

"The property found in Duzoglies' possession, and what was discovered elsewhere, exceeds credibility; and what has been sold brings prices far beyond the original cost; for the government forces the rich bankers and other royahs to attend; and what the Turkish nobles do not want for themselves, is knocked down to them at any rates they please.

"A great number of families have been ruined by this event, they having placed their funds at interest in the hands of the Duzoglies; and there is hardly a respectable dealer in jewellery in the place but what is implicated, either for property sold, or entrusted to them for sale, the whole of which had fallen into the hands of government, and is selling off
by

by public auction. When individuals under foreign protection, who have seen and claimed their property whilst under the hammer, can get no redress, you may judge what chance remains for the poor royahs."

Aberdeen, Oct. 27.—On Saturday and Sunday last, we were visited with one of the most tremendous gales which have been experienced on this coast for many years. It commenced on Saturday afternoon, and continued during that night, and till late on Sunday night, blowing from N. and N. N. W. in squalls of unexampled violence, accompanied with snow and sleet; and we regret to learn, has been productive of most disastrous consequences to the shipping, but more particularly along the coast. From the direction of the storm, the shores of the Moray-frith have chiefly suffered; the various creeks and harbours from Buckie to Kinnaird's Head presenting one continued scene of devastation; among which the new harbours of Banff and Macduff have sustained incalculable damage. The works at Macduff, to which the noble and patriotic proprietor had contributed so largely, are nearly destroyed. At Redhyth, Cullen, Portknockie, Buckie, and Rottenalough, great quantities of herrings and other property have been carried off, and many fishing boats dashed to pieces. At the last-mentioned creek, the sloop *Industry* was put ashore, and has become a wreck; crew and part of her materials saved; and at *Portsoy* the piers, which had stood above 100 years, have been

carried away, and about 1,000*l.* value of herrings lost. During the violence of the gale on Sunday, public worship was entirely suspended, the people being employed in endeavouring to save their property and secure their dwellings. A foreign brig, loaded with flax and flax seed, is ashore in Banff-bay, and her mate said to be drowned; and a vessel loaded with herrings driven ashore at Portknockie, crew saved; but the cargo entirely lost.

At Peterhead, the sloop *Aid*, loading oil at the South Quay, was driven from her moorings, and totally wrecked on the west side of the bay; about 20 tons of oil have been saved, and 16 lost. It is also stated, that the breakwater at the New Harbour received some considerable damage, but the extent had not exactly been ascertained, owing to the continued violence of the surf.

Fraserburgh, Oct. 25.—A shocking spectacle presented itself this morning on the north side of Kinnaird's-head light-house, where during the night the brig *Adonis*, of Liverpool, had been driven on the rocks and dashed to pieces, and all on board perished; the wreck of both vessel and cargo strewed along the shore, exhibiting an awful catastrophe, the cargo consisting of hemp and tallow. Several dead bodies were repeatedly seen this forenoon, dashing against the face of the rocks by the violence of the waves, one of whom had the appearance of having been a passenger, as he had on a long black cloak.

cloak. Several articles of children's clothes have been also washed on shore. On a small part of the stern was, "Adonis, Liverpool;" and on a sign-board, "Adonis, Geo. Atkinson, for Oporto."

Stonehaven, Oct. 25.—From the violence of the easterly storm between Saturday and Sunday, a run of the heaviest sea that has been seen here for a long time back, rolled into our harbour, which is quite open to the storms from that quarter, and is at best but poor shelter for vessels during the winter season. About one o'clock on Sunday, a small sloop belonging to William Smart, of this place, broke from her moorings, and was driven with such force upon the beach beyond the harbour, that, in the course of a few minutes, she was literally dashed to pieces; scarcely a plank or deal in the whole hull but was broken into different parts.

She had on board 163 barrels of cured herrings, all of which, except three casks, are totally lost. None of the crew were on board at the time she broke loose, or they must undoubtedly have perished.

Petersburgh, Oct. 28.—The king of Spain has requested permission from the Russian government to engage 40 Jesuits, destined to re-establish in the Spanish colonies the celebrated missions which contributed so much to propagate in them civilization and Christianity.

St. Petersburg, Oct. 29.—His royal highness the duke of Gloucester, president of the British Society for the Amelioration of

Prisons, has addressed a letter to the president of the Russian Society, the privy counsellor prince A. Galitzin, expressing his profound gratitude to the emperor on the occasion of his majesty's erecting at Cherson a monument in honour of Howard. The duke at the same time sent a superb bust of Howard, bearing a strong resemblance.

Cassel, Oct. 26.—In all Hesse, the great festival of the victory of the Germans was celebrated with the usual cordiality, dignity and love of order. In the night of that glorious day, fires burned upon all the mountains, and shone in many plains; joy every where reigned in its true cordial expression—the loud transports of the people and festive assemblies of the high classes. Though the festival was kept all over the country, not the slightest disorder or impropriety any where took place.

Paris, Oct. 26.—The trial of the editor and publisher of the translation of Mr. Hobhouse's history of the "Hundred Days" took place before the Assize court of Paris yesterday. This translation was originally printed at Ghent, and a copy of it was purchased from a traveller in Paris by M. Domerc, one of the defendants in the present case. This copy was shown to the other defendant, Regnault Warin, who thought it might be published, if some parts, which reflected with too much severity upon the king and the royal family, were suppressed. Regnault Warin undertook the task of erasing the most offensive parts, and these alterations

tions being made, the book was printed. Five copies of the publication were, in pursuance of law, deposited in the public office; 484 copies were sent to Brussels, Ghent, Geneva, Naples, Warsaw, Turin, and other foreign towns; 487 were distributed among the booksellers at Paris; and 25 were presented to the friends of the publishers.

The publication was charged as libellous, in having made a formal attack upon the inviolability of the King's person, the order of succession to the throne, and the constitutional authority of his Majesty. Several passages in the work were charged as calumnies against the members of the royal family.

The Advocate General, in his speech to the jury, remarked upon some points of diversity between the original work and the translation, which were not to the advantage of the latter. He observed, that although "the author was a republican in principles, and too much inclined to sacrifice legitimacy to usurpation, he, however, was not blinded by the despotism of Buonaparte. He censured Napoleon on every occasion, but all these passages had disappeared in the translation. Mr. Hobhouse had used the word 'right,' in speaking of the sacred title of his Majesty to the throne, but the translator prefixed the epithet 'pretended.'"

At half-past four o'clock the jury retired, and returned to the court at half-past six. They pronounced the two prisoners 'not guilty' of formal attacks upon the inviolability of the

King's person, &c., but they declared them 'guilty' of public insults towards the King and royal family; and the court, after some deliberation, sentenced Domerc to six months imprisonment and 1,000 francs fine; and Regnault Warin to one year's imprisonment and 1,000 francs fine.

27. *Paris.* — Yesterday, M. Gevaudan and colonel Simon underwent an examination before M. Meslier, Juge d'Instruction, for having permitted meetings of the friends of the liberty of the press to be holden in their residences, in contravention of the article 291 of the penal code, which enacts, that "no association of more than twenty persons shall take place either daily, or on appointed days, for the object of discussing religious, literary, political, or other topics, without the sanction of the government, and under such conditions as the public authorities may judge proper to impose upon the society." The violation of this article is punishable by a fine of from 16 to 200 francs.

28. *Manchester.* — The people of Bolton sent a requisition some days ago to the magistrates of the Warrington division, acting at Leigh, requesting their protection in the exercise of their constitutional rights to meet and petition for the redress of grievances, and to express their opinion upon the subject of the late transactions at Manchester. They have just received an answer, addressed to Mr. Bowker, the late boroughreeve, from Mr. Barrow, the chairman of the magistrates, recognizing the right of the people

ple to meet, and to petition either parliament or the Prince, upon any subject; and enclosing a letter from lord Derby, in which the same recognition appears, accompanied by a declaration, that the magistrates would not be justified in interrupting the people in the exercise of that right upon any occasion, if they conducted themselves peaceably. The noble lord, however, concluded with expressing his disinclination to interfere with the discretion which belongs to the magistrates.

29. Ten additional field pieces, with a proportionate number of artillerymen, have been ordered by government into the districts under the command of major-general sir John Byng.

The disbanding of the 25th light dragoons, which lately arrived at Chatham from India, has been countermanded, and orders have been issued to suspend, for the present, any further discharges from the regular army. The skeleton of the 86th regiment, which also lately arrived from India at Chatham, is expected to join its depot in this city immediately.—*Canterbury Paper.*

31. *Paris.*—The members of the society of the “Friends to the Liberty of the Press” assembled yesterday in great numbers at the house of M. Gevaudan, where they deliberated upon the difficult circumstances and critical situation in which the society is placed. It is remarked, that since the ministry has made a direct attack upon the committee of the Liberty of the Press, the members of the society assemble more numerously than ever.

NOVEMBER,

1. The advices received from Port Jackson, by the Foxhound, to the 13th June, contain information very important to the interests of this advancing territory. It was some time since announced, that a passage had been effected across the Blue Mountains, and that a most desirable country had been discovered to the west of those towering heights; and we have now the additional gratification of stating, that a communication has been opened to it of easy access, running through lands of the first description. The colonists are indebted for this acquisition to their resources to the exertions of C. Throsby, Esq. a large land and stockholder, many years resident in New South Wales, who, after two preceding attempts, succeeded in May last, with the assistance of two native guides, Coockoogonn, chief of the Burraburrah tribe, and Dual, in passing from the Cow-pastures direct for Bathurst, having encountered only those difficulties inseparably attendant on the first explorers of the forests of a new country. Mr. Throsby was, on the whole, occupied 15 days on the expedition, his progress being protracted from some of his party falling ill, and bad weather; but by the delay he had greater opportunity of examining the country on each side of his route; and in his letter to the gentleman from whom we have the information, he says—
“ I have no hesitation in stating,
we

we have a country fit for every and any purpose, where fine woolled sheep may be increased to any amount, in a climate peculiarly congenial to them; ere long you will hear of a route being continued to the southward, as far as Twofold-bay, and so on further in succession through a country as much more beautiful and superior to the Cow-pastures, as that now enviable district is to the land contiguous to Sydney, and where our herds, our flocks, and our cultivation may unlimitedly increase, at an inconsiderable distance from the great and grand essential in a young colony—water-carriage.”

The following extract of a general order from the governor on the occasion will evince his excellency's estimation of the importance of Mr. Throsby's exertions:

“ G. and G. O.

“ *Government-house,*

“ *Sydney, May 31.*

“ His excellency the governor having received and perused the journal of a tour lately made by Charles Throsby, esq., by the way of the Cow-pastures to Bathurst, in the new discovered country westward of the Blue Mountains, takes this early opportunity publicly to announce the happy result of an enterprise which promises to conduce, in a very eminent degree, to the future interest and prosperity of the colony.

“ The communication with the western country having been heretofore over a long and difficult range of mountains, alike ungenial to man and cattle, from their parched and barren state, it

became an object of great importance to discover another route, whereby those almost insurmountable barriers would be avoided, and a more practicable, and consequently less hazardous access effected to the rich and extensive plains of Bathurst.

“ His excellency adverts with pleasure to Mr. Throsby's general report of the capabilities, qualities and features of the country intervening between the Cow - pastures and Bathurst; which he represents to be, with few exceptions, rich, fertile and luxuriant; abounding with fine runs of water and all the happy varieties of soil, hill and valley, to render it not only delightful to the view, but highly suitable to all the purposes of pasturage and agriculture.

“ The importance of these discoveries is enhanced by the consideration, that a continuous range of valuable country, extending from the Cow-pastures to the remote plains of Bathurst, is now fully ascertained, connecting these countries with present settlements on this side the Nepean.

“ His excellency the governor, highly appreciating Mr. Throsby's services on this occasion, offers him this public tribute of acknowledgment, for the zeal and perseverance by which he was actuated throughout that arduous undertaking; and desires his acceptance of 1,000 acres of land in any part of the country discovered by himself that he may choose to select.

“ By command of his excellency,
(Signed) “ J. T. CAMPBELL,
Secretary.

By

By the Shipley, that had sailed on the 1st of April, but has not yet arrived, between 200 and 300 troops were sent home, which has left the colony with a force of only 500 men for its protection. The number was deemed inadequate for the purpose, and the settlers (in other respects going on prosperously) were in anxiety and alarm on that account. An increase of military force has been long expected by the colony, as well as a brig of war at Sydney. All the benevolent institutions, especially the Orphan School, founded by the excellent lady of their former governor, captain King, are producing the best effects on the rising generation.

2. An inquest was held last week, which lasted several hours and which excited very considerable interest, at the Triumphal Chariot, Pembroke-mews, Grosvenor-place, before Mr. Higga, on the body of Mary Gibson, a girl nearly 15 years of age, who, a few months ago, came from the country as servant to a Mr. Tuson, and who was killed on Sunday night last, through the furious driving of Adam Wright, a coachman belonging to Messrs. Mawbey and Phipp, proprietors of the Fulham stages, and who was a few months ago liberated from prison, after being found guilty of manslaughter, for killing a Mrs. Kirby and her child in a similar way. Several witnesses were examined; after which the coroner very minutely recapitulated the evidence, and gave it as his conviction, that the deceased met her death from the improper conduct of the driver, Adam Wright, who, he was sorry to

find, had been once before punished for a similar offence; however, as the jury had patiently, for so considerable a length of time, paid attention to the different evidence adduced, it rested entirely with them to decide what verdict to give on the present most melancholy catastrophe. He at the same time thought it his duty to congratulate Messrs. Mawbey and Phipp upon their conduct, in so promptly coming forward, and was convinced that the public at large would agree with himself and the jury, that they were not in the slightest degree to blame in the present affair. The jury consulted for a few minutes together, and returned a verdict of *Manslaughter* against Adam Wright. The witnesses were bound over to appear against him, and the coroner issued a warrant for his apprehension.

Lord Cochrane has made some important captures on the S. W. coast of South America. The letters communicating this intelligence are dated from St. Jago de Chili, 17th of June, and were brought by the Royal Sovereign whaler. The vessels captured consist, it is stated, of eight merchantmen, laden with valuable cargoes and specie; and nearly all of them were insured to the full amount at Lloyd's. These vessels were under the convoy of the Spanish frigate called the Cleopatra; the action in which they were captured took place off Payta, considerably to the north of Lima and near the great bay of Guayaquil.

Liverpool.—The collector of this port has given orders that all vessels from the United States shall

shall be placed under quarantine. Letters received this day from New York, up to the 27th September, give a melancholy account of the ravages made by the yellow fever. The principal streets of that city are deserted by the inhabitants, who have fled to the country to avoid the contagion. Business was suspended, and there were not any hopes of the fever abating until the end of October. The *Ann*, captain Crocker, from New York, is now off this port, with upwards of 100 returned emigrants. There are only two American vessels in this port at present—a circumstance unprecedented in time of peace.

In consequence of letters from the Home Department to the lords lieutenant, the yeomanry cavalry in the midland and northern counties have been called upon to hold themselves in readiness to assist the civil authorities, in case of necessity.

9. The applications at the Secretary of State's office, by persons wishing to emigrate to the intended new settlement at the Cape of Good Hope, have been so numerous as to render it necessary for government to apprise those who may now be desirous of proceeding to that colony, that the whole number which it is possible to send out during the present year has already been completed.

Sir Humphrey Davy writes from Rome to one of his friends, that of the number of manuscripts found in the ruins of Herculaneum, and which have been there enclosed during 1,696 years, 88 have been unrolled, and are

now legible. There are 319 utterly destroyed; 24 have been given away as presents. It is hoped that from 100 to 120 may yet be saved out of 1,265 manuscripts that remain to be unrolled and decyphered, by means of a chymical operation which will cost about 3,000*l.* sterling.

The late storm has been severely felt along the North Devon coast. On Thursday, the 21st ult., a fishing-boat belonging to Clovelly, with seven men, was lost in sight of that romantic village, one only being saved. This melancholy accident is much embittered by the reflection, that the six unfortunate individuals have all left behind them wives and families to the extent altogether of thirty-five children! One of the men was called Brent, and formerly attended Dock-market. Several other herring boats were dispersed in different directions, some being driven on the opposite coast. An American ship passed up channel on Thursday, laden with cotton; she had on board five men, taken off the wreck of a brig laden with timber in the Chops of the Channel. These men report their vessel to have been laid on her beam-ends in a gale of wind, but on her masts being cut away she righted, when two of the crew fell overboard and were drowned. The survivors remained on the wreck, living on raw salt pork 14 days, when the American vessel happily fell in with them.

Fire at Whitechapel.—The patrol, when he saw the smoke issuing from the windows of Mr. Aaron Oram, sprang his rattle for assistance,

assistance, but before any one arrived the lower part of the house was enveloped in flames. The most distressing scene that can possibly be conceived now presented itself; the family, consisting of Mr. Oram, his wife, eleven children and three servants, were shrieking for aid from the upper windows of the house. There was no possibility of their escaping but through the windows, and no ladders were near, nor was there any communication to the adjoining house. Mr. Oram, Mrs. Oram and their son (a youth of 17 years of age), threw themselves out of a two pair of stairs window. Mrs. Oram was caught by the watchman and received but trifling injury: Mr. Oram escaped most miraculously, without any fracture of his limbs; the son unfortunately had his leg broken, and sustained other serious injury. As soon as Mr. and Mrs. Oram recovered themselves, they called out for their children in the greatest agony. The youth was carried to a neighbouring surgeon. By this time ladders had been brought to the premises, and the two adjoining houses (occupied by Mrs. Ross, a milliner and a Mr. Lazarus) were on fire. The ladders were placed against the house of Mr. Oram, and the servants and seven of the children were taken out of the windows of the upper stories. When the seventh child was taken from the window, the flame and smoke rushed in volumes from the upper part of the premises, and the servant-man, who was on the ladder for the purpose of assisting the three remaining children from the burning pile, was

compelled, to save his own life, to slide down the ladder, leaving the little unfortunate creatures at the window crying for relief, which no human power could render them. The agonizing feelings of the parents it is impossible to describe: they saw their infants stretching forth their little hands, until the furious element hid them from their view. The mother was taken into a neighbour's, in a state bordering on madness. The father, in a state of frenzy, called for his children; but, alas! the poor children, consisting of one boy six years, one boy seven years, and a third nine years of age, perished in the flames. While the neighbours were rendering assistance to Mr. and Mrs. Oram, a gang of thieves stole property to a considerable amount. The engines did not arrive until the premises were nearly destroyed. Lazarus's house was occupied chiefly by lodgers; they rushed out in a state of nudity, and were received into the neighbours' houses and supplied with covering. They unfortunately did not save a single article of their apparel, or any other property. The house of Mrs. Ross was also destroyed, and no property saved. The body of one of Mr. Oram's children (the eldest that was burnt) was dug out of the ruins, burnt to a cinder.

4. *Cambridge.*—William Frere esq. M. A., Sergeant at Law and Master of Downing-college, was yesterday elected Vice-Chancellor of this University for the year ensuing.

On Tuesday last, in consequence of a requisition signed by

a number of distinguished individuals of the different colleges of this University, a meeting took place at the Lecture-room under the Public Library, when Dr. Haviland being called to the chair, a series of resolutions were proposed and carried unanimously, tending to the establishment of a society as a point of concourse for scientific communication. The further organization of the society being referred to a committee, the meeting was dissolved.

Edinburgh. — An unexpected order arrived on Tuesday for the march of the 6th foot from the Castle for England. Accordingly yesterday morning (Wednesday, Nov. 3) eight companies of the regiment marched in two divisions, one by the south and the other by the coast road, for Berwick-upon-Tweed. The two remaining companies proceed to the same place as soon as the veterans are formed. We understand the route of the regiment is Leeds, where it is to be stationed. Tuesday, four cart loads of musquets, being the whole unemployed firelocks belonging to the Lanarkshire militia, arrived here from Hamilton, attended by some of the corps, and were lodged in the Castle. This, it is supposed, is a measure of precaution adopted by the Lord Lieutenant of the county of Lanark, in consequence of the present disturbed state of the west of Scotland.

5. Brussels. — Arrivals from Mentz say, that a state prisoner has already been conveyed to the prison of that city. It is supposed to be Sandt.

A very remarkable affair will soon be brought to trial. The following is the case:—Louis Buonaparté, while he was King of Holland, had purchased the magnificent seat of Mr. Hope, the banker at Haarlem. Being obliged to quit his throne, he could not enjoy his private property. The present king of the Netherlands, at his entrance into the kingdom, took possession of the palace of Mr. Hope, as being a demesne of the crown. On the first remonstrance of Louis Buonaparté, the sovereign showed a desire to make an amicable arrangement, and offered to the ancient possessor, first 200,000 florins, and afterwards 300,000. Though this last sum was pretty nearly the value of the estate, Louis refused it as insufficient. The ex-king then caused a consultation to be held by some distinguished lawyers, the majority of whom decided in favour of their sovereign; the minority, consisting of three members, decided in favour of the ex-king. This affair is going to be brought before the Tribunal of the First Instance at Amsterdam. Louis Buonaparté has chosen for his counsel Dr. Mayer, one of the first lawyers in the Netherlands and the author of some excellent works. The question to be proved before the tribunal will be, whether Louis Buonaparté paid for this palace out of his own private fortune; and whether, in 1813, at the time of the installation of his Majesty, he was still in possession of this estate; or whether the imperial administration which had succeeded him had not appropriated it and united it with the demesnes

demesnes of the crown. In the first case, the palace would be the private property of Louis Buonaparté; in the second, the King would owe nothing to the former possessor.

5. *Thames Police-office.*—On Thursday and Friday last, capt. Charles M'Glashan, of the ship Margaret, from Tobago, appeared to a summons under the Act of Parliament passed last sessions for the more speedy recovery of seamen's wages, to show cause why he should not pay Alex. Campbell 9*l.* 19*s.* 6*d.*, the amount of the wages due to him on the voyage from London to Tobago and back again. On the part of the captain it was attempted to be shown, that Campbell had on May 26, while the ship lay in Tobago, deserted, and therefore forfeited his wages: in answer to which, it was proved by six witnesses, that the captain had inflicted four sabre wounds on the body of this seaman; that he continued to beat him with it until the violence of the blows broke a piece off the point of the sabre of more than four inches in length; not content with which, he ordered his mate to flog him, who accordingly gave him seven dozen lashes with a nine-thread rattling-line, folded four times with a knot at each end; and that with the permission of the captain, he went on shore up the island, a distance of 25 miles, to make his complaint to a magistrate, from whom, however, he could neither obtain a hearing or any redress that rather than starve on the island, he tendered himself to the captain to return with him to this country; but who refused to re-

ceive him unless he signed a paper whereby he promised to pay all expenses the ship had been at on his account, admitted that the charges laid against him and the mate were unfounded and malicious, and acquitted them of all charges whatever, which he declined to do; in consequence of which he offered to work his passage home in the Governor Halkett, which captain Justus of that ship accepted.

Mr. Longly, Mr. Richbell and Mr. Kinnard, were all clearly of opinion, that a seaman quitting a vessel for the purpose of making a complaint to a magistrate, whether the complaint was in itself tenable or not, was not a desertion; and under all the peculiar circumstances of this case, taking into consideration the fact of this man's being obliged to sleep on the beach 13 nights, and existing day by day on the charity afforded him in the island and what he could find which the sea had washed on shore, the magistrates refused even to allow the captain 4*l.*, of which captain Justus had made Campbell a present for his services home on board his ship; and sentenced Mac Glashan to pay the balance of the wages out and home, amounting to 9*l.* 19*s.* 6*d.*, and also the costs of the application.

Two other charges, by two other seamen under similar circumstances, against the same captain, were decided in the same manner.

Guildhall.—Yesterday, James Hawley, John Jackson, Daniel Gubton and Charles Priest, journeymen printers, were brought up

up before sir Richard Carr Glyn, in custody of Smith, the officer, on a charge of having printed a considerable number of Moore's Almanacks on unstamped paper.

The prosecution, in this instance, was instituted by the worshipful Company of Stationers, and Mr. Rivington, who attended as their solicitor, stated, that the company, though not possessed of any exclusive right, were very extensive publishers of Almanacks; and that the four prisoners were pressmen in the service of the printer employed by the company, in which capacity they had the opportunity of taking impressions of the Almanacks surreptitiously, whereby not only was the company injured, but the revenue also greatly defrauded. This practice had at length come to such an extent, that it was felt to be absolutely necessary to put a stop to it by legal means; the more especially, as there was little doubt but that the paper also, upon which such impressions were taken, was procured by dishonest means.

Mr. Thorne printer, Red Lion court Fleet-street, deposed, that the prisoners were his pressmen, and employed wholly in a room set apart for that purpose, in printing Moore's Almanack for the Stationers' Company; and that they were not authorized by him to take any impression of that Almanack otherwise than upon stamped paper delivered to them for that purpose.

Mr. Woodfall, a printer, said, in consequence of information they had received, he went to Mr. Thorne's, accompanied by the stock-keepers of the Sta-

tioners' Company and an officer; they found the four prisoners at work in the same room; they proceeded to search them, and found on Jackson and Hawley several copies of the calendar sheet of the Almanack on unstamped paper, and a considerable quantity was also found hid in a drawer in the room. The prisoners when questioned confessed having printed them. Several quires of the Almanack on unstamped paper were also discovered at the lodgings both of Jackson and Priest.

Smith produced the copies found at Mr. Thorne's, and upon the prisoners Jackson and Hawley; and the sheets found on searching the lodgings were also exhibited by the officer employed, amounting together to nearly 20 quires.

The prisoners acknowledged having printed them. The impressions were upon paper of various descriptions, and some of it Mr. Thorne stated to be part of the same kind as another work was being printed upon in his office.

Sir Richard Glyn said, he considered the charge as completely proved against all the prisoners; but as there appeared to be different degrees of guilt, he should feel it his duty to make similar distinction as to their separate punishments, and accordingly sentenced them to hard labour in the House of Correction, Jackson and Priest for the whole term of three months, Hawley for two months, and Gulston, as the least offender, for one month only.

On Saturday morning a melancholy accident happened in Kell's-pit, near Whitehaven, by

|| an

6. No information, it is said, has yet been received from lieutenant Parry, who commands the expedition for exploring Baffin's-bay. As the season is now rapidly advancing, it is conjectured he has passed through sir James Lancaster's Sound, notwithstanding captain Ross's assertions of its being encompassed with land, or that he is unable to return to the southward from the tremendous bergs and masses of ice which move in that direction during the summer. In either case no deficiency of provisions or warm clothing can be experienced, as both the Hecla and Griper are well stored with every necessary. It is well known that lieutenant Parry always conceived that the attempt at discovery in the polar regions was relinquished at the time when the greatest chance of success offered. The months of August, September, and October, are considered as the most favourable in this respect, the new ice rarely beginning to form until December, until which time the old ice continues wasting. The land expedition, under lieutenant Franklyn, from Fort York, Hudson's-bay, to the Copper-mine-river, where Mr. Hearne stated he fell in with the sea, proceeds before the close of the present year, by which he will reach the high northern latitudes in the spring, and have the summer to prosecute his researches. Lieutenant Franklyn, with a surgeon, two midshipmen and two seamen, have been some time at Fort York, making the necessary arrangements with the Indians for their journey.

By an order of the emperor of

Austria of the 7th ult. lithographic presses, either for printing or engraving, are prohibited, unless used with the special authority of government. The punishment for contravening this order to be the same as for having a clandestine printing press.

Letter from Leeds.—I mentioned in a former letter, that ten pieces of artillery had arrived in this district. Out of this number, two field-pieces, with a proportionate number of men, arrived here to-day, and are to be stationed in this town; the others are to be placed at Wakefield, Huddersfield, Halifax, &c. in the immediate vicinity: so that all, if wanted, may be brought to one point of action at a short notice. God grant that their services may not be required!

In addition to the two troops of the 4th, or Royal Irish dragoon guards, already stationed here, another troop arrived this day; and in order that we may be better protected, some extensive buildings have been inspected, and are ordered to be fitted up immediately as barracks for a regiment of infantry shortly expected. It is also confidently rumoured, that the regiment of Yorkshire hussars commanded by lord Grantham, and the other yeomanry and volunteer corps, are to be immediately called out.

The premises that have been taken for the infantry barracks are understood only to be for their temporary occupation, as substantial buildings for that purpose are to be erected, not only here, but in every other large manufacturing town.

12. The king of Spain, in order to

to signalize his nuptials by "a trait of royal clemency," has, by an edict of the 25th October, pronounced the pardon, first, of all prisoners throughout the kingdom, who have not committed the crimes of high treason, murder of ecclesiastics, coining, fire-raising, blasphemy, theft, subornation of perjury, and malversation in public office; excepting also such vagabonds as have been condemned to the army or to the hospitals; and, second, of all guilty and rebellious fugitives; who shall, if in Spain, within the space of six months, and if beyond Spain, within one year, present themselves before some judicial authority, and claim the benefit of this amnesty.

13. The party of artillery, with the two field-pieces which it was stated were on their road to Newcastle, arrived at that town. They marched in great military form, escorted by the grenadier company of the 40th foot, through the corn-market, which at that time was at the height, to the Ordnance barracks.

According to accounts received from the coast of Barbary, the regencies have given an entirely unsatisfactory answer to the demands of admiral Fremantle and admiral Jurieu, who went with a combined English and French squadron, to insist on the renunciation of piracy. The plague has ceased at Algiers, but still rages at Tunis, where it has carried off 60,000 persons.

16. The out-pensioners who have been passed at the muster at Newark, have been marched to Hull, where they are to do garrison duty.

Brussels.—A sentence passed

last week by the tribunal of Brussels, on the complaint of the minister of his Catholic majesty, has applied the law of five hundred florins, in all its rigour, to the editor of "The Journal General des Pays Bas," for having inserted the proclamation of Melchior, who is at the head of a body of rioters in Spain. The sentence states, that M. Weissenbruck, printer to his majesty, convicted of being the printer and editor of an article inserted in the "Journal General" of 22nd August, in which, under pretext of a pretended proclamation issued by the chief of banditti Melchior, the personal character of his Catholic majesty is insulted and outraged, has incurred the penalty threatened by articles I. and II. of the law of 28th September, 1816. In consequence, the court condemns him to pay a fine of 500 florins to his majesty's treasury, with the suppression of his patent, and the prohibition to print or publish any work for the space of three years, and to the costs.

Hull Advertiser.—A detachment of the 90th regiment marched into Macclesfield, and proceeded on the route to Stockport the next morning; on which day, and Thursday, several companies more, with the band, arrived at Macclesfield, where the head-quarters of the regiment is at present fixed.

17. Arrived at Hull, by the Fife, captain Calder, from Leith, the baggage of the 6th regiment of foot, on their way from Edinburgh for Leeds. Part of the regiment arrived at Leeds the same day.

22. It was stated a few weeks since

since, that application had been made to the government of Venezuela, by certain British merchants, for a grant of land on the banks of the Oronoko, for the purpose of founding a colony, and for receiving emigrants from this country. The extent of territory applied for was to be sufficiently large to entitle it to the rank of a kingdom, and the title of New Erin, with a capital, to be called New Dublin, was intended to be bestowed upon it. It is said that the visit of general Bergara and signor Penalva, the Venezuelan deputies to this country is partly intended, and they have full powers for that purpose, to carry this object into effect. A preliminary treaty has been drawn up, and is now under consideration. The land allotted is to be selected from the missions of San Miguel Piega, and its extent is to be 200 leagues square. It will form an integral part of the province of Venezuela, and be governed according to its constitution, preserving complete toleration in religion, and freedom from military service for the settlers. Three merchants of London and one of Dublin are engaged in the negotiation; and a joint-stock company is intended to be formed for regulating the concerns of the colony.

Munich.—By a decree of his majesty, of the 14th of September, the festival of the Reformation is to be celebrated every year in all the Protestant churches in the kingdom of Bavaria. Sunday, the 31st of October, is fixed for this solemnity, of which written notice has been given to all the Protestant Clergy

23. On Saturday evening an inquest was held at the Barley-mow, Mount-street, Berkeley-square, before T. Higgs, esq. coroner, on the body of a female infant about eight months old, of interesting appearance, who, on Thursday night last, was found in Lansdown-passage by lord Chetwynd's servant, who took it to the workhouse. A porter who sweeps the passage where the child was found, every night, on the Thursday evening saw a woman, very fashionably dressed, with a scarlet mantle trimmed with fur, and a large white French bonnet, enter the passage with a small basket, which at first appeared weighty; she shortly returned, and requested him, "for God's sake to go down, that a child was lying on the ground;" he followed, and she wrapped her shawl round the infant, telling the porter to mind it, and she left the place in haste. The jury had an opinion that she was the mother. No opinion could be given as to the cause of death, and the jury returned a verdict—"That the deceased's death was occasioned by being wilfully exposed to the inclemency of a dark, cold night in Lansdown passage."

Bow-street.—Yesterday James Bryant, James Hartley, and Thomas Chambers, were brought to the office from St. Martin's watch-house upon a night charge. Mr. Birnie, the sitting magistrate, exerted himself to discover who they were, and the object of the conduct with which they were charged, they having been detected in parading the Strand, armed with pistols, at midnight on Sunday.

Mr.

Mr. Thomas Bewley, tobacconist, No. 49, Strand, stated, that soon after twelve o'clock on Sunday night, he returned home, and just as he was ringing his bell he saw the flash from a fire-arm, and at the same instant heard a report, which he concluded to be from a pistol; it proceeded from one of three men, who were directly opposite to him, near Castle-court. He was induced from what he had seen and heard to run across the way towards them, to ascertain the cause, when he observed a pistol in the hand of one of them; he endeavoured to run off. Some alarm having been created by the discharge of fire-arms, and in consequence of the springing of some watchmen's rattles, it turned out that all the prisoners were armed with pistols, and Mr. Bewley saw one of them present a pistol at the breast of one of the watchmen; but whether it was prevented from being discharged by his arm being seized, or whether the prisoner did not pull the trigger, he could not tell. The prisoner Hartley ran off; he pursued him; came up with him, and secured him. The watchmen secured the other; he was positive he saw a pistol in Bryant's hand. The circumstance caused a great tumult and noise in the street.

Edward Hussey, a watchman, said, that on hearing the report of a pistol and a watchman's rattle springing, he ran towards the spot, when he met the prisoner Hartley running away from the spot, which induced him to suspect he was the offender, and he endeavoured to stop him, but he knocked him away. Mr. Bew-

ley, however, followed and came up with him, and being more powerful than Hartley, secured him and held him till he got up, and delivered him into his custody.

This was confirmed by Edward Sterry, another watchman, who saw pistols in the possession of all the prisoners.

Thomas Hunt, a watchman, confirmed the general statement, and stated, that when he laid hold of the prisoner Bryant, he resisted, and struck him a violent blow with a pistol. After he had seized him, he put his hand behind him to give a pistol to another man, who, no doubt, was one of the gang; he endeavoured to seize the other man, but he ran off and got away.

Robert Wearings, a watchman, said he heard the report of a pistol and the springing of watchmen's rattles, which induced him to go to assist, and he endeavoured the first to secure Hartley, he being the man who was pointed out as the one who had fired the pistol, but he beat him off by striking him several times with a stick violently.

After the evidence had been taken, the worthy magistrate examined the prisoners as to who they were, and the cause of their being armed, and especially at that very late hour on a Sunday night, when the prisoner Bryant admitted that it was he who fired off the pistol. They gave a very unsatisfactory account of themselves: Bryant pretended that he was intoxicated, and that he had only bought his pistol on Saturday.

The only account they gave of being



being in possession of pistols was, that they had been advised to go armed; and upon an inquiry into their notions and connexions, they proved to be three of those ignorant and deluded wretches called Radicals. They were ordered to be detained.

26. The Island of Barbadoes, which escaped the hurricane in September, so fatal to some of the neighbouring islands, was visited last month by a similar calamity. The storm is described as the most dreadful that has occurred in the island since 1780, the anniversary of which was commemorated on the 11th ult. by a solemn fast. On the 13th the gale commenced, attended with torrents of rain, which continued during the whole of the following day. The evening closed with the most terrific appearance, as if giving notice of the dreadful havoc that was to ensue. The wind and the rain increased, and the deluge of water became so irresistible, that it brought down the gully at Bridgetown, formed to carry off the freshes from the country, with impetuous fury, sweeping before it Constitution-bridge and every building in its course; and soon after, that beautiful structure the New-bridge, which cost the colony so much money, was demolished in an instant. The morning of the 15th dawned upon this scene of desolation, the hurricane continuing with unabating fury. About seven o'clock the appearance of the town throughout became distressing beyond description; the water had risen in the streets to three or four feet, and in many places as high as five

feet; nothing but confusion and alarm appeared: whole families were seeking protection and security in other quarters. Men were seen wading up to their middles protecting their wives and children; the servants conveying what property they were able to carry, but scarcely knowing whither to turn with it. The hurricane terminated at six on the evening of the 15th. A complete detail of the injury the island has sustained cannot be given, as the particulars of the state of the interior had not all been collected when the accounts came away. The plantations have more or less felt the effects of the wind among their buildings, some of which have been blown down, and others unroofed; the negro houses, as far as could be ascertained, have been mostly destroyed. The canes on some estates have been torn up by the roots, and in others levelled with the ground. Among the plantations more particularly injured are, Ashbury, Bennett's, Duke's, Pilgrim, Belgrove, and Grove's estates; but it is believed that not a single spot on the island has wholly escaped. In a division of the parish of St. Andrew, called Scotland, there was scarcely a small house left standing, and the plantain trees were nearly all destroyed. At Forster-hall estate, near Joe's river, some singular and awful phenomena occurred. Several of the buildings sunk under the earth, and were totally destroyed; and a house, where a flock of sheep and some cattle were lodged, was swallowed up and entirely lost. A wood adjoining suddenly moved down
to

to the spot where Forster-hall buildings stood; a field of young canes took possession of a spot where a field of potatoes had been, and which slid into the sea. A sinking of the earth occurred in other parts of the island; the dwelling of Dr. Bascom, in the parish of St. Thomas, gave way, and was nearly buried in the earth; the family had fortunately quitted it. Speight's-town has suffered considerably; and Irish town, it is said, is completely joined with the sea. The damage among the shipping was considerable; but several vessels were able, by taking measures of precaution, suggested by the appearance of the atmosphere before the hurricane commenced, to ride it out in safety. No return had been obtained of the number of lives lost; but it was imagined, under all the circumstances of this dreadful calamity, that it was smaller than might have been expected.

25. American papers to the 30th ult. were received yesterday. The fever has abated generally, and New York is considered so free from it, that all those who quitted on the first alarm are returning. The late hurricane at St. Thomas's has extended to several other islands, where it has done equal damage. At Tortola every vessel was on shore, and every house in the town except two destroyed. The governor of the island and all his family were drowned in their house, and numerous other lives lost. At St. Bartholomew's half the town was destroyed, and the shipping rendered one mass of ruins at the head of the bay. At St. Martin's,

every estate except two was in ruins: returns had been received of 146 persons lost, besides many more missing. Anguilla, St. Kitt's, Nevis and Porto Rico, have also suffered materially; but the details had not been received.

DECEMBER.

3. Yesterday, six persons were committed to Preston House of Correction for manufacturing pikes. They were brought in three chaises from Burnley and the neighbourhood, under an escort of dragoons.

4. *Bow-street.*—Yesterday, a man of colour, calling himself Peter Rayner, dressed in livery, and saying he was a servant to lady Gower, was brought to the office, and underwent a long examination before Mr. Birnie, the sitting magistrate, charged with having committed a highway robbery under the following circumstances:—

The post-chaise driver belonging to the White-hart inn, at Bagshot, on returning home on Tuesday night last with an empty chaise from Farnham, took two men into his chaise at Farnborough to ride a few miles. He had observed the prisoner riding behind the chaise some time before, but seeing he was a livery-servant, he did not object to it. When the two men got out of the chaise, the prisoner agreed with the driver to take him in the chaise to Bagshot for 1s. 6d. After they had proceeded some distance, and had arrived at a lonely part, the prisoner

soner called out of the chaise to the driver to stop, but did not assign any reason why he was to stop; and the driver, having some suspicion of him, declined complying with his request and flogged his horses on at a quicker pace, when the prisoner jumped out of the chaise and swore he would blow the driver's brains out if he did not stop, and presented two pistols, which induced the driver to comply. The prisoner then robbed him of his money, &c. made him dismount from his dicky, unharness one of the horses and put a saddle on him, on which the prisoner mounted, and went back the road by which the chaise had come. The driver proceeded on to the White-hart inn, at Bagshot with one horse to his chaise, and related what had happened. A number of men were despatched on horseback, &c. in various directions in pursuit of the robber, but no trace was made of him till Thursday, when he was detected at the Pack-horse public-house, on Turnham-green, where he stopped with the stolen horse on his way to London. He afterwards escaped out of a back door of that house, but was pursued and taken in a field. He was fully committed for trial.

12. *Mansion-House.* — John Morley, the keeper of billiard-rooms Sweeting's-rents, in the parish of St. Bartholomew by the Exchange, was charged upon information under the 12th of Geo. 3, cap. 28, sec. 1, for setting up, maintaining and keeping a certain fraudulent game, to be determined by the chance of dice, under the denomination of

the game of hazard, by which he was liable to the penalty of 200*l.*

The information was laid by an eminent merchant, a resident in the parish of St. Stephen, Coleman-street, who was led to adopt the proceeding in consequence of having experienced in the person of a *protégé*, 19 years of age, the dreadful effects which gaming establishments, or as they are figuratively called, "Hells," arc daily producing. The prospects of the young person whose indiscretion has been alluded to, were a short time ago splendid, but a few visits to Morley's put an end to them.

The house in question is in all appearance devoted to the game of billiards, and most of those who frequented it engaged merely in that game. Through the agency of professed gamblers, who shared in the profits of the concern, those who appeared to be proper objects of plunder were soon introduced to the hazard table, which is kept in a retired and private part of the house.

The evidence of the young man was to the following effect: he had been in Morley's house; the game of hazard was played in the front room on the second floor; a door led into it from the landing place and another from the public billiard room, which is the public room on the same floor; both these doors were, during the time of play, kept barred and locked, and never opened except to the voice of some person known to the master of the house. During play the door was seldom or never opened; but before play commenced, there was an understanding

understanding given that proceedings were about to begin. In the centre of the room was a large circular table, over which a lamp was suspended, and round the table the players sat, in number generally from six to ten. The play commenced by one of the players taking the dice-box with two dice in it; two other dice were covered on the table, and might be substituted for those in the box, upon application to Morley, who acted as "groom porter." Morley is remunerated for his table very handsomely. When the caster throws in three mains successively, he pays to Morley what is called a box (one of the pieces of the house with which the game is played.) The prices are eighteen-pence each, and he gives them in exchange for notes, and retakes them. The caster pays nothing unless he wins. The players generally leave off play at eleven or twelve o'clock. On Saturday there is most play, as Morley on that day always gives a dinner at four o'clock, immediately after which the play commences. On other days tea and coffee are given.

Hurdifield, the officer, swore that he served the notice of attendance at Morley's billiard-room, Sweeting's-rents. The defendant did not appear.

The overseer of the parish deposed, that he had been in Morley's house, No. 2, Sweeting's-rents, a month or five weeks ago; that Morley voted as an inhabitant for an organist.

The churchwarden who collects the poor-rates in the parish deposed, that Morley was rated as an inhabitant.

A number of young men, most of whom are clerks, were called to confirm the evidence as to the system, but none of them appeared.

The Lord Mayor, after having made some comments upon the vice of gaming, convicted Morley in the penalty of 200*l*. We understand that the defendant left this country for Ireland the moment proceedings were instituted. The gentleman who laid the information was only restrained from prosecuting the person who robbed him, by the promise of that person to leave the country for ever.

22. A dreadful accident occurred at Little Harwood, near Blackburn, by which two men were killed on the spot; two others were so shockingly bruised that they have since died of their wounds; and a fifth lies in a most deplorable state, with little chance of recovery; and another man and a boy are also much bruised. The accident was occasioned by the explosion of a steam-boiler at the mouth of a pit which colonel Hargreaves and two other gentlemen are now sinking for coals. The boiler weighs about four tons, and was carried, it is supposed, about 50 yards high, and fell 65 yards from the place where it was working. It was seen in its transit by many persons at a considerable distance. One piece of iron of a ton weight was thrown fifty yards, and several stones and slates were found at 100 yards from the place they had occupied. The building which contained the engine was left with scarcely one stone upon another.

Ono

One of the unfortunate sufferers was carried by the violence of the explosion to a distance of 80 yards, and lived several hours after he was taken up. Three of the men who have been killed have left families; the fourth was a stranger who came from Low Moor iron-works to inspect the engine, and had not been more than an hour on the premises when the dreadful occurrence took place.

22. A meeting of from 20,000 to 30,000 Radicals was held on Monday at Burnley, in Lancashire. A number of them were, it is said, armed with pikes and pistols. Among the resolutions passed, one was, that an address should be presented to the Prince Regent by Hunt and Johnson in person; another, that if parliament should propose any measures to curtail their liberty of meeting, such a step should be considered a signal for a general meeting.

25. On Saturday last, a party of officers in Paisley were sent to execute a warrant for apprehending a person accused of seditious practices, and for searching his possession for papers. When they had completed their search, and proceeded to the street with their prisoner and papers, they were assailed by a mob, who knocked one of them down, and so severely hurt another with stones, which were unmercifully pelted upon them, that they were obliged to abandon their prisoner, and in the best way they could, effect their escape. Yesterday, one of the magistrates, with a party of officers, accompanied by some

infantry and cavalry, proceeded to apprehend some of the rioters, when they were mobbed and assailed in the same manner. The same day, another party of officers, along with the sheriff-substitute, were grossly insulted in seizing some concealed arms, in one of the most public streets of Paisley, and they found it not safe to carry them off without the protection of the military, and a party was accordingly sent for to escort the officers with the arms so seized. On this duty the soldiers were hooted and insulted, and one of them severely struck by a stone from the mob, in presence of the sheriff, and all this without any retaliation.

27. On Thursday evening, soon after six o'clock, as Mr. Edward Blake and Mr. Thomas Dray, two riding officers in his Majesty's customs, stationed at Lydd, in the district of Dover, were proceeding on duty, they discovered at sea, in the Midriff, between Dover and Romney, a large quantity of tea, spirits and tobacco, which they seized, together with a large galley, called *Le Marcheron*, of Boulogne, being in the act of illegal importation. Having succeeded in getting the boat and cargo on shore, they were attacked by a numerous gang of upwards of fifty smugglers, armed with pistols, bludgeons and other offensive weapons, one of whom struck Mr. Blake a violent blow on the head, which brought him to the ground, where he remained a considerable time insensible, and great fears are entertained for his life. Mr. Dray was also dreadfully ill-treated. They, however,

ever, succeeded in giving an alarm. Assistance came, and these desperadoes made off without carrying into effect their intentions of rescuing the contraband property, which was safely lodged in the customs' stores at Dover. A reward is offered for the ruffian that attempted the life of Mr. Blake, his person being known.

29. On Friday a privy-council was held at Dublin-castle, when the baronies of Ballymoe, Downmore, Killyan, and Tyaquin, in the county of Galway, were, under the act of the 54th of the king, declared in a state of disturbance. An extraordinary establishment of police will accordingly be formed in those baronies.

30. A fishing bank has within these few years been discovered, which is supposed to extend about 150 miles in a south-western direction from the Shetland-

islands. It joins the fishing banks on the western side of the Orkney-islands, and is believed to bend westward as far as Cape Wrath in Sutherlandshire, and the Lewis-isles. This great bank has already become an object of some notoriety with the Dutch and French fishermen, who are to fish upon it next season. One French vessel, said to belong to St. Maloes, fished two cargoes of fine cod upon it in so short a period in the summer of 1819, that she returned to France with her second cargo in the month of July. A number of decked boats, or small vessels, manned with eight hands each, belonging to the Shetland-islands, rendezvoused last summer in Scalloway and the other bays on the western side of Shetland, were also extremely successful, having actually caught, for several months together, at the rate of 1,000 fish per week for each boat.

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BIRTHS.

May.

January.

Lady Willson, a son and heir.
The wife of Hon. C. Langdale, a daughter.
The wife of Lieut.-col. C. Crookshank, a son.
The wife of Will. Browne Folkes, Esq. a son and heir.

February.

The lady of Sir L. T. Worsley Holmes, Bart. a daughter.
The wife of the Hon. H. Grey Bennet, a son.
Lady Gardiner, a son.
Duchess of Bedford, a son.

March.

Lady Harriet Paget, a dau.
Countess of Lusi, a son and heir.
Marchioness of Ely, a daughter.
Countess of Manvers, a dau.
The wife of the Hon. Alex. Murray, a daughter.
At Hanover, March 26, the Duchess of Cambridge, of a son, and on March 27, the Duchess of Clarence, of a daughter. The latter only survived a few hours.
The Duchess of Leinster, a son.

April.

The lady of M. Milbank, Esq. M.P. a son and heir.
Viscountess Folkestone, a dau.
Viscountess Newport, a son and heir.

Lady Louisa Lambton, the lady of I. G. Lambton, Esq. M. P. a daughter.

Lady James Stuart, a daughter.
Lady Milton, a daughter.

The Countess of Stanhope, a daughter.

24. At Kensington Palace, her Royal Highness the Duchess of Kent, of a daughter.

27. At his hotel in Berlin, her Royal Highness the Duchess of Cumberland, of a son.

June.

The lady of Sir Thos. D. Acland, Bart. a son.

Viscountess Cranley, a dau.

Countess of March, a daughter.

Lady Eleanor Featherston, a son and heir.

At Florence, Lady Burghersh, a son.

July.

The Countess of Castlestuart, a daughter.

At Stockholm, Viscountess Strangford, a daughter.

At Lausanne, Lady Harriet Hoste, a son.

The Marchioness of Tweeddale, a daughter.

August.

The reigning Duchess of Coburg, a son.

Lady Frances Ley, a son.

Lady Caroline Ann Macdonald of Clanronald, a son and heir.

The Duchess of Newcastle, a daughter.

The

The Countess of Errol, a dau.
 The Countess of Euston, a son.
 The Countess of Abingdon, a son.
 Lady Ogilby, a son.
 At Lisbon, Lady Buchan, a son.

September.

The lady of the Lord Justice Clerk, a son.
 At Paris, the Duchess of Berry, a daughter.
 Lady Elizabeth Smyth, a dau.
 Lady of Sir John Bourke, Bart. a son.
 Lady of Sir Frederic Gustavus Fowke, Bart. a son.

October.

At Dublin, Countess Talbot, a son.
 Lady of Rear Admiral Sir John Talbot, a son and heir.
 Countess of Jersey, a son.
 Lady William Russell, a son and heir.
 Grand Duchess of Mecklenburgh Strelitz, a son.
 Lady of Capt. Sir James Dunbar, R. N. a son and heir.
 Lady of Sir C. Wolseley, Bart. a son.
 The Countess of Lieven, a son.

November.

The Marchioness of Downshire, a son.
 The Hon. Mrs. Peter De Blaquiere, a son.
 The Right Hon. Lady Bagot, a daughter.
 The wife of Henry Brrougham, Esq. M. P. a daughter.

At the South parade, Cork, Lady Audley, a son.
 At Edinburgh, the lady of Sir Alex. Mackenzie, a son.
 At Edinburgh, the Hon. Mrs. Dundas, a son and heir.
 The wife of Thos. Tyrwhitt Drake, Esq. M. P. a daughter.
 At Braham Castle, the Hon. Mrs. Stewart Mackenzie.
 Viscountess Ranelagh, a dau.
 The Right Hon. the Countess of Brownlow, a daughter.

December.

At the Hague, the Countess of Athlone, a daughter.
 At Shugburgh, Staff. Viscountess Anson, a daughter.
 Lady Lindsay, a son.
 The lady of Sir John C. Cogill, Bart. a daughter.
 The wife of Sir Hen. Onslow, Bart. a daughter.
 Lady Boughey, a son.
 Viscountess Pollington, a son.
 The wife of Thomas Denman, Esq. M. P. a son.

MARRIAGES.

January.

Marquis of Blandford, to Right Hon. Lady Jane Stewart, eldest daughter of the Earl of Galloway.
 Sir David Moncrieffe, Bart. to Helen, daughter of the late Æneas Mackay, Esq.
 Sir Robert Sheffield, Bart. to the eldest daughter of Sir J. Newbolt, Chief Justice of the Supreme Court of Judicature, Bengal.

Feb.

February.

Lord Viscount Anson, to Miss Louisa Catherine Phillips.

The Rt. Hon. Lord Greenock, to Miss Mather.

Capt. Charles Sotheby, to Miss Jane Hamilton, third daughter of the late Lord Belhaven and Stenton.

The Right Hon. Lord Rodney, to Charlotte Georgiana, second daughter of Sir Rich. Morgan, Bart. of Tredegar.

March.

The Earl of Uxbridge, eldest son of the Marquis of Anglesea, to Eleanora, second daughter of the late John Campbell, Esq. of Shawfield—having been previously married on the 5th of August last at Altyre in Scotland, the seat of Sir W. G. Cumming, Bart.

Mr. Sergeant Copley, Chief Justice of Chester, to the widow of the late Lieut.-col. Thomas.

Hon. James Sinclair, second son of the Earl of Caithness, to Elizabeth, youngest daughter of G. Tritton, Esq.

Sir Jacob Astley, Bart. to Georgiana Caroline, youngest daughter of Sir Henry Dashwood, Bart.

The Hon. F. Lumley, second brother of the Earl of Scarborough, to Jane, second daughter of the late Adm. Bradley.

The Earl of Dundonald, to Anne Maria, eldest daughter of Francis Plowden, Esq.

April.

Lady Frances Anne Vane Tempest, to Lord Stewart, second son to the Marquis of Londonderry.

At Dublin, the Hon. and Rev.

E. Wingfield, second son of the late Viscount Powerscourt, to Louisa Joan, third daughter of the late Hon. Geo. Jocelyn.

Sandford Graham, Esq. M. P. to Caroline, third daughter of the late John Langston, Esq.

Henry Brougham, Esq. M. P., to Marianne, widow of the late J. Spalding, Esq.

May.

The Earl of Buckinghamshire, to Miss Glover.

Earl Temple, M. P. eldest son of the Marquis of Buckingham, to Lady Mary Campbell, second daughter of the Earl of Breadalbane.

The Hon. Richard Neville, son of Lord Braybrook, to Lady Jane Cornwallis, daughter of the Marquis Cornwallis.

Sir John Wrottesley, Bart. to Hon. Mrs. John Bennett.

June.

Capt. White Melville of the Royal Lancers, to Lady Catherine Osborne, only daughter of the Duchess Dowager of Leeds.

The Right Hon. Lord Rossmore, to Lady Augusta Charteris, youngest sister of the Earl of Wemyss and March.

The Hon. H. F. C. Cavendish, M. P. son to Lord G. Cavendish, to Frances Susan, widow of the Hon. F. Howard.

I. Freeland, Esq. M. P. to Mrs. Mary Palmer.

Hon. Robert Henry Clive, M. P. second son of Earl Powis, to Lady Harriet Windsor, daughter of the late and sister of the present, Earl of Plymouth.

C. P. Grenfell, Esq. to the Right Hon. Lady Georgiana Isabella Frances Molyneux, eldest daughter of the Earl of Sefton.

John Fred. Crewe, Esq. nephew to Lord Crewe, to the Hon. Harriet Smith, daughter of Lord Carrington.

July.

J. R. G. Graham, Esq. M. P. eldest son of Sir James Graham, Bart. to Fanny Callender, youngest daughter of James Campbell, Esq. of Ardkinglas.

The Hon. Wm. Cust, M. P. to Sophia, daughter of the late Thomas Newnham, Esq.

Will. Yates Peel, Esq. M. P. for Tamworth, to Lady Jane Moore, second daughter of the Earl of Mount Cashell.

The Hon. Frederic Sylvester North Douglas, only son of Lord Glenberrie, and M. P. for Banbury, to Harriet, eldest daughter of W. Wrightson, Esq.

The Hon. Capt. Robert Rodney, R. N. brother to Lord Rodney, to Anne, youngest daughter of the late Tho. Dennett, Esq.

The Rev. G. Cornish, eldest son of G. Cornish, Esq. to Harriet, second daughter of Sir R. Wilmot, Bart. of Chaddesden.

At Konix, near Berne, Mark Theodore de Morlet, M. D. to Constance, youngest daughter of the late Sir J. Ingilby, Bart. of Ripley.

The Hon. Capt. Perceval, eldest son of Lord Arden, to the eldest daughter of J. Hornby, Esq. of Titchfield.

Tho. Tyringham Bernard, Esq. to Sophia Charlotte, daughter of the late Sir David Williams, Bart.

The Rev. H. E. Graham of Hendon, to Elizabeth, eldest daughter of Sir George Leeds, Bart.

Sir Will. Leeds, Bart. of Croxton Park, Cambridgeshire, to Eleanor, second daughter of Owsley Rowley, Esq.

August.

Walter, eldest son of Rich Long, Esq. late M. P. for Wilts, to Mary Anne, second daughter of the Right Hon. Archibald Colquhoun, Lord Register of Scotland.

Sir H. R. Calder, Bart. of Park House, Kent, to Lady Frances Selina Pery, third daughter of the Earl of Limerick.

James Macdonald, Esq. eldest son of Sir Archibald Macdonald, to the Lady Sophia Keppel, eldest daughter of the Earl of Albemarle.

Lieut.-col. Hon. James H. Keith Stewart, M. P. to Henrietta Anne, second daughter of the Rev. Spencer Madan, D.D.

Lieut.-col. Steele, Coldstream guards, to Lady Eliz. Montague, daughter of the duke of Manchester.

The Earl of Roseberry, to Hon. Miss Anson, sister of Lord Viscount Anson.

Octavius Henry, fourth son of Will. Smith, Esq. M. P. to Jane, daughter of T. W. Cooke, Esq. of Hertford-street, May-fair.

The Earl of St. Germain's, to Harriet, daughter of the Right Hon. Reginald Pole Carew.

J. W. Grieve, Esq. 2nd reg. Life Guards, to Hon. Mrs. Sidney Bowles, youngest daughter of the late, and sister of the present, Lord Northwick.

Sept.

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September.

Edward Stanley, Esq. of Cross Hall, Lancashire, to Lady Mary Maitland, second daughter of the Earl of Lauderdale.

Col. Thomas White, to the Hon. Juliana Vereker, daughter of Lord Viscount Gort.

Sir Arthur Chichester, Bart. to Charlotte, youngest daughter of Sir James Hamlyn Williams, Bart.

Sir J. Walter Pollen, Bart. of Redham, Hants, to Charlotte Elizabeth, only daughter of the late Rev. J. Craven.

Sir Edward Stanly Smith, Bart. to Elizabeth, daughter of Dennis Duggin, Esq.

Lord Viscount Belgrave, to Lady Eliz. Mary Leveson Gower, youngest daughter of the late Marquis of Stafford.

October.

Major-gen. Sir Herbert Taylor, to Charlotte Albinia, eldest daughter of the late Edward Disbrowe, Esq.

At Ratisbon, Count Charles Westerholt, to his cousin, Miss Harriet Spencer, youngest daughter of the Hon. W. R. Spencer.

At Vienna, the Prince Royal of Saxony, to the Archduchess Caroline of Austria.

Sir James Dalrymple Hay, Bart. to Elizabeth, eldest daughter of Lieut.-gen. Sir John Heron Maxwell, Bart.

November.

Sir Nicholas Cosway Colthurst, Bart. M. P. for the city of Cork, to Elizabeth, only child of

George Vesey, Esq. of Lucan House.

Lord Dacre to Mrs. Wilmot.

December.

R. P. Smith, Esq. M. P. to Eliza, daughter of the late Peter Breton, Esq.

Col. Farquharson, to Rebecca, fourth daughter of the late Sir G. Colquhoun, Bart.

W. Wrixon Becher, Esq. M. P. for Mallow, Ireland, to Miss O'Neill.

Sir Richard Sutton, Bart. to Mary Elizabeth, daughter of the late B. Burton, Esq.

Major-gen. Riall, Governor of Grenada, to the eldest daughter of the late James Scarlett, Esq. of Jamaica.

Lieut.-col. E. C. Fleming, to Charlotte, youngest daughter of the late Lieut.-gen. St. Leger.

PROMOTIONS AND PRE-FERMENTS.

February.

Hon. Edward Stuart, and William Thomas Roe, Commissioners of Customs.

Henry Davis, esq. to be Sheriff of the county of Pembroke; and John Chamber Jones, esq. to be Sheriff of the county of Denbigh.

March.

A new commission to the Board of Admiralty, including the name of Sir G. Clerk.

The Earl of Fife, a Lord of the Bedchamber,

Bedchamber, *vice* Earl Poulet, deceased.

The Earl of Morton, his Majesty's Commissioner to the General Assembly of the Church of Scotland, *vice* Earl of Errol.

To be Lords of the Treasury, Lord Liverpool, Mr. Vansittart, Mr. Berkeley Paget, Viscount Lowther, Lord H. Somerset, the Hon. J. Maxwell Barry, Mr. Alexander M'Naghten.

Sir David Baird to be Governor of Kinsale.

April.

Hardinge Giffard, esq. to be Chief Justice.

Earl of Carrick, Representative Peer of Ireland, *vice* Northland.

Lord Belhaven, one of the Sixteen Peers of Scotland, *vice* Errol.

May.

The Earl of Aylesbury made Knight of the Thistle.

C. Maxwell, esq. Governor of St. Christopher's.

Sir S. F. Whittingham, Governor of Dominica.

The Right Hon. Charles Grant, sworn of the Privy Council.

Charles Warren, Esq. Attorney General to the Prince of Wales.

June.

Lieut. Gen. Sir W. Lumley, Governor and Commander in Chief of the Bermuda Islands.

John Richardson, Esq. one of the Judges of the Court of Common Pleas.

W. Draper Beat, Esq. one of the Judges of the Court of King's-bench.

The Earl of Stamford and

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Warrington, to be Lieutenant of the County of Chester; the Marquis of Lothian, to be Lieut. and Sheriff Depute of the Shire of Mid Lothian; and the Marquis of Queensberry, to be Lieut. and Sheriff Principal of the Shire of Dumfries.

Sir S. Shepherd, made Chief Baron of the Court of Exchequer in Scotland.

A. Maconochie, Esq. late Lord Advocate, made one of the Lords of Session and Justiciary in Scotland.

Sir W. Rae, Lord Advocate.

July.

Sir W. Young, K. G. C. B. and Admiral of the Red, to be Vice-Admiral of the United Kingdom; and Sir J. Saumarez, K. G. C. B. and Admiral of the Blue, to be Rear-Admiral of the United Kingdom.

Sir R. Gifford is appointed Attorney General; and Serjeant Copley Solicitor General.

Mr. Casberd is appointed to the seat of a Judge in the Principality of Wales, *vice* Abel Mosey, Esq. resigned.

Henry Revell Reynolds, Esq. Barrister at Law, to be a Commissioner for the relief of Insolvent Debtors, *vice* Mr. Serjeant Runninton.

Sir Miles Nightingale invested by the Prince Regent with the insignia of a Knight Commander of the Bath.

Alexander Keith, Esq. knighted, and appointed Knight Marshal of Scotland,

Lieut. Col. A. Allen, of the East India Company's service, created a Baronet.

I

August.

August.

Henry Petrie, Esq. appointed Keeper of the Records in the Tower.

Robert Kerr, Esq. (commonly called Lord Robert Kerr), Secretary to the Order of the Thistle.

Sir G. Murray, Governor of the Royal Military College, *vice* Hope, and Sir A. Hope, Governor of Edinburgh Castle, *vice* Murray.

A considerable number of the officers of the Royal Artillery were directed to take rank by Brevet.

September.

Rear Admirals Beresford and Blackwood, Knights Commanders of the Bath.

Sir W. A'Court, Minister Plenipotentiary to the Court of Naples, a Knight Grand Cross of the Bath.

October.

The Earl of Stamford and Warrington, to be Lord Lieut. of the County and City of Chester.

Lieut. Gen. Sir J. Oswald, to be Col, *vice* Duke of Richmond, deceased.

Duke of Wellington, Governor of Plymouth, *vice* the same.

Rev. J. Robinson of Rokeby Hall, created a Baronet.

General Sir John Francis Cradock, G. C. B. and heirs male, a Baron of Ireland, by the title of Baron Howden.

Lieut. Gen. the Earl of Dalhousie, to be Captain General and Governor in Chief of the Provinces of Lower and Up-

per Canada, Nova Scotia, New Brunswick and the Islands of Prince Edward and Cape Breton; also Sir James Kempt to be Lieut. Governor of Nova Scotia and its dependencies.

Major General Sir G. Cooke, Lieut. Governor of Portsmouth, *vice* Kempt.

November.

The Earl of Egremont, to be Lord Lieutenant of Sussex.

Lord Lascelles, Lord Lieutenant of the West Riding of Yorkshire.

John Cartwright, Esq. Consul General in Turkey,

James Yeames, Esq. Consul General in the Russian Ports in the Black Sea.

The Earl of Craven, to be Lord Lieutenant of Berks, *vice* Earl of Radnor, resigned.

Major Gen. Sir James Kempt, to be Lieutenant General in North America only.

The Gazette contains orders for the Court's going into mourning for Charles IV, late King of Sardinia, and for the late Duchess Dowager of Brunswick.

ECCLESIASTICAL PREFERENCE.

The very Reverend Dr. Saurin, Dean of Derry, to be Bishop of Dromore.

GAZETTE PROMOTIONS.

Nov. 20. Sir E. Nagle, one of the Grooms of his Majesty's Bedchamber, *vice* Sir J. Cradock.

Lieut. Col. J. Freemantle, of the Coldstream Guards, Deputy Adjutant

Adjutant General to the forces in the Island of Jamaica.

December.

Brevet Major Keane, to be Major. Brevet Lieutenant Col. McNeight, to be Major. Brevet Major Abrahams, to be Major.

Surgeon Murray, to be Surgeon to the Forces.

At his seat, Co. of Tipperary, in his 44th year, the Right Hon. Richard Butler, Earl of Glengall, a Governor of the County of Tipperary, and a Trustee of the Linen Manufacture.

Charles IV, the former King of Spain and the Indies, died at Rome on the 20th of January.

February.

At Ashton Hall, Lancashire, in his 80th year, Archibald Duke of Hamilton, Brandon, and Chatterhault.

At Chichester, in his 59th year, Sir George Murray, K. C. B. Vice Admiral of the Red.

March.

On the 3rd of this month, the celebrated German writer, Augustus von Kotzebue was assassinated at Manheim by a student of Jena, named Charles Sandt, son of a Counsellor of Justice at Wunsiedel.

On March 12, the Right Rev. John Parsons, D. D. Lord Bishop of Peterborough, and Master of Baliol College, Oxford.

On March 25, at the age of 84, Right Hon. Lady Eliz. Drummond, widow of Henry Drummond, Esq. and daughter of George fourth Earl of Northampton.

On March 30, died in her 65th year, Anne Dowager Marchioness Townshend, relict of the first Marquis Townshend, of Rainham Hall, Norfolk. She was daughter of the late Sir William Montgomery, Bart., and has left an extensive circle of relations and friends

DEATHS.

January.

At his seat in the county of Roscommon in his 81st year, the Right Hon. Maurice Mahon, Baron Hartland, a Governor of the county of Roscommon.

At Somers Town, in his 81st year, Dr. John Wolcot, well known to the literary world, under the name of *Peter Pindar*.

Dowager lady Williams, relict of Sir David Williams, Bart.

Sir John Courtenay Throckmorton, Bart.

Caroline, Countess of Ilchester.

The Right Hon. Earl Poulett, Lord Lieutenant, and Custos Rotarum of the County of Somerset, in his 68d year.

In the new forest, in his 47th year, the Earl of Errol, one of the Sixteen Peers of Scotland, hereditary Lord High Constable and Knight Mareschal of Scotland.

In her 71st year, the Countess Dowager of Sefton.

Sir Henry Tempest, Bart.

At Leslie House, Fifeshire, Harriet Evelyn, Countess of Rothes.

friends to deplore the loss of one of the most amiable of women.

At Paris, in his 67th year, the Right Hon. Charles, ninth Lord Dormer, of Peterley House in the county of Buckingham and Grove Park in the county of Warwick. His funeral obsequies, according to the Church of Rome, in which communion his Lordship lived and died, were performed at St. Roche on the 5th instant. He died unmarried.

In Clarges Street, Bath, in her 69th year, Charlotte Countess Onslow.

April.

On April 26, in her 83rd year, Mary Countess Dowager Poulett.

Sir John Buchanan Riddell, Bart., M. P. for the Burghs of Selkirk, Peebles, Linlithgow and Lanark.

Lord Reston, one of the Senators of the College of Justice of Scotland.

At Lisbon, Charles W. Montague Scott, Duke of Buccleugh, Lord Lieutenant of the Counties of Edinburgh and Dumfries and a Knight of the Thistle.

May.

In her 86th year, the Hon. Lady Pitt, relict of the late General Sir William Augustus Pitt. She was sister to the late Admiral Earl Howe, and to General Viscount Howe.

The Right Hon. Lady Mary Meares, third daughter of Robert, late Earl of Kingston, and wife of George Meares, Esq.

At Edinburgh, the Right Hon. Margaret, Countess of Buchan, wife to the present Earl of Buchan.

At Paris, John Robinson, Esq. M. P. of Denston Hall, Suffolk.

June.

The Hon. Arabella, wife of General Frederick St. John, and sister to the Earl of Craven.

Sir William Heathcote, Bart. After he succeeded his father, he represented the county of Southampton in three continued Parliaments, but retired from public life on account of ill health. He was succeeded by his eldest son, now Sir Thomas Heathcote, Bart.

Sir John Morris, Bart. of Casemont, Glamorganshire.

Mary Anastasia Grace, Baroness Mordaunt, second daughter of Charles fourth Earl of Peterborough.

At Smeaton, near Edinburgh, at the age of 81, Sir George Buchan Hepburn, Bart.

July.

At her apartments in Kensington Palace, in her 82nd year, Lady Porten, relict of the late Sir Stanier Porten, Knight.

In Upper Grosvenor Street, in her 79th year, Sarah, Lady Cave, widow of Sir Thomas Cave, and mother of the late Sir Thomas Cave.

In Berkeley Square, Thomas Graham, Esq. M. P. for the counties of Kinross and Clackmannan.

At Fulham House, Hammer-smith,

smith, aged 77, Sir James Sibald, Bart.

August.

On the 28th in Canada, of which province he was governor-general, his Grace Charles fourth duke of Richmond, of that terrific malady the hydrophobia. It attacked him whilst on an official journey through the Upper province, and proved fatal after four days of severe suffering. The wound was inflicted about six weeks previously by a lap-dog, which died shortly after.

His Grace had previously borne the office of lord lieutenant of Ireland.

September.

Near Inverness, in her 78th year, Jean, relict of the Hon. Archibald Fraser of Lovat, and only sister of the late Sir William Fraser.

At Edinburgh, Dame Matilda Theresa Cochrane Wishart, wife of Sir Thomas Cochrane, and daughter of the late Sir Charles Ross, Bart.

The Right Hon. Lady Essex Ker, eldest surviving daughter of Robert Duke of Roxburgh.

On the 7th of September, at Tuam Palace, in his 77th year, his Grace the Lord Archbishop of Tuam, Primate of Connaught, Bishop of Ardagh, and a Privy Councillor in Ireland. He was the third son of Marcus Beresford, Earl of Tyrone, and was brother of the first Marquis of Waterford. He was consecrated bishop of Dromore in 1780, bishop of Ossory in 1782, and

was translated to the Archbishoprick of Tuam in 1794. He married in June 1763, Elizabeth Fitzgibbon, second daughter of John Fitzgibbon, Esq. of Mount Shannon, by whom he had ten sons and six daughters.

At Eastbourn, Sussex, Sir Arthur Piggott, formerly Attorney General, M. P. for the borough of Arundel for four successive parliaments.

At his son's house after a short illness, in his 61st year, Sir Edward Knatchbull, Bart., one of the Representatives for the county of Kent during six parliaments. He was a zealous supporter of Mr. Pitt's administration; but men of all parties will acknowledge that during 25 years he attended to his Parliamentary and Magisterial duties with a firmness, vigilance and integrity, which may be equalled, but is rarely excelled.

October.

Gertrude Brand, Baroness Dacre. In 1771, she married Thomas Brand of the Hoo, Hertfordshire, by whom she had issue, Thomas, the Member for Hertfordshire, now Lord Dacre; Henry, Lieutenant Colonel in the Coldstream Guards; and one daughter.

5th. At Vevay in Switzerland, on his return home, John Somerville, Baron Somerville, of Scotland. The late Lord was born in 1765 at Somerville Aston, in Somersetshire. After receiving his education at Cambridge, he made the tour of Europe, accompanied by the late Duke of Bedford. He was high in the favour of his sovereign, and bore for several

several years the office of one of the Lords of his Majesty's Bedchamber. In the parliament elected in 1796, he sat as one of the Sixteen Scots Peers.

In his 29th year, the Hon. Frederic Sylvester North Douglas, only son of Lord Glenbervie, and M. P. for Banbury. He was married in July last to Harriet, eldest daughter of William Wrighton, Esq.

At Hall Place, Berks, in his 83rd year, Sir William East, Bart.

At the Hague, on the 15th of October, the Princess Dowager of Brunswick Lunenburg, sister of the King of the Netherlands.

At Kibroy, co. Tipperary, the Right Hon. Maria, Baroness Dunalley. She was the only daughter of Dominick Trant, Esq. and was married in 1802, to Henry Prittie, Lord Dunalley, by whom she had no issue.

November.

At Doneraile House, in the county of Cork, in his 65th year, the Right Hon. Hayes St. Leger, Viscount Doneraile, a Governor of the county of Cork. He was born in March 1755, and married in 1785 Charlotte Bernard, sister of Francis, Earl of Bandon, by whom he left two daughters and an only son. His lordship possessed very extensive estates in the counties of Cork and Waterford, and principally resided at his beautiful seat at Doneraile, where he was much beloved.

On the 22nd at Charlton House

Wilts, in the 82nd year of her age, the Right Honourable Julia Countess of Suffolk and Berkshire.

December.

At Tunbridge Wells, the most Rev. Euseby Cleaver, D. D. Lord Archbishop of Dublin and Bishop of Glandelagh, Primate of Ireland, Chancellor of the Order of St. Patrick and Visitor of Trinity College, Dublin. After residing some time in Ireland, he married a lady of that country, by whom he had several children, and who died much lamented in 1816.

In her 76th year, Lady Anne Fitzwilliam, sister of the present Earl.

Aged 64, Emily, wife of the Right Hon. Lord Henniker.

Dec. 14. At Eglinton Castle, Ayrshire, the Right Hon. Hugh Montgomerie Earl of Eglinton Lord Montgomerie and Kilwinning, Knight of the Order of the Thistle, Lord Lieut. of Ayrshire, one of the State Counsellors of the Prince of Wales. His lordship was the son of Alexander Montgomerie, Esq. of Cuilsfield. He married Eleanor, daughter of J. Hamilton, Esq. By this lady he had several children, only two females of whom are living. He succeeded his cousin Archibald, as Earl of Eglinton in 1796.

At Kinsale, the Right Hon. Susan, Baroness Kinsale. She was daughter of Conway Blennerhasset, Esq. and was married in 1763 to John de Courcy, 26th Lord Kinsale, by whom she has left issue.

APPENDIX

APPENDIX TO CHRONICLE.

CONVENTION *between his Britannic Majesty and the United States of America. Signed at London, October 20th, 1818.*

HIS majesty the king of the United Kingdom of Great Britain and Ireland, and the United States of America, desirous to cement the good understanding which happily subsists between them, have, for that purpose, named their respective plenipotentiaries, that is to say, his majesty, on his part, has appointed the right hon. Frederic John Robinson, treasurer of his majesty's navy and president of the committee of privy council for trade and plantations; and Henry Goulburn, esq. one of his majesty's under secretaries of state; — And the president of the United States has appointed Albert Gallatin, their envoy extraordinary and minister plenipotentiary to the court of France; and Richard Rush, their envoy extraordinary and minister plenipotentiary to the court of his Britannic majesty: who, after having exchanged their respective full powers, found to be in due and proper form, have agreed to and concluded the following articles:

Art. I. Whereas differences have arisen respecting the liberty claimed by the United States, for the inhabitants thereof, to take, dry and cure fish, on certain coasts, bays, harbours and creeks, of his Britannic majesty's dominions in America, it is agreed between the high contracting parties, that the inhabitants of the said United States shall have for ever, in common with the subjects of his Britannic majesty, the liberty to take fish of every kind on that part of the southern coast of Newfoundland which extends from Cape Ray to the Ramcau islands, on the western and northern coast of Newfoundland, from the said Cape Ray to the Quipron islands on the shores of the Magdalen islands, and also on the coasts, bays, harbours and creeks, from Mount Joly, on the southern coast of Labrador, to and through the Straights of Belleisle, and thence northwardly indefinitely along the coast, without prejudice however to any of the exclusive rights of the Hudson's Bay Company. And that the American fishermen shall also have liberty, for ever, to dry and cure fish in any of the unsettled bays, harbours,

bours and creeks, of the southern part of the coast of Newfoundland hereabove described, and of the coast of Labrador; but so soon as the same, or any portion thereof, shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such portion so settled, without previous agreement for such purpose, with the inhabitants, proprietors, or possessors of the ground. And the United States hereby renounce for ever, any liberty heretofore enjoyed or claimed by the inhabitants thereof, to take, dry, or cure fish, on or within three marine miles of any of the coasts, bays, creeks or harbours of his Britannic majesty's dominions in America, not included within the above-mentioned limits: provided, however, that the American fishermen shall be admitted to enter such bays or harbours, for the purpose of shelter and of repairing damages therein, of purchasing wood, and of obtaining water, and for no other purpose whatever. But they shall be under such restrictions as may be necessary to prevent their taking, drying, or curing fish therein, or in any other manner whatever abusing the privileges hereby reserved to them.

Art. 2. It is agreed that a line drawn from the most north-western point of the lake of the woods, along the forty-ninth parallel of north latitude, or, if the said point shall not be in the forty-ninth parallel of north latitude, then that a line drawn from the said point due north or south, as the case may be, until the said line shall intersect the said paral-

lel of north latitude, and from the point of such intersection due west along and with the said parallel, shall be the line of demarcation between the territories of his Britannic majesty and those of the United States, and that the said line shall form the southern boundary of the said territories of his Britannic majesty, and the northern boundary of the territories of the United States, from the lake of the woods to the Stony Mountains.

Art. 3. It is agreed, that any country that may be claimed by either party on the north-west coast of America, westward of the Stony Mountains, shall, together with its harbours, bays and creeks, and the navigation of all rivers within the same, be free and open for the term of ten years from the date of the signature of the present convention, to the vessels, citizens and subjects of the two powers: it being well understood, that this agreement is not to be construed to the prejudice of any claim which either of the two high contracting parties may have to any part of the said country, nor shall it be taken to affect the claims of any other power or state to any part of the said country, the only object of the high contracting parties, in that respect, being to prevent disputes and differences amongst themselves.

Art. 4. All the provisions of the convention "to regulate the commerce between the territories of his Britannic majesty and of the United States," concluded at London, on the 3rd day of July, in the year of our Lord 1815, with the exception of the clause which

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which limited its duration to four years, and excepting also, so far as the same was affected by the declaration of his majesty respecting the island of St. Helena, are hereby extended and continued in force for the term of ten years from the date of the signature of the present convention, in the same manner as if all the provisions of the said convention were herein specially recited.

Art. 5. Whereas it was agreed by the first article of the treaty of Ghent, that "all territory, places and possessions whatsoever, taken by either party from the other during the war, or which may be taken after the signing of this treaty, excepting only the islands hereinafter mentioned, shall be restored without delay, and without causing any destruction, or carrying away any of the artillery or other public property originally captured in the said forts or places, which shall remain therein upon the exchange of the ratifications of this treaty, or any slaves or other private property;"—and whereas, under the aforesaid article, the United States claim for their citizens, and as their private property, the restitution of, or full compensation for, all slaves who, at the date of the exchange of the ratifications of the said treaty, were, in any territory, places, or possessions whatsoever, directed by the said treaty to be restored to the United States, but then still occupied by the British forces, whether such slaves were, at the date aforesaid, on shore, or on board any British vessel, lying in waters within the territory or jurisdiction of the United States;

and whereas differences have arisen, whether, by the true intent and meaning of the aforesaid article of the treaty of Ghent, the United States are entitled to the restitution of, or full compensation for all or any slaves, as above described, the high contracting parties hereby agree to refer the said differences to some friendly sovereign or state, to be named for that purpose; and the high contracting parties further engage to consider the decision of such friendly sovereign or state to be final and conclusive on all the matters referred to.

Art. 6. This convention, when the same shall have been duly ratified by his Britannic majesty and the president of the United States, by and with the advice and consent of their senate, and the respective ratifications mutually exchanged, shall be binding and obligatory on his majesty and on the said United States; and the ratifications shall be exchanged in six months from this date, or sooner if possible.

In witness whereof, the respective plenipotentiaries have signed the same, and have thereunto affixed the seal of their arms.—Done at London, this 20th day of October, 1818.

(L. S.) FRED. JOHN ROBINSON.

(L. S.) HENRY GOULBURN.

{ L. S. } ALBERT GALLATIN.

{ L. S. } RICHARD RUSH.

PROCLAMATION.

In the name of his Majesty George III., of the United Kingdom of Great Britain and Ireland, King, Major-general Ralph Darling,

Durling, commanding in the island of Mauritius, &c.

The major-general commanding had encouraged the hope, from the anxiety he had manifested for the prosperity of the colony and the welfare of its inhabitants, that he should have found a corresponding disposition on the part of every class of his majesty's subjects to promote the laudable and beneficent views of government.

The major-general regrets his disappointment in this just and reasonable expectation, certain individuals having carried their disobedience of the laws to an extent which calls for the prompt interference of the government, in order to prevent, by legal but severe measures, those daily violations, which, though public and notorious, no one will assist in bringing to justice, and but too many are ready to protect and conceal. The inhabitants, therefore, who, as good subjects, should unite in putting a stop to the slave-trade, which is carrying on at this moment with a vigour as peculiar to this island as it is disgraceful to the station which it fills in the civilized world, cannot be surprised that the adoption of any measure, which may hold out a prospect of efficiency for the object it has in view, can no longer be influenced by any consideration of inconvenience to the community at large. The restraint which was lately removed from the fishery, out of consideration to the inhabitants, will be again immediately enforced.

New negroes in considerable numbers have lately been smug-

gled into the island, through the means of the fishermen. These men, on the major-general's arrival, implored the government to remove the restrictions which had been imposed on the exercise of their occupation. Naturally relying that an indulgence thus anxiously solicited would not be abused, the major-general, as a proof of his confidence, at once complied with their wishes, and restored to them the full and unrestrained exercise of their employment.

It could hardly be supposed that this indulgence would have been perverted to the worst purposes. The fact, however, is indisputable; and those who have acted thus must take the consequences.

Every one of these men, who, through the indulgence of the government, has been permitted to establish himself on the "Pas Geometrique," shall be removed, as that situation affords facilities to the slave trade which their cupidity cannot withstand.

There are others in the enjoyment of still more extensive indulgencies, who, there is reason to apprehend, lend themselves to this traffic. They may be assured, that no consideration shall screen them from the just indignation of government, and that its favour shall be instantly withdrawn from those who shall be found, even in the most remote degree, encouraging or countenancing it.

The major-general, to convince them how hopeless and ruinous their cause is, and as a means of bringing them to a sense of their duty,

doty, takes this opportunity of announcing his intention of immediately increasing the military detachments on the coast, and of establishing posts on every point where a landing of slaves shall in future be permitted. The neighbouring proprietors can prevent it, and if they do not, they must abide the consequences.

The major-general would be glad if this warning shall have the effect of awakening the deluded to a sense of their situation; the example of Philibert, Tregosse and Clerensac, who were sent to England last year, and have been sentenced to three years' confinement and hard labour, should be sufficient to deter even the most determined. Those who still persevere cannot long escape its justice, as government will never relax in its exertions, until they have been brought to that punishment which the law has attached to their crimes, and which will be ensured by the transmission of every culprit in England.

The major-general commanding has in consequence been pleased to order, and it is hereby ordered accordingly—

Art. 1. The proclamation of the 25th February, 1819, is repealed; and the proclamation of the 1st May, 1818, is declared to be again in full force from this date.

Art. 2. The present proclamation shall be read and entered on the records of the courts and tribunals of this island; and an official copy shall be addressed to his honour the chief judge and commissary of justice.

Port Louis, island of Mauritius, this 16th day of July, 1819:

R. DARLING, Major-Gen. Commanding.

By order, A. W. BLANE, Dep. Sec. to Government.

By his royal highness the Prince of Wales, regent of the United Kingdom of Great Britain and Ireland, in the name and on the behalf of his majesty.

A PROCLAMATION.

George, P. R. — Whereas, in diverse parts of Great Britain, meetings of large numbers of his majesty's subjects have been held upon the requisition of persons who, or some of whom, have, together with others, by seditious and treasonable speeches addressed to the persons assembled, endeavoured to bring into hatred and contempt the government and constitution established in this realm, and particularly the Commons House of Parliament, and to excite disobedience to the laws, and insurrection against his majesty's authority.

And whereas it hath been represented unto us, that at one of such meetings the persons there assembled, in gross violation of the law, did attempt to constitute and appoint, and did as much as in them lay constitute and appoint, a person, then nominated, to sit in their name and on their behalf in the Commons House of Parliament; and there is reason to believe that other meetings are about to be held for the like unlawful purpose.

And whereas many wicked and seditious

seditions writings have been printed, published and industriously circulated, tending to promote the several purposes aforesaid, and to raise groundless jealousies and discontents in the minds of his majesty's faithful and loyal subjects.

And whereas we have been farther given to understand, that with a view of the better enabling themselves to carry into effect the wicked purposes aforesaid, in some parts of the kingdom, men, clandestinely and unlawfully assembled, have practised military training and exercise.

And whereas the welfare and happiness of this kingdom do, under Divine Providence, chiefly depend upon a due submission to the laws, a just reliance on the integrity and wisdom of parliament, and a steady perseverance in that attachment to the government and constitution of the realm, which has ever prevailed in the minds of the people thereof: and whereas there is nothing which we so earnestly wish as to preserve the public peace and prosperity, and to secure to all his majesty's liege subjects the entire enjoyment of their rights and liberties.

We, therefore, being resolved to repress the wicked, seditious and treasonable practices aforesaid, have thought fit, in the name and on the behalf of his majesty, and by and with the advice of his majesty's privy council, to issue this our Royal Proclamation, solemnly warning all his majesty's liege subjects to guard against every attempt to overthrow the law and to subvert

the government so happily established within this realm; and to abstain from every measure inconsistent with the peace and good order of society, and earnestly exhorting them, at all times and to the utmost of their power, to avoid and discountenance all proceedings tending to produce the evil effects above described.

And we do strictly enjoin all his majesty's loving subjects to forbear from the practice of all such military training and exercise as aforesaid, as they shall answer the contrary thereof at their peril.

And we do charge and command all sheriffs, justices of the peace, chief magistrates of cities, boroughs and corporations, and all other magistrates throughout Great Britain, that they do, within their respective jurisdictions, make diligent inquiry in order to discover and bring to justice the authors and printers of such wicked and seditious writings as aforesaid, and all who shall circulate the same; and that they do use their best endeavours to bring to justice all persons who have been or may be guilty of uttering seditious speeches and harangues, and all persons concerned in any riots or unlawful assemblies, which, on whatever pretext they may be grounded, are not only contrary to law, but dangerous to the most important interests of the kingdom.

Given at the court at Carlton-house, this 30th day of July, 1819, and in the 59th year of his majesty's reign.

GOD SAVE THE KING.

Thanks

Thanks of the Prince Regent to the Manchester Magistrates and Yeomanry.

Whitehall, Aug. 21.

My Lord,—Having laid before the Prince Regent the accounts transmitted to me from Manchester of the proceedings at that place on Monday last, I have been commanded by his royal highness to request that your lordship will express to the magistrates of the county palatine of Lancaster, who attended on that day, the great satisfaction derived by his royal highness from their prompt, decisive and efficient measures for the preservation of the public tranquillity; and likewise that your lordship will communicate to major Trafford his royal highness's high approbation of the support and assistance to the civil power afforded on that occasion by himself and the officers, non-commissioned officers and privates, serving under his command.

I have the honour, &c.

(Signed) SIDMOUTH.

To the earl of Derby, &c. &c. &c.
Knowsley.

N. B. A similar letter was addressed to lord Stamford, respecting the Cheshire magistrates and yeomanry.

Papers relating to the Congress at Aix-la-Chapelle in October and November, 1818.

No. I.—Convention between his Britannic majesty and his most Christian majesty, for the evacuation of the French territory by the allied troops.—Signed at Aix-la-Chapelle, October 9, 1818.

In the name of the Most Holy and Undivided Trinity.

Their majesties the emperor of Austria, the king of Prussia and the emperor of all the Russias, having repaired to Aix-la-Chapelle; and their majesties the king of the united kingdom of Great Britain and Ireland and the king of France and Navarre, having sent thither their plenipotentiaries; the ministers of the five courts have assembled in conference together; and the plenipotentiary of France having intimated, that in consequence of the state of France and the faithful execution of the treaty of November 20, 1815, his most Christian majesty was desirous that the military occupation stipulated by the fifth article of the said treaty, should cease as soon as possible, the ministers of the courts of Austria, Great Britain, Prussia and Russia, after having in concert with the said plenipotentiary of France, maturely examined every thing that could have an influence on such an important decision, have declared, that their sovereigns would admit the principle of the evacuation of the French territory at the end of the third year of the occupation; and wishing to confirm this resolution by a formal convention, and to secure, at the same time, the definitive execution of the said treaty of November 20, 1815,—his majesty the king of the united kingdom of Great Britain and Ireland, on the one part, and his majesty the king of France and Navarre on the other part, have, for this purpose, named as their plenipotentiaries, viz. His majesty the king of the united kingdom of

of Great Britain and Ireland, the right hon. Robert Stewart, viscount Castlereagh, knight of the most noble and illustrious order of the Garter, a member of the imperial parliament of Great Britain and Ireland, colonel of the Londonderry regiment of militia, a member of his Britannic majesty's most honourable privy council, and his principal secretary of state for foreign affairs, &c. &c. and the most excellent and most illustrious lord Arthur, duke, marquis and earl of Wellington, marquis Douro, viscount Wellington of Talavera and of Wellington, and baron Douro of Wellesley; a member of his Britannic majesty's most honourable privy council, a field marshal of his forces, colonel of the royal regiment of horse-guards, knight of the most noble and most illustrious order of the Garter, and knight grand cross of the most honourable military order of the Bath; prince of Waterloo, duke of Ciudad Rodrigo, and a grandee of Spain of the first class, duke of Vittoria; marquis of Torres Vedras, conde of Vimeira in Portugal, knight of the most illustrious order of the Golden Fleece, of the military order of St. Ferdinand of Spain, knight grand cross of the imperial military order of Maria Theresa, knight grand cross of the military order of Saint George of Russia, of the first class, knight grand cross of the royal and military order of the Tower and Sword of Portugal, knight grand cross of the royal and military order of the Sword of Sweden, &c. &c. &c.—And his majesty the king of France and Navarre, the sieur

Armand Emmanuel du Fleissis Richelieu, duke of Richelieu, peer of France, knight of the royal and military order of Saint Louis, of the royal order of the Legion of Honour, and of the orders of Saint Andrew, Saint Alexander Newsky, Saint Anne, Saint Wladimir and Saint George of Russia; his first gentleman of the chamber, his minister and secretary of state for foreign affairs, and president of the council of his ministers;—who, after having mutually communicated to each other their respective full powers, found to be in good and due form, have agreed upon the following articles:

Art. I.—The troops composing the army of occupation shall be withdrawn from the territory of France by the 30th of November next, or sooner, if possible.

Art. II.—The strong places and fortresses which the said troops occupy, shall be given up to commissioners named for that purpose by his most Christian majesty, in the state in which they were at the time of their occupation, conformably to the ninth article of the convention concluded in execution of the fifth article of the treaty of November 20, 1815.

Art. III.—The sum destined to provide for the pay, the equipment and the clothing of the troops of the army of occupation, shall be paid; in all cases, up to the 30th of November next, on the same footing on which it has existed since the 1st of December, 1817.

Art. IV.—All the accounts between France and the allied powers having been regulated and settled

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settled, the sum to be paid by France to complete the execution of the fourth article of the treaty of November 20th, 1815, is definitively fixed at 265 millions of francs.

Art. V.—Of this sum the amount of 100 millions, effective value, shall be paid by inscriptions of *rentes* on the great book of the public debt of France, bearing interest from the 22nd of September, 1818. The said inscriptions shall be received at the rate of the funds on Monday the 5th of October, 1818.

Art. VI.—The remaining 165 millions shall be paid by nine monthly instalments, commencing on the 6th of January next, by bills on the houses of Hope and Co. and Baring, Brothers and Co., which, as well as the inscription of *rentes*, mentioned in the above article, shall be delivered to commissioners of the courts of Austria, Great Britain, Prussia and Russia, by the royal treasury of France, at the time of the complete and definitive evacuation of the French territory.

Art. VII.—At the same period the commissioners of the said courts shall deliver to the royal treasury of France the six bonds not yet discharged, which shall remain in their hands, of the fifteen bonds delivered conformably to the second article of the convention concluded for the execution of the fourth article of the treaty of November 20th, 1815. The said commissioners shall, at the same time, deliver the inscription of seven millions of *rentes*, created in virtue of the eighth article of the said convention.

Art. VIII.—The present convention shall be ratified, and the ratifications thereof exchanged at Aix-la-Chapelle in the space of a fortnight, or sooner if possible.—In witness whereof the respective plenipotentiaries have signed the same, and have thereunto affixed the seal of their arms. Done at Aix-la-Chapelle, the 9th day of October, in the year of our Lord 1818.

(L. S.)	CASTLEREAGH.
(L. S.)	WELLINGTON.
(L. S.)	RICHELIEU.

No. II.—Protocol between the five Cabinets, signed at Aix-la-Chapelle, the 3rd of November, 1818.

The duke de Richelieu represented at the conference, that the terms for the payment of the 265 millions to be furnished by France, according to the convention of the 9th of October, having been fixed at very near periods, a too rapid exportation of specie has been occasioned, which tends to produce a depreciation in the inscriptions of *rentes*, equally injurious to the interests of all the contracting parties. To remedy this inconvenience, the duke de Richelieu proposed the following arrangements:—

1st. That the 165 millions which France ought to discharge, according to the sixth article of the convention, by nine equal monthly instalments, from the 6th of January to the 6th of September next, shall be paid by twelve monthly instalments, from the 6th of January to the 6th of December inclusive; the interest for the delay of three months being

being made good by France, at the rate of five per cent.

2d. That the 100 millions to be discharged by inscriptions of *rentes*, according to the fifth article of the said convention, and for which the different governments have treated with Messrs. Baring and Hope, shall be realized by payments made at the same epochs, and with the same allowance of interest, by the drawers, on account of the delay which shall be granted them.

3. That arrangements shall be adopted with the above-mentioned houses, in order that the bills drawn upon them, conformably to Article VI. may be paid in assets at the different places which may suit the convenience of the governments interested, in such a manner as to effect their discharge, and avoid the removal of too great a mass of specie.

M. M. the ministers and plenipotentiaries of Austria, Great Britain, Prussia and Russia, were unanimously of opinion to admit the proposition of the duke of Richelieu, with the proviso that, with respect to Article III. particular arrangements shall be contracted with Messrs. Baring and Hope, to fix the terms on which the assets in foreign funds shall be accepted; and also that, in order to facilitate these arrangements, Mr. Baring should be invited to come to Aix-la-Chapelle, to take measures for that purpose, in concert with the persons charged with this business.

Prince Hardenberg moreover placed on the Protocol the subjoined observations and reservations, relative to the private arrangement that the Prussian go-

vernment entered into with Messrs. Baring, for the part of the payments stipulated by the convention of the 9th of October, which accrue to the said government.

(Signed) METTERNICH.
CASTLEREAGH.
WELLINGTON.
HARDENBERG.
BERNSTORFF.
NESSELRÖDE.
CAPO D'ISTRIA.

Subjoined to the Protocol of the 3rd November, 1818.

If the Prussian government consents to the proposed modifications of the pecuniary stipulations of the convention of the 9th of October, it is in the threefold supposition—1st. That its private arrangement with Messrs. Hope and Co., and Baring, Brothers, and Co., remain entire, except with regard to such modifications as the Prussian government may ultimately agree upon with those houses.—2nd. That the loss which may result from the proposed payment in assets, upon foreign places, shall be made good to the allied sovereigns; and—3rd. That the guarantee already stipulated for the payments agreed upon, shall also extend to the more remote periods now required.

No. III.—PROTOCOL between the five Cabinets. Aix-la-Chapelle, Nov. 11, 1818.

According to Articles 5 and 6, of the convention signed on the 9th of October last, between France and the courts of Austria, Great Britain, Prussia and Russia, the sum of 265 millions of francs (still remaining to be paid by France for the entire fulfilment

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ment of the 4th article of the treaty of the 20th of November, 1815), is to be liquidated and discharged by the inscription of a *rente* of 6,615,944 francs in the "*Grand Livre*" of the public debt of France, and by the immediate delivery of bills, forming a total of 165 millions of francs, real value; the said bills payable at Paris, drawn by the treasury of France, and accepted by the firms of Hope and Co. Baring, Brothers, and Co. becoming due monthly, on the 6th of each month, reckoning from the 6th of January next, to the 6th of September, inclusive.

By an arrangement which his excellency field marshal the duke of Wellington signed, in the name of the courts of Austria, Great Britain, Prussia and Russia, on the 12th of last month, with the said firms of Hope and Co., Baring, Brothers, and Co., the before-mentioned sum of 6,615,944 francs of *rente*, has been made over to those houses for the actual sum of 96,015,210 francs, payable by means of their engagements due by ninths, and at the same periods as those agreed upon for the payments to be made by the treasury of France.

His excellency the duke of Richelieu having represented to the ministers of the courts of Austria, Great Britain, Prussia and Russia, that the state of circulation, and the service of the public funds at Paris, required some still greater modification of the preceding arrangements, than that which had been agreed upon in the Protocol of the 3rd of November last, and the plenipotentiaries of the five courts, after taking the said state of affairs into

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consideration, have adopted the following arrangements:—1st. The bills of the treasury of France on Messrs. Hope and Co., and Baring, Brothers, and Co., which, according to Article 6 of the convention of the 9th of October, are to be delivered to the commissioners of the four courts, shall be made payable in eighteen equal instalments, beginning on the 6th of January next, till the 6th of June, 1820, inclusive. 2nd. The amount on account of interest, to which the courts of Austria, Great Britain, Prussia, Russia and other participating states, may become entitled, in consequence of the extension of the periods of payment stipulated in the foregoing paragraph, shall be paid by the French government into the hands of the commissioners of the four courts at Paris.—3rd. The securities given by the firms of Hope and Co., Baring, Brothers, and Co., in pursuance of the treaties they concluded with his excellency field-marshal the duke of Wellington on the 12th of last month, shall be equally payable in eighteen instalments, beginning from the 6th of January next, till the 6th of June, 1820, inclusive.—4th. The interest to which the courts of Austria, Great Britain, Prussia, Russia and other participating states may become entitled, in consequence of the extension of the periods of payment stipulated in paragraph three before-mentioned, shall be paid by Messrs. Hope and Co., Baring, Brothers, and Co., into the hands of the Commissioners of the said courts at Paris.—5th. The balance of the interest to be paid in pursuance

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pursuance of paragraphs two and four before-mentioned, shall be settled with the commissioners of the said powers, and the amount thereof liquidated at the end of every three months.—6th. When the French treasury-bills, or those of Messrs. Hope and Co., Baring, Brothers, and Co., become due, the latter shall be at liberty to pay the bearers thereof, as much as one half of the amount of the said bills by bills of exchange, indorsed by them, upon one or more of the places hereafter mentioned, viz. *Hamburgh, Amsterdam, London, Frankfort and Augsbourg*; those bills of exchange to have in no case less than thirty days, nor more than three months to run, dating from the day of their delivery. The value of the franc is to be determined at each payment by the medium rate of the exchange at Paris, during the thirty days open (*jours de bourse*) which shall have preceded the day of payment. When two different rates shall be quoted for the same day, the medium between the two is to be taken as the price for the day. With reference to bills of exchange which may have more than thirty days to run, and less than three months, the average must be taken between the rates quoted for the two periods. It is moreover fully understood, that the firms of Hope and Co., Baring, Brothers, and Co., remain responsible for the payment of the bills of exchange delivered in virtue of the arrangement before mentioned.—7th. In order to facilitate the execution of the above paragraph 6, due notice is to be affixed on the bills delivered to

the commissioners of the four courts, of the liberty allowed to pay the said bills, partly in cash, and partly by bills of exchange, in conformity to the preceding stipulations.—8th. It is fully understood, that Messrs. Hope and Co., Baring, Brothers, and Co., may at any time liquidate their engagements by anticipation, at the rate of 5 per cent discount per annum.

Previously to proceeding to the signature of the present Protocol, prince Hardenberg, the Prussian minister plenipotentiary, reproduced and demanded the insertion in the Protocol, of the accompanying observations and exceptions, similar to those consigned to that of the 3rd of November. Field-marshal the duke of Wellington undertook to conclude with Messrs. Hope and Co., Baring, Brothers, and Co., a new arrangement conformable to the contents of the present Protocol.

(Signed) METTERNICH.
RICHELIEU.
CASTLEREAGH.
WELLINGTON.
HARDENBERG.
BERNSTORFF.
NESSELRODE.
CAPO D'ISTRIA.

No. IV.—PROTOCOL signed at Aix-la-Chapelle, on the 15th November 1818, by the Plenipotentiaries of the Courts of Austria, France, Great Britain, Prussia and Russia.

The ministers of Austria, France, Great Britain, Prussia and Russia, in pursuance of the exchange of the ratifications of the convention signed on the
9th

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9th of October, relative to the evacuation of the French territory by the foreign troops, and after having addressed to each other the notes of which copies are annexed, have assembled in conference, to take into consideration the relations which ought to be established in the actual state of affairs, between France and the co-subscribing powers of the treaty of peace of the 20th of November 1815—relations which, by assuring to France the place that belongs to her in the European system, will bind her more closely to the pacific and benevolent views in which all the sovereigns participate, and will thus consolidate the general tranquillity.

After having maturely investigated the conservative principles of the great interests which constitute the order of things established in Europe, under the auspices of Divine Providence, by the treaty of Paris of the 30th of May 1814, the *recès* of Vienna, and the treaty of peace of the year 1815, the courts subscribing the present act, do, accordingly, unanimously acknowledge and declare :—

1. That they are firmly resolved never to depart, neither in their mutual relations, nor in those which bind them to other states, from the principle of intimate union which has hitherto presided over all their common relations and interests—a union rendered more strong and indissoluble by the bonds of Christian fraternity which the sovereigns have formed among themselves.

2. That this union, which is the more real and durable, inas-

much as it depends on no separate interest or temporary combination, can only have for its object the maintenance of general peace, founded on a religious respect for the engagements contained in the treaties, and for the whole of the rights resulting therefrom.

3. That France, associated with other powers by the restoration of the legitimate monarchical and constitutional power, engages henceforth to concur in the maintenance and consolidation of a system which has given peace to Europe, and which can alone insure its duration.

4. That if, for the better attaining the above declared object, the powers which have concurred in the present act should judge it necessary to establish particular meetings, either of the sovereigns themselves, or of their respective ministers and plenipotentiaries, there to treat in common of their own interests, in so far as they have reference to the object of their present deliberations, the time and place of these meetings shall, on each occasion, be previously fixed by means of diplomatic communications; and that in the case of these meetings having for their object affairs specially connected with the interests of the other states of Europe, they shall only take place in pursuance of a formal invitation on the part of such of those states as the said affairs may concern, and under the express reservation of their right of direct participation therein, either directly or by their plenipotentiaries.

5. That the resolutions contained in the present act shall be

made known to all the courts of Europe, by the annexed declaration, which shall be considered as sanctioned by the Protocol, and forming part thereof.

Done in quintuple, and reciprocally exchanged in the original, by the subscribing cabinets.

Aix-la-Chapelle, Nov. 15, 1818.

(Signed) METTERNICH.
RICHELIEU.
CASTLEREAGH.
WELLINGTON.
HARDENBERG.
BERNSTORFF.
NESSELRODE.
CAPO D'ISTRIA.

No. V.—Copy of the Note addressed to the Duke of Richelieu by the Plenipotentiaries of the Courts of Austria, Great Britain, Prussia and Russia, on the 4th of November, 1818.

The undersigned ministers of the cabinets of Austria, Great Britain, Prussia and Russia, have received orders from their august masters to address to his excellency the duke of Richelieu the following communication:—

Called by the fifth article of the treaty of the 20th of November, 1815, to examine, in concert with his majesty the king of France, whether the military occupation of a part of the French territory, stipulated by the said treaty, might cease at the end of the third year, or ought to be prolonged to the end of the fifth, their majesties the Emperor of Austria, the king of Prussia and the emperor of all the Russias, have repaired to Aix-la-Chapelle, and have charged their ministers to assemble there, in conference

with the plenipotentiaries of their majesties the king of France and the king of Great Britain, in order to proceed to the examination of this important question.

In this examination the attention of the ministers and plenipotentiaries had for its particular object the internal situation of France; it was said to be directed to the execution of the engagements contracted by the French government towards the co-subscribing powers to the treaty of the 20th of November, 1815.

The internal state of France having long been the subject of serious deliberations in the cabinets, and the plenipotentiaries assembled at Aix-la-Chapelle having mutually communicated the opinions which they had formed in that respect, the august sovereigns, after having weighed these opinions in their wisdom, have recognised with satisfaction, that the order of things happily established in France, by the restoration of the legitimate and constitutional monarchy, and the success which has hitherto crowned the paternal care of his most christian majesty, fully justify the hope of a progressive consolidation of that order of things so essential to the repose and prosperity of France, and so strictly connected with the great interests of Europe.

With regard to the execution of the engagements, the communications which, since the opening of the conferences, the plenipotentiary of his most christian majesty has addressed to the ministers of the other powers have

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have left no doubt on this question, as they prove that the French government has fulfilled, with the most scrupulous and honourable punctuality, all the clauses of the treaties and conventions of the 20th of November, and propose with respect to those clauses the fulfilment of which was reserved for more remote periods, arrangements which are satisfactory to all the contracting parties.

Such being the results of the examination of these grave questions, their imperial and royal majesties congratulated themselves, that they have only to listen to those sentiments and those personal wishes which induced them to put an end to a measure which disastrous circumstances, and the necessity of providing for their own security and that of Europe, could alone have dictated to them.

From that moment the august sovereigns resolved to cause the military occupation of the French territory to be discontinued; and the convention of the 9th of October sanctioned this resolution. They regard this solemn act as the final completion of the general peace.

Considering now as the first of their duties, that of preserving to their people the benefits which that peace assures to them, and to maintain in their integrity the transactions which have established and consolidated it, their imperial and royal majesties flatter themselves that his most christian majesty, animated by the same sentiments, will receive with the interest which he attaches to every thing tending to

the welfare of mankind and to the glory and prosperity of his country, the proposition which their imperial and royal majesties address to him, to unite henceforth his councils and his efforts to those which they will not cease to devote to so salutary a work.

The undersigned, charged to request the duke of Richelieu to convey the wish of their august sovereigns to the knowledge of the king his master, at the same time invite his excellency to take part in their present and future deliberations, consecrated to the maintenance of the peace, the treaties on which it is founded, the rights and mutual relations established or confirmed by these treaties and recognised by all the European powers.

In transmitting to the duke of Richelieu this solemn proof of the confidence which their august sovereigns have placed in the wisdom of the king of France and in the loyalty of the French nation, the undersigned are ordered to add the expression of the unalterable attachment which their imperial and royal majesties profess towards the person of his most christian majesty and his family, and of the sincere interest which they never cease to take in the tranquillity and happiness of his kingdom.

They have the honour, at the same time, to offer to the duke of Richelieu the assurance of their very particular consideration.

Aix-la-Chapelle, Nov. 4, 1818.
(Signed)

METTERNICH.
CASTLEREAGH.
WELL-

WELLINGTON.
HARDENBERG.
BERNSTORFF.
NESSLRODE.
CAPO D'ISTRIA.

No. VI.—Copy of the Note of M. the Duke of Richelieu, in answer to that of the Plenipotentiaries of the courts of Austria, of Great Britain, of Prussia, and of Russia. Aix-la-Chapelle, Nov. 12, 1818.

The undersigned minister and secretary of state to his most christian majesty, has received the communication which their excellencies the ministers of the cabinets of Austria, of Great Britain, of Prussia and of Russia, did him the honour of addressing to him on the 4th of this month, by order of their august sovereigns. He hastened to make it known to the king his master. His majesty has received with real satisfaction, this new proof of the confidence and friendship of the sovereigns who have taken part in the deliberations at Aix-la-Chapelle. The justice which they render to his constant cares for the happiness of France, and above all to the loyalty of his people, has deeply touched his heart. Looking back to the past, and observing that at no other period, any other nation has been able to fulfil with a most scrupulous fidelity engagements such as France had contracted, the king has felt that it was indebted for this new kind of glory to the influence of the institutions which govern it; and he sees with joy, that the consolidation of these institutions is considered by his august allies to

be no less advantageous to the repose of Europe, than essential to the prosperity of France. Considering that the first of his duties is, to endeavour to perpetuate and augment, by all the means in his power, the benefits which the complete re-establishment of general peace promises to all nations; persuaded that the intimate union of governments is the surest pledge of its duration; and that France, which could not remain a stranger to a system, the whole force of which must spring from a perfect unanimity of principle and action, will join the association with her characteristic frankness; and that her concurrence must add strength to the well-founded hope of the happy results which such an alliance must produce for the benefit of mankind, his most christian majesty most readily accepts the proposal made to him of uniting his councils and his efforts with those of their majesties, for the purpose of accomplishing the salutary work which they have in view. He has, therefore, authorized the undersigned to take part in all the deliberations of their ministers and plenipotentiaries for the object of consolidating the peace, of securing the maintenance of the treaties on which it rests, and of guaranteeing the mutual rights and relations established by these same treaties and recognized by all the states of Europe.

The undersigned, while he begs their excellencies to have the goodness to transmit to their august sovereigns the expression of the intentions and sentiments of the king his master, has the honour

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honour of offering them the assurance of his highest consideration.

(Signed) RICHELIEU.

No. VII. DECLARATION of the five Cabinets. Signed at Aix-la-Chapelle, Nov. 15, 1818.

At the period of completing the pacification of Europe by the resolution of withdrawing the foreign troops from the French territory, and when there is an end of those measures of precaution which unfortunate circumstances had rendered necessary, the ministers and plenipotentiaries of their majesties the emperor of Austria, the king of France, the king of Great Britain, the king of Prussia and the emperor of all the Russias, have received orders from their sovereigns to make known to all the courts of Europe the results of their meeting at Aix-la-Chapelle, and with that view to publish the following declaration:—

The convention of the 9th of October, which definitely regulated the execution of the engagements agreed to in the treaty of peace of November 20, 1815, is considered by the sovereigns who concurred therein as the accomplishment of the work of peace, and as the completion of the political system destined to ensure its solidity.

The intimate union established among the monarchs who are joint parties to this system by their own principles, no less than by the interests of their people, offers to Europe the most sacred pledge of its future tranquillity.

The object of this union is as

simple as it is great and salutary. It does not tend to any new political combination—to any change in the relations sanctioned by existing treaties. Calm and consistent in its proceedings, it has no other object than the maintenance of peace, and the guarantee of those transactions on which the peace was founded and consolidated.

The sovereigns, in forming this august union, have regarded as its fundamental basis, their invariable resolution never to depart, either among themselves or in their relations with other states, from the strictest observation of the principles of the right of nations; principles which, in their application to a state of permanent peace, can alone effectually guarantee the independence of each government and the stability of the general association.

Faithful to these principles, the sovereigns will maintain them equally in those meetings at which they may be personally present, or in those which shall take place among their ministers; whether they be for the purpose of discussing in common their own interests, or whether they shall relate to questions in which other governments shall formally claim their interference. The same spirit which will direct their councils and reign in their diplomatic communications, will preside also at these meetings; and the repose of the world will be constantly their motive and their end.

It is with these sentiments that the sovereigns have consummated the work to which they were called. They will not cease to

labour

labour for its confirmation and perfection. They solemnly acknowledge, that their duties towards God and the people whom they govern, make it peremptory on them to give to the world, as far as is in their power, an example of justice, of concord and of moderation; happy in the power of consecrating, from henceforth, all their efforts to protect the arts of peace, to increase the internal prosperity of their states, and to awaken those sentiments of religion and morality, whose influence has been but too much enfeebled by the misfortune of the times.

(Signed)

METTERNICH.
RICHELIEU.
CASTLEREAGH.
WELLINGTON.
HARDENBERG.
BERNSTORFF.
NESSELRODE.
CAPO D'ISTRIA.

Ordinance of the Senate of Lubeck, dated December 2, 1818.

To prevent the citizens of Lubeck who contribute towards the support of the state, from being injured, the senate has decreed.—That all strangers and Jews are prohibited from carrying on trade within the jurisdiction of the city.

For the first offence they are to pay a heavy penalty, and the loss of their goods. For the second offence they are not to be permitted to dwell in the city, and themselves and families are to be sent to Moising, or elsewhere.

Every citizen and inhabitant is hereby required to refuse their

assistance to strangers and Jews in carrying on an unlawful trade; and all offenders in this respect shall be subject to a heavy penalty, or imprisonment; and for a second offence, a still heavier punishment shall be inflicted: and if the offender is a citizen, he shall lose his citizenship.

It shall be lawful for the guild of Grocers, after information has been given to the magistrates, and with one of their officers, to enter the houses where such unlawful traffic is carried on; and if such traffic should be found to exist, the above regulations are to be carried into effect.

All superintending officers of trade and navigation are to be particularly vigilant in discovering such unlawful traffic, and are referred to the decrees of 1768 and 1778, and other ordinances.

This decree is to be printed, and made public in all the inns and beer-houses; and to be made known to all Jews resident at present in this city; and the proper officers are required to act according to the spirit of this publication.

Given in the senate, on the 2d day of December, 1816.

Ordinance of the King of Spain addressed to the Prime Minister and General Secretary of State.

Most Excellent Sir;—The King our sovereign, to whom I gave in due time an account of what I was directed to do by the royal order of the 28th of November last, respecting the urgent necessity of finding some means for preventing those evils which had accrued

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accrued in the dominions of his majesty beyond sea, in which turbulent individuals of foreign nations have arrived, for the purpose of taking part in the insurrection, to which they have contributed both by their personal services and their intrigues, and have supplied the insurgents with arms, ammunition, ships, and other aids of war, and without which war could not exist in many of those provinces; his majesty thought proper to command, that the supreme council of war should deliberate on what should be offered, or should appear connected with those facts which that department had already in its possession, relative to this subject. In consequence, the council made a report on the 22d of December last, demonstrating the imperious necessity which existed for punishing with all the rigour of the laws such foreigners as might be taken with arms in their hands, in the American dominions, under the banners of the insurgents, and such as should be found supplying them with arms, ammunition, or ships, adding thereby fuel to the devouring fire of the insurrection, which unfortunately still exists in some points of those valuable possessions, and proposing by such iniquitous and detestable means to build their own fortune on the ruin and total destruction of these inebriated subjects of his majesty. At the same time it was agreed that justice, policy and equity, cried out with one voice for the adoption of this system, notwithstanding the well known feelings of mercy which reign in the heart of the king, in order

that the benign clemency and pardons which his majesty, by virtue of his sovereign power, and in mitigation of the severity of the laws, has thought proper to grant in favour of those miserable subjects who were to be treated as deluded persons, who, by the influence of perfidious suggestions, had deviated from the paths of honour and virtue, and not as persons guilty of the unutterable crime of treason, might not be extended to those intruding foreigners, respecting whom, in addition to the non-existence, in their case, of those circumstances which dispose the mind of his majesty to exercise clemency towards his own subjects, it is well known that similar acts of clemency, though voluntary on the part of his majesty, merely had the effect of inviting to partake of it such persons as were expressly included in them, while they attributed the obligation to motives which did not, and could not, exist in the mind of his majesty at the time of his granting such pardons; and that, consequently, the royal ordinance communicated to the vice-roys and captains-general of America, on the 30th of April in the preceding year, ought to be modified so as to accord with this distinction and view of the subject; informing the said functionaries, that on all foreigners who should be taken in the insurrectionary provinces with arms in their hands and under the banners of the insurgents, the same punishment should be inflicted as on the natural subjects of the country of whom they had become the associates and coadjutors: and, lastly,
it

it was declared, that according to the principles of the law of nations, universally recognized, the individual foreigner who should introduce himself, of his own authority, into the territory of any sovereign, to disturb the public peace and to commit excesses and crimes of any description, subjects himself by such delinquency, to the authority and jurisdiction of the country in which he so offends, without his government having the power to claim him, or to interfere in any case.

Therefore the King our sovereign, being hereof informed, has been pleased to declare, once for all, that all foreign adventurers who shall be apprehended with arms in their hands in his dominions beyond sea, under the banners of the insurgents, or shall have supplied them with the aids of war, shall suffer, without remission, capital punishment, and also the confiscation of the goods belonging to them in the dominions of his majesty: which punishment is the one assigned by the laws for the chastisement of such delinquents who are not to be included in the acts of grace and the pardons which his majesty has granted, or may grant, in favour of his own subjects, for the reasons already manifested.

Wherefore I communicate this royal ordinance to your excellency for your information, and for its proper execution. God preserve your excellency many years.

At the palace, Jan. 14, 1819.

FRANCISCO DE EGUIA,
Provisional Secretary of
State.

TREATY between the States of
Buenos-Ayres and Chili.

His excellency the supreme director of the United Provinces of the Rio de la Plata, and his excellency the supreme director of the state of Chili, in possession of the powers conferred on them by the provincial constitutions of the respective states, desiring to put a period to the tyrannical domination of the Spanish government in Peru, and to bestow on its inhabitants that liberty and independence of which they are so unjustly deprived, and with a view to giving that assistance which the inhabitants of Lima have solicited of both the contracting states, have resolved to conclude the present treaty.

For this purpose the contracting parties have named as their plenipotentiaries, to wit:

On the part of his excellency the supreme director of the United Provinces of the Rio de la Plata, Don Gregorio Fagle, minister of state in the departments of the government and foreign affairs.

And on the part of the supreme director of the state of Chili, col. Don Antonio José de Yrisarri, officer of the legion of merit and minister of state:

Who, having exchanged their full powers, and having found them in good and due form, have agreed upon the following articles:—

Art. 1. Both contracting parties, agreeing with the desire manifested by the inhabitants of Peru, and especially by those of Lima the capital, that they should aid

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aid them with an armed force, in order that they may drive thence the Spanish government, and establish that which shall be more analogous to their physical and moral constitution, the said two contracting parties oblige themselves to undertake an expedition which for that purpose is already prepared in Chili.

Art. 2. The combined army of the United Provinces and of Chili, directed against the actual authorities at Lima, and in aid of these inhabitants, shall cease to exist in that country the moment it has established a government by the free will of the inhabitants, unless being required by that government, and being suitable to the circumstances of both the contracting parties, the three estates of Chili, the United Provinces and Lima, should agree that the army remain for a period in the same territory. In that case, the generals empowered, or the other ministers of Chili and the United Provinces, must treat upon this point with the government which shall be established in Lima; the execution of such treaties being always subject to the respective ratification of the supreme authorities of Chili and the United Provinces.

Art. 3. In order to avoid all cause of disagreement between the two contracting states and the new one which is to be formed in Peru, respecting the payment of the expenses of the liberating expedition, and desirous of removing henceforth all pretext which may be formed by the enemies of America, in order to attribute to that expedition inte-

rested motives which are utterly foreign to it, both contracting parties agree not to treat of levying these expenses before they can be arranged with the independent government of Lima; the combined army observing, both till then and subsequently, such conduct as is conformable to its object, which is to protect and not to act in hostility to these inhabitants, respecting all which both governments shall give express orders to their respective generals.

Art. 4. The statements of the expenses of the liberating expedition and of the Chilian squadron which conducts it, from the time of its passing into the Pacific sea for that purpose, shall be presented by the ministers or agents of the governments of Chili and of the United Provinces, to the independent government of Lima, arranging with it amicably and conveniently the quantities, periods and manners of the payments.

Art. 5. The two contracting parties mutually guarantee the independence of the state which shall be formed in Peru, when its capital is liberated.

Art. 6. The present treaty shall be ratified by his Excellency the Supreme Director of the United Provinces of Rio de la Plata, and by his Excellency the Supreme Director of the State of Chili, within the space of 60 days.

Dated and signed in the city of Buenos Ayres, on the 5th of Feb. 1819.

ANTONIO JOSE DE YRISARRI.
GREGORIO FAGLE.

Report

Report on the Seminole War. United States. Senate in Congress, Feb. 24.

Mr. Lacock, from the committee appointed in pursuance of the resolution of the senate of the 18th of December last, "That the message of the president and documents relative to the Seminole war, be referred to a select committee, who shall have authority, if necessary, to send for persons and papers: that said committee inquire relative to the advance of the United States troops into West Florida; whether the officers in command at Pensacola and St. Mark's were amenable to and under the control of Spain; and particularly what circumstances existed to authorize or justify the commanding general in taking possession of those posts."

Reported;—That they have, under the authority conferred on them, called for and examined persons and papers. The testimony obtained is herewith submitted. The committee, after the most mature and dispassionate examination of the subject, offer for the consideration of the senate, the following narrative of facts, and the opinions and deductions clearly arising from, and growing out of, the facts thus presented. On the origin of the hostilities between the United States and the Seminole Indians, the committee ask leave to remark, that the different savage tribes living within and on the borders of the Floridas, denominated Seminole Indians, were principally fugitives from the more northern tribes

resident within the limits of the United States. After the treaty of 1814 with the Creek Indians, a considerable addition was made to the number of those fugitives, as the Indians who were dissatisfied with the provisions of that treaty took refuge in the Floridas, cherishing, there can be little doubt, feelings of hostility to the United States. These feelings seem to have been strengthened by the influence of foreign emissaries who had taken up their residence among them; among them, as the most conspicuous, were Alexander Arbuthnot and Robert C. Ambrister. In this state of things, it appears that the executive department of the government deemed it necessary for the security of the frontier, to establish a line of forts near the southern boundary of the United States, and to occupy those fortifications with portions of the regular forces; and by these means peace was maintained with the Indians until the spring or summer of 1817, when the regular forces were withdrawn from the posts on the Georgia frontier, and concentrated at Fort Montgomery, on the Alabama river, a considerable distance west of the Georgia line. But it seems that about this time a border warfare was commenced between the Seminole Indians and the frontier inhabitants of Georgia. It is difficult to determine with certainty who commenced those hostilities, or on whom the greatest injuries were inflicted: general Gaines, however, demanded a surrender of the Indians who had committed outrages on the

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the frontier of Georgia. With this demand they refused to comply, alleging that the first and the greatest aggressions had been made by the white men. In consequence of this refusal, general Gaines was authorized by the secretary of war, at his discretion, to remove the Indians still remaining on the lands ceded to the United States by the treaty made with the Creeks in 1814; in so doing he is told that it might be proper to retain some of them as hostages, until reparation was made for the depredations committed by the Indians. In pursuance of this discretionary authority, general Gaines ordered a detachment of near 300 men, under the command of major Twiggs, to surround and take an Indian village, called Fowl-town, about fourteen miles from Fort Scott, and near to the Florida line. This detachment arrived at Fowl-town in the night, and the Indians taking the alarm and flying to an adjacent swamp, were fired on by the detachment; and one man and one woman killed. Two Indians were made prisoners; the detachment returned to Fort Scott. A day or two afterwards, as stated by captain M'Intosh, who was of the party, about the same number of troops paid a second visit to the same village (as he states) for the purpose of obtaining property. While loading their waggons with corn, and collecting horses and cattle, they were fired upon by the Indians, and a skirmish ensued in which a small loss was sustained on both sides. It is stated by captain Young, the to-

pographical engineer, that this town contained about 45 Indian warriors, besides women and children.

A few days after the affair of Fowl-town, lieutenant Scott, with a detachment of 40 men, 7 women and some children, ascending the Appalachicola with clothing and supplies for the garrison at Fort Scott, when within a few miles of that place was attacked by a party of Indians; himself and his whole party fell victims to their fury, except 6 men who made their escape, and 1 woman made prisoner.

From this time the war became more serious: the Indians in considerable numbers were emboldened, and an open attack was made on Fort Scott. General Gaines, with about 600 regular soldiers, was confined to the garrison. In this state of things, information having been communicated to the war department, general Jackson was ordered to take the field; he was advised of the regular and militia force, amounting to 1,800 men, provided for that service, and the estimated force by general Gaines of the enemy (said to be 2,800 strong); and directed, if he should consider the force provided insufficient to beat the enemy, to call on the governor of the adjoining states for such portions of the militia as he might think requisite. On the receipt of this order, general Jackson, instead of observing the orders of the department of war, by calling on the governor of Tennessee, then in Nashville, near the place of his residence, chose to appeal (to use his own expressions)

expressions) to the patriotism of the west Tennesseans, who had served under him in the last war. One thousand mounted gun men, and two companies of what were called life guards, with the utmost alacrity volunteered their services from the states of Tennessee and Kentucky, and repaired to his standard. Officers were appointed to command this corps by the general himself, or by other persons acting under his authority. Thus organized, they were mustered into the service of the United States.

About the time general Jackson was organizing this detachment of volunteers in the state of Tennessee, or, perhaps, previously thereto, general Gaines was likewise employed in raising forces among the Creek Indians. There was this difference in the two cases—general Jackson raised his army in disregard of positive orders; general Gaines, without orders, took upon himself the authority of raising an army of at least 1,600 Creek Indians, appointing their officers, with a brigadier-general at their head, and likewise mustering this force into the service of the United States.

While your committee feel a pleasure in applauding the zeal and promptitude that have marked the military conduct of these general officers on many former occasions, they would feel themselves wanting in their duty to the senate and the nation, if they did not express their decided disapprobation of the conduct of the commanding generals, in the steps they took to raise and organize the force employed on this

occasion. There was no law in existence that authorized even the president of the United States to raise or accept the services of volunteers. The law passed for that purpose had expired in the year 1815. The constitution of the United States gives to congress exclusively, the power of raising armies; and to the president and senate the power of appointing the officers to command those armies when raised. The constitution, likewise, gives congress power to provide for calling forth the militia to execute the laws of the Union, to suppress insurrections and to repel invasions; but reserves to the States respectively, the appointment of the officers. In conformity with the last recited provision of the constitution, the congress of the United States have passed laws authorizing the president, when the contingencies above alluded to should happen, to call on the governors, or any militia officers of the respective States, for such portions of the militia as he might deem requisite for the occasion; and in strict observance of these laws, was general Jackson ordered to call on the governors of the States adjacent to the seat of war for the requisite militia force.

It is with regret that the committee are compelled to declare, that they conceive general Jackson to have disregarded the positive orders of the department of war, the constitution and laws; that he has taken upon himself, not only the exercise of those powers delegated to congress, as the sole legislative authority of the nation, and to the president
and

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and senate, as it relates to the appointments, but of the power which had been expressly reserved to the States in the appointment of the officers of the militia;—a power the more valuable to the States, because, as they had surrendered to the general government the revenues and physical force of the nation, they could only look to the officers of the militia as a security against the possible abuse of the delegated power. The committee find the melancholy fact before them, that military officers, even at this early stage of this republic, have, without the shadow of authority, raised an army of at least 2,500 men, and mustered them into the service of the United States; 230 officers have been appointed, and their rank established, from an Indian brigadier-general down to the lowest subaltern of a company. To whom were those officers accountable for their conduct? Not to the president of the United States; for it will be found that it was not considered necessary even to furnish him with a list of their names; and not until the pay rolls were made out and payment demanded, were the persons known to the department of war. And in this place it is proper to observe, that general Jackson seemed to consider those officers, of his own creation, competent to discharge all the functions of officers appointed by the authority of the general or state governments; for we find five of them detailed afterwards to sit on a general court-martial, on a trial of life and death. Might not, on the same principles, general Jack-

son have tried, condemned, and executed any officer of the Georgia militia, by the sentence of a court-martial, composed of officers created by him and holding their assumed authority by the tenor of his will?

Your committee will dismiss this branch of the subject, by observing, that consistently with the character and genius of our government, no officer, however high or exalted his station, can be justified for an infraction of the constitution. It is an offence against the sovereignty of the nation; this sovereignty being vested in the great body of the people. The constitution is the written expression of their will, and above the control of all the public functionaries combined. And when that instrument has been violated, the people alone have power to grant the indemnity for its infraction; and all that can be said in favour of the officer who transcends his constitutional powers must be taken, not in justification of the act, but in mitigation of the enormity of the offence committed. With this view of the subject, which they conceive to be a correct one, the committee have in vain sought for an excuse for the commanding general. He has stated in his letter to the secretary of war, assuming the power to judge for the national legislature, that a volunteer force of mounted gunmen would be the least expensive and the most efficient. His duty was, to execute the orders of his superior officers, not to disobey them; to observe and enforce the laws, not to violate them; obedience and subordination

tion are the first and highest duties of a soldier, and no one knew better the truth of, and necessity for observing this maxim, than the officer in question. For the truth of this observation we have his own declaration. In his letter to the Secretary of War of the 20th of January, 1818, he says, "Your letter, enclosing your general order of the 29th ult. has been received; like yourself, I have no other feelings to gratify than those connected with the public good; and it gives me pleasure to find we coincide in those opinions calculated to produce it. Responsibility now rests where it should, on the officer issuing the order; and the principle acknowledged is calculated to insure that subordination so necessary to the harmonious movement of every part of the military machine."

It is to be regretted, that an officer who seemed to be so perfectly acquainted with what belonged to the duty of others, should have been so totally regardless of, or unconscious of, his own: and while the committee are willing to admit, that the volunteer forces called into service by General Jackson were more efficient and less expensive than the militia, had he confined himself to the usual proportion of officers; this, they conceive, should not be urged as an argument in favour of employing them, or plead in justification of the unlawful act; for if these reasons be considered conclusive, and should be acquiesced in, they will be applied with increased force (fortified by this precedent) in all future wars;

an army of regulars will be considered (as they really are) more efficient and less expensive than either the volunteers, if authorized by law, or the militia; and the officer at the head of such army (acting on the principles before stated, and encouraged by the acquiescence of the nation) may dispense with the militia altogether, and increase the regular army to any extent that folly or ambition may suggest; and all this, under the plea of necessity. The committee can scarcely imagine a possible case that may occur in a future war, where the necessity will be less strong than in the present. This war was waged when the United States were at peace with all the world, except this miserable undisciplined banditti of "deluded Indians" and fugitive slaves; their whole strength, when combined, not exceeding 1,000 men, opposed to whom (previous to Gen. Jackson's taking the command) and under Gen. Gaines, were a force of 1,800 regulars and militia, besides the 1,500 friendly Indians, illegally subsidized by the last-mentioned general? What then in this state of the case becomes of the plea of necessity? And if it be admitted in this case to justify or palliate an act of military usurpation, the committee would anxiously inquire where it is to be disallowed or denied? And here the committee, having pledged themselves faithfully to disclose facts and impartially to draw conclusions, beg leave to remark, that the conduct of the commanding general, in raising this volunteer corps, was appro-
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bated by the War Department, as will appear by the letter of the Secretary, dated the 29th day of January, 1818; and it is but justice to the department to state, that it was not until the officers that had assisted in thus officering and organizing this corps, were examined by the committee, that they were apprized of the illegality of the measure; for there is nothing to be found in Gen. Jackson's letters on this subject to the Secretary of War, of the 12th, 18th and 20th of February, 1818, from which it can be fairly inferred, that he had appointed a single officer: indeed it would seem from a fair interpretation of those letters, that the officers, *at least*, were of the regular militia of the States, and that the only departure from his orders by the General was, his having called on the subordinate officers of the militia, instead of the Governor of the State of Tennessee, and his preference of mounted men to infantry; and it will also appear from the letters aforesaid, that had the Department of War disapproved of this conduct, and determined to countermand the order of General Jackson in raising this force, no order to that effect could have reached him before he had arrived at the seat of war, and of course the army might have been disbanded in sight of the enemy, and the objects of the campaign thereby jeopardized, and perhaps defeated.

The committee will next take notice of the operations of the army in the Floridas, whither they were authorized to pursue the enemy; and connected with

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this authority, it was enjoined on Gen. Gaines, to whom the first order to this effect was given, that in case the enemy took refuge under a Spanish garrison, not to attack them there, but to report the fact to the Secretary at War; and the observance of this order the committee conceive was equally obligatory on General Jackson, who succeeded to the command; at least it must have clearly evinced the will of the Secretary of War on that point; and how far this injunction was observed, will be found by what followed. It appears that Gen. Jackson advanced into Florida with a force of 1,800 men, composed of regulars, volunteers, and the Georgia militia; and afterwards, on the 1st of April, was joined by Gen. McIntosh and his brigade of 1,500 Indians, who had been previously organized by Gen. Gaines; opposed to whom, it appears from the report of Captain Young, topographical engineer, and other evidence, the whole forces of the fugitive Seminole Indians and runaway negroes, had they all been embodied, could not have exceeded 900 or 1,000 men, and at no time did half that number present themselves to oppose his march, of course little or no resistance was made.

The Mickasuky towns were first taken and destroyed; the army marched upon St. Mark's, a feeble Spanish garrison, which was surrendered "without firing a gun," and then occupied it as an American post: the Spanish commandant having first by humble entreaties and then by a timid protest, endeavoured to avert the

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measure. Here Alexander Arbuthnot was found, taken prisoner and put in confinement, for the purpose, as it was stated by General Jackson, "of collecting evidence to establish his guilt;" and here also were taken two Indian chiefs, one of whom pretended to possess the spirit of prophesy; they were hung without trial and with little ceremony.

This being done, and St. Mark's garrisoned by American troops, the army pursued their march eastward to Suwaney river, on which they found a large Indian village, which was consumed, and the Indians and negroes were dispersed; after which the army returned to St. Mark's, bringing with them Robert C. Ambrister, who had been taken prisoner on their march to Suwaney. During the halt of the army for a few days at St. Mark's, a general court-martial was called, Arbuthnot was arraigned, found guilty, sentenced to suffer death and hung.

Ambrister was tried in like manner, found guilty and sentenced to whipping and confinement. General Jackson annulled the sentence and ordered him to be shot; and this order was executed.

It appears by the testimony, that the army had arrived at St. Mark's, on their return from Suwaney, on the 25th of April; and on the 26th, general Jackson writes to the secretary of war in the following manner:—"I shall leave this in two or three days for Fort Gadsden, and, after making all necessary arrangements for the security of the po-

sitions occupied, and detaching a force to scour the country west of the Appalachicola, I shall proceed direct to Nashville; my presence in this country can be no longer necessary. The Indian forces have been divided and scattered; cut off from all communications with those unprincipled agents of foreign nations who have deluded them to their ruin, they have not the power, if the will remains, of annoying our frontier." It appears, however, by the conduct of the commanding general, that he had, at this time, looked to different movements; for, at the time he was writing this letter, as will be seen by the testimony of captain Call and surgeon Bronaugh, he had dispatched lieutenant Sands to Mobile, to forward on a train of artillery to a given point, to be ready to be made use of in reducing Pensacola and the fort of Barancas, should that measure be thereafter thought proper; having made these arrangements, the army marched to Fort Gadsden, on the Appalachicola river. There, as stated by general Jackson and confirmed by the testimony of colonel Butler, information was received by a private letter, written from a merchant at Pensacola to Mr. Doyle and shown to general Jackson, that a number of Indians had recently visited Pensacola, and were committing depredations on the Spanish inhabitants of that place, and were receiving aid and comfort from the garrison. On the receipt of this intelligence, the resolution seems to have been taken to garrison that place with American troops; and

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and after a march of about 20 days, having met his artillery, general Jackson, with about 1,200 men, the rest having been discharged, appeared before Pensacola, the capital of the province. The place was taken with scarce the show of resistance. The governor had escaped, and taken refuge in the fort of the Barancas; to which place, distant about six miles, the army marched, and the fortress was invested on the 25th of May; and a demand being made for its surrender and refused, the attack on the fortress by land and water commenced, and after the bombardment and cannonading had been kept up for a part of two days, and some lives lost, the fortress was surrendered, the garrison made prisoners of war, and the officers of the government, civil and military, transported to the Havannah, agreeably to the terms of the capitulation; which terms general Jackson, in his letter of 2nd June, 1818, declares "were more favourable than a conquered enemy would have merited."

The civil and military government of Spain thus annulled, general Jackson thought it necessary to abolish the revenue laws of Spain, and establish those of the United States as more favourable to the commerce of the United States; and for this purpose captain Gadsden was appointed collector, and by him, under the authority of general Jackson, that department of the new government was organized. The Spanish authorities being thus put down by the sword, both civil and military, a new government was established for

this newly acquired territory, the powers of which, both civil and military, were vested in military officers. And general Jackson having declared in numerous communications to the department of war that the Seminole war was closed, and the object of the campaign at an end, he returned to his residence at Nashville, state of Tennessee. And here it would have given the committee sincere pleasure to have stated that the history of the campaign had closed; but facts which it becomes now their duty to report, require that history to be continued. On the 7th of August 1818, more than two months after his consummation of the conquest of West, and part of East Florida, he issued an order to general Gaines directing him to take possession of St. Augustine, a strong fortress and the capital of East Florida. A copy of this order is subjoined to this report, and his reasons for this measure are stated at large in the order, and reiterated and enforced by his letter to the secretary at war, dated the 10th of the same month, which reasons, fully and beyond the possibility of doubt, discover the motives of the commanding general in all his movements against Spain.

The tendency of these measures by the commanding general seems to have been to involve the nation in a war without her consent, and for reasons of his own, unconnected with his military functions.

Your committee would be unwilling to attribute improper motives, where those of a different character could be possibly in-

ferred, more especially when it is to affect a character, whose military fame is the pride and boast of the nation; but even such a character becomes more eminently dangerous, when he exalts himself above the majesty of the laws, declares the public will, and becomes the arbiter between the United States and foreign nations. That these high and transcendent powers have been usurped and exercised in the present case, is, it appears to the committee, incontrovertibly evident from the facts adduced.

The constitution declares, art. 1, sec. 8. "Congress shall have power to declare war, grant letters of marque and reprisal, and to make rules concerning captures on land and water." Surely it was never designed by this provision, that a military officer should first make war, and leave it to Congress afterwards to declare it: this would involve an absurdity that it is unnecessary to expose. It is sufficient to say, that the executive authority of the United States, and much less a subordinate officer, has no power to change the pacific relations of the nation. The president of the United States is bound constitutionally to preserve the peace of the country until Congress declares it in a state of war: he can only, while thus in a state of peace, use the military forces of the nation in three specified cases, that is, "to execute the laws of the Union, to suppress insurrection and repel invasion." (See Constitution, art. 1, sec. 8; also, the act for calling forth the militia, passed Feb. 28, 1795). It will not be pretended, that

Spain had invaded the United States, or that Congress had declared war against that nation, and of course the relations of peace did exist between the two countries, at the time general Jackson took possession of the Spanish possessions in the Floridas: these facts being admitted, and they cannot be denied, the only question to decide is, whether the military conduct of general Jackson was not war against Spain; and on this subject there can be no room to doubt. The capital of a Spanish province is taken by the sword, a fortress is invested and bombarded, lives are lost and the place surrendered on capitulation, the terms of which are declared "more favourable than a conquered enemy merited;" military officers and men, as well as those in the civil departments of government are transported to the West Indies, and a new government established for the conquered country. If all these acts of hostility combined do not constitute war, the committee confess themselves utterly at a loss for its definition; or if the fact be denied, the consequence of such denial will be a proof that no war was made by the Seminole Indians on the United States, and of course, that the invasion of Florida was an unauthorized act of aggression on the part of the United States; but the committee will pursue this subject a little farther, and examine the reasons offered by the officers commanding, for taking possession of and occupying the Spanish fortresses, more especially Pensacola and the Barancas. These reasons are to be found in his numerous reports to

to the war department and his letter to the Spanish officers who commanded in the different fortresses, and are these:—That Spain had not observed her treaty stipulations with the United States, as it related to the Florida Indians, whose peaceable conduct she was bound to guarantee to the United States. That she had furnished those Indians at war with the United States with arms, ammunition and supplies, necessary to carry on the war. Here the committee would observe, that they are neither the advocates nor the apologists of Spain; there can be no doubt but she had by the violation of her engagements, given the United States sufficient cause of war; but they defend the constitution by saying that Gen. Jackson had no power to declare nor make the war; that neither he, nor even the President of the United States, had any discretion or power to judge what was or was not cause of war; this the constitution had wisely lodged in Congress. The treaty with Spain still existed; it was made by the constitution, the supreme law of the land, and had Spain violated, on her part, every article of that treaty, still the executive of the United States, who is bound to see the laws "faithfully executed," must, in good faith towards Spain, have observed on our part that treaty; and the obligation of preserving the peace of the nation would have remained until the treaty should have been revoked or annulled by Congress. Furnishing the Indians with arms, ammunition and supplies, were so many violations of treaty stipula-

tions, and might have been considered good cause of war by Congress; but of this Gen. Jackson was not the judge. His duty was pointed out; it was to subdue and punish the Seminole Indians, with whom we were at war; for this purpose he was ordered to pursue them into the territorial limits of Spain, and over a part of which territory those Indians had, at least, a qualified right of possession and property. Under these orders no act of aggression on the Spanish authorities could have been designed, nor can any such acts be justified. Spain, before she could become or be made a party to this war, must have merged her neutral character in that of the enemy, and clearly identified herself with the Seminole Indians, and by acts of open and undisguised hostility to Gen. Jackson, have opposed him by physical, not moral force.

But the weakness of the Spanish authorities is urged in justification of this outrage upon our constitution; and is the weakness of an independent power to disparage their neutral rights, or furnish pretences for a powerful neighbour to weaken them further by hostile aggression? And is it thus we are to be furnished by an American officer with a justification for the dismemberment of Poland, the capture of the Danish fleet by Great Britain and the subjugation of Europe by Buonaparté; and shall the United States be called upon to imitate the example, or silently acquiesce, and thereby subscribe to doctrines and approve measures, that are in direct opposition to the repeated and invariable declarations of the government,

vernment, given to this nation and the world through the official medium of presidential messages and the correspondence of all her public ministers, and sanctioned by all her public laws on the subject of neutral rights? Will it not be said that we have changed our national policy? Shall we not be addressed in the following language, by the nations of Europe?—

“The time was when the United States were also weak; she had no navy, she had no army. In those days she was a strong advocate for neutral rights, anxious that free ships should make free goods; that the neutral flag of the republic should protect all sailing under it, ever protesting against and complaining of the violation of her neutral rights by the belligerents of Europe; but these times have passed away, the nation has tried her strength in battle and found herself quite equal to the struggle; she has had time to strengthen her army and increase her navy; her former weakness forgotten, her former precepts abandoned, and feeling power and forgetting right, she walks over a prostrate constitution, to conquer and subdue a miserable and feeble, though neutral colony, whose very weakness (pleaded in excuse for the aggression) should have rather constituted an appeal to a generous people for protection.”

In this unfavourable light, the committee have too much reason to fear, will the civilized world view this transaction; and if sanctioned by the nation, they regret to say there will be too much reason thus to consider it.

But there are still other reasons disclosed and facts developed, that discover the motives of the commanding officer more fully than those above stated. More than two months after this campaign had ended and the Seminole war was terminated, another expedition is planned, and the land and naval forces of the United States ordered to execute it, which is, to reduce the fortress of St. Augustine, the capital of East Florida. The reasons offered for this measure are stated in his orders to general Gaines, dated Nashville, Aug. 7, 1818, and are as follows:—

“I have noted with attention major Twiggs’ letter, marked No. 5. I contemplated that the agents of Spain or the officers at Fort St. Augustine would excite the Indians to hostility, and furnish them with the means of war. It will be necessary to obtain evidence substantiating this fact, and that the hostile Indians have been fed and furnished from the garrison of St. Augustine. This being obtained, should you deem your force sufficient, you will proceed to take and garrison Fort St. Augustine with American troops and hold the garrison prisoners until you hear from the president of the United States; or transport them to Cuba, as in your judgment, under existing circumstances, you may think best.

“Let it be remembered, that the proceedings carried on by me, or this order, is not on the ground that we are at war with Spain, it is on the ground of self-preservation, bottomed on the broad basis of the law of nature
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and of nations, and justified by giving peace and security to our frontiers; hence the necessity of procuring evidence of the fact of the agents or officers of Spain having excited the Indians to continue the war against us, and that they have furnished them with the means of carrying on the war; this evidence being obtained, you will (if your force is sufficient) permit nothing to prevent you from reducing Fort St. Augustine, except a positive order from the department of war.

“Orders some time since have been given to the officer of the ordnance commanding at Charleston, to have in readiness a complete battering train, the number and calibre of the guns pointed out; I have no doubt you will find them in readiness.

“I inclose you the report of captain Henley, of the naval force on that station; you will open a correspondence with commandant A. J. Dallas to insure his co-operation, provided it should be required.”

In this projected expedition, it was not thought necessary or expedient to consult the executive branch of the government; the order sent to general Gaines was peremptory, on the discovery being made that the Indians had been supplied with ammunition and provisions and excited to war; the blow was to be struck, and nothing but an express order from the secretary of war was to prevent it. Long before this period the commanding general had, by his letters to the secretary of war, declared the Seminole war at an end, and after which not a

single new act of hostility had been committed. Yet in this state of peace, is a military officer directed to ascertain certain facts, and on such facts being substantiated, to make war on the neutral colony of a nation in peace and amity with the United States; thus disregarding not only the legislative and executive authorities of the United States, but setting at naught the usages of all civilized nations, by making war without a previous and public declaration. Were the nation subject to the will of a military despot, and were there no constitutional barriers to the inordinate exercise of military ambition, more than this could scarcely have been expected. It is with pain the committee are constrained to make these observations; but where the vital principles of the constitution have been violated, as they conceive, it would be criminal in them, under the instructions they have received from the senate and the duty they owe the nation, to be silent. Silence on their part would have been considered an acquiescence in those measures, and they fear this precedent and example may be pleaded and followed on future occasions.

If these things be admitted in the south, will they not be considered as authorized in the north? Are there not fortresses there to be won and provinces to be conquered, and are there not Indians in that quarter likewise, and may not the officer in command find means to prove that those Indians have been, or hereafter may be furnished by the British with arms and munitions of war; and if so,

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may he not follow the example set in the south, and add something to his stock of military fame by reducing the British fortresses of Canada, and unfurling the star-spangled banner of this nation on the walls of Quebec?

We hope better things of the distinguished officer at the head of our armies, and we had hoped better things of the hero of New Orleans; but we have been disappointed; and if the conduct of the officers in the south be sanctioned and approved by the nation, we are free to declare that the reduction of Quebec (where Montgomery fell, unable to conquer) would present a much stronger claim to public approbation.

It is necessary here to remark, that a copy of the order issued by general Jackson to general Gaines, for the reduction of St. Augustine, was transmitted to the secretary of war, and a countermanding order promptly dispatched to general Gaines, which reached him before the military expedition set on foot by general Jackson had commenced; and thus was suddenly arrested a military scheme (as unconstitutional as it was impolitic), and which might, as stated by the secretary of war in his letter of the 8th day of September, 1818, have involved this nation in a war with all Europe.

In thus promptly prohibiting the unauthorized seizure, at the will of a commanding general, of the possessions of a neighbouring nation with whom the United States are at peace, the committee recognize that sacred regard to the rights of other nations, which

ought never to be departed from by the executive of a free country, and that vigilant attention to the conduct of the officers of the army which is necessary to secure a due subordination of the military to the civil power.

They consider that on this occasion the executive of the United States has (by promptly restoring St. Mark's and Pensacola, wrested from Spain in violation of instructions) pursued the course that the constitution demanded, that all former precedents justified, and to which the public sentiment gave a decided approbation.

In reviewing the execution of Arbuthnot and Ambrister, your committee cannot but consider it as an unnecessary act of severity on the part of the commanding general, and a departure from that mild and humane system towards prisoners, which, in all our conflicts with savage or civilized nations, has heretofore been considered not only honourable to the national character, but conformable to the dictates of sound policy. These prisoners were subjects of Great Britain, with whom the United States are at peace. Having left their country, and united their fates with savages with whom the United States were at war, they forfeited their claim to the protection of their own government, and subjected themselves to the same treatment, which might, according to the practice and principles of the American government, be extended towards those with whom they were associated. No process of reasoning can degrade them below the savages with whom

whom they were connected. As prisoners of war, they were entitled to claim from the American government that protection which the most savage of our foes have uniformly experienced, when disarmed and in our power. Humanity shudders at the idea of a cold-blooded execution of prisoners disarmed and in the power of the conqueror. And although savages, who respect no laws, may, according to the strict principles of the law of nations, have their own system of cruelty inflicted on them by way of retaliation, it is believed that such a system would degrade and debase the civilized nation who could resort to it, and is not only repugnant to the mild principles of the Christian religion, but a violation of those great principles of moral rectitude which distinguish the American character. Retaliation, in the United States, has always been confined to specified acts of cruelty. It is not believed that any attempt has ever been made to retaliate for charges so general as those exhibited against Arbuthnot and Ambrister, viz. "Inciting the Indians to war." During the revolutionary war, only two cases occurred of persons seized for purposes of retaliation, neither of whom was executed. The case of Asgih, seized on account of the murder of Huddy; and governor Hamilton, of Vincennes, for specific acts of cruelty also. Hamilton was confined for a short time with rigour, and afterwards released. During the late war, marked with some cases of cold-blooded massacre on the part of our enemy, parti-

cularly the one at the river Raisin, no such measure as retaliation was resorted to.

The principle assumed by the commanding general—that Arbuthnot and Ambrister, by uniting in war against the United States while we were at peace with Great Britain, "became outlaws and pirates and liable to suffer death," is not recognized in any code of national law. Nothing can be found in the history of civilized nations which recognizes such a principle, except a decree of the executive directory of France, during their short career of folly and madness, which declares, that neutrals found on board enemies' ships should be considered and treated as pirates.

The committee forbear to make any other remarks on the violation of the usual and accustomed forms in the punishment and conviction of Arbuthnot and Ambrister, except that even despots claiming to exercise absolute power cannot, with propriety, violate their own rules.

Having declared a court martial for the purpose of trying the prisoners, the commanding general, by his own authority, set aside the sentence of the court and substituted for that sentence his own arbitrary will. In trials involving the life of an individual, a strict adherence to form is in ordinary cases considered the best security against oppression and injustice.

A departure from these forms is calculated to inflict a wound on the national character, and tarnish the laurels so justly acquired

quled by the commanding general by his former victories. Such are the facts as they appear to the committee, and such are the views taken by them of the important subjects referred to their consideration, and, together with their report, they submit various depositions and documents, to which, and to the correspondence and documents relating to the Seminole war communicated to the senate by the president of the United States, at the last and present session, they refer.

PROCLAMATION,

By Lord Cochrane, Vice-Admiral of Chili, Admiral and Commander-in-Chief of the Ships and Vessels of the States.

Being authorized and commanded by the supreme government of Chili strictly to blockade the ports, bays, harbours and the whole coast of the kingdom of Peru,

I hereby declare as follows, viz.

1. That the port of Callao, and all other ports, bays and harbours, as well as the line of coast from the port of Guyaquil to Alacama in Peru, are in a state of formal blockade.

2. All vessels are strictly prohibited from carrying on any commerce, or holding communication with the said ports and places within the fore-mentioned line of blockade.

3. No ships or vessels belonging to friendly or neutral powers now in the bay of Callao, or in any of the ports or anchorages com-

prehended within the blockade aforesaid, shall be permitted to sail therefrom after the lapse of eight days from the date hereof.

4. No neutral flag shall in any case be suffered to cover or neutralise the property of Spaniards, or of the inhabitants of the countries subject to the king of Spain.

5. Any neutral vessel navigating under false or double papers, or which shall not have the necessary documents to prove the ownership of the property, shall suffer the penalties applicable to the goods and merchandise of enemies.

6. Every neutral vessel which shall have on board military officers, masters, supercargoes, or merchants, of the countries subject to the king of Spain, shall be sent to Valparaiso, there to be adjudged according to the law of nations.

7. The present notification shall be transmitted to those whom it may concern.

Given on board the O'Higgins, bearing the flag of the commander-in-chief, in the bay of Callao, this 1st of March 1819.

(Signed)

By his lordship's command,
COCHRANE.
AND. A. JONTE, Sec.

Substance of the Convention concluded between Norway and Denmark. Stockholm, September 28.

Act I. Fixes the Norwegian part of the common debt at a round sum of three millions six dollars,

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dollars, Hamburg banco, with 4 per cent usual interest.

Act II. Stipulates that these three millions shall be paid in ten equal annual payments, beginning with the 1st of July 1820 and ending with the 1st of July 1829.

Act III. The interest shall be reckoned from the 1st of January 1820. The 60,000 dollars, which are the amount of the interest from that day till the 1st of July 1820, shall be paid in two equal payments—namely, the first half, or 30,000 dollars, on the 1st of July 1820, and the second half on the 1st of July 1821.

Act IV. From the 1st of July 1820, the interest shall be paid quarterly.

Act V. Obliges the king of Norway to cause a bond for 300,000 rix dollars, payable on the 1st of July, to be issued by his Norwegian department of the finances, after the exchanges of the ratifications, and to bind the Storting, which is to assemble on the 1st of February 1821, to sanction the issue of the bonds for the remaining payment.

Acts VI to VIII. Stipulate the giving up of the archives, maps, &c.

Act IX. Mutual adjustment of all kinds of claims which may originate in the old union between Norway and Denmark.

Act X. Exchange of the ratifications within 20 days.

A separate article stipulates the delivery of the bonds into the hands of the minister of the mediating power at Stockholm.

Declaration of the Danish Plenipotentiary—Renunciation by his majesty the king of Denmark of

the use of the Norwegian Lion in the arms; in this respect it is stipulated as follows:—"The Danish monarchy in Europe ceases to use the emblem before the 1st of January next year, the agents and officers within a year, and the Danish colonies within two years."

The counter declaration of the Norwegian Plenipotentiaries accedes to the above periods.

Propositions of the Minister of his Imperial and Royal Apostolic Majesty, President of the Germanic Diet, to the Diet sitting at Frankfort.

The Minister of his Imperial and Royal Apostolic Majesty, presiding at the Diet, has received orders from his Court to make the following communications to this Assembly:—

His Majesty is persuaded that all the members of the Confederation participate with him in the wish that the Diet, before adjourning, should direct its particular attention to the spirit of inquietude and fermentation, the symptoms of which have for some years been daily more distinctly manifested in Germany; and which has finally shown itself in openly seditious writings, in criminal plots, embracing more than one part of Germany, in individual crimes and atrocious acts of violence.

His Majesty is desirous that this assembly should seriously examine the causes of these disorders, and the suitable means for henceforth securing public order, respect for the laws, confidence in governments, calm and
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general contentment, and the tranquil possession of all the benefits which the German princes, under the protection of a peace solidly guaranteed to Europe, have conferred on, or are preparing for the enjoyment of, their people.

The sources of the evil which the governments of Germany are loudly called upon to terminate exist, it is true, partly in temporary embarrassments and derangements, produced by circumstances on which no government can directly or momentarily operate; but they are also connected with defects, vices, or positive abuses, which it is doubtless possible to remedy by well-concerted and maturely combined measures.

Among the objects which in this last respect merit the particular attention of the Diet, the following may be regarded as the most urgent:—

1. The uncertainty which prevails as to the sense of article 13 of the act of confederation.
2. The want of an accurate definition of the rights and powers of the Federal Diet, and of the means necessary for establishing them.
3. The defects of public education in the schools and universities.
4. The abuse of the press, and particularly the excesses which appear in the journals, periodical papers and ephemeral publications.

In the hope that the Diet will immediately occupy itself with these important objects, the minister of his imperial Majesty has been ordered to present several

plans of decrees to this assembly, as well as measures relative to the points indicated above, as for the establishment of a central commission, the object of which will be found explained in the sequel of the present proposition.

Edict of Censorship for the Kingdom of Hanover.

“George, Prince Regent, in the name and on the behalf of his Majesty, &c. King of Great Britain and Ireland, King of Hanover, &c. We have, in consequence of the resolution adopted with our consent by the German diet in the sitting of the 20th of September, with reference to the liberty of the press, agreed to the following edict of censorship, published on the 31st of May 1731.” Then follows the edict of 1731, under the reign of George II, which confirms one passed in 1705, under the reign of George, Elector of Hanover, afterwards George I of England. By the former, no work is allowed to be published in the Hanoverian dominions, or sold by Hanoverian booksellers, which has not previously undergone the revision of a censor appointed by government. The publisher’s name and the editor’s, if a periodical work, must likewise be mentioned.

“This decree,” says the edict, “is hereby renewed and declared binding for the whole of our royal German territories;

“And besides, farther to order and decree, that no writing shall be either printed, or (if printed out of the country) circulated in our kingdom of Hanover, which does

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does not bear on it the name of the publisher, and in so far as it belongs to the class of newspapers and periodical publications, also the name of the editors. Printed works, in which this regulation is not observed, shall be seized as soon as discovered, and the circulators punished by fine or imprisonment, according to the circumstances of the case.

“ It is commanded, that all the authorities of the kingdom of Hanover, whom it may concern, shall pay due regard to this ordinance; and in order that it may be generally known, it shall be inserted in the first division of the collection of the laws.

“ By the special command of his royal highness the Prince Regent.

“ DECKEN, BREMER,
“ ARNSWALDT.

“ *Hanover, 14th October.*”

*Prussian Edict of Censorship, Oct.
18th, 1819.*

1. All the books and writings destined to be published in our states shall be subject to the approbation of a censorship, regulated by the subjoined articles, and can neither be printed nor sold without permission given in writing.

2. The censorship will not prevent the sincere and discreet investigation of truth. It will impose no restraint on writers, and will not shackle the bookselling trade. Its object is to prevent whatever is contrary to the principles of religion in general, without making any distinction between the opinions and doctrines

of the different communions and sects tolerated in the state, to suppress whatever attacks morals and manners; to resist the fanatical mania of mixing the truths of religion and politics, and to prevent the confusion of ideas resulting therefrom; finally, to avert whatever might tend to compromise the safety and the dignity either of the Prussian monarchy, or of the other states of the Germanic confederation.

In the latter class are included all theories which tend to shake the monarchic and other constitutions existing within these states; injuries directed against governments having amicable relations with the Prussian state and the persons administering those governments; every thing which might excite discontent in Prussia or in the other states of the confederation, and resistance to the existing laws; all attempts having for their object to form, within or without the country, illegal parties or associations, or finally to present under a favourable point of view the parties who, in a state, labour to overthrow its constitution.

3. The superintendence of the censorship of all the writings which appear in our states, whatever may be their contents, is exclusively intrusted, both in Berlin and the provinces, to the first presidents, who shall propose for each department, for the greatest possible expedition, a sufficient number of able and well-informed censors worthy of confidence.

This proposition shall be made through the medium of the supreme college of censorship, established

established by article 4, at the police department of the minister of the interior; and for exterior relations at the office of the ministry for foreign affairs; for works of theology and science at the office of the ministry for worship and public instruction. These censors shall, under the direction of the first presidents and according to the instructions they may have received, examine the manuscripts delivered to them.

4. The censorship of newspapers, periodical publications, or more considerable works, which treat exclusively or in part of the history of the times or of politics, is under the supreme direction of our ministry for foreign affairs; that of works of theology and purely scientific works is under the direction of the ministry for worship and public instruction. All the other objects of censorship are under the superintendence of the police department, of the ministry of the interior.

The censorship of poetry and miscellaneous writings, programs for schools, and other detached papers of that description, is abandoned, except in towns where there is a first president, to the police authorities of the place where such papers are printed; nevertheless under the superintendence and control of the first presidents.

The superior authority of censorship is authorized to declare to the proprietor of a gazette, that the editor named by him is not a person in whom the necessary confidence can be placed. In this case, the proprietor is obliged either to get another

editor; or, if he chooses to retain the one he has appointed, to find security for him to an extent which shall be fixed by our minister of state, on the proposition of the superior authority of censorship.

Décreé of Regulation for Provisional Execution relative to Article 2 of the Act of Confederation.

Art. 1. Until a regulation of execution definitive and complete in all its parts, be prepared, the Diet of the Germanic Confederation is authorized and invited, by the present provisional regulation, to assure, in the following manner, the accomplishment and execution of all the resolutions which it may consider itself sufficiently engaged and authorized to adopt, for the preservation of internal security and public order, and for the maintenance of the rights of the state of possession until legal or judicial process take place.

2. For this purpose the Diet will, every six months, elect for that period a commission of five members chosen from its body, which commission shall continue in activity during the vacations.

3. To this commission shall be addressed all representations, reports, propositions and questions relative to the execution of the resolutions of the Diet.

The remaining articles of this decree point out the means by which the commission is to communicate with the members of the confederation, and regulate its powers and duties.

Provisional

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Provisional Decree relative to the Measures to be taken concerning the Universities.

Sect. 1. The Sovereign shall make choice for each university of an extraordinary commissioner, furnished with suitable instructions and powers, residing in the place where the university is established; he may be either the actual curator, or any other person whom the government may think fit to appoint.

The duty of this commissioner shall be to watch over the most rigorous observation of the laws and disciplinary regulations; to observe carefully the spirit with which the professors and tutors are guided in their public and private lectures; to endeavour, without interfering directly in the scientific courses, or in the method of instruction, to give the instruction a salutary direction, suited to the future destiny of the students, and to devote a constant attention to every thing which may tend to the maintenance of morality, good order and decency among the youths.

Sect. 2. The governments of the states, members of the confederation, reciprocally engage to remove from their universities and other establishments of instruction, the professors and other public teachers, against whom it may be proved, that in departing from their duty, in overstepping the bounds of their duty, in abusing their legitimate influence over the minds of youth, by the propagation of pernicious dogmas, hostile to order and public tranquillity, or in sapping the foundation of existing establish-

ments, they have shown themselves incapable of executing the important functions entrusted to them, without any obstacle whatever being allowed to impede the measure taken against them, so long as the present decree shall remain in force, and until definitive arrangements on this point be adopted.

A professor or tutor thus excluded, cannot be admitted in any other state of the confederation to any other establishment of public instruction.

Sect. 3. The laws long since made against secret or unauthorized associations at the universities, shall be maintained in all their force and rigour, and shall be particularly extended with so much the more severity against the well-known society formed some years ago under the name of the General Burgenschaft, as it has for its basis an idea, absolutely inadmissible, of community and continued correspondence between the different universities.

The governments shall mutually engage to admit to no public employment any individuals who may continue or enter into any of those associations after the publication of the present decree.

Sect. 4. No student who, by a decree of the Academic Senate confirmed by the government commissioner, or adopted on his application, shall be dismissed from a university, or who, in order to escape from such a sentence, shall withdraw himself, shall be received in any other university; and in general, no student shall be received at another university without a sufficient attestation

attestation of his good conduct at the university he has left.

Decree relative to the Measures for preventing the Abuses of the Press.

Sect. 1. As long as the present decree shall be in force, no writing appearing in the form of a daily paper or periodical pamphlet, which does not contain more than 20 printed leaves, shall be issued from the press without the previous consent of the public authority.

The works not comprehended under this regulation shall continue to be regulated by the laws now existing, or which may be hereafter enacted; and if any work of the above-mentioned description shall give rise to a complaint on the part of any state of the confederation, the government to which the complaint may be addressed shall cause proceedings to be instituted in its name against the authors or editors of the said work.

Sect. 2. Each government is at liberty to adopt, for the maintenance and execution of the present decree, those measures which may appear the most suitable; it being well understood that these measures must be recognized proper to fulfil the object of the principal regulation of Art. 1.

Sect. 3. The present decree being called for by the necessity generally acknowledged of adopting some preventive measures against the abuse of the press in Germany, as long as this decree shall remain in force, the laws attributing to the tribunals the pro-

secution and punishment of the abuses and offences committed by the press, inasmuch as they apply to the writings specified in Art. 1, cannot be considered as sufficient in any state of the confederation.

Sect. 4. Each government of the confederation is accountable for the writings published under its jurisdiction, and consequently for all those comprehended in the principal regulation of Art. I; and when these writings wound the dignity or safety of another state of the confederation, or make attacks upon its constitution or its administration, the government which tolerates them is responsible, not only to the state which suffers directly therefrom, but to the whole confederation.

Sect. 5. In order that this responsibility, founded in the nature of the Germanic Union and inseparable from its preservation, may not give rise to disagreements which might compromise the amicable relations subsisting between the confederated states, all the members of the confederation must enter into a solemn engagement to devote their most serious attention to the superintendence which the present decree prescribes, and to exercise it in such a manner as to prevent as much as possible all reciprocal complaints and discussions.

Sect. 6. In order, to assure better the guarantee of the moral and political inviolability of the states of the confederation, which is the object of the present decree, it is to be understood, that in case a government believe itself injured by writings published under another government,
and

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and cannot obtain complete satisfaction by amicable and diplomatic representations, that government will be at liberty to prefer its complaint to the Diet, which, in such a case, will hold itself bound to appoint a commission to examine the writing which shall have been thus denounced, and if the report of the commission state it to be necessary, to command the suppression of the said writing, and also to prohibit its continuance if it be of the number of periodical publications.

The Diet will proceed also, without a previous denunciation, and of its own authority, against every publication comprised in the principal regulation of Art. I. in whatever state of Germany it may be published, if in the opinion of a commission appointed to consider thereof, it may have compromised the dignity of the Germanic body, the safety of any of its members, or the internal peace of Germany, without any recourse being afforded against the judgment given in such a case, which shall be carried into execution by the government that is responsible for the condemned publication.

Sect. 7. The editor of a journal, or other periodical publication, that may be suppressed by command of the Diet, shall not be allowed, during the space of five years, to conduct any similar publication in any states of the confederation.

The authors, editors and publishers of newspapers or periodical writings and others, mentioned in the first paragraph of Article 1,

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shall be, in other respects, upon submitting to the regulation of that article, free from all responsibility; and the judgments of the Diet, mentioned in the preceding article, will be directed only against the publications, without affecting individuals.

Sect. 8. The confederated states engage within six months to acquaint the Diet with the measures which each shall have adopted to carry into execution the first article of this decree.

Sect. 9. Every work printed in Germany, whether comprehended in the regulations of this decree or not, must bear the name of the printer or the editor; and if it be of the number of periodical publications, of the principal editor. Every work in circulation in any of the states of the confederation, with respect to which these conditions have not been complied with, will be seized and confiscated, and the person or persons who may have published and sold it condemned, according to the circumstances of the case, to the payment of fine, or some other punishment proportionate to the offence.

Sect. 10. The present decree shall remain in force during five years from the date of its publication. Before the term of its expiration the Diet will take in to mature consideration in what manner the 18th article of the federal act relative to the uniformity of laws on the conduct of the press in the confederated states, can be carried into execution, by definitively fixing the legal limits of the press in Germany.

M

Decree

Decree relative to the formation of a Central Commission, for the purpose of Ulterior Inquiry respecting Revolutionary Plots, discovered in some of the States of the Confederation.

Art. 1. In 15 days from the date of this decree, an extraordinary commission of inquiry, appointed by the Diet and composed of 7 members, including the President, shall assemble in the city of Mentz, a fortress of the confederation.

2. The object of this commission is, to make careful and detailed inquiries respecting the facts, the origin and the multiplied ramifications of the secret revolutionary and demagogic associations, directed against the political constitution and internal repose, as well of the confederation in general, as of the individual members thereof; of which indications more or less conclusive have been already discovered, or may result from ulterior researches.

3. The Diet elects by the plurality of suffrages the seven members of the confederation who are to appoint the members of the central commission.

4. None can be elected members of the central commission but civil officers, who in the state which appoints them are fulfilling, or have fulfilled, judicial functions, or have been engaged in preparing processes in important investigations.

5. In order to attain the end proposed, the central commission shall undertake the general direction of the local investigations

which have already been commenced, or may hereafter be instituted.

6. All the members of the confederation, in the territories in which investigations of this nature have been already commenced, engaged to point out to the central commission, immediately after it shall be constituted, the local authorities to whom the investigations shall have been previously confided.

7. The central commission is authorized to examine every individual whom it may judge necessary. To secure his appearance, it will apply to the superior authority of the members of the confederation, or to the authorities who, in virtue of Art. 6, may be pointed out for this purpose.

Articles 8, 9, and 10, which conclude this decree, and the proposition of the Imperial Minister, consist merely of directions for regulating the routine proceedings of the central commission.

Circular of the Cabinet of Berlin, to its Ambassadors, Ministers and Diplomatic Agents at Foreign Courts.

You have already seen the presidential message which, in consequence of the conferences at Carlsbad, Austria presented to the Germanic Diet. You know likewise that all the propositions which it contained have been converted into decrees by that assembly, and that these decrees passed unanimously. But, as it is of great consequence that all the powers of Europe should see and

and judge these resolutions under their true point of view, I think it my duty to enable you to present them in the most favourable light, and to make them known in their causes, their nature and effects. It is long since the political and moral state of Germany was calculated to cause legitimate alarms to all the friends of social order and public tranquillity. However sound in general was the mass of the people, and however attached to its sovereigns in the different states of the confederation, it could not be disguised that there prevailed a secret inquietude and a concealed fermentation, supported and aggravated by the unbridled licence of speech and writings. This fermentation of mind was in part natural, and could be explained by the extraordinary events which, during the war of the deliverance, had drawn men of all classes from the beaten track of habit; by the sacrifices which the liberation of Germany had cost to the states, and which they felt more in peace than they had felt during the storm; by the exaggerated hopes of enthusiastic minds, which had dreamed of a golden age, and flattered themselves with seeing it spring from the bosom of the iron age which had scarcely expired; in fine, by the violent crisis of industry and commerce, which, springing from an order of things forced and contrary to nature, could not be brought all at once to the level of new circumstances, and which suffered at once from the past and the future. The natural discontent resulting from these united causes was more sad

than dangerous, and must have yielded to the slow operation of time, or to the benevolent and enlightened activity of governments, which, too long withdrawn from their internal condition, began to occupy themselves with it with as much love as zeal.

But, along with this natural discontent, there existed an artificial and factitious discontent, which, taking its source in erroneous principles, in ambitious and chimerical theories, in secret and culpable views, in base and interested passions, created and propagated by revolutionary writings and speeches, could form with the other a dangerous alliance, and artfully nourish it, in order to mislead the public mind, and produce the most fatal excesses. Those who had observed with an impartial and attentive eye the situation of the public mind in Germany, had for a long time suspected the existence of a party spread over all the surface of that vast country, deriving its origin from elective affinities of opinions and sentiments, and fortified by formal associations, which worked to overthrow Germany, and to substitute for its actual state a republic, one and indivisible, or some other chimera, which could not even be attempted but by violent revolutions, and the prelude to which must have been the overthrow of all the reigning dynasties.

An atrocious crime (that of Sandt) affords a measure of the audacity and madness of the revolutionary party. This atrocity, committed by the arm of a

single individual, who, perhaps, had not accomplices, properly so called, was not less the fruit of the general mode of a certain class, the visible effect and the striking sign, the indubitable symptom, of a malady serious, profound, and extended, which revealed itself in this manner to affrighted Germany. To be convinced of this, it is only necessary to collect the judgments of the class of teachers, of students, of writers, and of all those who were subjected to their influence, regarding that frightful action which excited the indignation of nations and found apologists among the initiated. While it inspired terror into the former, it excited the admiration of the latter.

The inquiries which were instituted on the place where the crime was committed provoked or led to others in different parts of Germany. Prussia felt the necessity of enlightening, by extraordinary means, the darkness in which was formed the formidable alliance of false doctrines and wants,—of maxims disinterested in appearance with personal passions. The result of these inquiries has been every where the same; every where facts have supported suppositions, which were too well founded; every thing has proved the existence and activity of a party which sowed in darkness for a harvest, more or less remote, the seeds of revolution. The leaders are linked together by the identity of their principles and sentiments; hold the one to the other by a natural attraction; communicate by letters, but still more

by frequent journies and political missionaries: they support each other with personal knowledge, and often enter into a mutual understanding without a formal explanation. Their object is, to dissolve society, to efface all the political differences which at present exist between the people of Germany, to substitute the real unity of that vast country for the union of its members, and to arrive, through the ruins of existing arrangements, at a new order of things. Their means are, to obtain a hold over the rising generation, by communicating the same spirit, the same sentiments, the same habits, in all the institutions for education, from the schools to the Universities. Their spirit is a spirit of independence and of pride, of subversive principles, founded on a system of abstruse metaphysics and mystic theology, for the purpose of fortifying political with religious fanaticism. Their sentiments are those of contempt for every thing that exists, hatred against kings and governments, enthusiasm for the phantom which they call liberty, and love for things out of the ordinary course. Their habits are those of physical force and bodily address; and above all, a taste for secret and mysterious societies, as so many instruments that they may employ against the existing order of society.

The Turnwesen and the Burschenschaft, tending to form of the whole youth a state within the state, have no other object. Within a few years, young men, thus fashioned into docile instruments of their masters, being

in places under the Government, would avail themselves of their situations to overthrow it. The doctrine of these sectaries, such as it is revealed by the crime committed at Manheim and the apologies for that crime, may be reduced to two maxims, equally perverse and bad; the first, that the end legitimates the means; the second, that actions are in themselves indifferent, that their value depends solely on the ideas which give birth to them, and that these ideas are always laudable when they have for their object the independence and liberty of Germany.

Such is the nature of the evil which the investigations have made manifest. It is plain that what is going on is not conspiracy, but preparation for a revolution, not of Prussia only or principally, but of all Germany; not for the present moment, but for the future. From the moment the Governments of Germany discovered and probed the wound, it became their duty to direct their attention to the means by which the progress of the evil was to be combated, and to endeavour to eradicate it. The causes were general, and the evil could therefore be corrected only by general measures, adopted in concert and unanimously assented to by all the Germanic States. To proceed merely against the individuals who had been arrested as best acquainted with the views and plots of the party, and not as the most guilty, and who were chiefly destined to serve as the means of investigation, would have been partial and

insufficient. It was through the causes that the effects were to be prevented.

Such was the sole object of the conferences at Carlsbad; they had no other than to concert, with all the parties interested, the fittest means of creating guarantees for a social order in Germany; either by giving more force, dignity and power to the Germanic Diet, or by agreeing on common principles, to be followed by all the German States, respecting the two great vehicles of opinion, the press and education. The Ministers of all the principal Courts assembled at Carlsbad were perfectly united in sentiments and views. The evil appeared in a manner so evident, and under forms so alarming, as to strike and occupy every mind. The measures best calculated to remove and prevent it were at once so simple and so palpable, so plainly indicated by the causes of the evil, and so conformable to the principles of justice and humanity by which all the Princes of Germany are actuated, that the propositions to be submitted to the Diet experienced no opposition, and were made with the general assent of the Sovereigns and their Ministers. That these propositions were at the same time urgent, and dictated by a common interest, is completely proved by the fact, that merely to present them to the Diet was almost sufficient to cause their adoption, and that they were unanimously converted into resolutions. This important and truly admirable unanimity displays in the fullest light the union of the States of Germany;

Germany; and that union which caused the adoption of the proposed measures guarantees still more their success and the security of Germany, than the measures themselves. That union is the only possible unity; and as it is a living unity, not in name, but in fact—not in form, but in sentiment and in interest, the best results may and ought to be expected from it.

It would be useless to enter into long discussions on the reasons and motives which united all suffrages for the proposed measures. They speak for themselves, and are partly announced in the communication of the President. I consider it necessary, however, to add the following considerations:—

When the Sovereigns of Germany, assembled at the Congress of Vienna, declared by article 13 of the Federal Act, that there should be a constitution of states in the several integral parts of the Germanic Confederation, they promised in reality only what they could, and wished to grant to their people; what they would already have performed if the labours preparatory to that institution had permitted them, and what they are about to execute without further delay. But it is certain that the article in question was expressed in a very vague manner, and the innovators have availed themselves of this vagueness, to substitute their own foolish ideas or fantastic hopes respecting Sovereigns. It was, therefore, of much importance that a more precise explanation should be given on this subject, in order to repress the preten-

sions of sectaries, and to prevent errors in fact and in act on the part of the governments. This is what has just been done by the Diet.

The Sovereigns promised a representation of states to their people,—an ancient institution, the revival of which was contemplated,—an institution truly national and Germanic,—an institution which, affording to the different classes of proprietors a legal means of enlightening the Sovereign, and of having an organic voice in the wants and wishes of the nation, is in effect a monarchic institution. But the Princes of Germany never wished, and are not pledged, to give to their people a representation in the modern sense of the word, on the principle and scale of other constitutions hitherto foreign to Germany; a national representation, which, being calculated according to extent of territory and population, and invested with sovereign attribution, would alter the nature of the existing governments and introduce democracy into monarchy. The political malady which attacks a part of Germany, and which threatens, if no remedy be applied, to gain more and more ground, originates in a great measure in the abuse of the press and the bad spirit of the professors in more than one university. There was to be found the source of the poison of false doctrines. There in particular, measures taken in common were necessary. For what advantage would it be to a German government to prevent the licence of the press, if another encouraged or tolerated it? What would

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would be gained by dismissing in Prussia a professor who abused his situation by perverting the minds of his auditors, if he might hope to obtain a chair in another university? It was, therefore, necessary to establish every where a police founded on the same principles. This the Diet has endeavoured to accomplish. The problem is not an easy one: but with regard to the liberty of the press, it has been solved in a manner calculated to conciliate the interests of science, which requires that learned works and grave and profound researches should be free from all shackles, —with the interests of public opinion, and those of the reputation of the governing and the governed, which require that newspapers and pamphlets should be subject to a censorship, in order that the people may not be corrupted by the poison of their falsehoods and erroneous doctrines, nor citizens dishonoured by their slanders and calumnies.

With regard to the Universities, all that renders them justly dear to Germany,—the real freedom of scientific instruction, the extent of the studies which may be prosecuted in them, their particular and original forms, remain untouched. But they are made subject to a more strict superintendance, and it was considered that the most certain means of repressing the political and anti-religious deviations of Professors was, to announce to them the serious consequences which their false doctrines would have during the whole of their existence.

As to the students, a prohi-

bition has been renewed which will be supported, and will prevent young men preparing for a life at once learned and active, from becoming what they ought not to be.

In vain would the Diet have decreed these resolutions, had it remained destitute of a coactive power capable of causing them to be respected. A mode of execution which should be certain, and consequently supported by a sufficient force, was still wanting to the federation. This want formed one of the principal chaams in the federal act; but it is now supplied. The states of Germany, the great as well as the small, so fully recognized the necessity of organizing a coactive power in the confederation, that they did not hesitate to sacrifice to the dignity, the consistency, and the efficiency of the Diet, the fears which weakness might create in some, and those which superiority might suggest to others. In framing this law of execution, it has been endeavoured to guard the independence of each state as far as possible, without compromising the existence of the association. As the threads of the revolutionary plots cross each other in different directions, and extend to many countries where particular investigations have detected and pointed them out without being able to follow them, it has been concluded that a general Committee of Inquiry, purely temporary, would best collect and connect the facts, in order to exhibit them to all Germany as a lesson for the people and a guide for Princes. The manner in which the commission

will be formed, the spirit of the Governments which are to appoint it, and its limited duration, must suffice to tranquillize the minds of those who are the most ready to take fire at every measure of security which in the slightest degree threatens individual liberty.

Such, Sir, is the sense in which you will represent to the ministry of the Court at which you are accredited, the measures just taken at the Diet.

The considerations which I have communicated to you will be sufficient to enable you to make it be felt, that these measures are connected with each other; that they are the consequences of the same principles; that they tend to the same object; and that they form a whole which should inspire the greatest confidence in their results and the effect which they cannot fail to produce.

It is especially important that you should draw the attention of the ministry, to two results of the new system, which will be beneficial to all Europe.

The Powers of Europe, who combined their efforts against the destructive consequences as well as against the principles of the French revolution; who have replaced legitimacy and property on their ancient bases; who, by solemn treaties, have reciprocally guaranteed this state of things, are more than ever bound as a whole for every thing which relates to their internal tranquillity. One country cannot now be revolutionized, or threatened with revolution, without others being shaken or trembling lest they

should be so. The enemies of social order in the different countries of Europe are united together, not merely by identity of principles, but by the closest communications. Their guilty joys, their scandalous griefs, their fears and their hopes are every where the same; and, in this respect, there reigns among them a perfect community of goods. The sovereigns, who are the chief friends and protectors of social order, cannot flatter themselves with being able to combat their enemies with success, unless they are united in a profession of their principles, and in the same vigorous measures to defend them. It is not for themselves, it is for the people; it is not from the love of power, but out of attachment to liberty, that they ought to put in practice all means for maintaining their tutelary authority. They ought, therefore, to applaud what Germany has just done, and to follow her footsteps. It may be said, without exaggeration, that the tranquillity of Europe depends upon Germany, and the repose of Germany. By its geographical position this country is the centre, or rather the heart of Europe; and the heart cannot be injured or diseased without its being felt all over the body politic.

The measures adopted to give to the Germanic Confederation more unity, force and action, far from inspiring the neighbouring powers of Germany with apprehensions or jealousies, ought on the contrary to be highly agreeable to them, as they ought to see in them new guarantees of the general peace. The force of the
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the Germanic federation, like that of all federal unions established between powers of the first rank, will never be any thing but defensive. It will maintain its rights and its independence, but will never menace those of others; and the greater the power of Germany becomes, the more effectually it will extinguish in their birth or arrest in their progress all those projects which may be contrary to the tie of fraternity, or to the Holy Alliance which unites the states of Europe.

Receive, Sir, the assurance of my greatest consideration.

BERNSTORFF.

Decree. The Supreme Director of the State of Chili.

Whereas, the state of Chili and the cause of liberty in America experience incalculable injuries from the facilities afforded by neutral vessels to the ports in Peru, which are under Spanish domination; and wishing to end the injuries which the inhabitants of Peru suffer from the oppressions of Spanish agents, and likewise the monopoly of Spanish commerce, exercised to the injury of all mercantile nations.

Therefore, I, Bernardo O'Higgins, supreme director of the state of Chili, in virtue of the authority given by the law of nations to every independent power, to diminish the resources of the enemy and to check his operations—I, by these presents, do declare and decree,—

1. That all the ports and anchorages in the Pacific Ocean, reaching from the latitude south 21, 48, to 12, 42, be, and they are

hereby, blockaded by the Chillan squadron, under the command of our admiral, lord Cochrane, that is, from Yquique to Guayaquil. The blockade to be commenced from the first day of March 1819, in conformity with the following regulations:

2. Neutral vessels of all nations, from Europe, from the United States, or from any British possessions in America, which shall be found entering in any of the ports comprehended in this decree, in seven months from this date, shall be notified of the blockade by the Commander-in-chief of the Chilian squadron, and after this formal notification, shall not be permitted to enter the said ports, nor have the least communication with them.

3. Equal notification will be given in five months from the above date to all neutral vessels coming from ports of Brazil; six months to those proceeding from the coasts and islands of Africa; one year to those proceeding from the ports of Asia; and three months to those from the coast of Rio de la Plata.

4. All neutral vessels on board of which shall be found warlike stores or enemies' property, officers, masters, supercargoes, or merchants, belonging to the countries under the dominion of the king of Spain, shall be sent to Valparaiso, to be adjudged according to the laws of nations.

5. As sufficient time has been given in the 2nd and 3rd articles in this decree to all friendly vessels, of whatever flag they may come under, to avoid the ports thus blockaded, any vessel which

which shall be found contravening this decree, shall be sent to Valparaiso to be adjudged according to the law of nations.

6. All neutral vessels which shall be found navigating with double or false papers, and deficient in the necessary documents to establish the character of property, shall be considered as enemy's property and judged accordingly.

7. The present decree shall be published and circulated for the information of all concerned.

Given at the directorial palace at St. Jago of Chili, sealed with the arms of the state, and countersigned by the secretary of Marine the 20th of April 1819, 2nd year of independence.

BERNARDO O'HIGGINS.

Jose Ignacio Zenteno, secretary.

Treaty of Amity, Settlement and Limits, between the United States of America and his Catholic Majesty.

The United States of America and his Catholic majesty, desiring to consolidate on a permanent basis the friendship and good correspondence which happily prevails between the two parties, have determined to settle and terminate all their differences and pretensions by a treaty which shall designate with precision, the limits of their respective bordering territories in North America.

With this intention the president of the United States has furnished with their full powers John Quincy Adams, secretary of state

of the said United States; and his Catholic majesty has appointed the most excellent Lord Don Luis de Onis Gonzalez Lopez y Vara, Lord of the town of Rayaces, Perpetual Regidor of the Corporation of the city of Salamanca, Knight Grand Cross of the Royal American Order of Isabella the Catholic, decorated with the Lys of La Vendee, Knight Pensioner of the Royal and distinguished Spanish order of Charles the Third, member of the Supreme Assembly of the said royal order of the council of his Catholic majesty, his secretary with exercise of decrees, and his envoy extraordinary and minister plenipotentiary near the United States of America.

And the said plenipotentiaries, after having exchanged their powers, have agreed upon and concluded the following articles:—

Art. 1. There shall be a firm and inviolable peace and sincere friendship between the United States and their citizens, and his Catholic majesty, his successors and subjects, without exception of persons or places.

Art. 2. His Catholic majesty cedes to the United States, in full property and sovereignty, all the territories which belong to him situate to the eastward of the Mississippi, known by the name of East and West Florida. The adjacent islands dependent on said provinces, all public lots and squares, vacant lands, public edifices, fortifications, barracks and other buildings which are not private property, archives and documents which relate directly to the property and sovereignty of said provinces,

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provinces, are included in this article. The said archives and documents shall be left in possession of the commissaries, or officers of the United States duly authorized to receive them.

Art. 3. The boundary line between the two countries, west of the Mississippi, shall begin on the Gulph of Mexico, at the mouth of the river Sabine in the sea, continuing north, along the western bank of that river, to the 92nd degree of latitude; thence by a line due north to the degree of latitude where it strikes the Rio Roxo of Natchitoches, or Red-river; thence following the course of the Rio Roxo westward, to the degree of longitude 100 west from London and 23 from Washington; then crossing the said Red-river and running thence by a line due north to the river Arkansas; thence following the course of the southern bank of the Arkansas to its source, in latitude 42 north; and thence by that parallel of latitude to the South sea; the whole being as laid down in Melish's map of the United States published at Philadelphia, improved to the 1st of January 1818. But if the source of the Arkansas river shall be found to fall north or south of latitude 42, then the line shall run from the said source due south or north, as the case may be, till it meets the said parallel of latitude 42, and thence along the said parallel to the South sea; all the islands in the Sabine and the said Red and Arkansas rivers throughout the course thus described, to belong to the United States; but the use of the waters and navigation of the Sabine to

the sea, and of the said rivers Roxo and Arkansas throughout the extent of the said boundary, on their respective banks, shall be common to the respective inhabitants of both nations. The two high contracting parties agree to cede and renounce all their rights, claims and pretensions to the territories described by the said line: that is to say, The United States hereby cede to his Catholic majesty, and renounce for ever all their rights, claims and pretensions to the territories lying west and south of the above-described line; and in like manner his Catholic majesty cedes to the said United States all his rights, claims and pretensions to any territories east and north of the said line, and for himself, his heirs and successors, renounces all claim to the said territories for ever.

Art. 4. To fix this line with more precision, and to place the landmarks which shall designate exactly the limits of both nations, each of the contracting parties shall appoint a commissioner and a surveyor, who shall meet, before the termination of one year from the date of the ratification of this treaty, at Natchitoches on the Red-river, and proceed to run and mark the said line from the mouth of the Sabine to the Red-river, and from the Red-river to the river Arkansas, and to ascertain the latitude of the source of the said river Arkansas, in conformity to what is above agreed upon and stipulated, and the line of latitude 42 to the South sea; they shall make out plans and keep journals of their proceedings, and the result agreed, upon by them shall be considered as
part

part of this treaty, and shall have the same force as if it were inserted therein. The two governments will amicably agree respecting the necessary articles to be furnished to those persons and also to their respective escorts, should such be deemed necessary.

Art. 5. The inhabitants of the ceded territories shall be secured in the free exercise of their religion without any restriction; and all those who may desire to remove to the Spanish dominions shall be permitted to sell or export their effects at any time whatever, without being subject in either case to duties.

Art. 6. The inhabitants of the territories which his Catholic majesty cedes to the United States by this treaty shall be incorporated in the Union of the United States, as soon as may be consistent with the principles of the Federal constitution, and admitted to the enjoyment of all the privileges, rights and immunities of the citizens of the United States.

Art. 7. The officers and troops of his Catholic majesty in the territories hereby ceded by him to the United States shall be withdrawn, and possession of the places occupied by them shall be given within 6 months after the exchange of the ratifications of this treaty, or sooner, if possible, by the officers of his Catholic majesty to the commissioners or officers of the United States duly appointed to receive them; and the United States shall furnish the transports and escort necessary to convey the Spanish officers and troops and their baggage to the Havannah.

Art. 8. All the grants of land made before the 24th of January 1818, by his Catholic majesty or by his lawful authorities in the said territories ceded by his majesty to the United States, shall be ratified and confirmed to the persons in possession of the lands, to the same extent that the same grants would be valid if the territories had remained under the dominion of his Catholic majesty. But the owners in possession of such lands, who, by reason of the recent circumstances of the Spanish nation and the revolutions in Europe have been prevented from fulfilling all the conditions of their grants, shall complete them within the terms limited in the same respectively, from the date of this treaty; in default of which, the said grants shall be null and void. All grants made since the said 24th of January 1818, when the first proposal on the part of his Catholic majesty for the cession of the Floridas was made, are hereby declared and agreed to be null and void.

Art. 9. The two high contracting parties, animated by the most earnest desire of conciliation, and with the object of putting an end to all the differences which have existed between them, and of confirming the good understanding which they wish to be for ever maintained between them, reciprocally renounce all claims for damages or injuries which they themselves, as well as their respective citizens and subjects, may have suffered until the time of signing this treaty.

1. The renunciation of the United States will extend to all the

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the injuries mentioned in the convention of the 11th of August, 1802.

2. To all claims on account of prizes made by French privateers and condemned by French consuls within the territory and jurisdiction of Spain.

3. To all claims of indemnities on account of the suspension of the right of deposit at New Orleans in 1802.

4. To all claims of citizens of the United States upon the government of Spain arising from the unlawful seizures at sea, and in the ports and territories of Spain or the Spanish colonies.

5. To all claims of citizens of the United States upon the Spanish government; statements of which, soliciting the interposition of the government of the United States, have been presented to the department of state, or to the minister of the United States in Spain since the date of the convention of 1802, and until the signature of this treaty.

The renunciation of his Catholic majesty extends,

1. To all the injuries mentioned in the convention of the 11th of August, 1802.

2. To the sums which his Catholic majesty advanced for the return of captain Pike from the Provincias Internas.

3. To all injuries caused by the expedition of Miranda, that was fitted out and equipped at New York.

4. To all claims of Spanish subjects upon the government of the United States arising from unlawful seizures at sea, or within the ports or territorial jurisdiction of the United States.

Finally, to all the claims of subjects of his Catholic majesty upon the government of the United States, in which the interposition of his Catholic majesty's government has been solicited before the date of this treaty, and since the date of this convention of 1802, or which may have been made to the department of foreign affairs of his majesty, or to his minister in the United States.

And the high contracting parties respectively renounce all claim to indemnities for any of the recent events or transactions of their respective commanders and officers in the Floridas.

The United States will cause satisfaction to be made for the injuries, if any, which by process of law shall be established to have been suffered by the Spanish officers and individual Spanish inhabitants, by the late operations of the American army in Florida.

Art. 10. The convention entered into between the two governments on the 11th of August, 1802, the ratifications of which were exchanged the 21st December, 1818, is annulled.

Art. 11. The United States, exonerating Spain from all demands in future on account of the claims of their citizens, to which the renunciations herein contained extend, and considering them entirely cancelled, undertake to make satisfaction for the same, to an amount not exceeding five millions of dollars. To ascertain the full amount and validity of those claims, a commission, to consist of three commissioners, citizens of the United States,

States, shall be appointed by the president, by and with the advice and consent of the senate; which commission shall meet at the city of Washington, and, within the space of three years from the time of their first meeting, shall receive, examine and decide upon the amount and validity of all the claims included within the descriptions above-mentioned. The said commissioners shall take an oath or affirmation, to be entered upon the record of their proceedings, for the faithful and diligent discharge of their duties; and in case of the death, sickness, or necessary absence of any such commissioner, his place may be supplied by the appointment as aforesaid, or by the president of the United States during the recess of the senate, of another commissioner in his stead. The said commissioners shall be authorized to hear and examine, on oath, every question relative to the said claims, and to receive all suitable, authentic testimony concerning the same. And the Spanish government shall furnish all such documents and elucidations as may be in their possession, for the adjustment of the said claims according to the principles of justice, the laws of nations and the stipulation of the treaty between the two parties of 27th October, 1795; the said documents to be specified, when demanded, at the instance of said commissioners.

The payment of such claims as may be admitted and adjusted by the said commissioners, or the major part of them, to an amount not exceeding five millions of dollars, shall be made by the United States, either immediately at their

treasury, or by the creation of stock, bearing an interest of six per cent per annum, payable from the proceeds of sales of public lands within the territories hereby ceded to the United States, or in such other manner as the congress of the United States may prescribe by law.

The records of the proceedings of the said commissioners, together with the vouchers and documents produced before them, relative to the claims to be adjusted and decided upon by them, shall, after the close of their transactions, be deposited in the department of state of the United States; and copies of them, or any part of them, shall be furnished to the Spanish government, if required, at the demand of the Spanish minister in the United States.

Art. 12. The treaty of limits and navigation of 1795, remains confirmed in all and each one of its articles, excepting the 2nd, 3rd, 4th and 21st, and the 2nd clause of the 22nd article, which having been altered by this treaty, or having received their entire execution, are no longer valid.

With respect to the 15th article of the same treaty of friendship, limits and navigation, of 1795, in which it is stipulated that the flag shall cover the property, the two high contracting parties agree, that this shall be so understood with respect to those powers who recognize this principle; but if either of the two contracting parties shall be at war with a third party, and the other neutral, the flag of the neutral shall cover the property of enemies whose government acknowledge

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ledge this principle, and not of others.

Art. 13. Both contracting parties, wishing to favour their mutual commerce by affording in their ports every necessary assistance to their respective merchant vessels, have agreed, that the sailors who shall desert from their vessels in the ports of the other, shall be arrested and delivered up at the instance of the consul; who shall prove, nevertheless, that the deserters belonged to the vessels that claimed them, exhibiting the document that is customary in their nation; that is to say, the American consul, in a Spanish port, shall exhibit the document known by the name of *Articles*; and the Spanish consul in American ports the roll of the vessel; and if the name of the deserter or deserters who are claimed shall appear in the one or the other, they shall be arrested, held in custody, and delivered to the vessel to which they shall belong.

Art. 14. The United States hereby certify, that they have not received any compensation from France for the injuries they suffered from her privateers, consuls and tribunals, on the coasts and in the ports of Spain; for the satisfaction of which, provision is made by this treaty; and they will present an authentic statement of the prizes made and of their true value, that Spain may avail herself of the same in such manner as she may deem just and proper.

Art. 15. The United States, to give his Catholic majesty a proof of their desire to cement

the relations of amity subsisting between the two nations, and to favour the subjects of his Catholic majesty, agree that Spanish vessels, coming laden only with the productions of Spanish growth or manufactures, directly from the ports of Spain, or of her colonies, shall be admitted for the term of twelve years to the ports of Pensacola and St. Augustine, in the Floridas, without paying other or higher duties on their cargoes, or of tonnage, than will be paid by the vessels of the United States. During the said term no other nation shall enjoy the same privileges within the ceded territories. The twelve years shall commence three months after the exchange of the ratifications of the treaty.

Art. 16. The present treaty shall be ratified in due form by the contracting parties, and the ratifications shall be exchanged in six months from this time, or sooner if possible.

In witness whereof we, the underwritten plenipotentiaries of the United States of America and of his Catholic majesty, have signed, by virtue of our powers, the present treaty of amity, settlement and limits, and have thereunto affixed our seals respectively.

Done at Washington, this 22nd day of February, 1819.

(Seal) JOHN QUINCY ADAMS.
(Seal) LUIS DE ONIS.

Message of the President of the United States.

Washington, Dec. 7.—This day at 12 o'clock, the President of the United States transmitted to both Houses of Congress, by Mr.

J. J.

J. J. Monroe, the following message:—

Fellow Citizens of the Senate
and of the House of Representatives,

The public buildings being advanced to a stage to afford accommodation for Congress, I offer you my sincere congratulations on the recommencement of your duties in the capitol.

In bringing to view the incidents most deserving attention which have occurred since your last session, I regret to have to state that several of our principal cities have suffered by sickness; that an unusual drought has prevailed in the middle and western states; and that a derangement has been felt in some of our moined institutions, which has proportionably affected their credit. I am happy, however, to have it in my power to assure you, that the health of our cities is now completely restored; that the produce of the year, though less abundant than usual, will not only be amply sufficient for home consumption, but afford a large surplus for the supply of the wants of other nations; and that the derangement in the circulating paper medium, by being left to those remedies which its obvious causes suggested, and the good sense and virtue of our fellow-citizens supplied, has diminished.

Having informed Congress, on the 27th February last, that a treaty of amity, settlement and limits, had been concluded in this city between the United States and Spain, and ratified by the competent authorities of

the former, full confidence was entertained that it would have been ratified by his Catholic Majesty, with equal promptitude and a like earnest desire to terminate, on the conditions of that treaty, the differences which had so long existed between the two countries. Every view which the subject admitted of was thought to have justified this conclusion. Great losses had been sustained by citizens of the United States from Spanish cruizers, more than 20 years before, which had not been redressed.

These losses had been acknowledged and provided for by a treaty as far back as the year 1802, which, although concluded at Madrid, was not then ratified by the government of Spain, nor since, until the last year, when it was suspended by the late treaty; a more satisfactory provision to both parties, as was presumed, having been made for them. Other differences had arisen in this long interval, affecting their highest interests, which were likewise provided for by this last treaty. The treaty itself was formed on great consideration, and a thorough knowledge of all circumstances, the subject matter of every article having been for years under discussion, and repeated references having been made by the Minister of Spain to his Government, on the points respecting which the greatest difference of opinion prevailed. It was formed by a Minister duly authorized for the purpose, who had represented his Government in the United States and been employed in this long protracted negociation several years, and
who,

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who, it is not denied, kept strictly within the letter of his instructions. The faith of Spain was therefore pledged, under circumstances of peculiar force and solemnity, for its ratification. On the part of the United States, this treaty was evidently acceded to in a spirit of conciliation and concession. The indemnity for injuries and losses so long before sustained and now again acknowledged and provided for, was to be paid by them without becoming a charge on the treasury of Spain. For territory ceded by Spain, other territory, of great value, to which our claim was believed to be well-founded, was ceded by the United States, and in a quarter more interesting to her. This cession was nevertheless received as the means of indemnifying our citizens in a considerable sum, the presumed amount of their losses. Other considerations of great weight urged the cession of this territory of Spain. It was surrounded by the territories of the United States on every side, except on that of the ocean. Spain had lost her authority over it; and falling into the hands of adventurers connected with the savages, it was made the means of unceasing annoyance and injury to our Union, in many of its most essential interests. By this cession, then, Spain ceded a territory in reality of no value to her, and obtained concessions of the highest importance, by the settlement of long-standing differences with the United States, affecting their respective claims and limits; and likewise relieved herself from the obligation of a treaty relating to

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it, which she had failed to fulfil; and also from the responsibility incident to the most flagrant and pernicious abuses of her rights where she could not support her authority.

It being known that the treaty was formed under these circumstances, not a doubt was entertained that his Catholic Majesty would have ratified it without delay. I regret to have to state, that this reasonable expectation has been disappointed; that the treaty was not ratified within the time stipulated, and has not since been ratified. As it is important that the nature and character of this unexpected occurrence should be distinctly understood, I think it my duty to communicate to you all the facts and circumstances in my possession relating to it.

Anxious to prevent all future disagreement with Spain, by giving the most prompt effect to the treaty which had been thus concluded, and particularly by the establishment of a government in Florida which should preserve order there, the minister of the United States, who had been recently appointed to his Catholic Majesty, and to whom the ratification by his Government had been committed to be exchanged for that of Spain, was instructed to transmit the latter to the department of state as soon as obtained, by a public ship subjected to his order for the purpose. Unexpected delay occurring in the ratification by Spain, he requested to be informed of the cause. It was stated in reply, that the great importance of the subject, and a desire to obtain

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explanations on certain points which were not specified, had produced the delay, and that an envoy would be dispatched to the United States to obtain such explanations of this Government. The Minister of the United States offered to give full explanation on any point on which it might be desired, which proposal was declined. Having communicated this result to the department of state in August last, he was instructed, notwithstanding the disappointment and surprise which it produced, to inform the government of Spain, that if the treaty should be ratified and transmitted here at any time before the meeting of Congress, it would be received, and have the same effect as if it had been ratified in due time. This order was executed: the authorized communication was made to the government of Spain; and by its answer, which has just been received, we are officially made acquainted, for the first time, with the causes which have prevented the ratification of the treaty by his Catholic Majesty. It is alleged by the minister of Spain, that this government had attempted to alter one of the principal articles of the treaty, by a declaration which the minister of the United States had been ordered to present when he should deliver the ratification by his government in exchange for that of Spain; and of which he gave notice, explanatory of the sense in which that article was understood. It is further alleged, that this government had recently tolerated or protected an expedition from the

United States against the province of Texas. These two imputed acts are stated as the reasons which have induced his Catholic Majesty to withhold his ratification from the treaty, to obtain explanations respecting which it is repeated that an Envoy would be forthwith dispatched to the United States. How far these allegations will justify the conduct of the government of Spain, will appear on a view of the following facts and the evidence which supports them.

It will be seen by the documents transmitted herewith, that the declaration mentioned relates to a clause in the 8th article, concerning certain grants of land recently made by his Catholic Majesty in Florida, which it was understood had conveyed all the lands which till then had been ungranted. It was the intention of the parties to annul these latter grants, and that clause was drawn for that express purpose, and for none other. The date of these grants was unknown, but it was understood to be posterior to that inserted in the article: indeed, it must be obvious to all, that if that provision in the treaty had not the effect of annulling these grants, it would be altogether nugatory. Immediately after the treaty was concluded and ratified by this government, an intimation was received that these grants were of anterior date to that fixed on by the treaty, and that they would not, of course, be affected by it. The mere possibility of such a case, so inconsistent with the intention of the parties and the meaning
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of the article, induced this government to demand an explanation on the subject, which was immediately granted, and which corresponds with this statement. With respect to the other act alleged, that this government had tolerated or protected an expedition against Texas, it is utterly without foundation. Every discountenance has invariably been given to every such attempt within the limits of the United States, as is fully evinced by the acts of the government and the proceedings of the courts. There being cause, however, to apprehend, in the course of the last summer, that some adventurers entertained views of the kind suggested, the attention of the constituted authorities in that quarter was immediately drawn to them; and it is known, that the project, whatever it might be, has utterly failed.

These facts will, it is presumed, satisfy every impartial mind that the government of Spain had no justifiable cause for declining to ratify the treaty. A treaty concluded in conformity with instructions is obligatory, in good faith, in all its stipulations, according to the true intent and meaning of the parties. Each party is bound to ratify it. If either could set it aside without the consent of the other there would be no longer any rules applicable to such transactions between nations. By this proceeding, the government of Spain has rendered to the United States a new and very serious injury. It has been stated that a minister would be sent to ask certain explanations of this government. But,

if such were desired, why were they not asked within the time limited for the ratification? Is it contemplated to open a new negotiation respecting any of the articles or conditions of the treaty? If that were done, to what consequences might it not lead? At what time, and in what manner, would a new negotiation terminate? By this proceeding, Spain has formed a relation between the two countries which will justify any measures on the part of the United States, which a strong sense of injury and a proper regard for the rights and interests of the nation, may dictate. In the course to be pursued, these objects should be constantly held in view and have their due weight. Our national honour must be maintained, and a new and a distinguished proof afforded, of the regard for justice and moderation which has invariably governed the councils of this free people. It must be obvious to all, that if the United States had been desirous of making conquests, or had been even willing to aggrandize themselves in that way, they could have had no inducement to form this treaty. They would have much cause for gratulation at the course which has been pursued by Spain. An ample field for ambition is open before them. But such a career is not consistent with the principles of their government, nor the interests of the nation.

From a full view of all circumstances, it is submitted to the consideration of congress whether it will not be proper for the United States to carry the conditions of

the treaty into effect, in the same manner as if it had been ratified by Spain, claiming on their part all its advantages, and yielding to Spain those secured to her. By pursuing this course, we shall rest on the sacred ground of right, sanctioned in the most solemn manner by Spain herself,—by a treaty which she was bound to ratify: for refusing to do which she must incur the censure of other nations, even those most friendly to her; while, by confining ourselves within that limit, we cannot fail to obtain their well-merited approbation. We must have peace on a frontier where we have been so long disturbed; our citizens must be indemnified for losses so long since sustained and for which indemnity has been so unjustly withheld from them. Accomplishing these great objects, we obtain all that is desirable.

But his Catholic Majesty has twice declared his determination to send a minister to the United States, to ask explanations on certain points and to give them respecting his delay to ratify the treaty. Shall we act, by taking the ceded territory and proceeding to execute the other conditions of the treaty, before this minister arrives and is heard? This is a case which forms a strong appeal to the candour, the magnanimity and honour of this people. Much is due to courtesy between nations. By a short delay we shall lose nothing; for, resting on the ground of immutable truth and justice, we cannot be diverted from our purpose. It ought to be presumed, that the explanations

which may be given to the minister of Spain will be satisfactory, and produce the desired result. In any event the delay for the purpose mentioned, being a further manifestation of the sincere desire to terminate in the most friendly manner all differences with Spain, cannot fail to be duly appreciated by his Catholic majesty, as well as by other powers. It is submitted, therefore, whether it will not be proper to make the law proposed for carrying the conditions of the treaty into effect, should it be adopted, contingent; to suspend its operation, upon the responsibility of the executive, in such manner as to afford an opportunity for such friendly explanations as may be desired, during the present session of Congress.

I communicate to Congress a copy of the treaty and of the instructions to the minister of the United States at Madrid respecting it; of his correspondence with the minister of Spain, and of such other documents as may be necessary to give a full view of the subject.

In the course which the Spanish government have on this occasion thought proper to pursue, it is satisfactory to know that they have not been countenanced by any other European power. On the contrary, the opinion and wishes both of France and Great Britain have not been withheld either from the United States or from Spain, and have been unequivocal in favour of the ratification. There is also reason to believe, that the sentiments of the Imperial Government of Russia have been the same, and that

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that they have also been made known to the Cabinet of Madrid.

In the civil war existing between Spain and the Spanish provinces in this hemisphere, the greatest care has been taken to enforce the laws intended to preserve an impartial neutrality. Our ports have continued to be equally open to both parties, and on the same conditions; and our citizens have been equally restrained from interfering in favour of either to the prejudice of the other. The progress of the war, however, has operated manifestly in favour of the colonies. Buenos-Ayres still maintains unshaken the independence which it declared in 1816, and has enjoyed since 1810. Like success has also lately attended Chili and the provinces north of the La Plata bordering on it; and likewise Venezuela.

This contest has, from its commencement, been very interesting to other powers, and to none more so than to the United States. A virtuous people may and will confine themselves within the limits of a strict neutrality; but it is not in their power to behold a conflict so vitally important to their neighbours, without the sensibility and sympathy which naturally belong to such a case. It has been the steady purpose of this government to prevent that feeling leading to excess; and it is very gratifying to have it in my power to state, that so strong has been the sense, throughout the whole community, of what was due to the character and obligations of the nation, that few examples of a contrary kind have occurred.

The distance of the colonies from the parent country, and the great extent of their population and resources, gave them advantages which, it was anticipated at a very early period, it would be difficult for Spain to surmount. The steadiness, consistency and success, with which they have pursued their object, as evinced more particularly by the undisturbed sovereignty which Buenos-Ayres has so long enjoyed, evidently give them a strong claim to the favourable consideration of other nations. These sentiments on the part of the United States have not been withheld from other powers, with whom it is desirable to act in concert. Should it become manifest to the world, that the efforts of Spain to subdue those provinces will be fruitless, it may be presumed that the Spanish government itself will give up the contest. In producing such a determination, it cannot be doubted that the opinion of friendly powers, who have taken no part in the controversy, will have their merited influence.

It is of the highest importance to our national character, and indispensable to the morality of our citizens, that all violations of our neutrality should be prevented. No door should be left open for the evasion of our laws; no opportunity afforded to any who may be disposed to take advantage of it, to compromise the interest or honour of the nation. It is submitted, therefore, to the consideration of Congress, whether it may not be advisable to revise the laws, with a view to this desirable result.

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It is submitted, also, whether it may not be advisable to designate, by law, the several ports or places along the coast at which, only, foreign ships of war and privateers may be admitted. The difficulty of sustaining the regulations of our commerce, and of other important interests, from abuse, without such designation, furnishes a strong motive for this measure.

At the time of the negotiation for the renewal of the commercial convention between the United States and Great Britain, a hope had been entertained that an article might have been agreed upon, mutually satisfactory to both countries, regulating, upon principles of justice and reciprocity, the commercial intercourse between the United States and the British possessions, as well in the West Indies as upon the continent of North America. The plenipotentiaries of the two governments, not having been able to come to an agreement on this important interest, those of the United States reserved for the consideration of this government the proposals which had been presented to them as the ultimate offer on the part of the British government, and which they were not authorized to accept. On their transmission here, they were examined with due deliberation, the result of which was, a new effort to meet the views of the British government. The minister of the United States was instructed to make a further proposal, which has not been accepted. It was, however, declined in an amicable manner. I recommend to the consideration of Congress whe-

ther further prohibitory provisions in the laws relating to this intercourse may not be expedient. It is seen with interest, that although it has not been practicable, as yet, to agree in any arrangement of this important branch of their commerce, such is the disposition of the parties that each will view any regulations which the other may make respecting it in the most friendly light.

By the 5th article of the convention concluded on the 20th of October, 1818, it was stipulated that the differences which had arisen between the two governments with regard to the true intent and meaning of the 5th article of the treaty of Ghent, in relation to the carrying away by British officers of slaves from the United States, after the exchange of the ratifications of the treaty of peace, should be referred to the decision of some friendly sovereign or state, to be named for that purpose. The minister of the United States has been instructed to name to the British government a foreign sovereign, the common friend to both parties, for the decision of this question. The answer of that government to the proposal, when received, will indicate the further measures to be pursued on the part of the United States.

Although the pecuniary embarrassments which affected various parts of the Union during the latter part of the preceding year, have, during the present, been considerably augmented, and still continue to exist, the receipts into the treasury to the 30th of September last, have amounted

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amounted to 19,000,000 dollars. After defraying the current expenses of the government, including the interest and reimbursement of the public debt, payable to that period, amounting to 18,200,000 dollars, there remained in the treasury on that day more than 2,500,000 dollars, which, with the sums receivable during the remainder of the year, will exceed the current demands upon the treasury for the same period.

The causes which have tended to diminish the public receipts, could not fail to have a corresponding effect upon the revenue which has accrued upon imposts and tonnage during the three first quarters of the present year. It is, however, ascertained, that the duties which have been secured during that period exceed 18,000,000 dollars, and those of the whole year will probably amount to 23,000,000 dollars.

For the probable receipts of the next year, I refer you to the statements which will be transmitted from the treasury, which will enable you to judge whether further provision be necessary.

The great reduction in the price of the principal articles of domestic growth which has occurred during the present year, and the consequent fall in the price of labour, apparently so favourable to the success of domestic manufactures, have not shielded them against other causes adverse to their prosperity. The pecuniary embarrassments which have so deeply affected the commercial interests of the nation, have been no less adverse to our manufac-

turing establishments, in several sections of the Union.

The great reduction of the currency which the banks have been constrained to make, in order to continue specie payments, and the vitiated character of it where such reductions have not been attempted, instead of placing within the reach of these establishments the pecuniary aid necessary to avail themselves of the advantages resulting from the reduction of the prices of the raw materials and of labour, have compelled the banks to withdraw from them a portion of the capital heretofore advanced to them. That aid which has been refused by the banks has not been obtained from other sources, owing to the loss of individual confidence, from the failures which have recently occurred in some of our principal commercial cities.

An additional cause of the depression of these establishments may probably be found in the pecuniary embarrassments which have recently affected those countries with which our commerce has been principally prosecuted.

Their manufactures, for the want of a ready or profitable market at home, have been shipped by the manufacturers to the United States, and, in many instances, sold at a price below their current value at the place of manufacture. Although this practice may, from its nature, be considered temporary or contingent, it is not on that account less injurious in its effects. Uniformity in the demand and price of an article is highly desirable to the domestic manufacturer.

It is deemed of great importance to give encouragement to our domestic manufacturers. In what manner the evils adverted to may be remedied, and how far it may be practicable, in other respects, to afford to them further encouragement, paying due regard to all the other great interests of the nation, is submitted to the wisdom of Congress.

The survey of the coast for the establishment of fortifications is now nearly completed; and considerable progress has been made in the collection of materials for the construction of fortifications in the Gulf of Mexico and in the Chesapeake-bay. The works on the eastern bank of the Potomac, below Alexandria, and on the Peapatch in the Delaware, are much advanced; and it is expected that the fortification at the Narrows, in the harbour of New York, will be completed the present year. To derive all the advantages contemplated from these fortifications, it was necessary that they should be judiciously posted, and constructed with a view to permanence. The progress hitherto has, therefore, been slow; but as the difficulties, in parts heretofore the least explored and known, are surmounted, it will in future be more rapid. As soon as the survey of the coast is completed, which it is expected will be done early in the next spring, the engineers employed in it will proceed to examine for like purposes the northern and north-western frontiers.

The troops intended to occupy a station at the mouth of

the St. Peters, on the Mississippi, have established themselves there; and those which were ordered to the mouth of the Yellow Stone, on the Missouri, have ascended that river to the Council Bluffs, where they will remain until next spring, when they will proceed to the place of their destination. I have the satisfaction to state, that this measure has been executed in amity with the Indian tribes, and that it promises to produce, in regard to them, all the advantages which were contemplated by it.

Much progress has likewise been made in the construction of ships of war, and in the collection of timber and other materials for ship-building. It is not doubted that our navy will soon be augmented to the number, and placed in all respects on the footing, provided for by law.

The board consisting of engineers and naval officers, have not yet made their final report of sites for two naval depots, as instructed according to the resolutions of March 18 and April 20, 1818, but they have examined the coast therein designated, and their report is expected in the next month.

For the protection of our commerce in the Mediterranean, along the southern Atlantic coast, in the Pacific and Indian oceans, it has been found necessary to maintain a strong naval force, which it seems proper for the present to continue. There is much reason to believe, that if any portion of the squadron heretofore stationed in the Mediterranean should be withdrawn, our intercourse

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intercourse with the powers bordering on that sea would be much interrupted, if not altogether destroyed. Such, too, has been the growth of a spirit of piracy in the other quarters mentioned, by adventurers from every country, in abuse of the friendly flags which they have assumed, that not to protect our commerce there, would be to abandon it as a prey to their rapacity. Due attention has likewise been paid to the suppression of the slave trade, in compliance with a law of the last session.

Orders have been given to the commanders of all our public ships to seize all vessels, navigated under our flag, engaged in

that trade, and to bring them in, to be proceeded against in the manner prescribed by that law. It is hoped that these vigorous measures, supported by like acts by other nations, will soon terminate a commerce so disgraceful to the civilized world.

In the execution of the duty imposed by these acts, and of a high trust connected with it, it is with deep regret I have to state the loss which has been sustained by the death of commodore Perry. His gallantry in a brilliant exploit in the late war added to the renown of his country. His death is deplored as a national misfortune.

JAMES MONROE.

Annual Treasury Report of the United States.

Treasury Department, Dec. 10, 1819.

Sir ; I have the honour to transmit herewith a report, prepared in obedience to the act, entitled " An Act to establish the Treasury Department." I have the honour to be, very respectfully, Sir, your most obedient servant,

W. H. CRAWFORD.

The Hon. the President of the Senate.

In obedience to the directions of the " Act supplementary to the Act to establish the Treasury Department," the Secretary of the Treasury respectfully submits the following report :

1st. *Of the Revenue.*

The nett revenue arising from duties upon imports and tonnage, internal duties, direct tax, public lands, postage, and other incidental receipts during the year 1815, amounted to 49,555,642 doll. 76 c. viz. :

Customs, (see statement A)	36,906,022 51
Internal duties	5,963,225 88
Direct tax	5,723,152 25
Public lands	1,287,959 28
Postage, and other incidental receipts.....	275,282 81

That which accrued from the same sources during the year 1816, amounted to 36,657,904 doll. 72 c. viz. :

Customs

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Customs, (see statement A)	27,484,100	96
Internal duties	4,396,133	26
Direct tax	2,785,343	20
Public lands	1,754,487	38
Postage, and other incidental receipts	237,840	53

That which accrued from the same sources during 1817, amounted to 24,365,227 doll. 24 c. viz. :

Customs, (see statement A)	17,524,775	15
Internal duties	2,676,882	77
Direct tax	1,833,737	01
Public lands, (exclusive of Mississippi stock)	2,015,977	
Postage, and other incidental receipts.....	313,856	48

REMARKABLE

REMARKABLE TRIALS AND LAW CASES.

KING'S-BENCH, JAN. 5.

Dring v. Campbell.—This was an action for goods delivered. Plea, no promise to pay.

Mr. Gurney stated, that this action was instituted to recover the sum of 9*l.* 11*s.* of the defendant, who is a Director of the East India Company. It would, perhaps, surprise them to find, that it had been thought requisite to call in the aid of a special jury to decide upon such a question, which in his opinion might have been equally well settled by a common jury: it would, perhaps, surprise them still more to learn, that it was for an account of tallow candles, had and delivered, and used, and burnt by this East India Director. The defence on which the defendant rested his hopes of success was this—"I gave my butler, Smith, who has now left me, money wherewith to pay this account; he, according to your statement, has not paid it; but even allowing that position to be good, as I have paid it once, I am not liable to pay it again." He hoped, however, that the verdict of a special jury, to which he had chosen to resort, would convince him to the contrary, and would teach him that

in such cases a master was responsible for the actions of his servants.

It was contended on the part of the defendant, and witnesses were called to establish the fact, that the defendant had repeatedly given express orders to Smith, who paid all his disbursements for the house, on no account whatsoever to incur any bills, but to pay for every thing in ready money. It was also shown that all the dealings which Mr. Campbell had previously had with the defendant were for ready money, and ready money alone; and, therefore, that as he had never applied for credit himself, the plaintiff could not recover of him for credit afforded without his consent to his servant. It was also proved in evidence, that after this bill of 9*l.* 11*s.* was said to be contracted, the defendant had paid 1*l.* to the plaintiff for goods which he had purchased; and that the plaintiff had at that time made no such a claim as that which was at present before the Court. On all these grounds it was contended that a verdict should be given to the defendant.

The Lord Chief Justice in summing up the evidence said, that the sum for which this action

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tion was brought was only trifling; the question to be decided by it was of the greatest importance: it was in reality, whether a gentleman was to be rendered liable for all the debts which his servant might take it into his head to incur on his behalf. Now, the law upon the point was clear and satisfactory, and expressly stated, that if any individual send his servant for goods to a tradesman, desiring credit to be given generally to that servant, he must continue to pay for the goods which that servant may purchase, until he, the master, give notice to the tradesman that such credit be discontinued; but if the master shall never have desired credit to be given to the servant, and the tradesman shall confide goods to the servant on the credit of the master, the risk so incurred must fall upon the tradesman, and not upon the master, who has no knowledge of the credit given. It was, therefore, their duty in this case to consider whether Mr. Campbell had ever, at any time, authorized Mr. Dring to give credit to his servant or not; if he had given any such authority, they must find for the plaintiff; if he had not, their verdict must be for the defendant.

The jury, not agreeing in their verdict, retired, and after a deliberation of four hours, returned a verdict for the defendant.

JANUARY 9.

Oakes v. Wiggins.—The plaintiff in this case is a gentleman of property, who, in consequence

of a report of the defendant, who is a land-surveyor, had been induced to advance a large sum of money in purchase of an annuity, on the security of a certain estate. The estate turned out to be of much less value than reported by the defendant, and the plaintiff now sought to recover of him a compensation in damages for the loss he had thereby sustained.

Mr. Scarlett and Mr. Gurney for the plaintiff; and Mr. Sergeant Pell, and Mr. Marryat for the defence.

Mr. Scarlett, in his opening speech, detailed the circumstances of the case. The plaintiff had been applied to by a Mrs. Bourne to purchase an annuity of her, and she stated that she had to offer as a security, an estate situated near Market-Deeping, in Lincolnshire, called Deeping Fen. This estate was described to be let to Richard Jones, esq., on a lease of 21 years, of which 18 were then unexpired, and at a yearly rent of 1,720*l.* In consequence the plaintiff applied to his solicitor to make the necessary inquiries, and the solicitor employed the defendant to make a survey of the estate. His report, after having surveyed it, was, that he considered it very favourably circumstanced, and well worth the rent at which it was then let—viz. 1,720*l.* Soon after, however, Jones, the tenant, was unable to go on: he quitted the estate; but the stock upon it was insufficient to pay the arrear of rent. The place afterwards remained for a long time untenanted; and when at last a tenant was found, no more than 480*l.* a year,

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year, or 19s. an acre, could be obtained for it, instead of the 1,720*l.* Mr. Scarlett concluded by observing, that it was a too common practice with persons having estates to sell, to put in a tenant at an enormous rent, under which the sale is made at a proportionally high price, and the purchaser thus becomes a great sufferer. He must say, that the conduct of the defendant in this case was at least extremely negligent, if it did not deserve a more gross construction.

Mr. Gurney called a multitude of witnesses in support of the statement.

The solicitor to the plaintiff deposed, that he employed Mr. Wiggins, the defendant, to make a survey of the estate; and in consequence of his favourable report, the plaintiff advanced the sum of 14,975*l.*; 4,000*l.* of which was applied to pay off the previous mortgage on the estate in question, and the remainder was paid over to Mrs. Bourne for an annuity of 1,350*l.* upon three lives. This was in the early part of 1814; and in the following year Jones the tenant failed.

Mr. John Mossop, the present tenant, deposed, that at the time of the transaction in 1814, the land was not worth more than 12*s.* an acre, and its utmost value at the present moment was 17*s.* per acre.

Mr. Morgan the actuary stated, that the annuity granted to Mr. Oakes was worth 22,853*l.*

Mr. Sergeant Pell for the defendant submitted, that the plaintiff's loss had not arisen from the negligence of his client, but from the want of caution on the part

of the plaintiff himself and his solicitor, who ought, before they advanced so large a sum as 15,000*l.* on the security of 560 acres of fen-land, already burthened with a mortgage to the amount of 7,000*l.* to have made more minute inquiries than they had done.

George Mill stated, that he had occupied the farm in question from 1810 to 1813, at the annual rent of 1,300*l.* Land in Deeping Fen during that time fetched generally at the rate of from two guineas to 56*s.* per acre.

Mr. de Brune stated, that in 1811 he was desired by Mrs. Bourne to look out for a tenant for her Deeping Fen estate. He accordingly did so, and found a gentleman who commissioned him to offer 23,000*l.*, which sum Mrs. Bourne refused to take. Mr. Yateman, on one occasion, when speaking of Jones, represented him as a very intelligent clever man. In the latter end of 1813 and beginning of 1814 there was a great fall in the value of land.

Mr. Settree, the solicitor, stated that in 1814 he was instructed to prepare a lease of the farm in question, between Mrs. Bourne and Mr. Jones; and at the time he believed it to be a genuine *bond fide* transaction.

Mr. Topham, a farmer occupying 220 acres in the Deeping Fens, stated that his farm was within half a mile of the estate in question; and during 20 years occupation of it, he paid for the first 11 years 22*s.* an acre, but for the subsequent term 30*s.* an acre.

Richard Jones, the tenant in possession at the period in question,

tion, stated that he took the estate of Messrs. Bourne in the spring of 1812. Remembered the defendant's coming to the farm in the latter end of April, 1814, to make his survey. He arrived between 10 and 11 in the morning, and went away again about the same hour next morning. Since then had not seen defendant until July last, when he was subpoenaed as a witness on this trial. During that interval he never had any communication with the defendant whatever. When defendant came to survey the estate, he employed himself in looking over the lands and making his calculations from the moment of his arrival until a late hour in the evening, with the exception of meal time. Defendant spoke only generally of the drainage. The height of the lands was 15 feet above the sea.—Cross-examined: witness gave the defendant all the information in his power respecting the estate, and the calculation of its value. He never received a shilling of the money paid by the plaintiff: but he admitted that Mrs. Bourne had lent him 10,000*l.*, which was part of the very money in question. In a month afterwards he repaid her 3,363*l.* 1*s.* 6*d.*, and with the remainder he embarked in mercantile concerns on his own account, in the Mediterranean, where he remained for 12 months. He had since remitted two cargoes to Mrs. Bourne, which he considered would cover his debt. Notwithstanding which, this lady had lately taken the benefit of the Insolvent Act. When he left the farms upon his mercantile adventures, he left Topham, one of the

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other witnesses, to manage it, and gave him 190*l.* for that purpose.

Re-examined.—He had not the least reason on earth to believe that the defendant was acquainted with the transactions between himself and Mrs. Bourne.

Mr. Scarlett in reply, admitted that the defendant was wholly free, upon the evidence, from any imputation of fraud or corrupt conduct; but in point of law, he contended that he was liable to the plaintiff for the loss the latter sustained by this transaction, to the amount of 9,000*l.*, in consequence of his (the defendant's) negligence and inattention to the interests of his employer.

The Chief Justice, in summing up the case to the Jury, thought that the solicitor, upon whom observations had been made, had, according to the evidence, acted fairly and honourably towards his client, who could seek redress against the person who alone had led him into the error by which he had so grievously suffered. He concurred in the admission that had been made of the defendant's innocence of any corrupt or fraudulent intention; but in point of law, his lordship thought him liable for his negligence and inattention to such an amount as the circumstances of the case would warrant the jury in finding.

The jury found for the plaintiff damages 6,000*l.*

MIDDLESEX SESSIONS, SATURDAY, JAN. 16.

At the close of these sessions, Nicholas Nicholson, Francisco Collo,

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Collo and Michael Hare, were placed at the bar, having been committed from Hatton-gardea as convicted rogues and vagabonds, for the purpose of receiving such further imprisonment as the Court should deem it proper to inflict. Mr. Blundell, who represented the Society for the Suppression of Mendicity on this occasion, called the attention of the chairman particularly to the case of Nicholson. He stated, that this man had manifested a determination to continue the trade of begging at every hazard, and trusted, when the Court should hear the circumstances, they would award an exemplary punishment. It appeared, that on two several occasions the prisoner had been afforded an opportunity to return to Sweden, his native country; and in the first instance, through the medium of the consul, the passage had been actually paid; notwithstanding which, having found the trade of begging so lucrative, he escaped from the ship and returned to his former practices; and since then had been convicted no less than six times, and as frequently refused to be conveyed home. His foreign accent and artful demeanour had successfully operated on most of the persons whom he accosted, and especially females, who were glad to give him money to be rid of his importunity.

The evidence having been taken, the Court ordered a further imprisonment of three months. Francisco Collo was ordered to be imprisoned one month, and Michael Hare two months, in the House of Correction.

In the case of Hare, Mr. Blun-

dell stated, that upon a solemn promise of the prisoner to proceed forthwith on his way to his parish, a sum of money had been furnished to bear his expenses on the road; but in about an hour after, he was found begging from door to door in a very different direction, and relating a very lamentable tale to excite the commiseration of the public, by which he had succeeded in a very few minutes to collect more money than an honest distressed man with a large family usually obtains from his parish as a weekly allowance; and he trusted, if the magistrates would second the exertions of the society, the public would soon be convinced of the impropriety of indiscriminate almsgiving.

JANUARY 21.

Berthon and Costar v Loughnan and another.—This was an action on a policy of insurance effected by Messrs. Berthon and Costar, on the ship *Madre de Dios*, on the 31st of January 1812, at and from Pernambuco to St. Michael, in consequence of a letter from Senor Antonio de Vasconcellos, dated December 12, 1811. The interest was averred to be in Vasconcellos. The vessel was lost on a shoal not far from Pernambuco on September 5, 1811. The defendant pleaded that he was not liable, on which point issue was joined.

Mr. Scarlett, for the plaintiffs, stated, that in order to the proper understanding of this case, it would be requisite that he should make a few preliminary observations

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tions on the intercourse which passed between Pernambuco and St. Michael. The latter island was celebrated for its fruit, and vessels from every nation frequented it from the month of October to the end of January, so that communication with it was not difficult during that time; but if you had any correspondent there, it was almost impossible to hear from him during the remaining period of the year. If the difficulty of communication was so great between Great Britain and St. Michael, it was clear that it would be still greater between Pernambuco and the same place, inasmuch as the trade between them would be much less considerable than that carried on between Great Britain and St. Michael. Besides, if the communication was not made direct between Pernambuco and St. Michael, it was much retarded by having to make a circuit by way of Lisbon, from whence to St. Michael no regular post or packet has ever been established. This information might render the facts of the case which he had to open to them more clear and intelligible. They were simply these: Senor Antonio de Vasconcellos and Senor Nicolayo de Marcio, during the year 1811, sent a vessel laden with fruit from St. Michael to Pernambuco, from which place she was to return as soon as possible. Senor Nicolayo de Marcio effected an assurance on his share of the vessel and cargo in August 1811, out and home from St. Michael to Pernambuco. In December of the same year Vasconcellos determined to do the same on the

homeward voyage from Pernambuco on his share, and in consequence wrote the plaintiffs on the 12th of that month to insure 2,000*l.* on the hull and 1,500*l.* on the cargo, on his account. This letter arrived in London in January 1812; and the policy was effected at the close of that year by a gentleman at present in the Brazils on his own private business. In April 1812, intelligence was received in London that the *Madre de Dios* had sailed from Pernambuco on the 3rd of September, and had been lost a few days afterwards. The underwriters immediately exclaimed—"Mr. Vasconcellos must have known that his vessel was wrecked at the time when he insured it; therefore we will resist the payment of the insurance." But this was not the case, as it could be proved that no communication had taken place in the interval between Pernambuco and St. Michael. "Allowing that to be true," continue the underwriters, "still Mr. Vasconcellos must have known that his vessel was out of time, and therefore ought to have communicated that circumstance to us." But that objection was equally untenable with the former, because he would show from depositions taken on the spot, that the voyage from St. Michael to Pernambuco is not, upon an average, performed in less than 70 or 80 days; that it is usual for vessels to wait at the latter place from two to five months to obtain a cargo; and that it is not customary at the former to look upon a vessel as missing, because she does not finish her return voyage before the

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the expiration of eight months. The case presented two questions for their consideration. 1. Did Vasconcellos suppose the Madre de Dios to be a missing ship at the time he wrote to Messrs. Berthon and Costar, desiring them to effect the assurance? and 2. If he did, did he make a proper communication of that circumstance to the persons who underwrote the vessel? He was confident that he should adduce such testimony as would lead them to decide both questions in his favour. On the first point he had already spoken; and as to the second he would observe, that Messrs. Berthon and Costar had communicated all the intelligence which they had regarding the ship to the underwriters, by communicating to them the letter which they had received from Vasconcellos, and which simply stated, that as he had just learned from his friend Nicolayo, that his (Nicolayo's) share in the Madre de Dios was ensured, he requested them to ensure his share in it also. The vessel was then at Pernambuco on her return to the island of St. Michael.

Mr. Scarlett then put in several depositions taken at St. Michael, tending to prove that the loss of the Madre de Dios was not known there at the time when Vasconcellos wrote the letter of 12th December; that the captain of the vessel had never written more than one letter to his owners regarding the time of his return, whilst at Pernambuco; and that eight months was not more than the usual period for completing the voyage out and back again.

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It was also proved, that Nicolayo de Marcio had effected his insurance in August 1811.

Mr. Marryat, for defendant, submitted, that the question which the jury had to decide was, whether a proper communication regarding the fate of the vessel had been made to the underwriters. He maintained that there had not been any such communication. First of all, the vessel was not at Pernambuco at the time of effecting the insurance, as stated in the plaintiff's letter; then, there was no statement when she had arrived there, how long she had been there, or at what time she intended to set sail from thence on her return. Six months, he had been given to understand, was more than the average time of making the voyage between St. Michael and Pernambuco; indeed, that period was sufficient to make the same voyage from the Thames to Pernambuco and back again, which was a much greater distance. A hundred and ninety-five days had elapsed before Mr. Vasconcellos thought of making this assurance; and then, forsooth, it was not because he thought the vessel missing, but because he had just heard that his friend Nicolayo had ensured his share. What rendered this circumstance more suspicious, was, that he was in the habit of seeing Nicolayo daily; and that he knew that a shipment was ready for him at Pernambuco; so that he must have expected the vessel to have returned, if all had been safe, before the time on which he wrote to have the policy effected. On these grounds he maintained

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maintained that the defendant was entitled to a verdict.

The Lord Chief Justice then summed up the case, and observed to the jury, that the chief point which they had to try was, whether the representation in the letter was actually true, or such as the writer might suppose to be true, or whether it differed materially from the representation which ought to have been made to the underwriters. The vessel, at the time of effecting the insurance, was stated to be at Pernambuco: it was not necessary that this should be literally true; it would be sufficient if she were there at the time when the owners received their last advices from her captain. Now it appeared from the evidence, that the vessel finished her outward voyage at the end of July, or in the beginning of August, 1811; and that the captain communicated the fact of his arrival to his employers at St. Michael. In all probability his letter would afford intelligence whether he should sail immediately, or wait some time for a fresh cargo. If it did afford such intelligence, it ought to have been communicated to the underwriters. It appeared, in reality, that she was laden in August, and sailed in the beginning of September. It was therefore their business to consider whether Vasconcellos knew of that fact or not; and if they thought he was acquainted with it, to consider whether he had not been induced, by fear of losing the vessel, to effect a policy upon it: if they were of opinion that he had been induced by fear to ensure the vessel, then

he ought to have communicated the cause of his alarm to the underwriters; and therefore they must find a verdict for the defendant: if they were of a contrary opinion, then they must bring in a verdict for the plaintiff.

The jury immediately returned a verdict for the defendant.

SURRY SESSIONS, JAN. 27.

Anne Atkinson and Thomas Stephens were indicted for having conspired to defraud the parish of Bermondsey, by exposing their male bastard child opposite the workhouse of that parish.

Jane Johanna Stapleton said, she lived at 56, Brunswick-street, Blackfriars-road. The female defendant came to take a lodging at her house; said she was the wife of an exciseman. In the evening she came again with the male defendant, and paid earnest; both took possession in about a week, and lived together as man and wife. The woman was far advanced in pregnancy. The man said, that when the child was born, they should take it to his mother's, as they were going to America. The child, a boy, was born on the 28th of July. Witness was at the birth. Mrs. Lewis was nurse. The child remained in the house three weeks, after which it was taken to Lowdell's-court to nurse. The father and mother left the house the same day, and returned in about a week, and sent for the child. They then took the child out with them; they returned at
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half past ten at night without it. The man was in a very agitated fainting state. Witness asked where the child was. The woman said it was very well, and well taken care of, at his grandmother's. Witness was not satisfied, but continued her inquiries for several days. The female defendant told her, that she and the man took the child, and bought a rush basket and a piece of new flannel, wrapped the child up in it, put it into the basket, and that the man tied it to the knocker of a door opposite Bermondsey workhouse, while she watched at the top of the street.

Sarah Lewis said she nursed the female prisoner on the 23rd of July in Brunswick-street, in her confinement. She nursed the child a week, after which she left it with them; afterwards she saw the child at Bermondsey workhouse.

Maria Clarke, in August last, found the door, on opening it, rather heavy. She gave it a second pull, and was then knocked on her knee by something falling against it. She screamed, and Mr. Ross opened the door, when there appeared a basket, containing a child about five or six weeks old. There were child's clothes in the basket. The child was taken to the workhouse, which was opposite, and delivered to Mr. Stephens the master, the defendant Stephens' father.

The father of the male defendant said, he supposed his son was married, but never heard at what church, nor saw the certificate. His son told him so four years ago. The female prisoner was not the person to whom he said

he was married. Witness had a young child brought to him in August. He was master of Bermondsey workhouse. He never saw the person who brought the child. The child had been in the house ever since.

Verdict—Guilty. Sentence—six months' imprisonment.

COURT OF KING'S-BENCH,
SATURDAY, FEB. 6.

The King v. the Parish of St. Mary, Canterbury.—This was a question respecting the settlement of a pauper, under the following novel circumstances:—The pauper, a boy, had been bound apprentice to a master-mariner, resident in St. Mary, Canterbury, and continued with him some months; but circumstances arising which prevented the master from getting his vessel to sea, the master, at the end of that time, asked his apprentice whether he would like to be turned over to another master, or whether he would go to school for a time and learn navigation. The boy chose the latter, and was accordingly sent to a school in Canterbury by his master, where he continued some time, when he ran away and returned to Shadwell, to which parish he had originally belonged. Here he afterwards became chargeable to the parish, and was passed to St. Mary, Canterbury, on the grounds that he had obtained a settlement in that parish by his service of a year. Against this decision of the magistrates that parish now appealed. The Court, after hearing the argument, decided that no settlement had been gain-
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ed in St. Mary's parish: to constitute a settlement, there must not only be a binding, a sleeping and support, but there must also be labour. In the present case, the master had not had the latter. The boy was bound to him to learn practical navigation, but he had not done so: he was sent to school, where he was taught theoretical navigation only; and there he went by his own choice, and not in consequence of any control exercised over him by his master. This was not such a binding and service as would settle the pauper, who still belonged to his original parish; and the order of sessions, settling him on St. Mary, Canterbury, was ordered to be quashed.

COURT OF COMMON PLEAS,
TUESDAY, FEB. 16.

Christie v. Jones.—This was an action brought by Mr. Christie, the auctioneer, to recover from the defendant 50*l.*, which he alleged, being money belonging to him, was won by the defendant, at games of cards, of his clerk, at different times and places.

William Rickards said, he had been servant to Mr. Christie seven years. He was discharged at the end of July last. In his situation as clerk, he was in the habit of receiving money coming to Mr. Christie as an auctioneer, to a considerable amount. The various sums were paid on account of jewels, pictures and property, sold in Pall-Mall. The witness had known the defendant between one and two years. The defendant lived in Pall-mall and kept a billiard-table. The wit-

ness had played with him, on many occasions, at cards. He played with him for money about the 22d of April last. The defendant knew he was a clerk, but did not know he received his master's money. The first time he played with him at cards, they played at the Star and Garter, Pall-mall. They played at cribbage, and the witness lost 30*l.* the money of his employer, Mr. James Christie. He met him again about 30th April, and playing again with Mr. Christie's money, lost 70*l.* On that occasion they began with 5*l.* a game, and increased it to 10*l.* and 15*l.* He met the defendant also at Bedford's Rooms in Pall-mall, and played with him to a late hour. Two of the defendant's brothers were present, and he believed Mr. Bedford was there, but could not speak positively. The witness also played with a friend of Jones's, who was introduced to him. This friend pretended ignorance of the game, and it was understood that he was from the country. The defendant proposed his friend should play for him, and the witness should give him two holes at cribbage; leaving him, at the same time, at liberty to instruct him in his play. The witness was a winner on that occasion to the amount of 60*l.*, part of which remained unpaid, but Jones paid it next day. On the 1st of June he played with the defendant's friend on the same principle he had played before. The stakes were made good by the defendant; he lost 125*l.*, which was Mr. Christie's money. He was unable to pay 15*l.* of the lost money that

that night, but the next day he met the defendant, and paid him 15*l.* out of Mr. Christie's money. He, upon another occasion, played with the defendant's friend at the sign of the Haunch of Venison, in Brook-street, for 150*l.* The defendant put down the stakes. The witness lost 80*l.*, which was Mr. Christie's money. He remembered going with a 100*l.* bank-note, which he had taken at Ransom and Morland's, in payment of a check given by Mr. Woodburn, of St. Martin's-lane, for property bought of Mr. Christie. He lost the note in question to the defendant.

John Langdon, another clerk to Mr. Christie, was at the Haunch of Venison, in Brook-street; he went by invitation of Rickards, and met him there playing with the defendant. A Mr. Davidson was also present. Davidson was the friend of the defendant. About 12 o'clock Rickards went out for money and came back with a supply, which he lost.

Mr. Serjeant Vaughan addressed the jury for the defendant, and contended that no credit ought to be given to such a person as Rickards, who came into court as a witness, to avoid a prosecution for felony. He called no witnesses.

The Chief Justice drew the attention of the jury to the main features of the case; namely, the credit due to the principal witness. It would be dangerous, he said, to the public interest, to hold that a person who had been decoyed into a gaming house and led to commit crime, was not to be received as a witness. Transactions similar to that be-

fore them in general took place at midnight, and persons who became dupes of the designing gamester were perhaps the best witnesses to bring offenders to justice. Independently of all other considerations, the jury would find the witness Rickards confirmed by other witnesses. If the jury had a doubt they would give the defendant the benefit; if they had not they ought to find a verdict for the plaintiff. If they did find for the plaintiff, they might rest on their pillows with the consolation that they had rendered a service to the public.

The jury without hesitation found a verdict for the plaintiff—Damages 509*l.*

OLD BAILEY, FEB. 20.

On Saturday Philippe Caday alias Philibert, Joseph Amand Tregrosse, and Louis Amand Cleransac, were indicted for having brought from Mosambique in Africa to the island of Mauritius, certain persons to be sold as slaves.

The Attorney General stated the case, and the law as applicable to the jury.

G. T. Brodley, in Feb. 1818, was a midshipman of the Magicienne frigate stationed in the Mauritius. On the 21st of that month was with the master in the tender, lying in port Jacotay. While there, they saw a schooner about two in the afternoon, standing off and on Souliac. The wind was against them, and Mr. Evans, the master, ordered Mr. Garrett and witness to go overland to intercept the schooner. They had about eight miles to go, and they took a party of seamen. They got to Souliac about
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half past four, and saw the schooner trying to get out to sea. In beating out she ran on a reef, and witness and his party went on board of her, where they found twelve or fifteen persons, among whom were the prisoners. Mr. Philibert appeared to be the master. The other two appeared to be mates. Mr. Philibert presented the ship's papers to Mr. Garrett, and told the latter that they kept no log-book. Witness went into the hold, which was fitted up with a loose dock or platform about four feet below the upper-deck. Witness had only seen one other slave ship, and she had no platform. There was no cargo except water on board. He examined three casks, and two of them had salt water in them. Mr. Garrett returned Mr. Philibert his papers. He conceived the schooner was fitted for a slave-ship. He supposed there were upwards of twenty water casks on board, much more than necessary to supply twelve or sixteen men. The schooner went down. On the 24th of February witness searched a storehouse close to the bank of the river Souliac, and found the yards and sails of the schooner, and about a dozen pair of shackles or irons of different sizes, fit for men, women and boys. They took them on board the Magicienne. He did not see the prisoners till they were in custody.

J. Sloughton, a seaman on board the Magicienne, confirmed the testimony of Mr. Brodley, and added, that while some of their party went down to board the schooner, others were firing at her from a hill, as they took her to be a slave vessel.

Lyse Victorine, examined through an interpreter, said, in February and March last she was a slave to Madame le Brun, at Hermitage, in the Mauritius; recollected a great number of blacks arriving there; there had been a hurricane about that time; there came with the blacks Messrs. Philibert, Cleransac, Tregrosse and Fontaine, accompanied by sailors; the blacks were put in a storehouse near Madame le Brun's house; there was a great many blacks, men and women and two or three children; she did not understand their language, nor could they speak French; they all appeared strangers to the island. They remained three days in her mistress's house, where the prisoners lodged during that time; they went away on the second day with about half the blacks, but returned with them the same day and put them in the store. M. Cuvillier came to her mistress's while the blacks were in the store; he brought servants, provisions and clothes for the new blacks. She remembered the soldiers arriving at her mistress's house at night; they knocked at the door but were not admitted; the prisoners and Cuvillier were there at the time. Her mistress told the soldiers she would not open the door unless the commissary came; the soldiers remained outside all night, and the commissary came the next morning, and the door was opened; the prisoners were taken away by the soldiers, and the blacks from the storehouse, except some who were ill; she had never seen the prisoners but that time at her mistress's house; she is married and

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and her husband's name is Polydore; he came to her mistress's while the blacks were there.

Polydore confirmed this testimony.

C. M. Campbell, a lieutenant of the Bourbon regiment at the Mauritius, was aid-de-camp to general Hall the governor. On the 3rd of March last, by order of the governor, he went to Madame le Brun's plantation with a detachment from the 22d. Polydore was their guide. He pointed out to them a wooden building and two small huts. They got there near eleven at night. Polydore told him the huts contained new blacks, and whites that brought them were in the wooden building. Witness divided his detachment, and with one party surrounded the huts, and with another the wooden building. He found the huts filled with blacks, male and female, to the number of 92. Greatest part were naked. One was dead, another dying, and nine so weak they could not be moved. Almost all were covered with the itch, and appeared quite astonished when the soldiers surrounded the huts and came up to them and examined their clothes and arms. They appeared quite uncivilized, were all Mozambique blacks, and he was positive they were newly imported negroes. He secured the huts for the night and went to the wooden building. He knocked and requested it to be opened, when a woman's voice said she was with her two daughters, and that she would not open the door at that time of night. He molested her no farther, but desired

the soldiers to let no one escape from the house. He then went about the plantation and found another hut, in which were eight or nine blacks, who told him in French that they belonged to Madame le Brun. He returned to his detachment and found them where he had left them, and remained with them till next morning. The commissary came next morning; and when the noise of his palanquin bearers was heard, the people in the house opened the door, and they went in and saw the prisoners Cuvillier, Quanto, Madame le Brun, her two daughters and Victorine. Witness took the prisoners, but at the desire of the commissary he allowed Cuvillier to remain with Madame le Brun. It is 20 or 22 miles from Souliac to Madame le Brun's. There are large forests between.

Cross-examined. — The island has been governed by the French laws since the capitulation.

The prisoners Philibert and Tregrosse put in long written defences, in which they denied the charge and asserted that they had been to Madagascar for a cargo of bullocks, which they were obliged to throw overboard in a storm, and that accounted for there being no cargo found on board the schooner. They wandered about the island and met Cleransac accidentally, who took them to the house of Madame le Brun. The defence went on to state, that their treatment during their voyage to England had been bad. Cleransac's defence was, that he was not on board the schooner at all; that he had been in the French navy, and was of

a respectable family in Bourbon, but was out of employment; he only acted as a guide to the other two to bring them through the woods.

Baron Graham summed up the evidence, and the jury, after a quarter of an hour's consultation, found all the prisoners *Guilty*.

The Common Serjeant (the judges having retired) sentenced them all to three years' imprisonment in the House of Correction, and during that time to be kept to hard labour.

COURT OF KING'S-BENCH,
FEB. 22.

Forged Bank Notes.

(*Before Chief-Justice Abbot and a Special Jury.*)

Ransom v. Fish.—This was an action on the case brought by the plaintiff, an engraver, against the defendant, an inspector of the Bank, to recover damages for the injury sustained by the former under a false and malicious imprisonment, upon the charge of the latter. It appeared that Mr. Ransom had paid a *1l.* Bank of England note to Mr. Mitchener, who keeps the Hole-in-the-Wall in Fleet-street, which note was afterwards detained by the Bank on the ground of its being forged. Mitchener applied to Ransom to repay him the amount, but Ransom refused unless the note were returned to him. Mitchener then summoned him to the Court of Conscience in Fulwood's-rents, where the defendant attended and produced the note. Ransom asked to look at it, and then put

it in his pocket. Fish appealed to the magistrate, who said he could not interfere. Ransom then walked off with the note, and went to Mitchener's house and paid the 20s. A few days afterwards Ransom was summoned before Mr. Baker, one of the magistrates at Marlborough-street, when Fish made a charge in writing against him for having the note in his possession knowing it to be forged and counterfeited; and Mr. Baker committed him to Cold-Bath-Fields there to remain till duly discharged by law. He remained in that prison from the 23rd to the 27th of January, 1818, when he was again brought up, and Fish and Mr. Westwood his solicitor offered to discharge him if he would give up the note. He said he wished the question to be tried whether it were a forged note or not; and he would give it up to Mr. Baker if the Bank would undertake to try the matter. The defendant said he would consult the Bank. On a following day Ransom was asked to give up the note, but he refused. He said he had thought better of it, and he would not return it. Mr. Baker was then a little shy of sending him a second time to prison; and it was settled that he should give bail, himself in 200*l.* and two sureties in 100*l.* each, to appear on a future day.

Witnesses were called to prove the case on the part of the plaintiff.

Mr. Baker deposed, that he had committed Ransom on the evidence of Mitchener, of Fish the defendant, of Samuel Alsop, the register of the Court of Requests,

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quests, and of John Holland, assistant officer in that court, and not on the statement of Fish alone. He (Mr. Baker) and his brother magistrates had delivered their opinion on the evidence before the charge of Fish was entered on the book.

Mr. Gurney, for the defendant, submitted, that the case was by no means proved by the evidence. The declaration stated, that the defendant falsely and maliciously charged and accused the plaintiff with having in his possession a £1. Bank of England note, knowing the same to be forged and counterfeited, and caused him to be committed, &c. The recital in the committal was no evidence against the defendant. The committal proceeded from the evidence, and the evidence by no means supported the allegations in this declaration. The charge of Fish was "upon suspicion," which words had not found their way into the declaration. In support of this objection the learned counsel cited *Tempest v. Chambers* (1 Starkie); *Lee v. Webb*, (3 Esp. 165); and *Bell v. Burne* (13 East. 554).

On the other side Mr. Scarlett relied on *Davis v. Noak*, (1 Starkie, 377), in which lord Ellenborough said that the action did not depend on words only, but on acts done.

The Chief Justice said, that upon the authority of the last quotation there was no variance in the present case; but as there was some nicety in the objection, he would give the defendant's counsel leave to move to enter a nonsuit if he should think proper.

Witnesses were then called by

the plaintiff to prove that the note was genuine.

Mr. Warren, who said he had been an engraver for 40 years, deposed, that he had paid particular attention to Bank-notes that he had engraved for local banks in different parts of the country, and that, with all the knowledge he had upon the subject, he believed this note to be a genuine note.

Mr. Le Maitre, a watchmaker, said, that from general observations he considered it a good note, and he should not have felt the least hesitation in taking it.

Mr. Haydon, an auctioneer, deposed, that he was in the habit of taking a great quantity of Bank-notes: he had paid particular attention to this subject for many years past, and was never deceived by a forged note except in one instance. He had no doubt, from the marks which he had been given to understand, in confidence, that the Bank relied upon, that this was a good note.

Mr. Gurney said, that the defendant was taken by surprise with respect to this evidence, and therefore no person was present on the part of the Bank to prove that the note was forged. He contended, that the defendant had not acted maliciously, but from the best and purest motives.

The Chief Justice said, the only question was, what damages the plaintiff was entitled to if the defendant had acted improperly. After the character that had been given of the plaintiff to the magistrates, the learned Judge thought, that it would have been a more prudent course not to have committed him. It was also

to



to be observed, that there was an offer of letting him go, if he would give up the note. Now the act of committing a man under a capital charge for the purpose of getting the note, was very much to be reprobated. If the jury thought that the defendant had acted from a bad motive, then they would find a verdict for the plaintiff; but if they did that, he recommended them to estimate their damages with temper and judgment.

The jury deliberated for a short time, and returned a verdict for the plaintiff, damages 100*l*.

TUESDAY, FEB. 23.

(*Before Sir John Allan Park, Knight, and a Special Jury.*)

Young v. Wright and another. This was an action of trespass against the defendants, as the messenger and his assistant under a commission of bankrupt against one John Crowley, for entering the Queen's Arms tavern, St. James's-street, kept by Crowley, and alleged by the plaintiff to belong to her, and seizing the stock, furniture and effects therein. The damages were laid at 5,000*l*.

The defendants put on the record a justification.

It was stated by Crowley, who was examined on the part of the plaintiff, that he took the Queen's-Arms tavern in June, 1814, and that so shortly afterwards as in the following December, he transferred his interest in the premises and in the stock and furniture to his sister-in-law, the plain-

tiff, in consideration of 2,000*l*., part of which was paid in Bank-notes, and the rest by bills, and took a house at Paddington, to which he removed. He stated the stock of wines and spirits at that time to be 1,400*l*. and of ale and porter from 80 to 100*l*.

On his cross-examination, which he underwent with singular effrontery, he stated that he came to St. James's-street from Prescott street, Goodman's fields, where his wife kept a circulating library; that at that time he was a general merchant, buying any thing and all things. That his warehouses were in the same house with the circulating library, for which house he paid 60*l*. a year. That on leaving Prescott-street he brought away with him from 1,500*l*. to 1,800*l*., having paid his creditors 5*s*. in the pound. That he did not pay any premium for the house in St. James's-street, and on entering into it contracted debts to the amount of 2,000*l*., for which he gave bills which became due in the beginning of the following year. That he left St. James's-street and took the small house at Paddington, to carry on the wine trade. He also acknowledged that he had formerly been a milliner and fancy dress-maker, at Leeds, where he became a bankrupt, and had afterwards been an auctioneer. The account he gave of the consideration money said to be paid him by the plaintiff, was most prevaricating and incredible.

The learned Judge here said, that if the transfer were not *bona fide* the plaintiff's possession was a fallacy.

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It came out from the plaintiff's witnesses, in speaking of the former commission, that Crowley's brother was the petitioning creditor and sole assignee, he claiming a debt of 105*l.* That he had possessed himself of property belonging to the bankrupt Crowley to the amount of 400*l.*, and that the creditors under that commission had never received one penny, nor even had the solicitor's bill been paid.

Mr. Serjeant Vaughan addressed the Jury on the part of the defendants, stating this to be one of the most fraudulent cases that ever came before any court: he commented with great force and severity upon the evidence produced on the part of the plaintiff, and particularly on that of Crowley. He could not refrain from noticing, with some humour, that instead of a fancy dress-maker, Crowley should be called a fancy commission-maker, and said that he was a perfect Proteus, having been successively a milliner and fancy dress-maker, an auctioneer, a librarian, a merchant, dealing in every thing and any thing, a tavern-keeper and a wine-merchant. After showing the fraud of the pretended transfer from Crowley to the plaintiff, Mr. Serjeant Vaughan told the Jury, he would give them the best evidence, for he would lay before them the evidence of the plaintiff herself.

Upon this, the proceedings under the present commission were produced, and the examinations of the plaintiff, on oath, before the Commissioners, contained in them, were read. A short extract is given as a speci-

men, where she was asked as to the 2,000*l.*

Where did you obtain the money which you said you paid for the purchase?—I procured it from friends.

From whom—name them?—I did not prepare myself for that question.

From whom did you receive it?—I must first obtain their permission before I mention their names.

Did you borrow it from any person?—Yes, Sir, I borrowed it.

Of whom?—I am sure I do not know the gentleman's name.

Where does he live?—That I do not know.

On one of these examinations the plaintiff was committed to Newgate for prevarication.

The plaintiff, in her examinations on her oath, states, that in 1814 she kept a school at New-castle, in which she failed, and her goods were sold off and her creditors were paid a small composition, after which she came up to town, in October, 1814, a mere beggar; and thus situated, took the pretended transfer of the Queen's Arms tavern from Crowley, at 2,000*l.* She stated, on her oath, on being brought up from Newgate, in answer to a further inquiry as to where she got the money to pay Crowley, that she was recommended by a Mr. Davis to a Mr. Baruh, who lent her the money. But Baruh was put into the witness's box, and said that he never lent the plaintiff any money, nor ever saw her or knew her until he saw her in Newgate, after her examinations. Davis was also produced, who denied that plaintiff had ever applied

applied to him to borrow money, nor did he borrow money for her, and particularly that he never applied to Baruh.

On the part of the defendants, evidence was also produced to support the present commission, which was established to the satisfaction of the Court.

The learned judge summed up the evidence in an able manner, stating that the case was pregnant with fraud, and that the examinations of the plaintiff were quite fearful.

The Jury returned a verdict for the defendants.

COURT OF KING'S-BENCH.
MARCH 4.

Rennie v. Cropper.—This was an action to recover the sum of 2,000*l.* as compensation for expenses incurred by quarantine, demurrage, loss of time, and unloading and re-shipping the cargo of a vessel. It appeared, that the ship was chartered from Liverpool to New York and back, with liberty for the consignees to ship a cargo in return. The Captain was not bound to seek a cargo, but he was bound to carry one, if the consignees shipped it. They accordingly did ship a quantity of wool, which the Captain was told was American produce. He proceeded on the homeward voyage; but, on his arrival, it was found that the wool was Smyrna wool, and all ships from that place, at that time, were bound to perform quarantine. He then proceeded to Milford-haven, where he was detained 10½ days in performing

quarantine, during which time he was obliged to unload the cargo, and expose it to the air. He was also subject to a demurrage of 15*s.* a-day, with other expenses consequent upon these proceedings. When he arrived at Liverpool, he demanded payment of his expenses, and of the money incurred by the delay. The charterers refused to pay more than the contract for the voyage, and therefore he brought the present action.

The question turned on this point—whether the Captain knew, or was informed, at the time of shipping the wool, that it was not American produce, but that of Smyrna, or any other foreign country, inasmuch as by the Navigation Acts of the Protectorate and of Charles II., called the Navigation Laws, no British ship, going to a foreign port, is warranted to bring back a cargo of any other country than that from which it is shipped.

The Chief Justice summed up the case and the evidence, to the jury, who returned a verdict for the plaintiff—Damages 2,000*l.*; costs 40*s.*

French v. Giles.—This was an action on the case to recover damages for a severe personal injury sustained by the plaintiff, in consequence of the neglect of the defendant, under the following circumstances:—

The plaintiff was a respectable anchor-smith and ship-chandler, resident at Wapping, and on the 2d of August last he hired of the defendant, who was a coach-master, a landau for the day, in which he proceeded, with his wife and children and a servant, to Chislehurst,

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Chislehurst, in Kent, to leave one of the children at school. On his return towards town, he took his seat on the box with the coachman, and at a short distance, a leather strap, which supported the box, suddenly broke in the loop, whereby they were violently thrown upon the road, and the plaintiff had two of his ribs broken, his arm fractured, and otherwise sustained great injury, which obliged him to be taken back to Chislehurst, where he remained five days under the care of a surgeon, whence he was conveyed to his house in town, where he was confined for two months before he could come downstairs. He therefore brought this action to recover compensation in damages.

It appeared in evidence, that the defendant, as soon as he heard of the accident, wrote a letter to the plaintiff, expressing concern for the injury he had sustained, and offering any reasonable compensation in his power, but the plaintiff preferred his action on the case.

The Chief Justice in summing up the evidence to the Jury, said that no person in the situation of the defendant, who let out carriages by the day, was bound to give a new coach; but he was bound to keep his carriages in good order, for the safety and accommodation of the persons hiring them. But it must be remembered, that although he might have exerted a reasonable vigilance, with a view to such safety, yet, sometimes, there were invisible flaws which escaped notice, and from which accidents might arise. If the jury were of opinion that the defendant had

not been guilty of any wilful negligence, but had used due caution, and had no knowledge of the defect, then they would find for the defendant; but if they entertained a contrary opinion, then they would find for the plaintiff.

The Jury retired for two hours, and, at six o'clock, when the chief-Justice had left the Court, they returned with a verdict for the plaintiff—Damages 50*l*.

HERTFORD ASSIZES. FRIDAY,
MARCH 5.

James Head, aged 40, and Martha his wife, were indicted for having set fire to a barn in the occupation of John Overell, of Wakely, and burning thereby an immense quantity of corn, his property, on the 27th of August last.

Mr. Walford opened the case for the prosecution; but in the course of his statement it appeared that the male prisoner and his wife had alternately made declarations upon the subject of setting fire to the barn, and that the woman particularly had avowed that she was the hand who did it, but that her husband was present when the act was committed. Upon this a long discussion took place, whether the woman, acting a guilty part in the presence of her husband, was not excused on the ground of coercion; the counsel for the prosecution arguing that the principle did not extend to the crime of arson, and the advocates on the other side contending that it did.

The Judge (Park, who also
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obtained the advice of Mr. Justice Bayley) coincided in opinion with the prisoner's counsel; but desired the case to proceed as against both prisoners, upon the ground that the woman might turn out to be the guilty person, and not the man. Mr. Walford having stated the case, proceeded to call evidence.

John Overell said, he kept an extensive farm, and resided in the hamlet of Wakely. The prisoner had been in his employment, and he discharged him on the 18th of May last. His barn was set on fire the 27th of August following, and completely burnt down. His large stable adjoining, and a shed, were also burnt down. The barn was separate some distance from his dwelling-house. In the year 1817 his premises were set fire to in a similar way.

J. Turtle said, he resided at Buntingford. On the night of the 27th of August he was alarmed by information of a fire at the premises of Mr. Overell. He rose from bed, and rode to the spot. The fire, which was blazing, appeared to have commenced at one corner. In about two hours after he had been there, James Head appeared upon the premises, and kept walking about and talking very much of the former fire at his master's in 1817. He talked also much of the then fire, and witness was induced to observe him closely. The prisoner caught his eye, appeared embarrassed, and shuffled away to break off the conversation.

George Mickley said, he also went to the premises of Mr. Overell the night of the fire. He saw the prisoner there, who spoke

to him, and said it was a sad job that a fire should thus happen again on his master's premises. His wife, he added, was unwell, and had got out of bed in the night, when he (the prisoner) said he thought there was a fire. His wife replied it was nothing but moonshine, but he thought it was a contiguous farm which was on fire. The prisoner appeared to the witness to be confused and agitated. He lived about a mile from the place where the fire took place. Witness did not think it possible, from the situation of Head's dwelling, that he could see a fire while he lay on his bed; but admitted that the atmosphere might be illuminated by a blaze where the fire was not directly opposite to the view.

Thomas Britton resided at Munden, close to the prisoner's house. The latter called him up on the night of the 27th of August from bed, by an alarm of fire. Witness arose, and accompanied him to the premises of Mr. Overell. The prisoner told him on the way, that when he first called him up he was naked, and that his wife threw his clothes to him out of the window, when he put them on by the time he (the witness) had got dressed.

Richard Tew (an interesting boy) said he was the son-in-law of James Head. Martha Head was his own mother, and he lived in the house with them. He slept up stairs in a room outside his father's, and through which the latter must have come to go down stairs. On the night of the 27th of August he was awake by a person, whom he knew to be his father, and who went down stairs
and

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and out of the house. He returned in about a quarter or half an hour. He knew his voice well, and heard him distinctly say, "I have left a brave light behind me." Witness soon after this went to sleep, but was again, in a short time, aroused by his mother, who called out, "Dick, get up; your master's (Mr. Overell's) farm is on fire." Witness threw his father's smock-frock out of the window to him.

Ann Bowyer said, that her husband was in the employment of Mr. Overell in August last. Her husband had money to pay the prisoner after his discharge from the prosecutor in May last. He accordingly came to their house, but her husband was not at home. Witness asked him if he came for his money; he said, yes; but it would not be much when he had it. Witness said it would be some for him, as it was for them; when he immediately replied, "D—n his old blood (meaning Overell), he wants my knife in his throat, and another or two want a knife as well as he." He also added, "I'll be d—d to hell if they don't have it, and he (Overell) must not live. He wants another light over his head, and he must look d—d sharp if he does not have it." Witness asked him if her husband ever heard him use such expressions, when the prisoner replied, "No; hell a bit; the less your husband knows, the better it will be for him." Witness had known Head and his wife for eight or nine years, but had no immediate intercourse or acquaintance with them. She never had angry words or quarrelled with either in her life.

Under the direction of the learned judge, the prosecution as against the woman was here totally abandoned.

Stephen Lavender, the Bow-street officer, said he was employed in the investigation of the affair in question, and went to the house of the prisoner James Head, which he carefully examined in his presence. He lay down on the bed from whence the prisoner said he had seen the light of the fire, and thought it utterly impossible he could have seen it from thence.

The prisoner, in the most solemn manner, protested his innocence.

Mr. Justice Park addressed the jury; who, after a consultation of about ten minutes, pronounced an *acquittal* as to Martha Head, but found the prisoner James Head—*Guilty*.

Chelmsford, March 10.—Wm. Bush, James Westwood, George Westwood, Joseph Chessum, Robert Wolfe, James Jeffery and Robert Litchfield, were indicted for burglariously breaking and entering the dwelling-house of John Chapman, at Waltham Holy Cross, in this county, and plundering the house of a variety of articles set out in the indictment.

Mr. Jessop stated the case, which was proved by an accomplice of the name of Duvall, who gave the following account of the transaction: That Wolfe, who was the captain of the gang, on the 25th of October met him in London, and told him that if he and Litchfield would come to his house they would meet with some others, who were to proceed to
a house

a house where they could get a good booty, as they knew an old man who had a good hoard. He accordingly met Litchfield the next day at Hertford, and they went together to Hoddesdon, where they slept at the Red Lion; they staid there until 4 o'clock; they went on to Bromley, where they crossed the fields to Mr. Chapman's house, which was a lone farm-house in the parish of Waltham. They listened in a lane until it was quite dark, and then they went to an outhouse near the house, where, by appointment, they were to meet Wolfe and the others. Soon afterwards Wolfe and the four others joined them, and they all continued in the outhouse until about eleven o'clock at night: they then went to the house, and just then they saw the carter returning with his waggon, who had been to London; he went into the house and got a light, and went with another lad into the stables. Some of them immediately bound the two men together, back to back, and fastened them to the manger, where Wolfe stood guard over them. The others then went into the house and went up stairs, when they got into a room where they found two men-servants sleeping; they asked them where was their master's bed-room, and where he kept his money. The men were very much frightened, and replied, their master slept at the other part of the house, and that they did not know where he kept his money. A guard was left upon them, and they proceeded to the other stair-case; but here they found a strong

door, which was fastened; they went out and got two ploughcutters, with which they immediately shivered the door and burst into Mr. Chapman's bedroom; he and Mrs. Chapman were in bed; they demanded his money and his keys, which he gave them, and told them his money was in a bureau below; they went down stairs and broke open the bureau; they also broke open an iron chest, forced all the closets and completely ransacked the house, taking away considerably above 100*l.* in money, plate, and three watches; and they regaled themselves with wine and spirits, and took away the best part of a ham. The manner and circumstances of the robbery were also confirmed by the servants and Mr. and Mrs. Chapman.

In confirmation of the testimony of the accomplice, it was proved by the landlord at Hoddesdon, that he and Litchfield had slept at his house the night before the robbery, and one watch was found in the possession of Jeffery and another in the thatch of Wolfe's house.

Mr. Curwood cross-examined the accomplice, but did not discredit his testimony.—The Jury found them all guilty.

Litchfield was also convicted of another burglary in the house of Nash Kemp, at Christall, a little shopkeeper. He was found the next day with all the goods, having stripped the shop.

Chessum, Wolfe, and Jeffery, were convicted of a third burglary.

The learned Judge immediately passed sentence of death, and told Wolfe,

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Wolfe, Litchfield, Jeffery, and Beat, that they would certainly be executed.

This gang has for some time been the dread of the surrounding neighbourhood. Wolfe acted as leader always; came to his work on horseback, and the usual rendezvous was at his house at Stortford, where they adjusted their accounts and settled the division of the plunder.

MAIDSTONE, MARCH 17.

Cramp and another v. Bayley, Clerk.—This was a case of rather a singular nature. It was an action of trover by the plaintiffs, as churchwardens of the parish of St. John the Baptist, Margate, against the defendant, as rector of that parish, to recover the value of certain black cloth which had been put up in the parish church in respect to the memory of the late Princess Charlotte of Wales, but which the defendant had converted to his own use by having it made up into coats, waistcoats and other articles of apparel.

It appeared that the plaintiffs, as churchwardens of the parish in question, wishing to pay proper respect to the memory of the late Princess Charlotte, had purchased a quantity of black superfine cloth and kerseymere of a woollen-dra- per at Margate, for the purpose of covering the pulpit, the read- ing-desk and the communion- table of the church, during the time allotted to public mourning upon that melancholy event. The cloth cost 37*l.* 0*s.* 9*d.* and was nailed to the places above-men-

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tioned, where it remained for six weeks. At the end of that time the plaintiffs sent for the woollen-dra- per to take down the cloth again, and give them the amount of its then value, to be placed to the account of the parish. The de- fendant, however, having been apprised of the intention of the plaintiffs, took steps to appro- priate a portion of the cloth to his own use, the remainder of which was divided between the clerk and the sexton. The de- fendant afterwards employed the same woollen-dra- per of whom the cloth had been originally pur- chased, to make him a coat and other articles of clothing from the cloth so taken and converted. Some ill-will seemed to have arisen in the parish in consequence of this act of the defendant, who was charged by report with hav- ing stolen the cloth. He was afterwards applied to for the pur- pose of accounting to the parish for the amount of the cloth taken; but having declined all commu- nication with the plaintiffs, in consequence of the coarse impu- tation cast upon him, the present action was brought.

The defence set up was, that it was the general custom of all the parishes in the kingdom to allow the rector to take a portion of the black cloth put up in churches on the occasions of public and private mourning, and that in all events such was the custom of the particular parish in question.

Mr. Justice Bayley objected to the evidence of general custom; but allowed evidence to be given of the custom of the particular parish.

P

Witnesses

Witnesses were then examined upon this latter head; but their evidence went to show, that in two instances where private individuals had put up black cloth in the church out of respect to departed friends, the rector, the parish clerk and the sexton, had been allowed respectively to take a portion of the cloth so put up. The general impression of the witnesses was, that such was the general usage.

Mr. Justice Bayley, in his address to the jury, laid it down as the rule of law, that no person had a right to hang up what are called ornaments in the church without the leave of the rector, because the freehold of the church was in him, and he might make his own terms for that leave. In general, where private individuals hung black cloth in the parish church with the concurrence of the rector, there was a kind of understanding between them that the cloth became the property of the rector. In the present case, however, there had been no bargain between the plaintiffs and the defendant with respect to the terms upon which the cloth was to be hung in the church, and consequently the latter had no right to take any portion of the cloth, because, by law, he was not entitled to take such a property, unless by matter of arrangement or agreement between the parties to whom it belonged. Under these circumstances the plaintiffs were entitled to a verdict for the value of the cloth which the defendant had converted to his own use.

The jury found for the plaintiffs.—Damages 1*l*.

EXETER ASSIZES, MARCH 18.
*Before Mr. Justice Holroyd and
a special jury.*

*Rex v. Sir Manasseh Lopez,
bart.*—This indictment charged the defendant with having, by himself and by certain agents, corrupted and bribed several of the electors of the borough of Grampound.

Mr. Sergeant Pell opened the case on the part of the Crown.—The borough of Grampound contained sixty voters, claiming that right in respect of being freemen. In November, 1815, a meeting took place between sir M. Lopez and a man of the name of Hoare, who would be called as a witness. Hoare being a voter of Grampound, the object of the meeting was, to adjust terms for bringing Sir M. Lopez in for the borough. This was to be effected by a loan of 2,000*l*. to the electors; this loan being really a gift, and the price of their votes. In addition to the evidence of Mr. Hoare and other gentlemen, letters would be produced from Sir M. Lopez himself, which would leave no doubt upon the nature of the transaction.

A number of letters were then read from Sir M. Lopez and from Mr. Hunt, his solicitor, addressed for the most part to Mr. William Hoare. By these letters it appeared that Mr. Hunt was the confidential solicitor of Sir M. Lopez, and that he was the agent employed to manage the business of this election; that 2,000*l*. was to be paid upon securing forty-five voters; that the 2,000*l*. was to be a loan, and to be paid by Mr. Hunt. After expending considerable sums it appeared, that
as

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as to his interest. Mr. Teed, the present petitioner for Grampound, paid a visit to the borough, and Sir M. Lopez declared, in one of his letters, that far from being alarmed by Mr. Teed's journey, if that gentleman would place him in the situation in which he stood before the commencement of the negotiation, he (Sir M.) would resign his interest to him. One of these letters, in which, speaking of the electors of Grampound, Sir M. Lopez says, "If they can find any gentleman who will pay them better, they may transfer their services to him:"—And another, in which Sir M. hopes he shall not be put to the additional expense of a dinner to the voters, excited considerable merriment.

William Hoare swore that he was an alderman of Grampound; that in Nov. 1814, he went to London and saw Sir M. Lopez at his house in Arlington-street; that he gave Sir M. Lopez a letter of introduction from Sir John Derring; that Sir M. Lopez said he heard there was an opening in the borough of Grampound, and that he should be coming down soon and would see witness on the business; that Sir M. Lopez requested witness to consult the rest of the magistrates and freemen on the subject and write him word; that witness then told Sir M. Lopez that the electors must be satisfied, and 2,000*l.* would be necessary for that purpose; that after he returned to Grampound he wrote to Sir M. Lopez on the subject, and received an answer. In the beginning of the month of December he met Sir M. Lopez at Ply-

mouth; that he went with him to Mr. Hunt's office, where he saw Mr. Hunt; that he then explained to Sir M., in the presence of Hunt, that the freemen wanted 2,000*l.*, and that Sir M. Lopez said Hunt should come down; that Hunt was at Grampound twice; that on the first occasion he did not see so many of the freemen as he expected, and only stayed a few hours; that he afterwards met Hunt by appointment at St. Austel, and Hunt came again to Grampound, where he saw about forty of the freemen; that he told Hunt that the freemen expected 50*l.* each; that Hunt said that could not be; that they could have only 35*l.* each; that Hunt then desired him (witness) to send the voters into the room (a room at an inn) one by one; that he did so; that Hunt's clerk, Mr. Rawle, was in the room, and John Brown, a voter, when witness left it; that Symons was not introduced at this time; that he saw Sir M. Lopez some months after, at his seat near Plymouth, and that Sir M. Lopez then said, "I have secured Symons; I have done something for him here;" touching the palm of his hand. That he afterwards introduced Allen, a voter, to Hunt, who did not seem inclined to receive him, as they had already got a majority.

On being cross-examined by Mr. Adam, he said, that when Mr. Teed and Mr. Lambe, his solicitor, came down, he told them that he had a letter from Sir M. Lopez, in which Sir M. said he would relinquish his claim to any gentleman who would do better by the borough. That as

Sir M. Lopez felt rather insecure he was looking for this letter among others from Sir M. Lopez, Mr. Lambe said, "I will look for it;" that Mr. Lambe then took all the letters and said he would return them; that they had not been returned; that he was anxious to have them back, lest people should suppose he had sold them. When Hunt came to Grampound the second time, and witness sent in the freemen one by one, he did not see any one receive any money.

Did you receive any money?—Yes, I did.

Mr. Justice *Holroyd*.—I ought to tell you, you are not bound to answer any question which may criminate yourself.

Mr. *Adams*.—I now put the question again: Did you receive any money?—Witness. I do not choose to answer.

Mr. Teed (examined by Mr. Sergeant Pell) said, that he was an unsuccessful candidate for Grampound last election, and was at the present moment a petitioner. That in August, 1817, he received from Isaac Watts, a voter of Grampound, a paper containing the names of the voters who had been bribed by Sir M. Lopez; and that Watts told him the respective sums which had been paid, which he put down against the respective names; that he called on Sir M. Lopez in London; that he told Sir M. Lopez that he called at the desire of Watts, to know what he (Sir M. Lopez) intended to do respecting Grampound. If he (Sir M. Lopez) would be content with one seat, he (Mr. Teed) might have the other; that wit-

ness then told Sir M. Lopez he was acquainted with his proceedings at Grampound, and produced the list he had received from Watts; that Sir M. Lopez merely expressed his surprise where the witness could have got so correct a list. That Sir M. said the sums were very correct, except that he had paid more to some than was put down. The witness told Sir M. Lopez that he and the electors were subject to a prosecution; that Sir M. Lopez then said, he would protect the electors if it cost him 100,000*l*. That he had taken counsel's opinion; and that the electors were not liable because two years had elapsed since the transaction.—On his cross-examination by Mr. Adams, Mr. Teed said that he did not tell Sir M. Lopez that he should be prosecuted; but only that he was liable to prosecution. That the letters were taken from Hoare by Mr. Lambe, with the consent of witness; and that he (witness) did not choose to return them when he discovered their contents.

Mr. Moore argued on the part of the defendant, that the money in question had been given from charitable motives, to assist the borough of Grampound, which was at that time in great distress. He commented at considerable length upon the testimony of the various witnesses who had been called on the part of the prosecution. The Mr. Hoares, he said, stood convicted, by their own confession, of the very crime which they were attempting to charge upon Sir M. Lopez. They were quite unworthy of credit. The jury should be cautious. If
a landlord

a landlord lowered his rents to assist his tenants, and was afterwards returned by their votes to parliament, would that constitute bribery? Where was the difference in the present case? The learned counsel then commented with some severity upon the evidence of Mr. Teed; and concluded with a hope, that if the jury entertained any doubt upon the case they would give the benefit of that doubt to the accused party.

Mr. Justice Holroyd summed up the evidence at considerable length, and expressed his opinion, that if the witnesses were to be relied on, the case had been already made out. The jury, without leaving the box, found the defendant Guilty.

HIGH COURT OF ADMIRALTY,
MARCH 25.

In the matter of the Ship Asia.—Sir William Scott proceeded to give judgment in this case to-day; the facts of which, as far as he was enabled to judge from the very contradictory affidavits which had been exhibited, were in general these:—That the Asia private East India ship, laden principally with cotton, on her homeward voyage from Bombay was overtaken in the Downs by the memorable storm of the 4th of last March, and which lasted through several succeeding days; that she broke from her anchor, and her windlass was so damaged as to become useless; that in passing Ramsgate lights were hoisted, the one party says, in order to obtain assistance, and guns fired for the

same purpose; that after passing Ramsgate it was determined on consulting with the pilot, and for the purpose of saving the lives of her numerous crew, amounting in all, including the officers, to 28 men, besides some Custom-house officers who were on board, to run her ashore; it being then some time after high tide, which was falling fast, the wind setting in fresh in shore. This was done without any material injury to the vessel, except unshipping her rudder. Now a matter in contention between the parties was, whether lights were so hung out and guns fired, before she was ashore or after. But it was admitted that guns were fired. The presumption was, he thought, and in that he was supported by the opinion of the nautical gentlemen by whom he had been assisted, that lights were hung out before. In that condition of the ship, it must have been impossible for her to proceed without making signals for assistance from the shore, and therefore she passed Ramsgate with lights hung out. It was asserted, that after being run on shore she lay firm and secure; in that case it would be difficult to account why guns were fired at that time, by the direction too of the pilot, a person charged expressly with the safety of the ship. The boatmen of Ramsgate in the neighbourhood of the pier, were on the look-out for accidents of this kind, in order to render their useful but perilous services, various ships being at that time supposed to be in distress. One boat was at length got along the shore and dragged opposite to the

the spot on which the vessel was a-ground. Having got the boat off with the assistance of several persons who were on the beach, five men proceeded in her; and certainly in such a night, in such a storm and such a sea, the mere description of which could not be read without terror, this was a service of extreme peril and difficulty, rendered by a set of men accustomed to face danger and to contemn it, with spirit and with activity. Almost immediately on their quitting the boat, which swamped but was not lost, the danger to the ship fortunately ceased; therefore, as for 18 other men who came on board afterwards, and certainly performed severe labour at the pumps, he could only look at their services as labour, and not as of a salvage nature. After a review of the various points of evidence, he finally decreed 360 guineas to the five men who first boarded the *Asia*, as salvage money; and 35*l.* to the other 18 men, as the price of their labour. Salvage to be paid on freight in proportion; that is, 70 guineas being as the proportion of its value (6,000*l.*), was to that of the cargo (30,000*l.*), or as 1 to 5, and 10*l.* for damage done to the boat.—Thus the whole sum given by this sentence is, 811*l.* 10*s.*

SUSSEX ASSIZES.—HORSHAM,
MARCH 25.

Crown Side.—Before Mr. Justice Bayley.

Cutting and Maiming.—James Gibbs, a youth of prepossessing appearance, aged about 18, was

indicted under Lord Ellenborough's act, for feloniously and maliciously stabbing and cutting George Gibbs, with intent to murder or do him some grievous bodily harm, on the 15th inst., at the parish of Storrington, in this county.

George Gibbs, a youth about 16, the unfortunate victim of the prisoner's ferocity, appeared in the box, dreadfully emaciated and still labouring under the effects of the outrage which he had suffered, his wounds being yet green, and gave the following statement:—His father was park-keeper to lord de la Zouch, who lived at Parham-park. In the evening of the 15th of March, about eight o'clock, his father sent him with a message to the Crown public-house, a short distance from Parham, when he met the prisoner near the end of his father's garden. The prisoner had a stick over his shoulder, and although the night was rather dark, he could see him by the light of a lantern which he carried in his hand. The prisoner was then alone, but appeared to have parted from another young man, named Duke. When the prisoner approached him, he was about to wish him good-night, when the former struck him over the head and face with the stick which he carried. He was nearly stunned by the blow, which being repeated he was knocked down and from the violence of the blow; the stick was broken. The witness immediately cried out—"Oh! Jemmy Gibbs, don't murder me;" and begged for mercy. The prisoner then went round him, and immediately pulling out a pocket

a pocket knife cut him twice under the chin; but his sanguinary design having failed by these means, he stabbed him behind the right ear with the same weapon. Witness struggled to get from him, and in doing so disarmed him of the knife; and in the scuffle the prisoner drew it through his hand and wounded several of his fingers. The prisoner then took him round the waist and dragged him to a gate-post, and endeavoured to swing his head against it. Witness cried out for mercy and called "Murder!" upon which the prisoner caught hold of him by the throat, which he griped with both his hands in order to prevent his making any noise. He immediately afterwards let go, but seized his throat a second time, and then the witness lost his senses and remembered nothing afterwards; when he recovered he found himself with his friends. He swore positively that he never had any quarrel in his life with the prisoner; that they were name-sakes; they were not related; that he had known the prisoner as a passing acquaintance and had seen him occasionally; but he was by no means intimate with him. He could in no manner account for the prisoner's attack upon him.

George Whale proved, that he heard the cry of "murder" on the evening in question and went to the spot whence it proceeded, when he saw the prosecutor weltering in his blood, and in consequence of the alarm which he gave, the prisoner was pursued.

William Moore proved, that

he was attracted to the sanguinary scene in consequence of hearing the prosecutor cry out "Murder;"—"Jemmy Gibbs, don't murder me!"

Daniel Duff stated, that he apprehended the prisoner between nine and ten the same night on Wracklan-common, and saw the prisoner running from him and endeavouring to escape.

John Braby was present when the last witness seized the prisoner: his hands and face were very bloody.

Daniel Nash picked up the pocket-knife, which was smeared with blood, and a stick, resembling a broomstick, broken in two or three pieces; which articles he produced, and which were proved to be the prisoner's.

Mr. Dennett, a surgeon at Stonington who was called in, described the wounds which had been inflicted on the prosecutor. The knife being shown to him, he said it was dull on the edge and in his judgment that circumstance prevented the wound being fatal.

Here the case for the prosecution closed.

Mr. Justice Bayley asked the prisoner what he had to say in his defence.

The prisoner said, "I don't know that I can say any thing."

John Gibbs, the father of the prisoner, came forward in a state of pitiable agitation, so much so, that he could not stand, and stated, that he was a labouring man, that his son and he were in the habit of working for Mr. Emery, a farmer at Parham. On the day mentioned in the indictment, after he and his son had performed

performed their daily labour for their employer, they came home to do some work in their own garden. He observed that there was something singular in the behaviour of the prisoner, who seemed not to work with his usual cheerfulness. At supper time in the evening, about seven o'clock, the prisoner seemed low-spirited and ate very little food. He kept back from the fire, instead of coming forward as usual on such occasions to join in the humble cheerfulness of their meal. About half-past seven the prisoner went out and never returned. He did not know of any quarrel between the prosecutor and his son.

Sarah Gibbs, the wretched mother of the prisoner, also in an agony of grief, stated, that she observed something singular in the behaviour of her son during supper-time of the night in question. He ate little and sat quite behind from the rest of the family. His aunt was present and was about to go home; he was asked to accompany her, but he made no answer and stood dejected against the cupboard of the room. Witness knew of no quarrel between her son and the prosecutor. They always appeared to be on good terms with each other. The prisoner was a quiet, affectionate and industrious lad, and worked early and late, and was not given to gusts of passion or ill temper.

Anne Price, the prisoner's aunt, observed his conduct at the supper-time above-mentioned; his behaviour was very different from what it usually was; he appeared very low. When he was nursing

witness's child, he threw it up in a great flurry, and not with his usual and tender care of the child, of which he was very fond. The prisoner was mild in his manners, dutiful and attentive to his parents and extremely diligent in his employment. On that night the witness asked him to see her home, but making no answer he stood silent and dejected. He used to see her home at night on the like occasions.

Mr. R. Emery, a respectable farmer at Patham, stated, that the prisoner worked for him three or four years. He was an extremely good workman and a very industrious attentive lad: he always bore the character of a civil, kind-hearted young man, and was never known to quarrel with any body.

Mr. Justice Bayley then summed up the whole of the case with great minuteness, and adverting to the defence which had been set up, told the jury, that if they were of opinion that the prisoner, at the time he committed the dreadful offence imputed to him, was possessed of sufficient reason to distinguish right from wrong, he was answerable to the law for the act he had committed, and the penal consequences which must follow a conviction for that act must be visited upon his head.

The jury, after a few moments deliberation, found the prisoner Guilty.

The learned judge immediately pronounced the awful sentence of death in a manner so impressive and pathetic as to leave no dry eye in court, holding out to the prisoner no hopes of mercy.

KINGSTON,

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KINGSTON, APRIL 2.

Crown Side.—Murder.

Robert Dean was put to the bar, charged with the wilful murder of Mary Ann Albert, a little girl between four and five years old, on the 16th of October last, in St. George's-fields, by cutting her throat with a case-knife.

The following are the leading circumstances of the case:—On Friday evening, the 16th day of October last, between six and seven o'clock, the prisoner, who was a watch-engraver, went, as he had been in the habit of doing, to visit the mother of the child who lives near the Elephant and Castle, St. George's-fields, and she asked him to take tea; while he was there he nursed and played with the child until about six or seven, when he went away with Mrs. Albert's brother, Williams, with whom he was intimately acquainted and had been fellow-apprentice. They proceeded as far as the Obelisk, when they separated, and the prisoner returned and took the child again into his lap, and put his hand in his pocket to get some halfpence, and said he would go and buy some apples for his little Mary; he then took the child up in his arms, and asked her if she would have an apple and many other trifling questions, such as, do you love me? do you know who I am? &c. He then went out with the child, but being absent rather long, the mother feeling alarmed, went out to see after them, and on going into a court near the house she met the child, who reeled towards her,

and on her taking her in her arms, the blood gushed from her throat and the child appeared as if she was expiring; a surgeon was sent for, but his efforts were fruitless, and in about an hour it died. The prisoner wandered about for three or four days, and although every diligence was used to find him, it was unsuccessful. At length on the morning of Tuesday following, at about five o'clock, he rapped at the door of the watch-house of St. Andrew, Holborn, and said his name was Dean and that he was the murderer, and he was of course detained and taken to Giltspur-street compter.

Mrs. Mary Albert, the mother of the little girl, was examined in support of the above statement. When she beheld the prisoner at the bar she burst into an hysterical scream of horror, and was for a long time incapable of giving her evidence, until she was relieved by a flood of tears. The prisoner seemed evidently affected by the agony in which she appeared to be. On her cross-examination she gave a very favourable representation of the temper and disposition of the prisoner, and that he was extremely fond of children, and particularly of the unfortunate infant who had lost her life by his act. On the evening in question she observed the prisoner to be very uneasy in his mind on account of his want of employment, but he spoke in a rational and collected manner.

Mrs. Sarah Williams, the mother of the last witness, on her cross-examination described the conduct of the prisoner on the evening

evening in question, as indicative of an uneasy mind, arising from his distressed circumstances. She gave the prisoner the highest character for kindness to her grand-daughter, and said that he had always been on the most friendly terms with her family.

Joseph Williams, the brother of Mrs. Albert, deposed to the circumstances connected with the above outline of the case. On his cross-examination, he said he had been fellow-apprentice with the prisoner, who had always conducted himself in the most friendly manner towards him and his family. Witness and the prisoner had lodged together for a long time; he knew the prisoner was unhappy in his mind on account of a young woman with whom he kept company, whose father had forbidden any further intercourse.

Joseph Myatt, the watch-house keeper of the parish of St. Andrew, Holborn, proved, that early on the morning of the 20th of October the prisoner surrendered himself to justice at the watch-house. He appeared in a state of great agitation, stating that he had been induced to surrender himself in consequence of his having heard a sermon at the Tabernacle in Moorfields; that he had wandered about ever since he had committed the horrid deed, and was unable to hold out any longer. The prisoner was afterwards taken to Giltspur-street compter, where he begged he might be allowed a Bible. The witness's description of the prisoner's demeanour at the watch-house was strongly indicative of remorse, but of sound intellect.

John May, a police-officer of Union-hall, proved that he removed the prisoner from Giltspur-street compter, and by the direction of the magistrate of Union-hall took him on the 20th of October before the coroner's inquest, which was then sitting on the body of the deceased child. When they got to the place of sitting, the prisoner requested to speak with the witness in private; and being left alone, witness, at the prisoner's request, took down the following statement in writing, as he gave it in his own words:—

“ On Friday evening last I met a young man named Joseph Williams, with whom I had long been intimate, at Mrs. Albert's house, in Jacques-court, Thomas-street. I had long been acquainted with a young woman named Sarah Longman, daughter of Mr. L. at the Grapes, Church-row, Aldgate; my affection for her was extremely great; I had for some time corresponded with her. A dispute unhappily arose; I wrote to her upon the subject, expressing my regret at the unfortunate rupture, described the very great regard which I entertained for her, implored her to consent to a reconciliation, and begged that she would write me an early answer. She never replied to my letter. Her father called upon me, and wished that the connection might be discontinued. These circumstances had an indescribable effect upon my mind; I was miserably unhappy, was incapable of attending to any business, and gave myself entirely up to despair. I endeavoured to prevail upon her to renew the correspondence.

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dence. I felt that I could not be happy in this world without her and determined to leave it. Thoughts of a dreadful description entered my mind, and must have proceeded from the Devil. I felt that I should leave the world in a state of happiness if I could murder her, and determined to perpetrate the deed. I had been from home two days, business not being very brisk, and on Friday evening I called to see Williams at Mrs. Albert's, and we both came out together and walked in company as far as the Surrey theatre. We did not go in; I told Williams that I wanted to see a gentleman in the Borough and should go that way. We parted, and I returned to Mrs. Albert's. After talking in a very friendly manner with the family I asked for a knife, and they, supposing that I wanted to cut some bread, gave me a case-knife. I took an opportunity of concealing it unperceived in my pocket. I shortly after went out with the child to buy her some apples, which having done I returned to the court. A sudden thought came over my mind, that if I murdered the child, who was innocent, I should not commit so great a crime as in murdering Sarah Longman, who was older, and as I imagined had sins to answer for. In a moment I pulled the knife out of my pocket, put the child down out of my arms, held her head back and cut her little throat. In an instant I imagined that I was in the midst of flaming fire, and the court appeared to me like the entrance of hell. I ran away, not knowing where I

went or what I did; I wandered about in a state of distraction until I surrendered myself up at the watch-house."

The prisoner, who during the course of the evidence above-mentioned appeared to be in a kind of idiotic stupor, being called upon to make his defence, merely said in a wild manner, that he was not guilty.

A great many witnesses were then examined on his behalf to prove a case of insanity. Among others were, James Longman, the father of the young woman to whom the prisoner had been attached; George Cass, a watch-motion-maker; Ann Keys, Eliza Campbell and Maria Tyrrell, persons with whom the prisoner had lodged; and the tendency of their evidence was to show that the prisoner, a few weeks previously to the unfortunate transaction in question, had been flighty and low-spirited, in consequence of his want of employment and having been forbid the continuance of his addresses to the young woman, Miss Longman.

The case went to the jury under the learned judge's direction, and the prisoner was found guilty.

ARCHES-COURT, MAY 20.

Hayes, Falsely called Watts, against Watts.—This was a case of nullity of marriage, instituted by the wife against the husband, under circumstances of rather an unusual description. The parties were married, by license at the church of St. Marylebone, so long ago as the 29th May, 1800; Mary

Mary Hayes being then a spinster and about twenty years of age. The warrant for that license described the intended marriage as being about to take place with the consent of Sarah Church, widow, the mother of the said Mary Hayes; and it was accordingly solemnized, Mrs. Church assisting at the ceremony. The ground of the present suit, however, was, that in point of fact, no legal consent was ever given: the father of Mary Watts, long supposed to be dead, being at that time living, and Mrs. Church, *ci-devant* Hayes, being consequently not a widow as she had described herself.

The learned counsel for the husband, Mr. Watts, conceived that the most proper course for them to pursue, was, to submit the facts as proved, without any other comment; then the evidence would show that Mr. Watts was not a party to procuring the license, and was not aware until the citation in this case was served, that there existed any informality in the marriage.

Sir John Nicholl remarked, that the circumstances connected with this suit had something peculiar in them: for it was, contrary to the usual custom, one brought by the wife against the husband, and on account of her own minority; the marriage not clandestinely nor secretly had, but with the consent of the minor's mother, who supposed herself at the time to be a widow. It turned out, however, that the father, for some years reported to be dead, was then living, and had since indeed been examined as a witness. He was the only person,

according to the act of parliament, who could legally consent to the match; and if the terms of that act were not complied with, notwithstanding that the parties had lived together for 18 years, it was in point of fact a mere nullity. Now, the minority of the lady, by the depositions of several witnesses connected with the family, was put beyond all doubt. The father left England in 1780 for America. He resided for some time at Halifax, in Nova Scotia, which place he quitted and returned to England in 1794. In the interim his wife and children, who lived in the house of his uncle, heard nothing of him, and concluded that he was no more. A person named Church, arrived from Halifax, confirmed the intelligence of Hayes' death and married Mrs. Hayes, who did not herself communicate to Hayes on his arrival what had taken place. The affair was, however, made known to him previously to some negotiations entered into with him to execute a bond to his wife, then Mrs. Church, enabling her to receive some funded property under the will of the uncle, a Mr. Adams, who had left her one or two legacies of that nature. Hayes, after a stay of a few months, returned once more to America, and was never heard of again until April, 1814, when understanding that a nephew of his, John Hayes, esq. commanded his majesty's ship *Majestic* on the Halifax station, he addressed a letter to him informing him of his being in good health, &c., and dated from the town of Norton, New Brunswick, Nova Scotia. Of course the marriage of his daughter

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daughter had been celebrated without even his knowledge, and in the absolute belief that he was not living; his wife, who had contracted a second marriage, and lost her second husband, concluding herself a widow, had given that consent which was, in fact, illegal; and although the parties appeared to have acted only in error and under misinformation, the prayer of the daughter must be granted; and the Court accordingly pronounced the marriage null and void.

it subsequently came out, that in fact, a private marriage had been celebrated by the parents of Harry previous to his birth, and previous to the public ceremony; the consequence of this was, that if no agreement had been entered into the whole property would have fallen to Harry, who was now the legitimate heir at law. The legitimacy of the plaintiff had been established by the verdict of a jury; and now an application was made to set aside this agreement, under the peculiar circumstances of the case. Counsel having been heard at length on both sides,

COURT OF CHANCERY,
WEDNESDAY, JULY 21.

Gordon v. Gordon.

This was a case which had been long pending in this court, and it was a litigation between two brothers, as to an agreement entered into so long ago as 1790. The facts of the case were shortly these:—The plaintiff, Harry Gordon, is an elder brother, as compared with the defendant James Gordon, and had a brother yet older than himself, named Peter. The father died, and Peter also soon after died intestate. A doubt now arose as to the legitimacy of Harry; and it being generally understood that he was actually illegitimate, his younger brother James, who is a barrister, entered into an agreement with him to allow him an annuity out of the estate, which of course would fall to the defendant who was legitimate, a public marriage having taken place before his birth. This agreement was dated 1790, but

Mr. Heald was this day further heard in reply, and read many letters which had passed between the parties previous to the agreement of 1790, as evidence to show that the plaintiff knew nothing of the private marriage by his parents, and that the defendant was well acquainted with the fact, previous to making the agreement. He also endeavoured to prove from the same documents, the strong desire of the plaintiff not to stir matters so delicate to his mother, who was still living, and to prevent the publication of her disgrace to the world. There were then two questions most material for the consideration of the court:—1st, Whether there was any suppression of any fact wilfully or intentionally by the defendant, in making this agreement? And, 2dly, Whether there was such a mistake, either on one side or on the other, as would induce the court to set the instrument aside? He contended, that all the evidence tended to
prove

prove the fact of the ignorance of the plaintiff of any private marriage having taken place.

The Lord Chancellor considered this as one of the most important, and at the same time one of the most distressing cases which had ever come under his notice, sitting in a judicial capacity. The questions here to be decided were twofold. If both the brothers were ignorant of the private ceremony, that was one question; but if one of them was acquainted with the fact, and either from design or inadvertency did not communicate it to the other, then there would be no difficulty in deciding the point. He wished, however, before he gave his judgment, to call for the inspection of those letters and papers which had for the first time been now produced in evidence. With regard to the evidence already introduced in the case, he had read it with much attention, and he had come to the opinion that Dr. Hogg, General Adam Gordon, the mother of the parties and the sister, had all perjured themselves if the fact were untrue that the defendant knew of the private ceremony of marriage previous to the agreement being entered into. His lordship at considerable length entered into a minute detail of the principal facts of the case, commenting as he proceeded on each feature, and finally postponed his decision until he should have carefully read the additional evidence produced.

Ultimately, his lordship decided that the agreement must be set aside.

JAMAIGA,

WEDNESDAY, JULY 28.

The King v. John Hudson and John Jones.

The court having been opened, the names of the parties bound to appear called over, and the grand jury sworn, his honour the presiding judge delivered the following charge:—Gentlemen of the Grand Jury,—We are assembled by virtue of his Majesty's letters patent for the purpose of trying offences committed on the high seas. It appears by the calendar that your attention will be principally called to the investigation of a charge preferred against two persons for a violation of the acts of parliament passed in the 47th and 51st years of his present majesty, for the abolition of the slave-trade. By the first of those acts this species of traffic was declared to be illegal, was abolished, and for ever prohibited among British subjects under the pain of pecuniary penalties. By the second, this crime was declared to be a felony, not, however, of a capital nature, but subjecting the offender to transportation or confinement. [His excellency here recited the words of the act, which declared the punishment for the offences under consideration to be transportation beyond seas for a term not exceeding 14 years; or imprisonment and hard labour for a term not exceeding five, nor less than three years.]—Gentlemen, many years have elapsed since the wisdom of the imperial legislature, after a long and assiduous deliberation,

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deliberation, declared itself upon this interesting and important subject. Whatever might have been the doubts and difficulties incidental to the measure in its progress (from the real or supposed interest of these colonies), all speculation on the question has long ago been at rest. The law has passed and been obeyed. I say, gentlemen, that the law has been obeyed, because I conceive it not to be inconsistent with the duties of the present occasion and of this place, to call to your recollection, that our island legislature has gone hand in hand with that of the mother country in passing local regulations in aid of the abolition laws. This very proceeding is itself in some degree a manifestation, that a desire to violate or evade them forms no part of the character of the inhabitants of this colony. This is the first time that there has been occasion to institute a legal prosecution similar to that in which we are now engaged. Indeed, I cannot disregard so suitable an occasion as the present for declaring my implicit conviction, that in Jamaica those laws have been strictly and scrupulously fulfilled. The length of time during which I have here held a public station, must have allowed me the means and opportunities for observation; and it is from the experience and information thus obtained, that I feel myself bound to make this declaration. Your experience and general knowledge of the laws render it unnecessary to expatiate on the nature of the duties attached to you as the grand inquest of the country. You are

well aware, that in the investigation of offences, it is your province to hear evidence on the part of the prosecution, and to inquire whether there be sufficient cause to call upon the party accused to answer it. You will have the goodness for the present to withdraw, and the indictment will be laid before you with as little delay as possible by the officers of the crown.

Friday, July 30.

The court being formed as before, with the exception of sir H. Popham, and the prisoners being put to the bar, his honour the judge of the Vice-Admiralty court delivered the following address and sentence:—

“ John Hudson and John Jones, — You have been indicted and found guilty of carrying away and removing, and also of detaining and confining, 44 persons, for the purpose of their being sold, transferred, used and dealt with as slaves by importation, into this island or elsewhere. And you, John Hudson, have been separately indicted and found guilty of having taken the charge and command of, and embarking on board of a schooner called the *St. Antonio*, as master, you well knowing that such schooner was to be employed in an illicit traffic in slaves. You have had the advantage of every assistance in your defence, and of a trial before a most respectable and intelligent jury. The evidence produced against you was unimpeachable in regard to the character and demeanour of the witnesses, and irresistible as to the clearness

clearness and concurrence of their statements. The court were happy to find, that although the conclusions against you, to be drawn from the evidence, were undeniable, you stand alone in the transaction. Not the slightest suspicion arises that you had in this island any confederate to draw you to our shores, but you appear to have rashly come hither un seduced and uninvited. Far from meeting with encouragement when you first landed on the north-side of the island, you, John Hudson, were repelled by the person to whom you clandestinely applied for the disposal of your cargo, and admonished of the peril in which you stood. An excuse has been alleged for your intrusion into this colony, that you were diverted from another destination by necessity and famine. Were this allegation true, it would not have been a legal exculpation; for it was a felonious act in you both, as British subjects, to have engaged in a traffic in slaves of whatever national character. It appears in evidence against you, John Hudson, that you disregarded the warning which you had received at Annatto-bay and approached Oracalesa, there again offering the Africans on board your schooner for sale, and avowing your resolution to continue along the coast for the purpose of disposing of them: ignorance of the law cannot be urged in behalf of either of you. The crime of which you have been found guilty was, it is true, once introduced and sanctioned by the British legislature; but the change in the complexion and consequences of such a trans-

action was not made on a sudden. Time was given for the sentiments and commercial habits of men to assume a new direction, before the act of trafficking in slaves was denounced as a felony.

“ John Jones,—The court, in admeasuring the sentence to which you are subjected by the law, have paid attention to the humane recommendation by the jury of your case to their consideration. The sentence of the law is, and which I pronounce in the name of the court, that you, John Hudson and John Jones, be severally transported to such place beyond the seas as his royal highness the Prince Regent, in the name and on the behalf of his Majesty, shall order and direct;—you, John Hudson, for the space of seven years, and you, John Jones, for the space of three years; and that you be now severally remanded to the custody of the provost marshal-general of this island, to be by him kept in safe custody, in execution of this judgment, until you shall be so transported as aforesaid.”

VIOLENT ASSAULT.

Vale v. O'Brien and Simpson.
—Mr. Sergeant Pell stated, that this was an action brought against the defendant, captain O'Brien, an officer in the navy, for a most outrageous assault. The plaintiff was his servant. In March last, a quarrel took place in the kitchen. Mr. Simpson, the other defendant, was at this time residing in Mr. O'Brien's house. The latter thinking that Vale had conducted

conducted himself ill, ordered him out of the house. This was about 11 or 12 o'clock at night. Vale insisted on his clothes and his wages: Mr. O'Brien, in order to remove Vale from before his house, where he persisted to continue demanding his wages, sent for a peace-officer.

Brooks and Filer, two peace-officers, attended at the request of Mr. O'Brien. The prosecutor continued too obstinately, most assuredly, to keep his situation and refused to retire. At a moment when Vale stood altogether unprepared for any such violence, the defendant struck him a blow so violent, so dreadful, that he sunk to the ground in a state of insensibility. Horrible, indeed, have been the consequences of it! A fractured jaw, a concussion of the brain, leave this young man a dreadful object, a decrepit burden on society, a creature maimed in body and intellect.

The first witness examined was Thomas Brooks—In March last I was sent for to Mr. O'Brien's. It was about half-past one in the morning. Vale was then standing before captain O'Brien's house in the road. I went into the house. He asked me if I was the constable, and insisted on my taking up Vale. I said, can you take him up, Sir, without paying him his wages? He said, Mr. Simpson and I intend to swear the peace of him. Brown, Filer and I then went to take him, as I thought, but Mr. O'Brien said, "You three won't be able to take him, so you had better take us with you." When we got into the road, I said to Vale, "Mr. O'Brien sent for me to take you

up." He said he had done nothing to be taken up for; but if Mr. O'Brien would pay him his wages he would go. He was still very civil and quiet; he said he had more clothes in the house. Mr. Simpson asked what things; and Mr. O'Brien sent in for them and put them into Vale's box and locked it. He then said he would go peaceably and quietly if they would give him his wages. Then the plaintiff gave up the key to his master and said, "You have been a very good master, Sir;" and Mr. O'Brien said, "You have been a very good servant." He, however, still said he would not go without his wages. Mr. O'Brien insisted that we should take him up and have him before a magistrate. We then proceeded to take him up and drew up towards him. Plaintiff drew back a few yards and said, "You five shall not take me, for I have done nothing to be taken up for:" he then made a step or two forward. At this moment Mr. O'Brien struck him; it was with a stick nearly as large as the small of my arm, about two feet long. He struck him on the head. Vale fell. O'Brien was down on his body instantly. Simpson held his head whilst O'Brien tied his hands. Vale said, "For God's sake do let me get up, or pull your fingers out of my eyes." His hands were tied over his chest. O'Brien said, "Fetch the cords." They put the end of the cord between his legs. James Brown took one arm, O'Brien took the other. When he got up he was able to walk, but he said his head was very bad. We led him nearly a quarter of a mile.

As we went along he complained of his head. We went afterwards to Wells; we took him to the Globe; we had him into the kitchen and then let him loose. It was about 4 miles he walked.

Cross - examined. — Captain O'Brien did not say any thing to me of Vale's conduct being violent before I came. Vale is not more powerful than any other man. Vale made use of no such expressions as—that he would cut his way through a dozen of us. When Vale advanced, although it was in a direction towards us, it was not at all in a menacing posture to captain O'Brien; indeed, he rather drew near us than him, as captain O'Brien was on one side.

William Yorke keeps the Globe at Wells. Vale was very ill indeed. I got him a cup of tea, but he could not eat any thing; he continued with me from the 17th of March till the 26th of May, or rather to the middle of June. He was attended night and day for three weeks by nurses and constant attendants. Mr. O'Brien would not pay the bill. Vale gave me what money he could for my attention.

Mr. Sweeting, surgeon, called in to see Vale. Found him seated in a settle, his eye black; a wound on his neck and blood on his clothes. He complained of dreadful pain in his head. The jaw was fractured. There was likewise another injury which I feel justified in considering a concussion of the brain. Such was his appearance when I first saw him that I thought him mad. I saw him surrounded with persons whom I thought to be his keepers,

and I took his incoherent account of what had happened as a proof of his insanity. He complained of great pain in his head and of a sickness on the stomach, the usual consequence of a concussion of the brain; violent startings, delirium, dreadful symptoms, in short, appeared, and he continued extremely ill whilst I attended him, which was for six weeks. I consider him still (and I saw him this morning) as in a very deplorable state of health. The wild look which I mistook for insanity, is often a symptom attendant on the concussion of the brain. Had his jaw been broken before Mr. O'Brien gave the blow, it would have been impossible for him to have had the conversation he is reported to have had with the constables.

Mr. Moore for the defence, stated, that Vale had behaved with such violence on the day of this accident, that captain O'Brien was fully justified in insisting on his going away. Captain O'Brien told him, that on his accounting for the plate and such things as were intrusted to him, he would pay him his wages. The plaintiff, however, refused to go without them, or to retire to bed; for the alternative was proposed to him. After some hours altercation the plaintiff was induced to leave the house, but immediately returned and attempted to force the door, which, as it had no bolt, the defendant was obliged to hold against him with main force. Finding he could not induce Vale to leave his premises, the defendant sent for the peace-officers. Mr. Moore insisted on capt. O'Brien's right to prevent Vale's return after

after he had once been turned away, as it was admitted that he was; and urged that the sending for the peace-officers was a proof of the propriety of the defendant's intention. Mr. Moore then called

Anne Heele, who was proceeding to depose to what had passed before the violence in question, when such evidence of what had preceded the constable's arrival was objected to. The assault could not be considered as a continuation of any former violence after the evidence which the constable had given, that on his coming up he found the plaintiff most gentle and peaceable.

It was held that the evidence was not admissible, except in mitigation of damages.

Mr. Justice Best, understanding at this period of the cause that an agreement had been come to between the parties that a verdict should be taken for the plaintiff for 200*l.* declared that he agreed in thinking nothing could justify this violent assault. Verdict (by consent) for plaintiff—Damages 200*l.*

EXETER, TUESDAY, AUG. 3.

Stak v. Scammel.—Mr. Sergeant Pell stated this to be an action brought to recover damages for a most base and unjustifiable libel. The plaintiff, Sophia Stak, was a young woman only 22 or 23 years of age, of the most irreproachable character; and though reduced by necessity to the situation of a domestic in the family of the defendant, she was descended from a most respectable family, and

her connexions were still of a grade in life much superior to that which she had been compelled to fill. The defendant was a professional man residing at Plymouth. Without the slightest reason, the defendant had dared to publish of the plaintiff the following false and scandalous hand-bill, which he circulated most extensively:—

“Plymouth, May 20.—5*l.* Reward.

“Whereas Sophia Stak, my servant, absconded from my house yesterday evening, and is supposed to have stolen some of my plate; whoever shall apprehend the said Sophia Stak shall, upon her conviction, receive the above sum of 5*l.* She is about 25 years of age, stout and fresh coloured; whoever harbours her shall be prosecuted according to law.”

The first witness was an officer in the mayor's court, Plymouth. He remembered the plaintiff and defendant being both present before the mayor on the 29th May last. The former had been charged by the latter with stealing his spoons. The hand-bill in question was shown to the defendant on that occasion, by his attorney: defendant said it was printed at his request. It had been stuck about the town of Plymouth. Plaintiff gave herself up: she was not in the custody of a constable. Scammel said he had lost 2 spoons. Plaintiff denied having taken them. Witness searched her lodgings, but could not find them. He accused her of absconding from his service: she replied, that he had had intercourse with another woman

man in the absence of his wife, and that she left his service solely on that account. On his cross-examination witness said, that he must have known if any one had taken her in custody; that he did not recollect the plaintiff's charging her with taking away her trunk through a window, or of his reminding her that he had forbidden her to go that evening.

A young lady, of a very respectable appearance, remembered plaintiff's applying to be taken into her service on the 22nd May last. She had declined her offer on account of her being accused of theft.

Another witness, Southerlands, said that the plaintiff slept at his house when she quitted Scammel's service, but that he had ordered her to leave it for several reasons. One was, that he was liable to a prosecution for keeping her; another was, that he did not choose to harbour a thief, and that he had reason to fear he should offend Scammel.

Caroline Fryer resided in the defendant's house at the time plaintiff was there. In point of fact, knew the cause of her going, but does not think that her intention was known to the defendant. The latter ordered her not to go; he told her that as she had endeavoured to ruin him and Mrs. Wright, he would give her a character. The witness said, she went away at the same time and did not return. The plaintiff often complained to her of the defendant's cruelty in attempting to take away her character by saying she had stolen plate. Witness left her place on account of

a circumstance which had happened on the Sunday, the same which was the cause of the plaintiff's going away.

The apprentice girl was called, who proved that the plaintiff's box was given her out of a window; that her master told witness he missed two small spoons and some salt-spoons immediately afterwards. She said, she had not seen them for a long time before; that he was not in the habit of using them; that she told her master 3 out of the 5 spoons in use were in the cupboard, and that she had washed the other two in the morning for the use of the family. She was present when plaintiff packed up her box: there was then no shadow of suspicion that she had stolen any thing.

Mr. Baron Graham ably summed up the evidence to the jury. He observed, that absconding seemed to insinuate a flying from justice—an attempt to escape from its reach. Was this the case here, where the plaintiff was seen to have voluntarily surrendered herself? The learned judge very strongly alluded to the presence of the defendant when the plaintiff was present before the mayor, and his suffering her to be discharged without following up his accusation with a prosecution. There was not a tittle of evidence to prove any thing lost even. The whole appeared to him an inexcusable attempt to ruin a young person's character, and thereby to cover the infamy of one crime by the commission of another. The jury returned their verdict immediately.—Damages 200*l*.

FRIDAY,

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FRIDAY, AUG. 6.

Murder.—The King v. Frances Clark, alias Puttavin.—This case has excited considerable interest, from the circumstance of the wretched criminal having been twice before indicted and tried for the same offence. On the first indictment she was acquitted, in consequence of the name of the child she was supposed to have murdered being stated to be George Clark, instead of George Lakeman, by which name it was proved to have been christened. The second indictment, stating the death to have been occasioned by the poison having descended into the stomach, was thought not to have been supported by the evidence of the professional men who were examined, and who stated that no part of the poison had so descended into the stomach, but that the inflammation it caused in the throat had, in fact, occasioned the death of the child by suffocation. The present indictment charged her with the murder, by compelling the infant, on the 4th October 1817, to take a large quantity of oil of vitriol, by means whereof he became disordered in his mouth and throat, and by the disorder, choking, suffocating and strangling occasioned thereby, died on the following day. A second count stated him to have died of a certain acid called oil of vitriol, administered by the prisoner and taken into his mouth and throat, whereby he became incapable of swallowing his food; and that his death was the consequence of the inflammation, in-

jury and disorder occasioned thereby.

Upon the prisoner being arraigned, she pleaded specially her former acquittal. The clerk of assize demurred to the plea. The prisoner joined in demurrer.

Mr. Justice Best.—My own opinion is, that the plea is bad; but as the two judges at the former trial thought the evidence adduced not admissible under that indictment, I shall follow this course—I shall over-rule the plea and pronounce a judgment of respondent ouster. If she plead not guilty, she may have a writ of error to the court of King's-bench, or otherwise I will submit a case for the opinion of the 12 judges.

The prisoner then pleaded "Not Guilty."

William Veysey was the first witness called. He stated that he was a labourer at Buckfast-leigh; that the prisoner lodged at his house in the month of October 1817: that 3 weeks before the 24th, prisoner was brought to bed of a boy. Witness recollected the prisoner passing through his room into her own, about two in the afternoon of the 24th, with her child; she stayed a minute or two and went down stairs without her child: returned in a minute or two at farthest; he heard her cry, "The child is dying," a minute or so after her return: the child had not before been crying; it cried as if strangling: she repeated the child was dying; prisoner went down again with her child and returned. The child was a healthy child.

Sarah Maddick lived with Susannah

Susannah Veysey, the wife of the first witness, in October 1817. Prisoner lived there at the same time. A little before, prisoner desired her to go to R. Butcher's for a pennyworth of oil of vitriol. Butcher gave her a pennyworth of oil of vitriol which she gave to prisoner: Butcher told her to tell prisoner not to drink it, or it would kill her. Witness told that to prisoner: she said, "No, no." Prisoner told witness not to tell Susannah Veysey that she had been for oil of vitriol. When she went to the shop, she told her to say it was for the people of the house.

Sarah Tapper is the daughter of the first witness; recollects seeing prisoner at six o'clock in the morning of that day; again between ten and eleven; prisoner was by the fire suckling her child, nothing was then the matter with the child. Prisoner said she had a nice bosom of milk to go a wet-nursing, if her child should die: said, if her child died she would dry up her milk and go into the country: said she was going to have her order next day, but did not think the child would live long for any order. Witness went to work, returned about half past twelve. Prisoner was then sitting in the same place; witness asked prisoner why she had not dressed the child; she answered the child had been asleep all the forenoon: saw prisoner about two o'clock the same day; she was in the kitchen with the child in her arms in a dreadful way, crying the child was dying. Witness observed something on the child's mouth and nose. The child was very bad, the back part of its

mouth and throat all purple; some liquor was running out of its mouth. It ran upon the whittle and apron, which was stained red. Witness asked if the child had bled. Prisoner said "Yes." Then she saw her wipe the child's mouth with her apron, which was burned by it, and turned the same colour as the whittle. The prisoner tried the child to suck, and she tried it too, but it would not. The child never closed its lips after; it lived twenty-two hours after.

Susanna Veysey.—I am the wife of William Vesev: on Friday, 24th October, I went down into the garden near the house; on my return I heard a dreadful screeching, the screeching of the prisoner. I came in while she was screeching; she was kneeling in a chair; she had the child in her arms. She said the child was dying; upon that I said, How can the child be dying, when it was quite well when I parted from you? I asked her to give me the child; she said she would not spare the child to any body. She ran up stairs with the child; I ran after her; she ran half way up and came down again; I took the child from her; some liquor was boiling upon the child's mouth with froth. The back part of the mouth was purple. There was something on the child's nose; it turned red, then white. There was a place on the cheek that seemed burned with the liquor that ran from the mouth. I asked what she had done it for? she said it was her mother's fault. I sent for the doctor. Prisoner stayed in the house. The child's whittle seemed bloody; I put my finger

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finger to it, and put my finger to my tongue; it burned my tongue. I said, What have you done to your child? you know you have given it oil of vitriol: where you had it I know not. Prisoner did not answer. The child was three weeks old; up to that time it was quite healthy. Child died the next day about twelve o'clock. I know about oil of vitriol. I found a bottle in the fire the Tuesday after. The bottle on taking out broke, and the liquor was spilt on a stick which was in the fire: it burned the stick. I found vitriol in the bottle.

Richard Butcher, a druggist at Buckfastleigh, corroborated the evidence of Sarah Maddick, and added, that the oil of vitriol she took away was sufficient to cause death.

Thomas Rowe.—I am a surgeon at Buckfastleigh; was called to Veysey's house at a quarter after two to see the child; it looked as if it had been strangled: the mouth was burned and excoriated; some white liquid ran from the lips: remained twenty minutes; attended again at half past seven, and next day the child was very bad and convulsed all over. I impute the state of the child to the application of some acid. Oil of vitriol would produce the same appearance. I ascribe the death to suffocation from swelling of the throat.

Nicholas Churchill.—I am a surgeon at Buckfastleigh; was called to a child at the house of William Veysey at four o'clock in the afternoon, 24th October: found the child breathing with difficulty, unable to swallow; the whole surface of the body was

livid; the surface of the mouth destroyed by strong mineral acid: from the appearance of the nose I am convinced it was oil of vitriol. While the matter was fresh in my mind, I tried oil of vitriol on my own finger; the colour was exactly the same as that on the child. Oil of vitriol, if dropped on linen, would destroy the texture, would turn it brownish; the apron was checked, blue and white, and was turned red. The dye of the blue is indigo, and the natural effect of oil of vitriol would be to turn it red. I think a person might distinguish oil of vitriol from other acid. I think the child died from inflammation, causing swelling and suffocation, that was occasioned by application of a strong acid, which I believe to be oil of vitriol.

Prisoner put in a paper denying her guilt.

Mr. Justice Best observed, that a charge of murder must be considered as proved, where the death is occasioned by the act of the prisoner, unless the evidence is sufficient to reduce it below that degree of crime. The only question here is, not the degree of guilt, but whether the child died by the act of the prisoner. If the evidence now adduced could have been adduced under the former indictment, then she has once been tried, and cannot be tried again; but this is a question to be submitted to the twelve judges. The question for the jury was, Did the poison, by the means stated, produce the death of the child?

The jury, after a pause of a few minutes, pronounced a verdict of *Guilty*. Objections were then

then taken to the indictment, which the learned judge stated should form part of the case which he intended to submit for the opinion of the twelve judges.

LEWES, AUG. 11.

The King v. Souter and Holles.
This was an indictment against the defendants, for a conspiracy to obtain the condemnation of a sloop called the Judith, William Williams master, by falsely alleging that the said vessel was employed at Arundel in smuggling foreign spirits.

This was one of those infamous cases in which the excise have been deceived by the mercenary statements of certain persons, for the purpose of instituting informations in the court of Exchequer for their own benefit, and ruin of the unfortunate victims of their depravity. It appeared in evidence that the defendants had given information upon affidavit before Mr. Boddington, a commissioner, that the vessel in question had been engaged in smuggling at Arundel on the 26th of June, 1816. Upon this information proceedings were instituted in the Exchequer, and the vessel was condemned. It turned out upon subsequent investigation that there was no foundation for the information, and the Excise, being satisfied of the frauds imposed upon them, made complete restitution to the injured parties and directed the present prosecution. They were all found *Guilty*.

Edward Broadbent, a private soldier in the 90th regiment of

foot, was indicted for the wilful murder of William Watson, a serjeant of the same regiment, by shooting him with a loaded musket, in the parish of Brighton-helmstone, on the 29th of June last.

When the wretched culprit was put to the bar, he excited feelings in all around very unusual on similar occasions;—pity and commiseration. When called upon for his plea to the arraignment, he exclaimed in a pathetic and wo-begone manner and gesticulation, "I am but too guilty,—I am guilty, and it would be only adding more guilt to my conscience if I were to say otherwise."

Mr. Justice Park urged him to plead Not Guilty, and take his trial, suggesting to him the inutility of the course he had taken, if he expected any mercy.

The prisoner shook his head with affecting significance, and repeated that he was guilty and expected no mercy. Upon which his plea of guilty was recorded.

The learned judge, however, again entreated him to plead Not Guilty, and requested the common serjeant, who led the prosecution, to speak with and recommend him to retract his plea.

The common serjeant accordingly conversed with the unhappy man, and after a great deal of persuasion prevailed upon him to take his trial.

John Shannon, a private of the 90th, stated, that on the 29th of June the prisoner was confined under arrest in the guard-house at the Brighton barracks. Whilst witness was in the guard-room, he

he saw the prisoner priming his firelock. It frequently happened, that when a soldier wanted to light his pipe, he flashed some gunpowder in the pan of his piece to ignite some tinder; but as the prisoner did not appear to be going to smoke, witness laid hold of his firelock and asked him whether he was going to injure himself? He replied that the firelock was his own, and he was not so mad as to injure himself. Witness took the gun out of his hand, shook the powder out of the pan, and laid the piece down at a distance of about four paces from the prisoner. The prisoner never touched the piece until a non-commissioned officer came to take him to the evening parade, when he took his firelock with him.

Thomas Vizer, a private in the 90th, stated that the prisoner was put in confinement in the guard-house by the deceased between eleven and one o'clock on the 29th of June. Witness saw him in the guard-house walking up and down in a very agitated manner, flinging his hands about in a threatening and passionate manner, and heard him say, "If I go to the evening parade this evening, it shall be worse for serjeant Watson."

John Thomas, a private of the 90th, said he had just left his barrack-room to attend the evening parade on the 29th of June, when he saw the prisoner coming out of the guard-room with his firelock. Witness was standing six or seven yards from him. The deceased was standing in front of the company with his back towards the prisoner, the latter

being at the distance of about three or four yards from him. When the deceased was in the act of turning round, the prisoner raised his firelock to his shoulder and discharged it at him. The deceased dropped to the ground, and exclaimed, "My God, my God, I am shot." The serjeant-major came running out from the guard-room and asked "Who was it?" The prisoner answered "It was I, I am the man;" and said no more, but surrendered himself into custody.

Corporal James M'Cabe said, that he came immediately to the spot after the gun was fired and lifted the deceased up; he died in about twenty minutes. Witness took the prisoner into custody, and in his way to the guard-room said to him, "Are you not a terrible man for doing such a thing as this?" The prisoner replied, "I am not, for the serjeant was always tyrannizing over me, and I was determined he should not do it any more."

When each of these witnesses were examined in chief, the prisoner, being without counsel, was asked if he would put any questions to them, but every time he shook his head in a melancholy manner, and said "No."

Being asked what he had to say in his defence, he said nothing, but shook his head in like manner.

Mr. Justice Park, in his charge to the jury, said it was always of great importance that the proceedings in cases of this description should be as public and notorious as possible, it being much more satisfactory, for the purposes of justice, that the grounds
upon

upon which the court and jury decided should be well known; and it was therefore that his lordship was anxious that the unhappy man at the bar should have the opportunity of having his case fairly and impartially tried, by urging him to retract his plea of guilty. There could be no other inference drawn from the evidence they had just heard than that the prisoner was guilty of the crime of murder. The unhappy man at the bar seemed to have had a mind extremely sensible and irritable; and because the deceased, in the faithful discharge of his duty, had put him under arrest, he meditated the fatal revenge which was carried into execution as detailed in the evidence. The case was before the jury, and they would dispose of it according to their consciences.

The jury immediately found the prisoner Guilty, and he struggled with his feelings to preserve some degree of firmness during the solemn proceeding which followed.

Mr. Justice Park proceeded with difficulty to discharge the melancholy duties of his office. Adverting to the prisoner's unfeigned sensibility, he said he should not aggravate the distress of his mind by enlarging upon the enormity of the crime for which he was about to suffer, conceiving that he was duly impressed with a consciousness of the dreadful sin he had committed; but in the language of commiseration and entreaty, he urged him to employ the few short hours left him in this world in devout application to that tribunal from which alone he could

expect mercy. His lordship pronounced the dreadful sentence, and ordered the wretched culprit for execution on Friday morning, and that his body should be delivered over to the surgeons to be anatomised.

The prisoner, during the learned judge's impressive address to him, was dreadfully agitated, and at the conclusion he fell into the arms of the gaoler and his assistants in a paroxysm of grief.

TRIM ASSIZES, AUG. 12.

Arson.—Patrick Murphy was indicted, for that he, with many others, on the 23rd of January last, after sun-set, and before sun-rise of the next day following, assaulted and injured the dwelling-house and habitation of Andrew Golden, at Longwood, in the county of Meath. He was also indicted for having, on the same occasion, wilfully set fire to and consumed the dwelling-house and out-offices of the said Andrew Golden.

The first witness examined was Maria Golden, the daughter of Andrew Golden. She swore, in substance, that on the night of the 23rd of last January, after she had been for some time in bed she was awoke by a noise she heard on the outside of the house, and that upon awaking she found the window of the room in which she and her mother slept broken in; that she heard a shot fired, and voices from without calling out to her mother "Hand out the arms, you old rip;" that her mother, to repeated commands of the same kind, constantly answered that she had no arms; re-
specting

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specting one of the persons on the outside, witness said to her mother, "That's Patrick Murphy, of Longwood, that is speaking to you;" on which the witness's mother said, "Hold your tongue; if he thinks you know him, or hears you mention his name, he will come and murder us." The party then departed for a short time, but soon returned, one of them with a lighted turf in a small tongs, which he held up to the window, denouncing vengeance in consequence of the family having had any thing to do with Neal's ground. Witness described the dress of the prisoner, and particularly a hairy cap he wore: that hearing threats to burn the house she ran in terror to a back window in order to effect her escape, when she saw the out-offices all on fire; that witness gave the alarm to her mother and immediately afterwards jumped out of the front window, and that she saw the prisoner standing a short distance from her father's house. She afterwards, upon her cross-examination, explained herself by saying it was his back she saw and not his face; that witness went for safety to the house of a neighbour; and shortly afterwards the whole party, after giving a loud cheer, went away. The house and offices were entirely consumed. Witness was acquainted with the prisoner, and knew him a considerable time before.

Elizabeth Golden, the mother of the last witness, was next examined. She gave a very circumstantial statement of the outrage; the firing of shots into the house, and the fracture in consequence

of some small articles of furniture, corroborating her daughter in every particular, and identifying decidedly the prisoner as one of the banditti.

A young woman of the name of Kinselagh, and who was a neighbour of the prosecutor's, was also examined; but she could only speak as to the prisoner from his voice, which she believed to be his.

A man of the name of Plunkett was next examined. He was in the house the night it was attacked and burned; did not see prisoner, but swore to him from his voice, with which he had been perfectly acquainted. The different witnesses were ably and ingeniously cross-examined by the prisoner's counsel, Messrs. M'Nally and Greene. The delay in swearing information was very powerfully urged, but explained and accounted for from the influence of terror; that as soon, however, as major Willis came to the country they felt assured of protection and safety; that they thereupon came forward and lodged examinations.

Baron George gave the jury a most clear, accurate and impartial charge, who, having retired for about a quarter of an hour, returned a verdict of *Guilty*.

An extraordinary incident occurred during the trial. After Plunkett had been about a minute under examination, his wife (from among the crowd) exclaimed to him in a sort of shriek, plainly indicating the agony of her mind and her terror as to the probable consequences, not to say any thing to injure the prisoner. He, however, persevered, and stated

stated circumstantially all he knew on the subject. The night immediately following, before the assizes were over or sentence pronounced on the convict, Plunkett's house and his little furniture were burnt to the ground: his wife and an infant child, however, escaped unhurt from the flames.

On Saturday last, Murphy received sentence of death with three other offenders, who had been also capitally convicted during the assizes.

COURT OF CHANCERY, MONDAY,
AUG. 23.

The Bedford Charity.

The Lord Chancellor, on coming into court, proceeded to deliver judgment in this interesting case. He stated that the matter came originally before the Court on the petition of Joseph Lyon and his daughter Sheba Lyon, residing in Bedford, and also of five elders of the Jewish Synagogue in Duke's-place, London, praying that the children of Jews residing in Bedford might be admitted into the charity school of that place; that Jewish parents might be allowed to live in the alms-houses attached to the Bedford charity; and that the petitioner, Sheba Lyon, might be permitted to draw lots for the apprentice-fee allowed by act of parliament; and that in the event of her lot being successful, the trustees of the Bedford charity be directed to pay the fee to her. His lordship adverted to the difficulty which had arisen respecting the jurisdiction of the Court,

and its competency to entertain the original petition either under sir Samuel Romilly's act or the Bedford act. To obviate these difficulties it had been recommended to the trustees to present a petition under that clause of the Bedford act which directed, that whenever doubt arose on the construction of any part of the charter, they should apply for direction and instruction to the person holding the great seal. The trustees accordingly had presented a petition inquiring whether or not the Jews of Bedford should be admitted to a participation in the charity, and praying the Court to make such an order as it might think proper. His lordship then proceeded to review the original deed of foundation by Edward 6th, and the acts of 1764 and 1793 relative to this charity. The act of 1793, commonly called the Bedford Act, superseded that of 1764. It recited the letters patent granted by Edward 6th for a grammar-school; the grant made by sir William Harper and his wife; and the purposes to which that grant was to be applied. It directed that the children of all the inhabitants residing in the town should be allowed to come to the school to be taught without fee. The 9th article provided that 900*l.* were to be given in equal shares and at certain fixed periods, in the following manner:— The trustees were to give public notice of a meeting to be held in the town-hall, for the purpose of distributing portions to poor maids belonging to the town between 16 and 50 years of age; and all those wishing to be candidates

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dates were to send in their *Christian* names and the names of their parents to the mayor, and were afterwards to draw lots for the portions. Another sum of 700*l.* was to be laid out in paying the apprentice-fees of 20 children, 15 boys and 5 girls; and the objects of this charity were to be selected by lot in the same manner as the candidates for marriage portions. The act also recited the establishment of almshouses for the reception of 20 poor persons, 10 men and 10 women, who were enjoined to go every Sunday to some place of public worship in Bedford on pain of expulsion from the charity. His lordship next adverted to a letter of Isaac Lyon Goldsmid, esq., who stated himself to be of the Jewish nation, and to belong to the synagogue of Dutch and German Jews in London. This person wrote to the Mayor of Bedford, wishing to be informed if there was any truth in the report which he had heard, that the Jews of Bedford were to be deprived of the benefit of the charity; and concluding his letter by expressing a hope that in this liberal and enlightened age the question, whether a man worshipped his God in a church, a chapel, or a synagogue, would not be considered a ground of exclusion from a charitable institution. This last passage of the letter reminded his lordship of the remarks which had been made by the bar on the subject of toleration; and whatever might be his opinion of the sentiment expressed by the writer, he apprehended, when an English judge was told that it was of no moment whether a man

worshipped God in a church, a chapel, or a synagogue, that it was his duty to recollect, that Christianity was part of the law of the land. He was not, indeed, to push that part of the law in such cases as the present further than the acts of parliament required; but as far as the acts looked to Christianity as a part of the law, it was his bounden duty to consider it such. But to resume. The mayor of Bedford, in his answer to this letter, stated that the trustees, to resolve their doubts, had taken the opinion of an equity barrister of great eminence; that by his advice they had resolved not to admit Jews to the benefit of the charity; and that they left it to the parties to apply to the Chancellor if they thought themselves aggrieved. This accordingly produced the present application to the Court. The first question to be decided was, whether Jew boys were to be admitted to the charity school; and in determining that point, it was proper to bear in mind that this school was originally founded by Edward 6th as a grammar-school. He believed that in all such schools great pains were taken to educate the youth in the doctrines and principles of the Christian religion; indeed, he himself remembered the time when, in some parts at least, the boys at grammar-schools were attended to church on Sundays by the masters. Now, as to the practice at this school there were various affidavits on both sides. The first, in support of the application, was that of Michael Joseph, a Jew, who stated that he had two sons and seven daughters
all

all born in Bedford; that both his sons had been admitted into the charity school, the eldest having attended the writing-school and the youngest both the writing and the grammar-school; that his two eldest daughters were married, and that they had both received the marriage-portions of poor virgins. It appeared from this deponent's affidavit, that no Jew had ever been admitted into the hospital or alms-houses. There were also the affidavits of Joseph Lyon, Godfrey Levi and several other persons, to the same effect; and the result of all their testimony was, that as far back as 30 years ago, a few of these children had been admitted into the school, but that none of the Jewish nation had ever participated in the benefit of any other parts of the charity. The first affidavit on the other side was that of Dr. Bryan the master of the grammar-school. He stated, that each boy attending the grammar-school was taught the Latin language, and that when he had made some progress in the study of Latin he began to learn Greek; that in studying the latter language, the Greek Testament was the book chiefly read till the boys had acquired considerable proficiency in the language, and that every boy in the school was instructed in the Christian religion. He said, that on his appointment in 1811, he found Nathan Joseph, the son of Michael Joseph, at the school; that the said Nathan Joseph learned only the grammar of the Latin language, was not more than a year at the school, and attended both the writing and gram-

mar-schools; that he was required to dispense with this boy's attendance at morning and evening prayers, it being contrary to his religion to join in Christian worship; that he was also required to dispense with his attendance every Saturday, that being the Jewish Sabbath; and that he complained of the boy's frequent absence to his father, who said it was necessary on account of his being of the Jewish faith. The next affidavit was that of the writing-master, who deposed, that no Jewish boy had been admitted into the writing-school since his appointment in 1814; that all the boys in his school were instructed in Christianity, read the Bible and New Testament and learned the Church Catechism. There were also similar affidavits by the masters of the hospital and of the preparatory school. With regard to such regulations for the conduct of the school as rendered Jewish boys inadmissible, his lordship remarked, that there was nothing either in the charter or in the acts of parliament that prevented the wardens and fellows of New College, Oxford, who were the visiters, to make whatever regulations they might think conducive to the benefit of the school; and he apprehended that if in the exercise of their visitatorial authority they made regulations that excluded Jews, their decision must be submitted to. If the school consisted partly of Jew boys and partly of Christians, he did not think it possible that two such systems could go on together. It was impossible that a Jew boy could comply with the regulations made by the visiters
for

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for the purpose of carrying on the grammar-school in such a manner as to preserve the *boni mores* of the scholars, which the charter declared to be one of the principal objects of the school. Then, as to the hours of attendance, and the morning and evening prayers, how was it possible for a Jew, acting conscientiously, to allow his son to comply with these and various other regulations, which it was unnecessary for him to enumerate? On the whole, he could have no doubt that Jew boys were not admissible into the grammar-school. The next point to be considered was, whether Jewish girls were entitled to the provision made for poor maids. The primary object of the charity being instruction in the Christian religion, was there any thing to warrant him in saying that it ought to be applied to other purposes? He could not believe that the acts of parliament contemplated the admission of Jewish girls to this charity, because, in mentioning the regulations with which the candidates were to comply, it was directed that each of them should give in her *Christian* name and her surname. He was aware it might be said that a Christian name did not necessarily mean the name by which a person was baptized, but it was used in contradistinction to a surname. This he was ready to admit, when the distinction was applied to the names of a person professing the Christian religion; but still he thought that a Christian name was something that did not belong to a Jew,—something to which a Jew could not lay claim. He, therefore,

could not consider the Jewish girls entitled to become candidates for the portions of poor maids. As to the right of admission into the alms-houses, it was evident that such a thing was never contemplated by those who framed the act of parliament, for there it was directed that the persons enjoying the benefit of this charity should go to a place of public worship on Sundays, or be expelled from the institution.

Mr. Heald begged to remind his lordship that the point here was not whether Jewish poor maids were to be admitted as candidates for marriage portions, but whether they were entitled to become candidates for apprentice fees.

The Lord Chancellor was perfectly aware of that, but the principle was precisely the same in both cases. The regulations prescribed by the act of parliament for casting lots, &c. were precisely the same in the one case as in the other, and therefore he did not think it necessary to go into the details of them all. It was his opinion that the Jews were not entitled to participate in any part of this charity; but that judgment being founded on a petition which had been argued, he did not mean that the order should be drawn up for a fortnight, in order that the parties might have an opportunity of communicating to him any remarks that they might think of importance.

His lordship directed the costs of the trustees to be paid out of the estate; and in answer to an application from Mr. Heald, for the payment of his client's costs
also

also out of the estate, he said he must dismiss the first petition. In a case of summary jurisdiction like the present he could not give costs unless the act of parliament had authorized him.

COURT-MARTIAL.

At a court-martial held on board his majesty's ship Conqueror, in St. Helena-roads, on the 30th day of August, and continued till the 2nd of September, to try Mr. John Stokoe, surgeon of the said ship, for improper conduct with regard to certain particulars relative to his intercourse with the French prisoners detained at the island of St. Helena, and on the following charges:—

1st. For having, on or about the 17th of January last, when permitted, or ordered, by rear-admiral Plampin, commander in chief of his majesty's ships and vessels at the Cape of Good-hope and the seas adjacent, &c. to visit Longwood for the purpose of affording medical assistance to general Buonaparté, then represented as being dangerously ill, communicated with the said general or his attendants upon subjects not at all connected with medical advice, contrary to standing orders in force for the government of his majesty's naval officers at St. Helena.

2nd. For having, on or about the said day, on receiving communications, both in writing and verbally, from some of the French prisoners at Longwood, taken notice of, and given an answer to, such communications, previous

to making the same known to the commander in chief, contrary to the said standing orders.

3rd. For having, in pursuance of such unauthorized communication, signed a paper purporting to be a bulletin of general Buonaparté's health, and delivered the same to the said general or his attendants, contrary to the said orders and to his duty as a British naval officer.

4th. For having, in such bulletin, stated facts relative to the health of general Buonaparté, which did not fall under his, the said Mr. John Stokoe's, own observation, and which, as he afterwards acknowledged, were dictated or suggested to him by the said general or his attendants, and for having signed the same as if he had himself witnessed the said facts, which was not the truth, and was inconsistent with his character and duty as a British naval officer.

5th. For having, in the said bulletin, inserted the following paragraph:—"The more alarming symptom is that which was experienced in the night of the 16th, a recurrence of which may soon prove fatal, particularly if medical assistance is not at hand;" intending thereby, contrary to the character and duty of a British officer, to create a false impression or belief, that general Buonaparté was in imminent or considerable danger, and that no medical assistance was at hand, he, the said Mr. John Stokoe, not having witnessed any such symptom, and knowing that the state of the patient was so little urgent that he was four hours at Longwood before he was admitted to see

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see him; and farther knowing that Dr. Verling was at hand, and ready to attend, if required, in any such emergency.

6th. For having, contrary to his duty, communicated to general Buonaparte or his attendants, information relative to certain books, letters and papers, said to have been sent from Europe for the said persons, and which had been intercepted by the governor of St. Helena; and for having conveyed to the said general or his attendants, some information respecting their money concerns, contrary to his duty, which was to afford medical advice only.

7th. For having, contrary to his duty and to the character of a British naval officer, communicated to the said general Buonaparte or his attendants, an infamous and calumnious imputation cast upon lieutenant-general sir Hudson Lowe, governor of St. Helena, by Barry O'Meara, late a surgeon in the royal navy, implying that sir H. Lowe had practised with the said O'Meara to induce him to put an end to the existence of the said general Buonaparte.

8th. For having disobeyed the positive command of his superior officer, in not returning from Longwood on or about the 21st of January aforesaid, at the hour especially prescribed to him by the rear-admiral, there being no justifiable cause for his disobeying such command.

9th. For having, knowingly and wilfully, designated general Buonaparte, in the said bulletin, in a manner different from that in which he is designated in the act

of parliament for the better custody of his person, and contrary to the practice of his majesty's government, of the lieutenant-general governor of the island and of the said rear-admiral; and for having done so at the special instance and request of the said general Buonaparte or his attendants, though he, the said Mr. John Stokoe, well knew that the mode of designation was a point in dispute between the said general Buonaparte and lieutenant-general sir H. Lowe and the British government, and that by acceding to the wish of the said general Buonaparte, he, the said Mr. John Stokoe, was acting in opposition to the wish and practice of his own superior officers, and to the respect which he owed to them under the general printed instructions.

10th. For having, in the whole of his conduct in the aforesaid transactions, evinced a disposition to thwart the intentions and regulations of the said governor and of the said rear-admiral, and to further the views of the French prisoners, in furnishing them with false or colourable pretences for complaint, contrary to the respect which he owed to his superior officers, and to his own duty as an officer in his majesty's royal navy.

The court having heard the evidence in support of the charges, as well as what the prisoner had to offer in his defence, and having considered the whole with the most minute attention, is of opinion, that his conduct (with respect to certain particulars relative to his intercourse with the French prisoners detained at St.

Helena) being improper, is proved; that the 1st charge is proved; that the 2nd charge is proved; that the 3rd charge is proved; that the 4th charge is proved; that the 5th charge is proved; that the 6th charge is proved; that the 7th charge is proved; that the 8th charge is proved; that on the 9th charge it is proved, he called general Buonaparte "the patient;" that the 10th charge is proved. The court do therefore adjudge the said Mr. John Stokoe to be dismissed his majesty's service; but in consideration of his long services, recommend him to the consideration of the admiralty for half-pay.

LANCASTER, SATURDAY, SEPT. 11.

Conspiracy to raise the Wages of Weavers at Blackburn.—This was an indictment against James Watson and Laurence Moss, for a conspiracy to raise the wages of those employed in the art, craft, or mystery of weaving.

John Kay was a constable, in September last, at Blackburn. There were meetings about the beginning of September. There was a meeting on the 7th at Blakey-moor, within the town of Blackburn. There were about 2,000 persons, the greatest part weavers. He saw them come in procession into the town, four or five or six a-breast. He saw the defendant, James Watson a weaver, amongst the crowd. He heard him speaking to the people around him, and advising the weavers to stick true to one another and they would come to the point; that they had got their wages at Bolton, and he

had no doubt they would get them there; that in Bolton they had got 7s. in the pound. Defendant desired them to go home peaceably and quietly, and to come the next day, clean washed and with clean shirts on. On Wednesday the 9th, a great many more met than on the Monday. He should not wonder if there were 4,000 or 5,000. There were women and children. Women were employed in weaving there. On the Friday morning there was another meeting. He only saw the defendant in the street.

Cross-examined by the defendant.—Witness was not on the Moor on Wednesday. He always heard the defendant advise the people to be peaceable and to keep within the law, and not so much as touch the hem of the garment of the law, and to disperse quietly; and if they saw so much as a dog battle in the streets, not to meddle with it. He heard him say the laws of England were the best in the world; he never saw him but sober and industrious, and never knew him connected with any bad company.

David Hogg lived at Blackburn in December last. He was at a meeting on Monday the 7th, and saw James Watson standing with several others on a heap of earth. One spoke, and called out, "Preston delegate." One went up to the place where Watson was, and Watson went away. That man that was called to said he came from Preston that morning. James Watson came again, and wished them all to go peaceably away, and not to hurt the hem of the garment of the law.

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He had said before, those that had a mind to work might work, but those who had a mind to stand out were to make a show of hands. People put up their hands. Either he or some other person said they might be mistaken, and desired them to put up their hands again. He said they might all do as they would; those that had a mind to work might work, and those that had not might stand out for wages. He said they might, when tired of sitting, take a walk for a mile or two on the high road, but not to go over any man's grounds, or hurt any man's property.

Mr. Ephraim Maymond, a master manufacturer, was, on the 7th, in a yard adjoining the meeting; he saw Watson there on a midden of dirt, with several more. He heard Watson address the weavers to be firm and to stick out for advance of wages; he wished for an advance of 7s. in the pound upon the present wages; he wished them to show a firmness by a show of hands; and said, if they would be firm they would gain their object; he wished them not only to put up their hands, but their hearts with it. There was a show of hands. A great many did put up their hands. Watson wished them again to be firm to that cause; they might class themselves in companies and be firm to a man till they got their wages advanced; if any one of his relations wove under 7s. advance, he would cut their yarn across; "but," he said, "I don't say you must do so; because, if I cut it I can piece it again, and perhaps you cannot." Watson went for a jug of water and returned with a jug, and putting it to his mouth,

said, "Gentlemen, here is all your good healths. This is Adam's ale, and I wish you to be firm." Watson then said, "You weavers, you think that we have a secret; and so we have, and we must keep it to the last: for, had our ministers told the army what they were for with them, they would never have gone to fight; they kept their secrets till they had got the armies together, and then they were obliged to fight. We must do the same." Watson ordered them to collect a penny a loom a week till they could collect a fund, and they might return peaceably home and choose every one a leader to their classes, and parade the streets till the advance of wages was obtained. Several persons spoke in the same way. There was a turn-out that day. The greatest bulk were weavers. Either that day or the day following witness's weavers turned out.

The defendant read a paper in his own defence. It represented, that those of the master manufacturers upon whom the defendant had waited, had agreed to an advance of 7s. in the pound, if the whole would agree to it. He had mentioned at the meetings, that the weavers in Bolton and Manchester had obtained the required advance, and that if they would follow the example, the effect would be the same. But he had stated, that he would act so for himself, and leave it to others to act as they chose. When he spoke on the 7th, there had been a partial advance, but it was totally inadequate, and the masters at the same time possessed every advantage over them. It

the arbitration-act were observed in Blackburn as in Preston, it would be much better. Such had been the purport of his observations; but all he did was totally of his own suggestion. He had never been guilty of any conspiracy. After these proceedings he went to his father's house in Manchester. This he mentioned in order to show that he had left Blackburn before any riots took place.

Mr. Baron Wood summed up the evidence. The defendant appeared to have some art, and seemed to think that if there was no riot, there was nothing improper. Upon this view he had advised not to touch the hem of the garments of the law. That kind of art would not, however, protect him, if he illegally and corruptly conspired with others. It was very true that a labouring weaver might refuse to work, might be idle, or might go to another master; but he may not advise, excite, or encourage others to do the same. He did not know whether conspiracy was not more dangerous than open violence. The defendant had said some foolish thing respecting ministers. It might mean that they should preserve peace till they got the upper hand and then break out. If the jury believed that the defendant had conspired with others to force an advance of wages, they would find him guilty; if they believed that he had acted only for himself, they would find him not guilty.

The jury almost instantly found a verdict of—Guilty.

He was sentenced to 12 months imprisonment.

CROWN COURT, TUESDAY, SEPTEMBER 7.

Burglary.—James Hagin, Patrick M'Donald, Dennis M'Coy, Jeremiah Curran and Bryan M'Manus, were charged with having burglariously entered the dwelling-house of Joseph Oliver at Manchester with intent to steal, and also with intent to murder.

Betty Whitaker lived at Ardwick-green, and was at the house of Joseph Oliver on the night of Tuesday, 29th June. There were in the house Mr. and Mrs. Oliver, Ellen Cairns, James Aspinall and witness. Witness and Ellen Cairns slept together. Mr. and Mrs. Oliver were in an adjoining room on the same floor. Witness awoke and saw a light. She jumped out of bed. She saw two men, one with a candle, go down stairs. She saw their faces. It was M'Donald and Curran. She desired Ellen Cairns to go and tell her master; and then shut the door and shouted "Thieves." Two persons forced open the door and knocked her down. She shouted "Murder." One of them put his knee upon her breast, stabbed her side in several places, thrust her head to the ground and throttled her till the blood came out of her mouth and nostrils. None of them spoke. It was M'Coy who used her so ill; the other was Hagin. She found herself afterwards under the bed. Ellen Cairns had not left the room when they broke in. She heard one of them say, "Ellen, is there any person in the room besides you? I'll blow your brains out with a pistol if you

you make alarm." She heard it said by some one; "We'll kill Oliver." A nail-box was next morning found in the house.

Ellen Cairns, a young girl of 14, was desired to go to tell Mr. Oliver, but she was afraid and did not go. She saw a light, and observed Hagin and M'Coy going down stairs. They afterwards forced their way into the room and knocked down and strangled Betty Whitaker till the blood came from her mouth and nostrils. She heard blows given in Mr. Oliver's room, and afterwards heard Mr. Oliver call out murder. She saw other two of the prisoners, M'Donald and Curran.

John Oliver, son of Joseph Oliver the prosecutor, slept at his brother's house, next door to his father's, on the night of the 29th. He was disturbed a little after 1 in the morning. On looking out at the window he saw a man pacing backwards and forwards between his father's house and the house he was in, and asked him what he was doing there. He said he would blow witness's brains out if he said another word. Witness said, "Fire away." He did fire, with his arm stretched towards him. The brother of witness then began to knock at the wall that separated his room from his father's. Witness immediately saw 6 men coming at a quick pace in front of his father's house. They went over a field, and one of them fired. Witness went to his father's house and found his father attempting to come down stairs in a very bloody state. He found his mother recovering. His father had told him that he thought

she was dead. When witness had been awake by his wife, he heard cries of "Murder," "Thieves," and a great confusion as if persons were wrestling on the other side of the wall.

Joseph Oliver, the prosecutor, a fustian manufacturer at Ardwick, was awoken by the cry of "Thieves" from the servants' room. He went forward into the passage between the two rooms. Some men met him and began laying upon him with some instruments, drove him back into his own room and knocked him down. Afterwards he got up, threw up the sash and shouted "Murder!" A person immediately below the window said, "If you make another noise I'll blow your brains out," and immediately fired. He thought from his person that it was Curran that fired at him. He could not swear to him, but he thought it was he from every appearance. They had two pikes which they left; one of them had a handle of old oak. He found that the cellar-window had been forced open, and the cellar-door and back-door were broken open. They went out at the back-door: he missed a pair of stockings. A surgeon was got; he had got about 12 wounds: his head had been broken almost to pieces: his wife was struck at the back of her neck as black as a man's coat; he thought she was dead.

John Williamson, a weaver, employed Hagin at the time; M'Donald had left him some weeks before. Hagin left his house at the edge of dark, and said, "I'll have my night's spree," (drinking). A nail-box peculiarly formed and made by Hagin,
was

was the box found next morning at Mr. Oliver's. He believed one of the pikes found was his.

John Griffith was standing between 9 and 10 at his house in Chapel-street and saw Curran and M'Manus passing him: they looked as if they had not been in bed all night; he followed them in consequence of his suspicions: he traced them for more than 3 hours to their lodgings in James-street; he informed Nadin, to whom he pointed out the house.

Joseph Nadin on the 30th sent Platt to apprehend M'Donald and went himself with Griffith, who showed him the wrong house; but they found Curran and M'Manus in the next house eating beef; they appeared much alarmed; he asked if they lodged there; they said they did. A woman who stood behind him said they were not in their lodgings last night: he brought them to the office: he asked them if they had been at Chapel-street last night. They both said they had not, and said they did not know Hagin, Runy and Murray. Soon after this Platt brought in M'Donald, and all three were sent to the New Bailey. Mr. Barnes brought Hagin to the office. Witness searched him and found a paper with the names of John Runy, Edward Murray, and other names. Barnes brought the box now produced, and Hagin said he had made it, but he had not seen it for a long time.

Ann Williamson, sister-in-law to John Williamson, knew M'Donald. He worked with John Williamson. She is a married woman and keeps a house. About six weeks before this robbery he

was at her house, and said she was little aware of the judicious scheme that was laid to take away his life. She said she was very much surprised, and pressed upon him to tell what it was. He said, "They have formed a scheme to rob Mr. Oliver's house, and Jim Hagin is going to fettle some looms, and by that means he is to know how to get in." She begged of him to have nothing to do with it. He said, "No; I will wash my hands clean from that, and have nothing to do with it."

Katharine Baron lives in Chapel-street, 50 or 60 yards from Mr. Oliver's; was alarmed on the morning of the 30th, looked out and saw 4 persons coming out of Mr. Oliver's back-yard; one of them turned round and said, "I'll blow your brains out." She did not know to whom it was said. She turned back and said, "That is Irish Jim's voice." She had known him (James Hagin) for 2 years. She heard a pistol fired shortly after she had heard the voice. She had heard a pistol fired before she saw the men.

John Barnes, a constable, went to Oliver's house the morning after the robbery, and received the box and two pikes, one in oak-wood and the other out (The box appeared to have been used as a lantern). On the Friday after the robbery he was sent for by M'Donald, who was in the lock-up at the New Bailey. He said, "Barnes, I wish to speak with you. About six weeks ago we made a plot in John Williamson's cellar to go to Mr. Oliver's house, after that to Mr. Robinson's and then Mr. Jones's, and then we were to divide the spoil that

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that we got. But I was not of the party at the robbery."

John Pinlet, a brickmaker, said M'Coy worked with him, and they were working together on the evening of the robbery. They usually gave over work at 7, 8, or 9. M'Coy gave over work that night at 6, and gave his reason that he wanted to meet a person at Ardwick-green. The breakfast hour was 8 o'clock. M'Coy worked with him on the morning of the 30th, from 6 to 8. He began telling him of the robbery. He must have known it at 6. It was about 7 when he spoke of it.

James Hagin gave a minute history in his own defence; he had been on the night of the robbery at William Murray's house, having left Williamson's in order to find Runy, one of the men who had left Williamson. He argued with considerable fluency and ingenuity upon the improbability of the evidence against him. "Well aware that death must be the consequence of such a fatal crime, would I not have made my escape when warned that I was to be sworn against? I appeal to all here, even to the injured Oliver, if it is likely that I should have been guilty. I think the evidence against me sufficient to acquit me. I have no witness."

Patrick M'Donald said he had a witness to prove where he slept on the night of the 29th.

Cuthbert Parker lived in his brother's house, in Portland-street. M'Donald slept with him on the night of the 29th, and had been got into bed when witness went to bed at half-past 10 o'clock. Witness lay awake in

bed for an hour and then slept. He awoke again at half-past 7 in the morning. M'Donald was not in bed then. He did not hear him getting up. He could not tell when M'Donald got up and went out. At 8 o'clock in the morning he saw M'Donald weaving in his brother's cellar.

Ellen Foulks knew Curran and M'Manus, and saw them knocking at their lodgings on the 29th, directly after the watchman had called past 12. They continued knocking till half-past 1. She lived opposite. They went away at 2 o'clock.

John Sharrock, the watchman in Falkner-street, met the two prisoners at the end of St. James's-street about half-past 1. They were coming up, and borrowed his stick to rap at a window. They knocked very loud. He got his stick and left them there.

Cross-examined.—He was examined before, and he had then stated the time to be half-past 2; but he was now certain that it was half-past 1. He called the hours that night.

Mary Kelly takes in lodgers. M'Coy lodged at her house. He came in about 9 on the 29th. She had 4 other men-lodgers. She had occasion to go to M'Coy's room at 11, in showing it to Minton, a stranger who was to lodge there. M'Coy was then in bed. She went to bed about 12, and did not see the prisoner till breakfast time next morning. He had not gone out before 12; she never heard him go out.

Hannah Serice, a single woman, one of three who lodge at Mrs. Kelly's, sat up on that night till after

after 1: she heard the prisoner going up to bed, and she was sure he could not have gone out before she went to bed.

The jury retired at half-past 6, and returned at half-past 7 with a verdict of Guilty against Hagin and M'Coy; and Not Guilty respecting the rest.

LANCASTER ASSIZES.

Thomas Corrigan, aged 27, was tried for the murder of James Holt, at Rochdale.

In the present case the grand jury had thrown out the bill, and the prisoner was tried upon the coroner's inquest for murder.

Mr. Coltman detailed the circumstances to be proved in evidence.

Betty Holt, widow of James Holt, lives in Yorkshire-street, Rochdale; her husband went out a little past 11, for the purpose of drinking some beer at the Crown-inn on the 9th of August: he came home a little before two, threw himself on his bed and bemoaned himself very much: he said he had been stobbed: she found two wounds on his head and a three-cornered wound, as by a bayonet, on the right side of his belly: he said he was killed: he was told by the doctor on the 12th that he could not get better. On Friday the 13th, the day of his death, he told her that he had met a soldier with his naked bayonet, who struck him without saying any thing to him.

Mr. Abraham Wood, surgeon at Rochdale, attended the deceased and examined his body:

a bayonet wound in his belly had occasioned his death.

James Brien, private in the 88th, said, the prisoner at the bar and Philbin were privates in the same regiment, and in the same quarters: he saw them together a few minutes before nine in Yorkshire-street. They had no side arms. He left them in the Hare and Hounds and went home and went to bed. Philbin came afterwards to his door about 12, and was let in by witness. Philbin got his bayonet and went out again. In about 15 minutes Corrigan came in and got his bayonet. Very near an hour afterwards witness heard a rap at the door; he got up and let the prisoner in. As soon as he had let him in, a stone was struck at the door. Corrigan threw himself on the broad of his back in the bed, and said in all he went through he never was so near being killed as that night; he said his legs were all cut with kicking. A great many men then came about the house and were insisting on having the door opened. Witness asked what they wanted. They said they wanted the soldiers. They threatened to break open the door. A few minutes after they had gone, Philbin came in.

Patrick Philbin was going with the prisoner to their lodgings from the Three Tuns, about half-past 11. They met Cornelius Groggen, a soldier, and one Waugh, who asked them to go into a public-house to get some beer. They went to the Crown and got some pints of beer: they could get no more. As they were going up Blackwater-street, a number of people were going before

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fore them. One of them turned back and cried, "Hurrah, Pat, how does the bull go? Did you come from Scotland to kill us?" Upon that, five or six of them turned back and began to kick witness and his party. Witness went off, and did not know how he lost Corrigan. He met a man of the name of Leach at the church. They had no arms at the Three Tuns. Witness went home after they had been beaten, and found Corrigan had not then got home. He took his bayonet and went out again, when he met Leach. Corrigan came up soon afterwards and struck Leach a blow over the eye with his bayonet. Two or three then came up to witness and asked his bayonet. Witness soon saw a man in his shirt running after Corrigan with his stick in his hand. Corrigan was running off. He had run off as soon as he had struck Leach. Witness saw no more of Corrigan till he saw him in his lodgings. He was knocked down and his bayonet was taken from him. Upon going home, he found about 20 men at the door; they were saying, "Here is where the murderer went in, and we'll not leave till we have him out." The watch and guard came up, and took up one of the men. Witness was then let into his lodgings. He found Corrigan there, who asked him where his bayonet was, and added, "What made you give up your bayonet? Why did you not stick them as fast as they came across you; for I have put four inches of the bayonet into one of them." Next morning Corrigan took his bayonet out of

the scabbard and was about ten minutes cleaning and wiping it.

Edmund Leach was struck over the head with a bayonet by another soldier, while he stood by Philbin. He had said nothing to the soldier before; when struck he asked why he had done that. The soldier said, "By the holy Jesus I'll seize your heart with it." Witness afterwards pointed out the soldier who had struck him to his father. His father seized him by the collar. The soldier, that was the prisoner, got loose and ran off. Witness's brother called out, "Stop thief." A number of them pursued the prisoner with that cry to his lodgings. He got in, but they could not get in.

Robert Stott saw a soldier running through Blackwater-street, at half-past 12, and a number after him calling "Stop thief." He made a cliche at him, but fell, and the soldier fell over him. The soldier got up and went off. He drew his bayonet and swore if any man went near him he would run him through. He then got into his quarters.

Elizabeth Hoyle, wife of John Hoyle, saw a soldier going along Cheetham-street, between 12 and one. She saw him meet a man, who said in reply to something, "The next street is Toad-lane, and the next is Blackwater-street." The soldier went forward, and the man came on and passed witness. When he had got twenty yards past her, the soldier came running back; she did not know if it was the same soldier; he overtook the man and struck him. The man fell to the ground. She did not see

see any weapon, but by the sound of the blow she thought he had a weapon. The man offered to get up, and the soldier struck him again, she believed, two or three times. She saw the man get on his feet and go away. Another soldier came to the soldier that had struck, and that took her attention from the man. They stopt a little and talked, and then came back both together towards Toad-lane. Soon after, she heard a cry of "Stop thief." It might be five minutes afterwards. At the same time, she saw a soldier running, and two men and a woman after him.

John Holt saw the prisoner next day opposite the Reed-inn meet another soldier. The other soldier asked how he was. The prisoner said, "I am in trouble for sticking a man last night; but if I had to do it again I would do it. Last night I was surrounded with half a score of young men. They shoved me and called me an Irish scoundrel, and I was determined that some one among them should feel the contents of my bayonet. If any man in Rochdale gives me the least offence I'll stick him to the heart."

By the Court.—He was examined before the grand jury.

Mr. Baron Wood.—It is very odd.

Examination by the Court resumed.—He was not examined before the coroner. He mentioned this that very day to several—to James Bamford and to John Sutliff. Some one mentioned it to Wrigby, the constable, who fetched him to give evi-

dence; he was about a yard from the prisoner: about half a dozen came up to witness at that time.

The prisoner in his defence, said, that as he was going home he met nine or ten men, who said, "You Irish rascal, do you come here from Scotland to keep us down?" One of them spoke up, "Go the rig!" one of them knocked him down, kicked him and trampled upon him. He called out "Mercy!" One came up and said, "Don't kill the soldier!" he got off, but they got hold of him and treated him in the same way. They followed him to his quarters, and threatened never to leave the house till they should have his life: there was not a word of truth in what that man said; he had been a long time in the army and had been in six engagements, and could never do the like.—(After a long pause) I am quite innocent, my lord, of this business laid to my charge.

Brien recalled, said the prisoner came in the second time about 1 o'clock and never was out after that.

Groggen, in cross-examination, said that Corrigan had asked of a friend, who had seen the bayonet, if there was any blood upon it. This was when Corrigan was apprehended and his bayonet was ordered to be brought.

Mr. Baron Wood, in course of his summing up, remarked that it was very extraordinary that the grand jury had thrown out the bill. They were not to consider this as conclusive proof in favour of the prisoner. Upon the evidence,

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dence, the grand jury might have at least put the question in course of trial. This was all he meant to say upon that point. The case was attended with much difficulty. If they were satisfied as to the identity, the next question was, whether it had been murder or manslaughter. The prisoner had been exceedingly ill-used, and if he ran for his bayonet and killed the man, supposing him to have been one of those who used him ill, in the heat of passion, and without time to cool or reflect, he was guilty of manslaughter. If he had time to reflect and cool, and if he deliberately killed the deceased, he was guilty of murder.—Guilty of Manslaughter.

OLD BAILEY.

SATURDAY, SEPT. 18.

Stabbing.—Henry Stent was put to the bar, and the court was almost immediately crowded with females. A London jury having been called, the prisoner was arraigned upon an indictment, charging him in the usual form with having inflicted divers wounds upon the person of his wife Maria, on the 5th of August last, with intent to kill and murder her, or to do her some grievous bodily harm. He pleaded Not Guilty. The jury was then sworn. There was no counsel for the prosecution, and Mr. Justice Best called Maria Stent the wife of the prisoner, who stood up in the witness-box, and was sworn. She was plainly dressed in a coloured bombasin gown, and wore a large Leghorn hat which tended much to con-

ceal her features: she seemed to be greatly agitated.

Mr. Alley, one of the counsel for the prisoner, instantly rose and addressed the Court. He said he was not aware that this witness would have been called so early in the proceedings; but being in the box, before she was examined he felt it his duty to submit, that as against her husband her evidence was not admissible. He had searched the books with great diligence for cases in which wives had been admitted as witnesses against their husbands; but found none except that of lord Audley, the circumstances of which were very peculiar—and even the authority of that case he had heard questioned. He recollected one case in which the question would have arisen, but the bill was ignored. Nevertheless, the opinion of Justice Buller was, on that occasion, against the propriety of the testimony of the wife being received. He knew of no instance, except in the case of a rape, where the testimony of the wife was received against her husband.

Mr. Baron Graham, as was collected, for he spoke in a very low tone, said, that there were many cases in which the wife was considered a fit witness against her husband, particularly in one where she was in a state of danger from injury which she had received from him. In such a case, where the wife had died, her deposition was subsequently received against her husband as evidence of the fact.

Mr. Alley said, that the principle upon which the evidence of
a wife

a wife against her husband was rejected was, that if it were admissible it would tend to excite disagreements in the marriage state. Where a woman spoke "*in periculo mortis*" this principle did not apply, and therefore the evidence might be received; but this was not the case in the present instance.

Mr. Adolphus addressed the court in support of Mr. Alley's objection.

Mr. Justice Best said that he had not the least doubt as to the admissibility of the wife's evidence in this case, or any other case of the same description; and this opinion was founded upon the principle that a married woman, like every other subject of the realm, was entitled to the protection of the laws, which would not be the case if the objections now taken were well-founded. There were many descriptions of personal injury to which a wife was subject, independent of that to which allusion had been made, which her evidence could alone support; and if her testimony were as a matter of course to be rejected, she would be altogether without the pale of the law. The decision in lord Audley's case was perfectly analogous to the present; and the principle upon which the evidence of lady Audley was received was precisely the principle upon which he should admit the evidence of Mrs. Stent. Whatever might be the opinion of individual judges on this question, the opinion of the House of Lords, assisted by the twelve judges of the land, was of too solemn a nature to be easily disturbed.

Mr. Baron Graham was entirely of the same opinion; and his judgment was founded not alone upon the case of lord Audley itself, but upon a long experience, in which he had repeatedly seen the principle laid down by his learned brother acted upon. The decisions in those cases might not be found in the books from the universal acquiescence which they had received.

Mr. Justice Richardson agreed with the other judges that the evidence of Mrs. Stent ought to be received. It was a general rule, with very few exceptions, that a wife was an admissible witness against her husband in cases of personal violence.

Mrs. Stent was now addressed by Mr. Justice Best, when she entreated that she might not be called on to give evidence against the best of husbands.

Mr. Justice Best.—I am extremely sorry to give you pain; but it is my duty to ask you some questions which it will be your duty to answer.

Is your name Maria Stent?—Yes.

Is the prisoner your husband? Look at him. (Here the witness turned towards the prisoner with a look of great anguish.)—Yes.

I believe you separated from him for some time?—Yes.

When did you leave him?—On the 29th of August, 1818.

Where did you go to?—To France.

When did you return to England?—I returned to London in August, 1819.

Where did you come from when you came to London?—From Liverpool.

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To what inn did you go?—To the Saracen's-head.

Do you recollect the day you returned?—On the 5th of August.

Where did the prisoner live at that time?—At Pimlico.

Did you send any letter or message to him?—I sent a letter.

On what day?—On the 5th of August.

In the course of that day did you see your husband?—Yes.

Where?—At the Saracen's-head.

He came to you?—Yes.

What time of the day?—Between seven and eight.

As you recollect, state what passed?—I have no recollection of what passed.

Did any thing happen?—Yes.

What do you first recollect?—Being in bed in St. Bartholomew's-hospital.

What was the matter with you?—I was wounded.

Where were you wounded?—In the neck.

Any where else?—Yes, there were other wounds.

How long were you confined in St. Bartholomew's hospital?—A fortnight.

Have you any recollection of the prisoner's coming into the room to you at the Saracen's-head?—Yes.

Who came in with him?—I do not recollect.

Were you alone in the room?—Yes.

Before you went into the room had you any wound?—No.

Afterwards the first thing you recollect was being in bed in St. Bartholomew's-hospital?—Yes.

Cross-examined by Mr. Alley.

— Your feelings overpowered you when you saw your husband, and you have not the least recollection of what happened afterwards?—Yes.

You said you did not wish to give evidence against the prisoner, because he was one of the best of husbands?—Ycs.

How long were you away from him?—About 12 months.

(Here the witness sat down, and seemed extremely anxious to hide herself from public observation.)

George King, a waiter at the Saracen's-head, Snow-hill, looked at the last witness: he recollectd her coming to the Saracen's-head on the 5th of August; recollectd her writing a letter, which was sent by a porter to the twopenny post-office; the woman afterwards remained in the house. The prisoner came to the Saracen's-head in the evening; he inquired for a young woman that had arrived by the Liverpool coach, and he was introduced to the last witness. She got up to meet him and witness shut the door. In 10 minutes witness heard the shriek of a woman, and immediately went to the room in which he had left the prisoner and the woman. On arriving he found his two fellow-servants in the room: the woman was on her back; the prisoner was standing close by her; a knife was lying on the floor; it was bloody. Witness discovered that the woman was wounded, and went for an officer. The woman said she hoped no harm would happen to the prisoner for what he had done, for she had been a base wife and he was one of the best of husbands.

Thomas

Thomas Pithouse, also a waiter at the Saracen's-head, remembered the arrival of Mrs. Stent. She continued in the house till the evening. About half-past 6 he heard a shriek from the parlour. He entered the parlour with Turner, the porter, and perceived the woman on her back and the prisoner with his knees apparently upon her. Turner said, "Thomas, the man has got a knife." Witness looked and saw the knife. (The knife was here produced.) That was the knife. Witness saw the prisoner stab the woman in the neck. He attempted to take the knife and the prisoner dropped it on the floor. After he had struck the blow, the prisoner said, "I have accomplished my purpose; I wish for nothing more; I shall suffer for it, I know I shall." The woman directly exclaimed, "You have! you have, Henry! but I freely forgive you, and I hope the law will take no hold of you and that no harm will come to you. I freely forgive you." She then asked him to kiss her. He kneeled down and kissed her twice, which she returned. She said he was the best of husbands and she was the worst of wives: she highly deserved all she had got. The woman was taken to the hospital. When witness first entered the room, the woman exclaimed, "Take him away; he'll murder me."

Thomas Turner, another waiter, corroborated the witness's evidence. Witness went into the room on hearing the shrieks of a female. He saw Mrs. Stent lying on her back; the prisoner was kneeling on her. Witness ob-

served the prisoner stab her in the front of the neck. He said, "I have accomplished my purpose." Witness desired Pithouse not to let the prisoner escape, while he went for a surgeon. Prisoner said, "I don't wish to escape." An officer was immediately sent for. Before his arrival, witness said to prisoner—"You're a rash man—you've accomplished your death warrant." Prisoner observed, "I have had sufficient cause—she has behaved basely to me." Mrs. Stent said, "Indeed, I have been a base woman to the best of husbands." She then requested to be raised up, and witness lifted her between his knees. She requested him to take her hand and kiss her, which he did, twice or thrice. She said, she freely forgave him and hoped her fate would be a warning to all bad wives.

John Hodson proved that he took the prisoner into custody and searched him; he found a letter in his possession. The letter was produced; it proved to be the same which had been directed to him by his wife; witness asked the prisoner how he could commit so rash an act; he answered that he had done it, and he knew that he should suffer for it.

Mr. Henry Benwell, house surgeon of St. Bartholomew's hospital, recollected Mrs. Stent being brought to the hospital on the evening of the 5th of August. She had several wounds; one on the lower part of the neck, which had penetrated the windpipe; it was a dangerous wound and might have occasioned her death, but she might have done well with-

out a surgeon: this was probable. She had another wound on her chest, a superficial cut; a third on the right breast, a stab; a fourth in her right side of considerable depth, which had wounded the right lung; this was likewise a dangerous wound. There was a fifth wound on the right arm. The wound in the lung might have occasioned her death. The knife produced was such an instrument as would inflict these wounds.

This was the whole of the case for the prosecution.

Mr. Justice Best now addressed the prisoner, and intimated that if he had any thing to say in his defence the period had now arrived for so doing.

The prisoner said he would leave his case entirely in the hands of his counsel.

A vast number of witnesses were then called on behalf of the prisoner, all of whom appeared to be persons of great respectability. They stated, that they had known him for many years, and had always believed him to be a kind-hearted, humane, good-natured man as any in existence, and a particularly affectionate and indulgent husband. It was impossible, in fact, to imagine testimony more favourable than was given by these persons, who all seemed actuated by the strongest sympathy towards the prisoner.

Mr. Justice Best proceeded to sum up the evidence. He deeply regretted the important and painful duty which, in the present case, devolved upon himself as well as upon the jury; painful, however, as that duty was, he felt no doubt that they would dis-

charge it in a proper manner. The learned judge then explained the law upon the subject. From the evidence detailed, and which he should again read over to them, no doubt could remain on the mind of any unprejudiced person that the crime charged upon the prisoner came within the provisions of that most excellent act of parliament introduced by the late lamented chief-justice of the King's-bench, for the protection of the subject's life. Though it did not appear in evidence upon the present occasion, the fact, however, might fairly be assumed, that Mrs. Stent, the unhappy woman who appeared before them on that day, had forsaken her husband, and by proving unfaithful to his bed had inflicted upon him the most poignant anguish, the most acute suffering that a man devoted to a wife could possibly endure. This, however, could by no means be admitted as a justification of his crime. The law of the land upon this subject proceeded upon the same principles as the religion of the country, which was Christianity. If a husband detected his wife in the very fact, *in flagrante delicto* as it were, and that at the moment he plunged some deadly weapon into her bosom so as to occasion death, it would not be considered murder. The law, like the religion of the country, making fair allowance for the frailties of human nature, considered the husband, with such provocation immediately before his eyes, as no longer under the guidance of reason, and of course not accountable for his acts. Here, however, the circumstances were

were quite different. A considerable time had elapsed since the elopement of the first witness, and on her return she manifested those symptoms of repentance, that appearance of returning affection, which might well be supposed to disarm vengeance, and prevent that ferocious purpose which the prisoner appeared to have deliberately contemplated. Even while her blood was flowing from the wounds inflicted, she still intreated him to kiss her; and in that kiss conveyed a pardon to her assailant. Under circumstances such as these, the law did not admit of the same excuse as when a husband detected his wife in the very fact. Sufficient time having been given for cool reflection on one side and for repentance on the other, the law, proceeding on the same principle as the benign religion which it imitated, did not allow vengeance to be inflicted with impunity. After some further observations, which the learned judge delivered with great talent and feeling, he summed up the evidence at length.

The jury then retired, and after consulting for about half an hour, returned with a verdict of Guilty; but recommended the prisoner strongly to mercy on account of his good character.

Mr. Justice Best.—The recommendation shall certainly be forwarded.

The punishment of Stent was finally commuted for 2 years imprisonment.

SEPTEMBER 19.

Theft.—Elizabeth Dunham was put to the bar, charged with steal-

ing two keys, the property of the governor and company of the Bank of England, on the 28th of August.

The prisoner pleaded guilty to the fact of taking the keys, but would not admit that it was a theft. She was respectably dressed, and while Mr. Bosanquet was stating the case, appeared to pay great attention to him. He said the only object of the Bank in bringing forward this prosecution was, that the prisoner might be sent to a place where she could be taken proper care of. It appeared that when her room was searched there were found not less than 4,000 keys. Among them were the keys of the Church Missionary Society, Bell's-buildings, of the counting-house of the duke of York's school, the padlock of Greenwich watchhouse, the key of the College of Physicians, of the Royal Exchange, the Temple stairs, county prison, Maidstone gaol, the council-room Guildhall, and many others. They were all ticketed, and the day carefully recorded on which they were taken. Mr. Bosanquet having closed the case,

Shackwell, the porter of the Bank, was called for the purpose of identifying the keys, which having done, the prisoner requested that they might be put into her hands for the purpose of ascertaining whether they were the same found in her room. This being allowed, the moment the poor woman got them into her possession, she exclaimed with an air of high satisfaction and triumph, "Now I have got them, I shall hold them for the rights of my king, my country, and

and myself." She then wrapped them up carefully in a pocket handkerchief, and said nothing should induce her to give them up but a free pardon from the Prince Regent.

The constable who searched her lodgings was then examined. He stated that he found there not less than 4,000 keys, all of which were labelled except about 200.

Being called upon for her defence, she said that she had done all this; that she had taken all the keys for her own rights, which she could not otherwise obtain. She thought that by doing so she would secure her own rights as well as those of her country, as the persons who own them would thereby be obliged to come forward and do her justice.

Mr. Justice Richardson.—Have you any witnesses to call?

Prisoner.—I don't know that I have; I see no witnesses. I have got many relations, but no friends.

The jury, under the direction of the Court, acquitted the prisoner upon the ground of insanity. She was, however, detained for the purpose of being taken the proper care of which her situation required.

OLD BAILEY, FRIDAY, SEPT. 24.

At 10 o'clock, Mrs. Mary Ridding, the wife of captain William Ridding, was put to the bar, and tried upon an indictment for stealing Benjamin, the infant child of John Schrier, 14 months old, on the 28th of August last.

The first witness was a little boy, 7 years of age, named Sa-

muel Schrier, who said his father lived at Bencroft-place. Witness was sent out with his 3 little brothers before 2 o'clock on Saturday; one of them was Benjamin; he took him to the adjoining field to the alms-house. A lady who was the prisoner at the bar, came up to him, and asked, "Is this Bencroft-place?"—he replied, "Yes;" she then asked him if there was a cake-shop near, and if the child (Benjamin) was his brother? he said, "Yes;" she then gave witness a shilling, and desired him to go and get 3d. worth of cakes, and she took the child out of his arms to hold while he was away; he was gone about a quarter of an hour, and when he returned to the spot he found Benjamin missing, and searched all about the fields without being able to find him or the lady. The lady had a bundle in her hand, but he did not know what it contained.

The moment he saw the lady at Lambeth-street, he identified her as being the same who carried away his little brother.

Sarah Holdgate said, her husband kept a green-grocer's shop at Shadwell. On Saturday, August 28, the prisoner came to their shop, about four o'clock in the afternoon, to buy some fruit for a child she carried in her arms. The child now in the mother's arms was, she believed, the same. The lady seemed very agitated, and trembled much: she said she had lost her way, was much fatigued, and said she wanted a coach to Old-street and did not mind what she paid for it. Witness directed her to the nearest coach-stand, and was, at the time

while she stopped, for about ten minutes, struck with the difference in the condition of dress of the child and the lady, and also at the whitish coloured hat of the child as being much newer than the rest of its dress. Witness was so much struck with this, that on the same day she communicated her suspicions to a lady whom she knew. She was quite certain of the identity of the prisoner.

Ann Knight lived in New-square, Minories, and knew the prisoner perfectly well; she took an apartment at her house on the Monday before this business occurred. On the Saturday in question she left the house about half-past 12 o'clock; she had no child nor any family with her; she said she should not return before night. Witness did not observe any bundle in her hand when she went out; she, however, while she was at the house, used to see her with a hat, which she said she meant to give to a poor woman. At seven o'clock in the evening of Saturday, she brought a coach to the door and took her things away.

Hester Hilder lived at the Cross-keys inn, Gracechurch-street, and remembered the prisoner's coming there on Saturday the 28th of August. She had been there once before: this Saturday, when she came with the child it was dark and candles were lighted for her; she left the inn on the Monday following. Witness had occasionally assisted her in dressing the child, which was a boy, and which she said she took from nurse. She could not speak positively that the

child now in court was the same the lady had brought to the inn. The child while at the inn pined and fretted a good deal, as if it wanted its mother's nutrition.

Cross-examined. — The lady treated the child with the greatest tenderness.

John Schrier was night-constable at Mile-end road, and the father of seven children; Samuel, the boy who had been examined, was one of them. On the 28th of August, Benjamin, another of his sons, was two days more than 14 months old, and was sent out with three of his brothers. On the 28th August he returned home about four o'clock, when he found that Benjamin was lost; he immediately went to make a diligent search, in the course of which (on the Thursday following) he arrived at Birmingham, where he found Martin, the officer, who had arrived there before him; he was in the same apartment with the child and the lady at the bar. Martin held up the child to him, which he immediately owned to be his, and accordingly took it. Martin then pointed to the lady and said it was she who stole it; either the prisoner or her sister-in-law, who was present, asked witness how he knew it to be his child; and he pointed out a mark on the child's arm and eye, when one of the ladies remarked he might have seen these marks since he came into the room. He refuted this by producing one of his printed bills advertising the lost child, which contained an enumeration of the aforesaid marks. Prisoner then became embarrassed, and said something about the child

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child having been put into her hands.

Joseph Martin, an officer, pursued the prisoner to Birmingham in consequence of information he had received. He found her there on the Wednesday, with the child in her arms, at the door of her house: it was dressed very smartly, and she was nursing it. He did not speak to her until the Thursday morning, when the father came; he told him he thought he had succeeded in finding his child. He then went to the house, which was a bookseller's, and asked for captain Ridding, who was out; he then asked for Mrs. Ridding, who, with her sister-in-law, came down stairs, and he was introduced to them in a back parlour. Witness then said to them, "I am an officer of the police from London, and have a serious charge against you; it is for stealing a child." She appeared dreadfully agitated at this intimation, and the sister-in-law equally so. The latter said, "What does all this mean, my dear? Speak the truth; what is there about this child?" "I will then," said she (the prisoner); "The captain has been long wishing for a child, and I went to London, determined to take some poor person's child and adopt it as my own; I accordingly walked about and saw this child and some others at play; I offered them money for cakes; the boy who had it said he would fetch the cakes, and he then pushed the child into my arms and ran off for the cakes. I waited for his return some time, but he did not come, and I then thought Providence had put the

child into my care, and I went away with it, determined to take care of it and apprise its parents of the circumstance as soon as I could ascertain who they were." On his asking her for the clothes the child had when she took it, she went up stairs and brought them down. [Mrs. Schrier here identified the clothes produced as being those her child had when it was lost.] The officer further said, that when he first saw the child on the Wednesday it was elegantly attired in a lace dress; on the Thursday it had a new and different dress; the lady appeared to treat it tenderly, and offered to send a careful person up with the child to London; she did not seem to wish to conceal the child at all, and saw her dancing it in her arms at the bookseller's door on Wednesday.

The lady, on being called upon for her defence, said, "I was walking near where the children were playing, and I wished to give them some cakes; I offered money to them, and the boy pushed the infant into my arms and said he would go for the cakes; I gave him a shilling, and he went to bring the cakes. After staying some time, awaiting his return, he never made his appearance, and at the instant it struck me, that, as I was anxious to adopt a child, it had pleased Providence to put this infant in my way. I then from that moment determined to adopt it as my own; as I had lost my way and knew not where to turn to look for its parents, I went away with it, determined to apprise its parents as soon as I could ascertain who they were; I treated it

whilst it remained with me with the utmost fondness and maternal tenderness."

The Common Serjeant summed up the evidence to the jury, who returned a verdict of Guilty, but strongly recommended the prisoner to mercy.

[She was finally sentenced to twelve months imprisonment.]

COURT OF KING'S-BENCH, GUILD-HALL, OCT. 12.

Libel.

The King v. Richard Carlisle.—This was an action brought by the Attorney-general against the defendant for the republication of Thomas Paine's *Age of Reason*, formerly adjudged to be a blasphemous libel. The cause excited general interest, and at an early hour the court was crowded to excess.

Mr. Carlisle conducted his own defence without the assistance of counsel; before the cause commenced, he objected to the competency of the tribunal, not being aware, he said, of any law on which the present prosecution could be maintained.

The Attorney-general, in opening the cause, repelled the assertion of the defendant that the present information was founded on no law. Christianity, he said, was a part of the law of the land, and to deny or revile it was punishable both by the common law and by several express statutes; and he cited several cases in support of this declaration, particularly the verdict formerly obtained against one Williams for the publication of the very work now in question.

If the Christian religion were part of the law of the land, the next point was to show that the defendant had violated it by publishing one of the most abominable, disgusting and wicked attacks on religion that had ever appeared in the world; and the learned gentleman proceeded to read passages from the work containing the most open and vehement attacks both on the authenticity and the moral tendency of the Old and New Testament.

Mr. Carlisle, in his defence, stated truth to be his only object in the publication; and expressed his conviction that such publication was essential to the interests and welfare of the country. His fellow-citizens, he said, were now fully prepared to discuss the subject; indeed it was only by perusing such works as these that the minds of the public could be perfectly enlightened. The sentiments of his own breast, he should state, were in unison with those of Paine, and his religion consisted in the avowal of them. He then entered into a laboured defence of these sentiments, which he affirmed to be free from any immoral tendency; and he proceeded to read aloud nearly the whole work, accompanying it with his comments.

After eleven hours had been occupied in this manner, the Lord Chief Justice at the request of the defendant adjourned the court to the following day.

The defendant, on resuming his defence, undertook to prove, by reading passages from the scriptures themselves, that the charges brought against them by Paine were founded in truth; but he

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he was interrupted by the Chief Justice, who informed him that it was not competent to the Court to try the merits of the Christian religion, and that such a line of defence was utterly inadmissible. He was however permitted to read a variety of extracts from various controversial works for the purpose either of supporting the opinions of Paine, or of showing that similar opinions expressed by others had escaped prosecution. He likewise endeavoured to show that the late act for the relief of Unitarians ought to protect this work from legal cognizance. The Court again adjourned to enable him to conclude his defence.

On the third day of the trial, Mr. Carlisle read a number of passages from various works in favour of the unlimited toleration of religious discussion. He also desired to be permitted to call the Archbishop of Canterbury, the High Priest of the Jews and the leaders of various sects of Christians, to show the discrepancies of their religious belief. The Chief Justice informed him, that such testimony would be at once inadmissible and unavailing; and in consequence some witnesses to the general character of the defendant were alone summoned.

After a reply from the Attorney-general, the Chief Justice summed up. He concluded by saying, that, sitting where he did, it was his duty to express his opinion to the jury, and that opinion was, that this publication was a work of calumny and scoffing, and therefore an unlawful publication. The jury, after a deli-

beration of half an hour, returned a verdict of Guilty.

OCTOBER 15.

Libel.

The King v. Richard Carlisle.—Mr. Carlisle, as on his former trial, protested against the competency of the Court. Mr. Marryat, for the prosecution, stated that this was an indictment against the defendant for having published a certain, scandalous, impious, blasphemous and profane libel of and concerning the Holy Scriptures and the Christian religion, to which the defendant had pleaded not guilty.

Mr. Gurney, on the same side, rose and said, that this was a prosecution instituted by the Society for the Suppression of Vice,—a society which had been of very much benefit to the public on many occasions, by putting down wicked and licentious publications, calculated, like the one now complained of, to injure the morals of the community, and particularly those of the young. The society conceived that the religion of the country, on which all morality was founded, was not less entitled to the protection of the laws than any other part of their invaluable institutions; and when they saw in one of the most public streets of the metropolis, works exhibited for sale which attacked and reviled the Christian religion, and the Holy Scriptures in which it was contained;—when they saw such works daringly and ostentatiously sold at the shop of this defendant, which he had been pleased, in the effrontery of his impiety,

impiety, to style the " Temple of Reason," " The Office of the Republican and Deist ;"—when they saw all this, they thought themselves called upon to do their part to put down a class of publications which, were they to succeed in their object, would dissolve all the bonds by which civil society is held together. They had accordingly obtained evidence of the publication of the work in question and submitted a bill of indictment to the grand jury, by whom it had been found. The defendant had been pleased to enter his protest against the competency of this Court to try the question. If such protests as this were to be tolerated, he knew not what offender might not in future unblushingly defy the authority of the courts of his country to take cognizance of any offence imputed to him. He supposed that they would be asked to-day, as they had been before, by what law the defendant was to be tried. The answer was, that he was to be tried by the ancient, the well-known, the universally-recognized common law of England ;—that law which existed and was revered and obeyed before there was any statute on the books ;—that law by which their civil rights were regulated, by which their property was protected from the thief by day, by which their houses were protected from the midnight intruder, by which their lives were protected from the knife of the assassin, by which their nature was protected from the violation of unnatural lust. Such were some of those crimes which the

common law of this land had denounced ;—that law which they had been told was no law ; and really the defendant might as well tell them, that not one of all these crimes could be competently tried by any court in the country, as stand there and maintain that it was incompetent for that Court to try him for the equally high and serious crime against common law with which he was now charged. A doctrine such as that maintained by the defendant would, in fact, set all law and order at complete defiance. The book which was imputed as a libel to the defendant was entitled " Principles of Nature ; or, a Development of the Moral Causes of Happiness and Misery among the Human Species." It professed to be by Elihu Palmer, and the imprint stated that it was printed in America, but re-printed and published in London by R. Carlisle, 55, Fleet-street. Whether all these statements were false or true, he knew not ;—whether there was any such person as this Elihu Palmer, or whether the book had ever before been printed, he neither knew nor cared. It was enough that he found the defendant openly publishing it with his own hand ; and as it would be his business to show to them, publishing it with no other purpose than that charged in the indictment ;—the profane and wicked purpose of reviling the Christian religion and Holy Scriptures. It was a painful task to give utterance to such passages as he should be obliged to read to them in support of his case : it must be as painful for them

them to hear as for him to repeat them;—passages so abominable, that, except certain parts of that infamous work with the consideration of which the Court had for these three days past been occupied, he remembered not to have read or heard of any thing so remarkable for wickedness and atrocity. The learned gentleman then proceeded to read various passages reflecting either upon certain doctrines of Christianity, or upon the character of its founder; and after a number of remarks in reprobation of the work and of the conduct of the defendant, he ended by expressing his confidence that the jury by their verdict of condemnation would contribute to stem that torrent of infidelity which threatened to carry away all our institutions, all our laws, and with them all our happiness.

A witness was then brought, who proved the purchase of the work of the defendant in person. Mr. Carlisle afterwards spoke at some length in his own defence. "The learned gentleman, he said, has stated that this was a prosecution instituted by the Society for the Suppression of Vice. Until last night, gentlemen, I never knew who my prosecutors were; nor do I believe I should then have become acquainted with their name but for the verdict of yesterday. He has told you that the gentlemen of this society have conferred many benefits on the country; and, in some instances, I admit it; but they have carried their inquisitorial conduct too far. In preventing the sale of obscene books and prints, I think the society

has acted laudably, as these are demoralizing to all persons, of all ages, and of both sexes. But are they justified in going so far as to become censors of the press, and to judge of books on matters of opinion? Gentlemen, I am no hypocrite; I avow myself a Deist, believing in one God, independent of books or the opinions of others. This, it must be admitted, is, in the abstract, a matter of opinion only. If, gentlemen, your religious opinions are different from mine, you will doubtless disapprove and condemn them. By the laws of this country, a foreigner is entitled to have one half of the jury his countrymen, or at least of foreigners; but it is not so with me; I am to be tried by a jury of opinions opposite to my own, and I am not allowed to justify mine. How far it is necessary that books should be shielded from examination by law, or that courts of justice should take cognizance of such an examination, and not allow the defendant to state his reasons, I will not pretend to determine. The learned gentleman has attempted to screen the Attorney-general from the charge I made against him of wishing to excite prejudices against me; but he has failed. He has also stated, that the book I am charged with publishing was purchased at the office of *The Republican and Deist*. Now, gentlemen, this is a falsehood, as my shop bore no such designation until long after this indictment was laid against me. He calls me an offender; this, at least, was not decent in your presence; for although the indictment charges

charges me with an offence, yet I ought not to be branded as an offender until I have entered into that defence of my conduct which I am this day determined to do; and no other judge but yourselves, gentlemen, shall interrupt me; and if I am told by you that I shall not make such defence, then will the verdict you may give against me be irregular and impure. But the learned gentleman has gone further, and compared the publication of a book as equal in offence to that of murder, theft, or pocket-picking. Is there the slightest analogy? A book is submitted to the public, to be purchased by them or not, at their option; and if they read it, they may approve or discard it. They are not deprived of any thing by the act except the price of the book, and this was on their part voluntary."

After pleading, that the act by which impugners of the Trinity were relieved from responsibility, ought to protect him also, the defendant proceeded to read and comment upon the work in question. After listening for some time to passages which gave general offence, the jury at length expressed, through their foreman, their unanimous opinion that Mr. Carlisle was pursuing a very improper mode of defence; an intimation which silenced him.

The Lord Chief Justice, after laying down the law to the jury, observed, that as the indictment charged malicious intention, it was necessary to prove that; and it was to be asked if it had resulted from the defendant's open avowal. The sole question for their consideration was, whether

malicious intention was proved or not.

The jury consulted about two minutes, and then returned a verdict of Guilty without retiring from the box.

On November 16th, the Attorney general prayed the judgment of the Court on Richard Carlisle; when an affidavit was put in stating the number of copies of Paine's *Age of Reason* sold by him to be 3,000, at half a guinea a copy.

After some legal objections to the conviction had been urged by Mr. Denman, but over-ruled by the Court; and after the defendant had spoken once more in his own behalf, and the Attorney-general had replied, judgment was pronounced by Mr. Justice Bayley in the following words:—"The sentence of the Court upon you, Richard Carlisle, is, that for the first offence of which you have been found guilty, the publication of *Paine's Age of Reason*, you pay a fine to the King of 1,000*l.* and be imprisoned for two years in the county gaol of Dorset, in the town of Dorchester; and that for the second offence, the publication of *Palmer's Principles of Nature*, you pay a further fine to the King of 500*l.*; and be farther imprisoned for one year in the said gaol at Dorchester. And that you be further imprisoned until those fines are paid, and also until you give security, yourself in the sum of 1,000*l.* and two others in the sum of 100*l.* each, that you be of the peace and good behaviour for the term of your natural life.

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COURT OF KING'S BENCH, SERJEANT'S INN, OCT. 29.

Man v. Davis (Clerk).—This was a case wherein a pauper was removed from one parish and delivered to the officers of another, in Suffolk. At the latter place he was anxious to procure employment, it being harvest time. He remained there for two months without being chargeable, or likely to become so; during which period no objection was taken to his residence in the parish; but at the expiration of that time he was committed a second time (having been before punished for the same offence) to Bury gaol by defendant, as an idle and disorderly person, who had "unlawfully" returned to a parish from whence he had been already once legally transferred. It appeared that on the occasion of the return in question, he was provided with a letter from two of the principal inhabitants of his own parish, acknowledging him for a parishioner, and expressing their regret at the unnecessary harshness with which he had been treated in the other. It was in consequence of his unlawful imprisonment in Bury gaol that the present action was brought.

Mr. Robinson observed, that the formal question in this case was, whether the conviction was any legal justification of the defendant? But there was another also;—whether a man who had been once removed from his parish became criminal by the mere naked fact of returning to it, without any thing else;—whether that was an act of vagrancy? If he could show their lordships

that he did not, and that this was not enough to constitute such an act, he flattered himself his motion would lie. Now he should contend that the magistrate had no jurisdiction, because he had acted upon an information which did not state any crime as against the plaintiff. The mere return of a pauper after the execution of an order of removal was not an act of vagrancy. The information in question was founded on the well-known statute of 17 George 2nd, and it was most material to observe that that statute neither defined nor created the offence charged in the information. It was of the more consequence to remark this, because had the words of that act first mentioned and described the offence, it would have been sufficient to have referred to it in the information. But what did it do? It provided that all persons who should "unlawfully" return to such parish, place, &c. after being removed from thence, without bringing a certain certificate, properly signed, from the place or parish whence they so returned, should be deemed idle and disorderly persons, and punished accordingly. It was therefore to be inferred, from the word "unlawfully," that it was not the intention of the legislature to declare the mere and single act of returning unlawful. That very word indeed implied, that there might be a lawful mode of performing the act he spoke of.

Their lordships here suggested, that the very words of the statute, such as they were, being transcribed into the information, it was not possible for them to alter

alter them. Should not this man, to have raised the learned counsel's points, have offered to the magistrate at the time such circumstances as might have proved that the proceedings against him were not legal? It did not appear that he had then urged what would have been, no doubt, sufficient to prevent their taking place.

Mr. Robinson, in continuation, said, that Mr. Justice Buller had already laid it down, that if the statute defined the offence, then it was correct and sufficient to refer to it in the information; but if it did not, or spoke of it only relatively or in general terms, then the reference was not enough. So, in an action under the Gambling act, the judges held, that the pleading of the words of the statute, "unlawfully gaming," was not a good plea. The specific facts ought, they said, to have been shown, in order that they might know what were unlawful games. In the case of Molten and Jennings (Cook's Reports, 642), lord chief justice Eyre held, that if the oaths had not been specified the information would have been void.

The lord chief justice observed, that there was this distinction to be made between the case before them and those which had been cited—that here it would be matter of extreme hardship if a pauper, after being examined before the magistrate and refusing to state the grounds of his return, should, after conviction, be allowed to say, "I can bring forward facts to prove an illegal commitment, and will now state them, though I declined to do so before."

Their lordships concurred in observing that this was very possibly a case of extreme hardship individually on the plaintiff; but under the circumstances of the case, they could not possibly pronounce against the magistrate, who, acting on the information, had only done, and by no means exceeded, his duty. If the plaintiff could get at the person who caused his commitment in the first instance, they should be very glad; because they believed this to be only one of the ten thousand cases which must be perpetually occurring so long as the present poor-laws remained in operation. If they were to pronounce that an action would lie against the magistrate, they might be punishing an innocent man. He appeared to have acted rightly. But very possibly the churchwardens and parish officers (and on the face of the pleadings it seemed they had) acted most improperly and harshly to the plaintiff, whom they were instrumental in depriving of work in the middle of harvest, and who was not likely to become chargeable to them. The magistrate, however, could not be held to have proceeded illegally.

KING'S BENCH.

Inquest at Oldham.

The King v. Joseph Taylor and John Earnshaw.—Mr. Scarlett rose and said, he was instructed to move for a rule to show cause why a criminal information should not be filed against Joseph Taylor and John Earnshaw. He made this motion upon the affidavits of John Mellor, constable at Oldham;

ham; Ferrand, one of the coroners of the county of Lancaster, and another: the ground of it was, an attempt to influence improperly the minds of a jury assembled at Oldham to hold an inquest upon the body of John Lees. The jury were summoned for the 8th of September, but the coroner not being able to return to Oldham from the Lancaster assizes, an adjournment took place. On his arrival however he found a great multitude assembled, who appeared to take a great interest in the proceeding, and to be extremely desirous that the jury should come to the same conclusion as they had already drawn. Mr. Ferrand's affidavit went on to state, that the inquest continued many days, and that at length, fearing from the temper evinced in the town, that some disturbance might take place, he adjourned it to Manchester, where the police was more vigilant and active. One of the parties, Earnshaw, was a surgeon, and had attended to give evidence on the subject matter of the inquiry. He had attended the deceased in his medical capacity, but being a Quaker he declined taking an oath, and could not therefore be examined.

Mr. Justice Bayley asked whether any verdict had been found?

Mr. Scarlett replied, that it was difficult to strip themselves of the effect of public rancour, but that it did not appear by these affidavits whether a verdict had or had not been found.

Mr. Justice Bayley observed, that his motive for asking the question was, a doubt whether such an application as the present

might not have an influence on the verdict; and whether, in that view, the Court ought to interfere?

Mr. Scarlett said he would shortly state the ground of his motion. Mr. Earnshaw's evidence had been rejected for the reasons before stated; but it appeared that he and Taylor had taken means to circulate in the form of a written statement among the jurors, that which he had not given upon oath. He would not disclose the contents of this paper at present, but merely add, that Mr. Cox, a surgeon, had given evidence as to the cause of Lees's death, and the remarks in the written statement differed from that evidence. One of the affidavits stated that four or five of the jurors had received copies, one of which was shown to the coroner.

The Lord Chief Justice asked, whether it appeared from whom they received them.

Mr. Scarlett replied, that in Mellor's affidavit it was sworn that Taylor admitted to him the fact of the papers being left at his house without any direction, but that, conceiving them to be so intended, he had distributed some of them among the jury. Mr. Ferrand stated, that one of the jury put a copy into his hands; that he made no observation at the time, but finding afterwards that more were distributed, he told the jury that it was their duty to deliver them to him; they made no answer, but it appeared that all, except one named Wolfenden, had received copies, which were left at their respective houses. The learned gentleman observed, that

that the evidence did not trace the paper to Earnshaw so distinctly as to the other defendant; but if the Court should be of opinion that it was an offence, they might think the evidence strong enough to induce them to call upon him to show cause.

Mr. Justice Bayley asked whether the paper was written after Earnshaw's attendance in court?

Mr. Scarlett said he believed that was the fact. The paper was dated the 1st of last month. It was sworn to that Mr. Earnshaw, on being asked whether he was the author, gave an indirect answer, saying it could not be traced to him, and that he had neither directly nor indirectly circulated it. One of the papers appeared, however, to be in his hand-writing. The learned counsel was then about to read the paper.

The Lord Chief Justice.—The paper, I presume, imports to contain the opinions of a medical person?

Mr. Justice Bayley.—And is an affirmation of what could only be received as evidence under the sanction of an oath?

Mr. Justice Best.—And is such evidence as had been previously rejected?

Mr. Scarlett assented.

The Lord Chief Justice.—It is clear that nothing ought to be delivered to a jury, and that no communication whatever ought to be made to them except upon oath.

Mr. Justice Best.—It appears likewise to have been delivered secretly.

Mr. Scarlett.—Yes; the coroner was himself unacquainted with it.

Mr. Justice Bayley.—It has certainly the appearance of an attempt to pervert the course of justice. If the coroner had allowed the paper to go to the jury, and they had received it in an open manner, he would have acted very improperly.

Mr. Scarlett observed, whether the facts stated in the paper were true or not, that they were no evidence. There was even one still greater irregularity, the writer having combined with his own opinions certain alleged declarations of the deceased, which were clearly inadmissible evidence, even if stated upon oath.

The Lord Chief Justice.—The circumstance upon which I found my opinion at present is, the communication of matter to the jury, the party so communicating not being upon his oath. I do not think, however, that enough is stated to implicate Earnshaw, but you may take a rule as it respects Taylor.

HIGH COURT OF ADMIRALTY,
NOV. 4.

The Ship Prins Frederick.

This was the case of the *Prins Frederick*, a Dutch 74, (but at the time of the salvage *en flote*), laden with a valuable cargo and on her voyage from Batavia. Being in great distress off the western coast of England she made signals for assistance, which was promptly afforded, and in consequence of which she was at length worked into Plymouth harbour. On the part of the salvors, the usual warrant was granted by this court, under date
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of the 25th of October last, and served while the captain was below by the proper officer; but on his deputy's attempting to take possession of the ship with the customary forms, the Dutch captain assailed him with the most insulting language and ungentlemanly behaviour; he threatened to throw him overboard if he did not quit the ship immediately, after having otherwise put him in fear of some personal danger and punishment in the event of attempting to execute his orders. The officer was, in consequence, obliged to leave them unexecuted.

Dr. Lushington, on behalf of the salvors, moved the court for a warrant of attachment as against the person of the captain, (the former one extending to the ship and cargo.) He contended that every possible consideration had been shown for the situation of this person and the character of his government. Immediate information had been transmitted to the ambassador from the king of the Netherlands in London, as well as to his consul resident at Plymouth. The conduct of the captain, under these circumstances, was a manifest contempt of court; and the learned counsel maintained, that the course he had proposed in submitting his motion, was the only one that ought to be pursued in this case.

Sir William Scott asked if any appearance had been given on behalf either of the ambassador or of the consul?

The king's advocate replied in the negative. He was aware that, therefore, it was only by the indulgence of the court that

he could make any observation on the case before it; but he suggested, that it was one of great nicety, seeing that the foreign officer's instructions could not, most probably, contemplate the occurrence of the events in question.

Dr. Arnold had also, conjointly with his majesty's advocate, been consulted by the consul on this occasion, and hoped that proceedings would be suspended. The captain was, in some degree, intrusted with the honour of the national flag under which he was sailing; and it might be fairly presumed, was more anxious for the preservation of its rights than the observance of his duties. He trusted that time might be allowed, in order that he might communicate with his government.

Dr. Lushington insisted that this was the case of a ship which had sought, and been assisted by, the aid of British vessels, by whom she had been brought within British territory and under the undoubted jurisdiction of his Britannic majesty. How, then, could it be urged, that this was a case of any peculiar nicety; or that it could be necessary for this officer to make any reference to his own government? His conduct had been clearly most reprehensible, and was clearly within the reach of this court. But he wholly objected to the precedent of this officer's being allowed to ask for instructions from a foreign government. Was this court to wait such delays in a case like this? Suppose the vessel had been an American or a Russian, was this the way in which this country

country was to run the risk (he would not put it otherwise than conditionally) of having its authority invaded?

Sir William Scott asked what further time the other party meant to apply for, before the warrant of attachment should be granted?

It was intimated that a fortnight or three weeks would be sufficient.

Sir William Scott wished to know, whether the ship, in case of the suspension, would remain certainly in her port, and whether there was any intention of proceeding?

The King's Advocate had no means of answering positively; but the ship being a complete wreck, he presumed the court had every means of protecting itself whatever it might decide upon.

Sir William Scott said, the court felt a desire to act with the greatest delicacy towards foreign states on occasions of this sort, and certainly not the less so in regard to the state in question. This was described as a ship of war, but her present situation was that of a merchant vessel, clearly; and the other vessels which had applied for this warrant were as clearly entitled to remuneration for salvage-service. There might be reasons on the part of the foreign minister here for the delay, which he was inclined to respect; but the British claimant must be protected. If he were given to understand that this ship would not be removed, however, he could not object to the warrant's being deferred for a short time; and this he desired might be signified to the minister,

who represented his government in this country, accompanied with an intimation that such removal must on no account take place. The court, in conclusion, observed, that it should grant the warrant of attachment, unless the assurance of her continuing in port were speedily given him, which might be done by the proper parties, when so enabled, out of court, without waiting for the next court-day.

KING'S BENCH, NOV. 8.

Criminal Informations.

The Lord Chief Justice, who was engaged in going through the bar a second time upon motions for new trials, observing that Mr. Hunt had been some time in court, with a bundle of papers at his side, inquired through one of the officers whether he intended to submit any motion; and on finding the affirmative, called upon him, and stated that the court were now ready.

Mr. Hunt rose, and said he had a motion to make, and it respected the magistrates at Manchester.

Lord Chief Justice.—Well, what is the nature of it?

Mr. Hunt.—My lord, I mean to move for a criminal information against them.

Lord Chief Justice.—That is not competent for you to do. A criminal information must be moved at the suit of the king; and such a motion can only be made by some gentleman at the bar.

Mr. Hunt.—I have looked into
all

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all the books, and I cannot find any instance in which the court has interfered to stop a prosecution of this kind.

Lord Chief Justice.—I believe there is no precedent of the court allowing any but a gentleman at the bar to conduct a proceeding of this nature. Mr. Pollock we are ready to hear you.

Mr. Pollock, however, had no sooner finished his motion, than Mr. Hunt again offered himself to the attention of the court, and begged to know whether their lordships would be pleased to advise him how he ought to proceed.

Lord Chief Justice.—No, we do not sit here for that purpose.

Mr. Hunt (interrupting his lordship, who with some difficulty was able to add, that if he had sustained any personal wrong, he might bring a civil action) replied, he had been often told that courts of justice were open to all. He had strong reasons for making this a public proceeding, and he had neither money nor inclination to employ professional lawyers in the management of it.

Lord Chief Justice.—All this court does is to prevent you from moving for a criminal information.

Mr. Justice Bayley.—It may be as well to state on this occasion the reasons of the rule by which the court is now guided. It would be most improper, in the first place, that the time of the court should be occupied unnecessarily, or in the consideration of topics irrelevant to those points over which alone it exercises its jurisdiction, or to which it can, beneficially to the purposes of justice, advert. The

time of this court belongs to the public.

Mr. Hunt (again interrupting).—I am one of that public.

Mr. Justice Bayley.—You are, Sir, and are to be informed, that the king sometimes acts in this court by his own law-officers and sometimes by other professional gentlemen. Every criminal prosecution is carried on in his name; and for a long series of years a practice has prevailed, that none but gentlemen at the bar, whose education fits them for the conduct of such proceedings and who know by that education and from their experience what points ought to be urged and what topics may be brought forward without incurring blame, shall carry on the prosecution in court. It might otherwise happen, without any evil motive, but purely from honest ignorance on the part of an accuser, that the most injurious prejudices might be excited. It would, indeed, be a great hardship on a prisoner, charged perhaps with an offence affecting his life, that a prosecutor, merely because he knew not what it was proper to state and what it was necessary to omit, should bring forward matters with which a jury had nothing to do; but which, being brought forward, might produce an effect upon their minds which it would be impossible for the judge afterwards to remove or to control. The same observation must apply to cases of misdemeanors, and he knew of no solid distinction that could be made between what was to be addressed to a jury and what to that court, in cases at suit of the crown. There is

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no precedent of a criminal prosecution originating in this court except at the instance of officers of the crown, or of persons who in some respects stand in the character of public officers—I mean, of course, gentlemen at the bar. To abandon this rule of proceeding would be to destroy the distinction between civil and criminal cases. By the former, every individual may seek a remedy for personal wrong sustained; but the object of criminal proceedings is not private redress but public justice; and it is therefore impossible for us to accede to that course which you are desirous of pursuing.

Mr. Hunt.—May I be permitted to offer a few observations on what has fallen from the learned judge?

Lord Chief Justice.—No, Sir, you cannot. Have you any instances of an individual not at the bar, being allowed by this court to do what you are contending for?

Mr. Hunt.—There is no precedent from the earliest institution of trial by jury to the contrary.

Lord Chief Justice.—You have not answered my question.

Mr. Hunt.—I wish to refer the court to a case which came on before lord Ellenborough, a short time before your lordship was appointed lord chief justice of England.

Mr. Justice Bayley.—It was determined recently in the case of Milne, in the negative.

Mr. Hunt.—I allude to a different case, that of the king, on the prosecution of Pitt, against the right hon. William Huskisson and others.

Mr. Justice Bayley.—I recollect that lord Ellenborough did suffer Mr. Pitt to be heard, and that I afterwards spoke privately to that noble and learned lord, for whom I always felt the greatest respect, but to whom I communicated my opinion that he was wrong on that occasion. His lordship acquiesced in the reasons I stated, and declared his conviction that the proceeding was incorrect, and that the mischief of such a precedent, if it was allowed to be drawn into one, could not easily be calculated.

Mr. Gurney.—His lordship afterwards declared in court, that he was satisfied he had acted wrong.

Mr. Hunt.—If this be law, it is useless for me to contend any further.

Lord Chief Justice.—You are bound to submit to the authority of the court.

Mr. Hunt.—This is the first instance of a prosecution being so impeded.

Lord Chief Justice.—There is scarcely any instance of a prosecution attempted to be thus commenced.

Mr. Justice Holroyd.—I think it is clear that there is no precedent to justify an application on the part of the crown brought forward in the present manner. The object of all criminal prosecutions is public justice; and the court would act most improperly in allowing an individual to convert himself, at his own pleasure, into a counsel for the crown.

Mr. Justice Best.—It is only where an individual can make himself party to a cause, that he

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is suffered to appear publicly before the Court. The person on the floor comes forward, not as any party to the suit, but as an advocate for the king. If it were a civil action, that would be carried on in the name of the applicant, and he would be entitled to conduct it personally. He cannot, however, be in a situation to do so under the present circumstances, unless he can adduce a sufficient precedent; and none such is to be found. What right then can this person have to obtrude himself upon the king, and in his name to conduct a prosecution against his subjects? The Court ought to make no such precedent; and indeed the replies which have been made upon it in this instance, are pregnant proof of the utility of the rule and the importance of adhering to it. Gentlemen at the bar know when to stop or to recede; but it is evident that the present applicant will be content with nothing which this Court can decide.

Mr. Hunt then declared his confident persuasion that no application would ever be made against the Manchester magistrates by any gentleman at the bar, and immediately left the Court, apparently much chagrined.

COURT OF COMMON PLEAS,
THURSDAY, DEC. 2.

Curling v. Buck.—This was an action for a breach of promise of marriage, and the damages were laid at 1,000*l*. It appeared that the plaintiff, Miss Mary Anne
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Curling, was a young lady of considerable personal attractions, residing with her mother, a lace-cleaner, in Wood-street, Bond-street. The defendant, formerly an officer of engineers in the East India company's service, now acted as minister to a congregation of Baptists, at a new chapel situated between Queen-street and Charles-street, Oxford-road. He had previously preached at a chapel in Titchfield-street. The lady was of the age of 22, and the defendant 28 years. The acquaintance commenced by the plaintiff, her mother and sister, going to hear the defendant preach in November, 1818; after which they visited each other. Shortly after it was agreed, that the family of the plaintiff should become his sectarians, and they accordingly joined the Baptist society and became a part of his congregation. The defendant then paid his addresses to the plaintiff, with the consent of her mother and with the knowledge of his father, a tailor, residing in Arundel-street, in the Strand: the families continuing to visit each other from November 1818, to April 1819, when the defendant thought proper to break off the intended marriage, which had been repeatedly promised and even published by bans. His letter on this occasion stated (among other things) that his father had given his absolute negative to the connexion, and that if the union took place, it would prevent his father's settling those debts which he (the defendant) had contracted in India, and which his father was now liquidating, &c. Several love-letters
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of the defendant's preceding this were read, which marked his sentiments of propriety, respect and affection for the plaintiff: in one of them he said, "I pray God that the law may bring us together for our mutual comfort;" and it was proved that in a conversation respecting her, he had said, "She is a pious, God-fearing young woman"—"She is a spiritual and gracious young woman." On the part of the defendant it was stated, that he was in very narrow circumstances and much involved; his father had a numerous family besides. The salary he enjoyed as a preacher could not exceed 50*l.* per annum, as he had expended all the money he could raise in fitting up the chapel. However, he abandoned all attempt to throw any imputation on the character of the lady.

The Chief Justice summed up the case, and the jury found a verdict for the plaintiff—damages 150*l.*

COURT OF KING'S-BENCH,
THURSDAY, DEC. 23.

Butcher v. Campbell and others.

—This was an action brought by the owner of a fishing smack called the Mercury, against the owners of a West India trading vessel called the Contest, for running down the plaintiff's ship, whereby she was sunk. The accident took place on the 27th March, 1818, off Fair Lights, about nine miles from the shore. The master of the smack gave in evidence, that on the morning in question, between eight and nine,

the Mercury, with five men on board, was sailing down the Channel at about two knots an hour, with their sails slack; the wind was strong in the north. He and his crew saw the Contest coming down the Channel with full sail, at the rate of eight knots an hour. They saw the Contest first at a quarter of a mile distant. They hailed her several times before she came upon them. She was bearing down upon them. If there had been any one in the fore-castle of the ship he must have heard the hail; no answer was given to it. They did not put the helm of the Mercury up after seeing the Contest. It was up before. They had trawling nets out at the stern. If the crew of the Contest had heard the hail, they might have avoided running on the Mercury. The Contest did not alter her course. The Contest struck the Mercury on the stern and split her; one of her crew was drowned, and another cut in two. The remaining three got on board the Contest. When they got on board there was nobody on deck except the man at the helm. The captain then came from below upon the deck. The master of the smack told him that two of his men were killed. The captain said he was sorry for it, and confessed that it was his fault. He said he had sent down one watch and the other had not come up; they were all at breakfast together. The captain then, at the request of the master of the smack, gave him a letter to the defendants, in which he said that he was sorry for an accident that had happened in his running down a vessel at
eight

eight in the morning; he did not see the vessel that was trawling before them till close upon her, and putting down the helm he ran her down, the wind strong in the north. He also wrote therein that he had sent the letter by one of the crew of the smack, and requested the defendants to make the owners a compensation. This evidence of the master was confirmed by the other two men who were on board at the time of the accident. A person on board another fishing smack, called the Chamelion, swore that there were no persons on the deck of the Contest at the time she passed his vessel; he had taken particular notice in consequence of her having nearly run down his vessel: it was a few minutes before the accident. This evidence was directly contradicted by the captain and four of the crew of the Contest, who swore that there were several persons on deck, including the captain, at the time of the accident. They saw the Mercury a-head steering the same course as the Contest. They did not perceive her trawling-lines, but took her for a coasting-vessel. The Contest was sailing from five to six knots an hour. The captain told the helmsman to put the helm up, in order to pass the Mercury to leeward. The Mercury then steered to leeward across the course of the Contest, when the captain ordered the helm of the Contest to be put down, to pass the other vessel to the windward. When the helm was first put up, the Contest was 300 yards off the Mercury. If the helm of the Contest had been put up sooner,

she would have run against two vessels that were off her bows. If the smack had made way, the Contest would have passed her. She was prevented making way by her trawling-lines. The luff of the Contest's lee struck the Mercury's quarter. The trawling-rope took the bow of the Contest; if this had been slacked a foot she would have passed. If the Contest had not gone to the windward when the Mercury did, she must have struck her in the middle. The accident happened at nine; the time of changing the watch and of breakfast was eight; the watch had been changed an hour.

The Lord Chief Justice said it was for the jury to say whether a proper watch was kept by the crew of the defendants' vessel. He observed, that the letter written by the captain at the time of the accident was more likely to contain an accurate account than his testimony given at a remote period. The account there given was consistent with the plaintiff's case.

The jury gave a verdict for the plaintiff. Damages to be ascertained out of court.

HIGH COURT OF ADMIRALTY,
DEC. 10.

Sir William Scott gave sentence in the case of a mariner late of the ship Elizabeth; out of which a question arose as to the liability of owners to the payment of seamen's wages for the full voyage, when from some accident (not of misbehaviour) they shall have been discharged on the

course and before the completion of the voyage.

The seaman who here sued for his wages entered on board the ship *Elizabeth* at the port of London, bound to Petersburg and Lisbon; but when off the coast of Scotland she met with a violent storm, and with difficulty kept the sea. They at length worked the vessel into a harbour; and the captain finding that her repairs would necessarily occupy a considerable time, and could not be completed before the ice set in in those latitudes, accepted a proposition which is declared by him to have proceeded from the crew, viz. that he should discharge them at that port, paying them their wages up to the period of their quitting the ship. The men asserted a different tale, pleaded their great exertions for the salvation of the ship and cargo, and made it appear that the offer, to which they reluctantly acceded in preference to the inconvenience and uncertainty of remaining in a remote and unfrequented corner of the island, came from the captain; that they were conveyed to Wiesabay and Elsinour and thence to London, where they arrived in the beginning of the succeeding year. They asserted that wages were due to them up to the time of their return home from London to Lisbon. The marine law of every country was averse to the discharging of seamen at foreign ports. Looking to the evidence on both sides of the case, the Court could not accept this as a voluntary discharge on the part of the men. For how was it proposed? In a form which admit-

ted of no probability of refusal; for had they not accepted of it, they must have been left to starve in a foreign country. It would be purely idle, a mere abuse of terms, to call their's a voluntary act. The learned judge then entered into a distinction which it was necessary to draw between the contract of the mariner and that of the master; for it had been said that an analogy existed between them; and that it was no more competent for the master to dismiss the men from the observance of their contract, than it was for the men to discharge the master from the observance of his. But there was this great and material difference in the case: that while the engagement as between the mariner and the owners was a stipulated compensation, *pro opere et labore*, that between the captain and his owners was for services of a higher order—the guidance and direction of the ship. Then again, the mariner was bound to follow his directions whatever course they might take; that course it was not competent to the mariner in the slightest degree to alter. But the master might alter, re-arrange and totally desert the voyage at first proposed to the mariner, upon whom it would still be incumbent to obey his orders. As to the claim of the full wages of the voyage, no law ever provided, and no court of equity ever could suggest, that that which was a hard misfortune upon the owners should be turned into an unexpected advantage to the seamen. Nor was it ever meant, that in a case where they could be of no service

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service for a long period to the ship, they should receive the wages of industry to spend in unoccupied idleness, keeping holy-day upon the calamity which had befallen the owners. There was one item, however, which he found deducted from the wages said to be due, which he could not allow. The men were charged with their overland passage, in one instance, to their ports of embarkation. Now passage-money it was clearly for the owners to advance, whether the men moved by sea or land: if by land, it was only a change of vehicle; but the same interests were still to be protected. On the whole view of the case, the Court decreed to the parties their wages up to their arrival in England, their passage expenses, and, under the insufficient tender which had been made them, all the expenses of this appeal.

COURT OF KING'S-BENCH,
MONDAY, DEC. 20.

Special Jury.—Wallace, Executrix, v. Good.—This action was brought by Mrs. Wallace, as executrix of her late husband, on a policy of insurance underwritten by the defendant on the ship *Isabella*, at and from Newfoundland to Genoa: the interest was stated to be in Mr. Wallace the deceased; the loss by perils of the seas. The interest was admitted to be as laid; the ship sailed from Newfoundland on the 21st of October, for Genoa, and was lost on her passage. The defence set up was the concealment of a material letter. This

letter was written by the deceased from Newfoundland on the 20th of October, to the plaintiff, his then wife, wherein he informed her that the ship in question was nearly loaded. This letter was received by the plaintiff about the 10th of December. The plaintiff resided at Workington, and at the end of January in the following year she gave orders to an insurance-broker to effect the insurance, which was done accordingly.

The broker swore, that the average voyage from Newfoundland to Genoa was three months; and the course of the post from Genoa to London was three weeks or a month. At the time he effected the policy he knew of the receipt of the letter by the plaintiff, but had never seen it. At that time he had no suspicion of the ship being lost, nor any knowledge of her having sailed. The letter was not shown to the underwriters.

The defendant called a merchant who had been some years in the habit of trading to Newfoundland. He swore, that the average voyage from Newfoundland to Genoa in the month of October was about a month; he had rarely known it exceed 35 days; it was often done in 25 days. He stated that the course of post from Genoa to London was 12 days on the average; that if he had seen the letter dated the 20th of October, from St. John's, Newfoundland, stating the ship to be nearly loaded, he should have concluded that she must be out of port in three or four days; the port lies near the ocean, and a fair wind of half an hour will
carry

carry out a vessel. In January following he should certainly have considered her out of time, and would not have underwritten the policy at any premium.

Mr. Pitcairn, an insurance-broker, proved that in November he had done policies on the *Isabella* at the usual premium. On the 19th of January following he received orders from Devonshire to effect further insurances. At this time he was aware that the ship had sailed on the 21st of October, which circumstance he communicated to the underwriters, who, in consequence, demanded from 25*l.* to 35*l.* per cent. premium. He stated the average voyage from Newfoundland to Genoa to be 33 days.

The lord chief justice told the jury, that there did not seem to be any fraud on the part of the plaintiff in concealing the letter, but that made no difference: if the letter were material, the plaintiff could not recover, whether the concealment arose from ill-design or ignorance. It was for them to consider whether the letter were material or not. He then recapitulated the evidence, and the jury gave a verdict for the defendant.

COURT OF CHANCERY, DEC. 23.

Curtis v. Kingdom.—The Attorney General this day moved to dissolve an injunction which had been obtained by the plaintiff, who stated himself to be the author of an Account of the Colony of the Cape of Good Hope, with a view to the information of emi-

grants, and who complained that the defendant, in a publication on America and the British colonies, had pirated his work.

The learned counsel contended, that as the plaintiff had compiled his work from other authors, it was not to be considered such an original work as the Court would protect, and even supposing it were such, yet that the defendant was as much at liberty to compile from those authors as the plaintiff; and that, in fact, the defendant had compiled from those authors, and had not copied from the plaintiff's work.

Mr. Horne followed on the same side, distinguishing this case from those that had been previously decided, and pointing out the difference between the works themselves. The defendant's work was published at half-a-guinea, and contained the comparative merits of the various points of emigration; while the plaintiff's, published at a less price, contained only information relating to the Cape.

Mr. Pemberton, also for the defendant, contended that the plaintiff's work not having been entered at Stationers'-hall was not protected by the statute; and to show the different nature of the works, he pointed out the opposite conclusions to which the authors had arrived. The plaintiff stated that he sat down to his task with considerable prejudices against the Cape as a point of emigration, but had risen from it with very different impressions. The defendant, on the contrary, having himself entertained some intention of emigrating, after weighing the various claims of all the

the colonies, had decided, naturally enough, to abide at home.

Mr. Heald, for the plaintiff, first contended, that if works of this kind were to be furnished to the public, authors must avail themselves of the labours of their predecessors. He would ask his learned friends on the other side in what way they would otherwise wish a history of the Cape of Good Hope? That the plaintiff, so far from being a pirate of the works of others, had in his preface fairly stated, that he had freely availed himself of the many interesting pictures of the Cape colony which modern travels supply: that to the superior work of Mr. Barrow in particular, he had been much indebted, nor had he omitted to consult the observations of Vaillant, Lichtenstein and Campbell; or the Journal of the Rev. Mr. Latrobe's Visit to South Africa in 1815 and 1816. Had the plaintiff therefore pirated from preceding authors in the way the defendant had from him, he would have placed those authors in a situation to make a similar application to the Court; but when he fairly told the world that the "superior" work of Mr. Barrow, &c. was to be had, he did not conduct himself like a pirate upon the rights of others, and he submitted that the plaintiff having bestowed his care and industry in selecting what was important to emigrants from various voluminous publications, he thereby became the author of his own work, from which no man had a right to copy; and as to the 2nd point, it was a matter of fact, and it only remained to show that the defendant's work, far from being

compiled by himself from the works of others, or containing extracts from the plaintiff's work "met with" by accident, and occurring only "here and there," as defendant had alleged, was a verbatim copy of numerous pages of the plaintiff's work on the subject of the Cape. He offered to show 10 pages together of plaintiff's work which had been copied within 3 lines. That the identity which he was prepared to prove between these works reminded him of an occurrence in the early part of his professional life. In an action for pirating a chart, it was shown that a rock had been inserted in the plaintiff's map, which, in point of fact, existed no where else, but which had also been copied in the defendant's. A rock, said his lordship's predecessor, "upon which their case will, I fear, be wrecked." In the present instance he would show that defendant, in a table said to be copied by him from Mr. Barrow, had carefully perpetuated such remarkable typographical errors, as identified it with the plaintiff's work, and with no other. He then in a humorous strain observed, that Mr. Barrow had found in the district of Stellenbosch, 451,695 sheep; but on the plaintiff's arrival at the Cape, an immense slaughter had taken place amongst them; and he found but 51,695, making a difference of no less than 400,000; this he of course duly reported in his book, and it was remarkable, that the defendant on his arrival found not only that no further mortality had taken place, but that to a head there was the exact number of sheep the plaintiff

tiff had stated. Other peculiarities of a similar description were pointed out. In particular the learned counsel observed, that Mr. Barrow had described the Cape under the four principal districts into which it was in his time divided. But the plaintiff had introduced a totally different political division, *i. e.* into seven districts, under which it was now governed; and in the very order and terms in which the plaintiff had introduced them, the defendant had copied them into his book. Now, though he must admit that the defendant, in writing a history of the Cape, could not do otherwise than insert the seven existing divisions, was it to be imagined that two gentlemen sitting down, even to compilations, upon which each fairly bestowed his time and labour, would arrive at exactly the same mode of describing such divisions in seven distinct instances, and express themselves in exactly the same words?

Mr. Raithby followed on the same side, and was proceeding to insist on a *bonâ fide* compilation or abridgment being as much intitled to the protection of the law as a work in other senses original, when his lordship expressing a full concurrence in this argument, the learned gentleman did not press it.

The Attorney General attempted to sustain his former line of observation, by beginning to read from Mr. Barrow and to point out errors of the plaintiff which defendant had corrected, when

The Lord Chancellor terminated the discussion, by observing this case to be somewhat dif-

ferent from the application of the original author of a work for his protection. In the absolute sense of the terms, neither of these were original works; both professed to be compilations from other and larger publications. "But if a man profess to give the world a compilation," said his lordship, "let him sit down fairly and compile. He must not copy even from a previous compilation; for his work would then be a piracy of that compilation. In this case, the defendant has not merely copied some facts, but many facts with the errors; and not only the facts, but the reasoning of the plaintiff. The injunction cannot, under these circumstances, be dissolved. The plaintiff is perfectly correct in coming here for the protection of his labours, which, both in law and equity, as far as I can see, must be given him."

BOARD OF EXCISE, DEC. 29.

The firm of Messrs. Thompson and Coates, wine and spirit-merchants of Holborn-hill, were charged under the 54th of Geo. III. chap. 8, commonly called the Cape Act, with having mixed a quantity of Port wine with a quantity of Cape wine, against the statute. There is a penalty of 300*l.* attached to the offence if it is with a fraudulent intention, but this being admitted not to be the case, the penalty was not proceeded for.

This case excited an extraordinary degree of interest amongst the wine trade in general, as the question at issue was as to the legality

legality of a common practice of mixing wines to improve their flavour. The court was crowded by persons in the trade, who were anxious to hear the decision.

Mr. Fisher, a surveyor in the Excise, proved, that in taking the stock of Messrs. Thompson and Coates, on the 19th of October, he found an excess of eight gallons in a pipe of Cape wine of 98 gallons, which was not accounted for by the permits. On asking Mr. Coates to account for the increase, he stated it to have been caused by the addition of eight gallons of Port wine, in order to improve the Cape wine. The whole of the pipe, 100 gallons, were consequently seized. The stocking officer corroborated this statement.

Mr. Coates appeared in behalf of the firm, and said he stood there to answer the charge made against the firm—the first in their lives. It was a question in which their character, which had hitherto stood pre-eminent, was concerned; and as it was but natural to suppose that their prosperity would procure them many enemies, the account of the seizure had now the full progress of a lie throughout the trade, and from the mere seizure of a pipe of wine, it had increased to the discovery of a contraband connexion, and an immense seizure, to which a penalty of 20,000*l.* was attached, which had afforded consolation to those envious of their prosperity. He should first contend that the officer acted illegally in seizing more than the excess of eight gallons; secondly, that to mix Port wine with Cape red wine was not contrary either to the

letter or the intention of the act of parliament; and, thirdly, that they had done nothing inconsistent with the revenue, which was neither in fact nor intention injured. On the contrary, he should show that the revenue was in reality benefitted. There were only two laws in force against the mixture of wines, namely, the 12th of Charles II. c. 25, and the 54th Geo. III. as to the seizure of the whole of the pipe. He referred to the 27th clause of the last-mentioned act, to prove that the officer had no right to seize more than eight gallons, the words of the act being, "that the quantity seized should be equal to the quantity found in excess;" and he contended, that there were not the slightest grounds for supposing that the act authorized the whole to be seized. He had, when asked by the officer to account for the excess, openly and candidly given him the truth, which if he had had any improper motives, he would have withheld, and which it would have been impossible to have discovered, had he not told it. He complained that the admission, which had been made in honour and good spirit to the officer, should be converted to their disadvantage. To prove that the act for which they were charged was not contrary to the letter and spirit of the act of parliament, he contended that at the time the act was made for the commutation of the duties on Cape wine from 7*s.* 6*d.* per gallon to 2*s.* 6*d.* the legislature had in contemplation the frauds which might be committed, by mixing the Cape wine, which paid the duty of 2*s.* 6*d.* per gallon,

gallon, with those which retained the standard duty of 7s. 6d. and thereby defrauding the revenue. The legislature had never in contemplation that any one would mix that which paid the greater duty with that which paid the less, as in the present instance, or it would have been mentioned. The act merely said, that "if any person should mix or mingle Cape wine with Port or other foreign wines." Now had the converse been intended, it would have been stated, as it was in the act of Charles II., for those who made acts of parliament were never sparing of words. The illegality was in mixing Cape wine with Port, or any other, which was not the case in the present instance, for the Port wine was mixed with the Cape. This was not a mere play upon terms, but a solid objection; as, for instance, in a domestic recipe it was said, "Mix a tea-spoonful of sulphuric acid with a pint of water," but it would be absurd to say, "Mix a pint of water with a tea-spoonful of acid;" or, to say "Mix a tea-spoonful of milk with a cup of tea," was proper, but to say, "Mix or mingle a cup of tea with a spoonful of milk," was manifestly contrary to common sense. As to the practice not being injurious to the revenue, but on the contrary, he would not waste the time of the Court, as it was self-evident. He might have been mistaken in the construction of the acts. If he had erred, it was not from intention. If the Court should pronounce the practice illegal, he for one was ready to abandon it. It was the daily practice of the most respectable

wine-merchants in the trade to mix Port wine with Cape, in order to improve the barren flavour of the Cape, and to make it keep longer. The question as to the legality of the practice was therefore of the highest importance to the trade, with whom, if he were guilty, he shared the guilt in common.

The Court asked Mr. Fisher, the surveyor, whether he believed it to be a common practice; to which he replied in the affirmative, and said that one had been convicted, and another trial was pending for the same offence.

Mr. Coates continued, and said he felt, as every other practical man felt, the utter impossibility of adhering to the letter of the Excise-laws, which the legislature seemed to have contemplated, in giving such extensive powers of mitigation to the Court.

Mr. Mayo said the legislature had only contemplated a departure from the Excise-laws, by enacting excessive penalties.

The Court said, Mr. Coates ought not to have made such a declaration there; he might if he pleased, with others, have reserved it for his closet. The Court could only be governed by the letter of the Excise-laws.

Mr. Coates asked the surveyor whether there was not a corresponding decrease in a pipe of port wine at the time of the increase in the Cape which was seized. The fact was admitted.

Mr. Mayo, the solicitor to the Excise, contended that the Court could only be governed by the letter of the Act, which was, he said, against the defendant. He answered at some length the arguments

guments of the defendant to prove that the practice was not injurious to the revenue. It might appear so at first sight, but would be found to be injurious in the long run: if wine merchants were permitted to mix foreign wines with the Cape wine, which paid less duty, they might improve it so much as to increase its consumption as a substitute for Port, and thereby injure the revenue.

The Court, in giving judgment, said there was no imputation whatever upon the character of the firm, of which the officers of the Excise had always made an honourable report; and those who had presumed falsely to impeach its respectability deserved punishment. The information did not charge them with any thing criminal or corrupt, and the question merely turned on a point of law. On this head the Court were clearly of opinion that there had been a mixing within the meaning of the Act, and adjudged the whole of the wine so mixed to be forfeited.

CLARE ASSIZES.

The King v. W. Borough, Esq. and J. Magrath.—This was an *ex-officio* information filed by the Attorney-general against the defendants for conspiring with others unknown, to transport a woman of the name of Judith Lynch to America.

The Jury, after a short deliberation, found the defendants Guilty upon both counts in the information.

This matter appears to have

been brought forward by government in consequence of the following anonymous letter to the Lord-Lieutenant:—

“ My Lord,—To leave you ignorant of an outrage perpetrated within your government, unparalleled in the present state of society, and perhaps seldom surpassed in the most oppressive feudal era, would be to neglect a duty to my country, and to the victim of barbarous cruelty—an outrage, too, premeditated, planned and carried into effect by one of his Majesty’s justices of the peace, the supposed guardian of his Majesty’s subjects and the preserver of the laws, who, though destitute of humanity, ought, from a recollection of the trust reposed in him, to have risked his life in protecting her whom he made the object of his unlawful and more inhuman machinations. I will now, my lord, state as clearly as I can this occurrence, and should I deviate in the least from what actually took place, it is because I reside remote from the scene of tyranny and leave to your lordship the close investigation of the matter, and not from a wish to add to a crime already black enough.

“ About the middle of August last, Wm. Borough, esq. a magistrate of the county of Clare, and a half-pay lieutenant of his Majesty’s royal navy, assisted by some ruffians, came to a poor and indigent man of the name of Lynch, living in a miserable hut and far distant from the house of this justice; this unoffending and unsuspecting man was standing near his hut, his daughter not far off, when he was addressed by
Mr.

Mr. Borough, who asked him if that was the girl called Judy Lynch, his daughter. The father replied in the affirmative; then go and bring her to me, added Mr. Borough. The affrighted and no less astonished parent complied, and no sooner did so, than the unhappy girl was seized by Mr. Borough's men and by his order dragged to a boat just by. The distracted father asked Mr. Borough why he acted thus; who, combining stratagem with force, said that he had a summons for her from major Warburton, the chief of the police at Kilrush, within three miles of which this happened. This was unanswerable; and all that was then implored was, that his poor daughter might be permitted to go a few yards to her miserable dwelling, that she might procure from her ill-supplied wardrobe such clothes as might enable her to appear as well-attired as she could in answering the fictitious summons, and to relate to her mother this inexplicable and hostile proceeding but ferocious, inexorable, and mysterious, as any officer of the inquisition of Goa during its most dreadful epoch, this Mr. Borough denied:—and observe, my lord, what followed. This ill-fated girl was conveyed in the boat, into which she had been first forced, to an American vessel then under weigh in the Shannon (on the bank of which it happened), and bound direct to the United States; whither, without judge or jury, or crime, she was literally transported. Perhaps you will agree with me, my lord, in thinking that the emigration to that

country is sufficient without using force to decrease our population, and conveying to that republic what will be received with avidity as a specimen of our laws, yet is no more than the unprecedented act of an individual. Now, my lord, you must naturally conclude that even in the most depraved mind something must have occurred to provoke ferocity like this towards a helpless young female; and as it is not my wish to conceal a tittle of what I know, I shall relate candidly what instigated this cruelty. This girl was accused of being intimate with a man whose wife had sufficient influence, through others, to induce this modern Nero to inflict summary punishment on the object of their vengeance by banishing her from the realm; and as a further proof that this act was not premature, another character has (the unfortunate Lynch says) been implicated in the affair. A man (if he deserve that title) of the name of Jephson, pro-collector of the port of Limerick, was three days on board this ship, using every means in his power to persuade the master to take a necessary part in this kidnapping transaction, and was on board, it is stated, when the girl was conveyed there by Mr. Borough. Quere: My lord, had the surveyor of the port of Scatterry done his duty could this traffic in human blood have taken place? No, my lord, had this vessel been cleared out of the river, this girl would have been freed from transportation. I call it a traffic in human blood, because the diabolical master, however remunerated, will, consistent with

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with his iniquity, dispose of the devoted wretch's freedom for five or seven years for a sum adequate to the expense of her passage, denying (should it be so) that he received from the authors of her ruin any compensation for the same. How peculiarly unfortunate that major Warburton, close to whom it happened, should be ignorant of this affair: for ignorant he must be, or it could not escape with impunity, as it has done, when a crime of less magnitude would call forth the vigilant zeal of this hitherto-supposed impartial officer; for I'll venture to assert, that since his appointment to his situation in that county, a more flagrant breach of the laws has not called for his interference, and particularly when his name and authority were abused in accomplishing the nefarious deed. One of your excellency's privy counsellors, the right hon. J. O. Vandeleur, can obtain every information your excellency may require on this subject, as I am informed it happened on his estate. To you, my lord, from whom justice emanates, and in whose power it is to redress this much injured pauper by restoring his stolen child to him, it is most proper to address this. Sums of money are now offered and threats held out, in order to seduce and deter the miserable parent from pursuing any means whatever by which he may recover his lost child. Fifty pounds have been offered the father for the liberty of his daughter, and to sink in oblivion what has past. As yet he has withstood the temptation; but should his silence even be purchased, it

will not, cannot operate as a Lethan draught upon every mind.

“THE FRIEND OF THE
OPPRESSED.

“To Earl Talbot, Lord-Lieutenant and General-Governor of Ireland.”

HIGH COURT OF ADMIRALTY.

The Ship Dolores, Carbonel, Master.—In this case the courtesy of the Court permits the commanding officer of a station to moot the question of his right to the flag's proportion of one-eighth of the bounty allowed by the act of parliament of 47th of the king (for the abolition of the slave trade), “to the officers, seamen, mariners and soldiers, on board of any of his Majesty's vessels of war at the capturing of any other vessels which shall be by them taken engaged in the slave trade, and afterwards prosecuted and condemned as prizes of war,” at and after certain rates for men, women and children, respectively. It was stated in the course of the argument, that few or no cases of a similar claim were to be found on the records of the Court, the bounty or head money having been awarded generally to the actual seizers of the prize; which the learned counsel for the captors contended was the intention of the Abolition act, as a farther encouragement to the vigilance and exertions of captors. His Majesty's ship *Ferret*, commanded by captain Stirling, was on her return voyage from St. Helena, whither she had accompanied the squadron under the orders of admiral sir George Cockburn,

Cockburn, appointed to convey the person of Buonaparte to that island. On the 4th of April 1816, the Ferret captured the American armed schooner Dolores, capt. Carbonel, engaged in the prosecution of the slave trade. She was carried into Sierra Leone, having on board no less than 250 unfortunate Africans of all ages, men, women and children, and was condemned on the 13th of May following as English and American property, and consequently as good and lawful prize. The 47th of the King provides, that bounties in such cases of capture and condemnation shall be paid by the navy board, in the same manner as "head money" is directed to be paid under the 45th of George 3rd, to the officers, seamen, &c. on board, according to the proclamation for the distribution of prize-money already issued and extant. Now, on the 16th of March 1808, there issued an order in council, which directs the distribution to be made in the manner we have already mentioned. As no other order in council on the subject was promulgated until the month of July 1817, distribution in this case, it was contended, must follow that of March 1808.

It appeared that captain Stirling's instructions, which were dated from on board his Majesty's ship Northumberland, were simply to reach Spithead with all possible diligence, and upon his arrival to convey sir George Cockburn's dispatches, of which he was the bearer, immediately to government. No mention was made of any course to be pur-

sued in case of prizes that might be captured, nor was any such event contemplated by them.

Dr. Adams and Dr. Dodson, on the behalf of sir George Cockburn, contended, that as the flag-officer of the station from whence the Ferret was dispatched, he had a legal claim to one-eighth of the bounty awarded by act of parliament, in the same way as he was to his proportion of the nett proceeds of lawful prizes. In reply to the great number of analogies which the learned gentlemen on the other side might resort to for the purpose of proving that the distribution of prize-money for bounty allowed for slaves assimilated to the distribution of property flowing out of revenue seizures, they were defective in the very point where it was to be required that the analogy should bear most strongly. In the very part which ought to respect the reward of flag-officers there was a total failure, not only as regarded the proportion itself, but as regarded the fund also out of which flag-officers were to be so rewarded.

Dr. Jenner and Dr. Lushington, for the seizers, observed, that bounties severally of 20*l.*, 15*l.*, and 5*l.* each, were given by government for every man, woman and child found on board slave-ships, in substitution of prize-money. The original proclamation by which the distribution of prize-money was regulated was dated in 1764, and directed three-eighths to be paid to the actual captors; the admiral, "if entitled to it," to have the remaining one-eighth, or king's share, theretofore allowed to the crown.

crown. The money was to be paid to the seizing officer, who was to proceed to make such distribution as might be directed by his Majesty by an order in council. This was, the learned counsel observed, the first instance in which a claim of the sort had been made. (The other learned counsel observed, that if so, it was because such captures had not been usually made under flag-officers.) Now, with respect to the limits of the admiral's station, it was not necessary in time of war that the capture should be made within those limits to establish his claim. In this case, however, the reward was specifically directed to the seizers; and the flag-officer had no right to share, because his claim, if allowed, would be a diminishing of the reward contemplated by act of parliament. The 47th of the King decidedly assimilated cases of capture like the present, to seizures made under the Revenue Acts. The 19th section, the Court would observe, expressly appropriated the penalties and profits in the same manner.

Sir William Scott said, a most particular distinction was to be observed in this case. The money or bounty was to be distributed at the pleasure of his Majesty. The bounty itself he considered to be given in substitution of proceeds.

The learned counsel admitted the distinction, considering that in the case of illegal importation of slaves, the Crown was entitled to a moiety of the proceeds; the admiral was only entitled to share out of that moiety which

was so given to the Crown by the proclamation of 1764.

Dr. Adams observed, that the difference in this case was, that there was no fund out of which the flag-officer could be so remunerated.

The learned counsel denied that in this instance the necessity of his remuneration existed, as in the case of actual war. The same "*animus capiendi*" could not be supposed to actuate him, as in times when it was his duty to be upon the look-out for objects upon which he might exercise it. Under these circumstances they submitted that the claim of sir George Cockburn could not be sustained. Nothing could be more clear than that this case had nothing to do with war; and the only question for the Court was, whether the legislature, in issuing their proclamation of 1807, intended to give the flag-officer his flag-share? From the year 1764 up to the passing of the Abolition Act, a period of more than forty years, no case like the present had occurred;—a fact which went to show that seizures of this nature were not subject to the deduction of any flag-officer's share of one-eighth. And what would be the consequence of such deduction? Why, that the seizers would thus take a less share of the property seized than they would have done before the passing of the Abolition Act, a most startling proposition indeed. This act, which surely intended further encouragement and reward, contained rules and regulations for the remuneration of captors and seizers under particular circumstances.

cumstances. The Act gave 40*l.* a head in the case of vessels of his Majesty which should capture, as prizes of war, other vessels engaged in the slave trade. Next came the case of seizures in port: the proportions were 13*l.* per head, to be divided thus:—one share of 13*l.* to the actual seizer, one other 13*l.* to the King, and one other 13*l.* to the commanding officer, according to the ancient practice. The third case was, the case of vessels seized upon the high seas during a time of peace. The 11th sect. after first giving 13*l.* per head in the case of any such seizure made at sea by his Majesty's officers, went on to say (this was in the stat. 4 of Geo. 3rd), there should be paid to the commander or officer who should so seize or inform or prosecute, 20*l.* for every man, 15*l.* for every woman, and 5*l.* for every child so seized in vessels captured and so condemned. Now, the bounty was 40*l.* in the case of seizure in a time of war. Then the whole was given. In this other case the Court would observe it was divided into three portions of 13*l.* each, where the vessel was seized in port; 39*l.* being the nearest amount to 40*l.* which could be so divided without a fraction. In the case of a seizure made in time of war, 20*l.* were assigned, which was the moiety of the 40*l.* Now, would the learned counsel contend, that by diminishing the moiety of the seizers they follow-

ed the spirit of the Act? The statute expressly recognized the persons who were to receive the bounty, and provided for its distribution by the Crown. Not one word was there about the flag-officer's claim of one-eighth. The Court had observed that this bounty was substituted for prize property; so it was held in Mr. Macauley's cases, argued before sir Wm. Grant. Suppose the case of a ship captured; the admiral shall be held (in this case the capture was beyond the limits of his station) to have no right to the flag-eighth of its value; but to the value of the slaves captured in her, his claim of one-eighth shall be held to avail. How absurd this would be: the moiety of the ship's value to be the property of the seizer, without any deduction for the flag-eighth, while the moiety of 20*l.* for the substituted value of the slaves shall be liable to the flag's claim. Why was not the flag-officer equally assisting and aiding in the capture of the vessel as of the slaves. As to the importation of slaves, the importation of one bale of illegal goods would be equally liable to the penalty of the condemnation.

The learned judge declared his intention of pronouncing in this case at a future day; in the meanwhile he must acknowledge that the impression upon his own mind was in favour of the flag-officer's claim.

PUBLIC GENERAL ACTS,

Passed in the First Session of the Sixth Parliament of the United Kingdom of Great Britain and Ireland.—59 GEO. III. A. D. 1819.

An act to provide for the care of his majesty's royal person during the continuance of his majesty's illness.

An act for reviving and further continuing, until the 1st day of May 1819, an act made in the fifty-first year of his present majesty, intituled 'an act to extend an act made in the 18th year of his late majesty king George the second, to explain and amend the laws touching the elections of the knights of the shire to serve in parliament for England, respecting the expenses of hustings and poll clerks so far as regards the city of Westminster.'

An act for continuing to his majesty certain duties on malt, sugar, tobacco and snuff, in Great Britain; and on pensions, offices and personal estates, in England; for the service of the year 1819.

An act for raising the sum of twenty millions, by exchequer bills, for the service of the year 1819.

An act to ascertain the tonnage of vessels propelled by steam.

An act to enable his majesty to direct the distribution of any

reward awarded by the commissioners of the customs of excise to the officers of the army, navy, or marines, for apprehending smugglers, in such manner as his majesty shall be pleased to appoint.

An act to regulate the cutlery trade in England.

An act to continue, until the 25th of March 1820, an act of the last session of parliament, for preventing aliens from becoming naturalized or being made or becoming denizens, except in certain cases.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters.

An act for the regulating of his majesty's royal marine forces while on shore.

An act to indemnify such persons in the United Kingdom as have omitted to qualify themselves for offices and employments, and for extending the time limited for certain of those purposes respectively, until the 25th of March 1820, and to permit such persons in Great Britain as have omitted to make and file affidavits of the execution of indentures of clerks to attornies

and solicitors, to make and file the same on or before the first day of Hilary Term 1820, and to allow persons to make and file such affidavits, although the persons whom they served shall have neglected to take out their annual certificates.

An act to amend the laws for the relief of the poor.

An act to continue two acts of the 56th and 58th years of his present majesty, for reducing the duties payable on horses used for the purposes therein mentioned, to the 5th of April 1821: and to reduce the duties chargeable under certain acts of the 48th and 52nd years of his present majesty, in respect of certain horses, mares, geldings and mules.

An act to continue, until the first day of July 1823, an act of the 46th year of his present majesty, for permitting the exportation of wool from the British plantations in America.

An act to continue, until the 1st of July 1821, an act of the 34th year of his present majesty, for granting certain duties on merchandise imported into Ireland from any place within the limits of the charter granted to the united company of merchants of England trading to the East Indies.

An act to carry into effect the treaty with the Netherlands relating to the slave trade.

An act to amend an act of last session of parliament, for carrying into execution a convention made between his majesty and the king of Portugal for the preventing the traffic in slaves.

An act to make perpetual an act of the 44th year of his pre-

sent majesty for permitting the exportation of salt from the port of Nassau in the island of New Providence, the port of Exuma and the port of Crooked Island in the Bahama Islands, in American ships coming in ballast.

An act to render, until the 5th of July 1820, the growing produce of the consolidated fund of the united kingdom, arising in Great Britain, available for the public service.

An act to enable the commissioners of his majesty's treasury to issue exchequer bills, on the credit of such aids or supplies as have been or shall be granted by parliament for the service of the year 1819.

An act to amend several acts for purchasing an estate for the duke of Wellington.

An act for the further regulation of his majesty's household and the care of his royal person, during the continuance of his indisposition.

An act to restrain, until the end of the present session of parliament, the governor and company of the Bank of England from making payments in cash under certain notices given by them for that purpose.

An act to restrain, until the end of the present session of parliament, the governor and company of the Bank of Ireland from making payments in the gold coin of this realm, under certain notices given by them.

An act to enable his majesty to fix the rate and direct the disposal of freight money, for the conveyance of specie and jewels on board his majesty's ships and vessels.

An act for fixing the rates of subsistence

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subsistence to be paid to innkeepers and others on quartering soldiers.

An act to facilitate the trial of felonies committed on board vessels employed on canals, navigable rivers and inland navigations.

An act to empower magistrates to divide the court of quarter sessions.

An act to repeal the duties on mineral alkali, and on articles containing mineral alkali and other articles, and to impose other duties in lieu thereof.

An act for vesting in commissioners the line of road from Shrewsbury in the county of Salop to Bangor Ferry in the county of Carnarvon, and for discharging the trustees under several acts of the 17th, 28th, 36th, 41st, 42nd, 47th, and 50th years of his present majesty, from the future repair and maintenance thereof; and for altering and repealing so much of the said acts as affects the said line of road.

An act to enable certain commissioners fully to carry into effect several conventions for liquidating claims of British subjects and others, against the government of France.

An act to continue until the 5th day of July 1822, and amend, so much of an act made in the 53th year of his present majesty for granting, until the 5th of April 1819, additional duties of excise in Great Britain, as relates to tobacco, and snuff, and certain excise licences.

An act to continue until the 1st day of July 1821, several acts of the 54th and 55th years of his

present majesty, respecting the duties of customs payable on merchandize imported into Great Britain from any place within the limits of the charter granted to the united company of merchants of England trading to the East Indies.

An act to amend and render more effectual several acts for enabling the commissioners for the reduction of the national debt to grant life annuities, and to empower the said commissioners to grant annuities for lives or years, for promoting the beneficial purposes of the fund commonly called the Waterloo Subscription.

An act to amend an act passed in the 55th year of the reign of his present majesty, intituled "An act, to facilitate the administration of justice in that part of the united kingdom called Scotland, by extending trial by jury to civil causes."

An act to repeal certain acts now in force for regulating the making and sale of bread out of the city of London and the liberties thereof, and beyond the weekly bills of mortality and ten miles of the royal exchange, where no assize is set; and for establishing other provisions and regulations relative thereto.

An act for further regulating the qualification of members to serve in the United parliament of Great Britain and Ireland.

An act to enable his majesty to make regulations with respect to the taking and curing fish on certain parts of the coast of Newfoundland, Labrador, and his majesty's other possessions in North America, according to a conven-

tion made between his majesty and the United States of America.

An act for the more frequent payment into the receipt of the Exchequer at Westminster of monies arising from the duties of customs, excise, stamps and postage in England.

An act to secure spiritual persons in the possession of benefices in certain cases.

An act to establish regulations for preventing contagious diseases in Ireland.

An act for raising the sum of twelve millions by way of annuities.

An act to authorize the receipt and appropriation of certain sums voluntarily contributed by the most noble John Jefferies marquis Camden, in aid of the public service.

An act to amend an act passed in the 57th year of his present majesty, for the more effectual punishment of murders, man-slaughters, rapes, robberies and burglaries committed in places not within his majesty's dominions, as relates to the trial of murders, man-slaughters, rapes, robberies, burglaries, committed in Honduras,

An act to explain and amend certain acts relative to the court of session in Scotland.

An act to abolish appeals of murder, treason, felony, or other offences; and wager of battle, or joining issue and trial by battle in writs of right.

An act to indemnify persons who shall give evidence before the Lords spiritual and temporal on the bill for preventing bribery

and corruption at the election of members to serve in parliament for the borough of Barnstaple, in the county of Devon.

An act to amend an act passed in the 55th year of his present majesty, for granting to his majesty the sum of twenty thousand pounds towards repairing roads between London and Holyhead by Chester, and between London and Bangor by Shrewsbury; and for giving additional powers to the commissioners therein named to build a bridge over the Menai Straits, and to make a new road from Bangor ferry to Holyhead, in the county of Anglesea.

An act to continue the restrictions contained in several acts on payments in cash by the Bank of England until the 1st of May 1823, and to provide for the gradual resumption of such payments, and to permit the exportation of gold and silver.

An act to amend the laws respecting the settlement of the poor, so far as regards renting tenements.

An act to relieve persons compounding for their assessed taxes, from an annual assessment for the term of three years.

An act to repeal the several duties of customs chargeable in Great Britain, and to grant other duties in lieu thereof.

An act for granting to his majesty certain additional duties of excise on tea, coffee and cocoa nuts, tobacco and snuff, pepper, malt and British spirits, and consolidating the same with the former duties thereon; and for amending certain laws of excise relating thereto.

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An act to carry into effect a convention of commerce concluded between his majesty and the United States of America, and a treaty with the prince regent of Portugal.

An act to extend the provisions of three acts of the 52nd, 53rd, and 57th years of his present majesty, for allowing British plantation sugar and coffee, and other articles imported into Bermuda in British ships, to be exported to America in foreign vessels, and to permit articles, the produce of America, to be imported into Bermuda in foreign ships, to certain other articles.

An act to make further regulations as to the payment of navy prize orders.

An act to alter and amend certain laws of excise in respect to salt and rock salt.

An act for facilitating the recovery of the wages of seamen in the merchant service.

An act to extend the provisions of an act made in the 55th year of his present majesty, for the payment of wages due to deceased seamen, and marines, to wages due to intestate bastards.

An act to permit the archbishops of Canterbury and York and the bishop of London, for the time being, to admit persons into holy orders especially for the colonies.

An act to enable counties and stewartries in Scotland to give aid to royal burghs situated therein, for the purpose of improving, enlarging, or rebuilding their gaols; or to improve, enlarge, or rebuild common gaols of counties and stewartries which are not the gaols of royal burghs.

An act for the protection of banks for savings in Scotland.

An act to explain an act passed in the 55th year of his present majesty, for purchasing an estate for the duke of Wellington.

An act to facilitate proceedings against the warden of the fleet, in vacation.

An act for granting to his majesty a sum of money to be raised by lotteries.

An act to make further provisions for the regulation of cotton mills and factories, and for the better preservation of the health of young persons employed therein.

An act to continue until the 30th day of July 1820, an act of the 54th year of his present majesty, for the effectual examination of accounts of the receipt and expenditure of the colonial revenues in the islands of Ceylon, Mauritius, Malta, Trinidad, and in the settlements of the Cape of Good Hope.

An act for exonerating the manor of Dawlish, in the county of Devon, from the claims of the crown against the estate of John Inglett Fortescue, esquire.

An act to prevent the enlisting or engagement of his majesty's subjects to serve in foreign service, and the fitting out or equipping in his majesty's dominions vessels for warlike purposes, without his majesty's licence.

An act to repeal certain acts of the parliament of Scotland regarding duelling.

An act for raising a loan of twelve millions from the commissioners for the reduction of the national debt.

An act to grant to his majesty
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an additional duty of excise on tobacco in Ireland.

An act to repeal several acts requiring the masters of vessels carrying certificate goods to Ireland to take duplicates of the contents; prohibiting the importation of certain wrought goods, and the exportation of gunpowder when the price shall exceed a certain sum.

An act to allow the importation of tobacco from the East Indies and other places; and for confining the exportation of tobacco from Great Britain, and the importation thereof into Ireland, to vessels of seventy tons burthen and upwards.

An act to continue until the 5th day of July, 1820, two acts, made in the 54th and 56th years of his present majesty, for regulating the trade in spirits between Great Britain and Ireland reciprocally.

An act to establish farther regulations respecting advances by the Bank of England for the public service, and the purchase of government securities by the said Bank.

An act to continue until the 24th day of June, 1820, an act for amending the laws relating to the allowance of the bounties on pilchards exported.

An act for transferring the duty of the supervisor of the receiver general's receipts and payments to the comptroller general of the customs in England.

An act to continue until the 1st day of August, 1820, two acts of the 45th and 50th years of his present majesty, allowing the bringing of coals, culm and cinders, to London and Westminster by inland navigation.

An act concerning common recoveries to be suffered by attorney in courts of ancient demesne; and to explain an act of his present majesty relative to the sale or mortgaging of estates of lunatics.

An act to amend an act of the last session of parliament for appointing commissioners to inquire concerning charities in England for the education of the poor; and to extend the powers thereof to other charities in England and Wales; to continue in force until the 1st of August, 1823, and from thence until the end of the then next session of parliament.

An act to amend an act made in the 55th year of his present majesty's reign, for enabling the commissioners of customs and port duties in Ireland to purchase premises for erecting docks, warehouses and offices in Dublin.

An act to grant duties of customs, and to allow drawbacks on certain goods, wares and merchandise, imported into and exported from Ireland, in lieu of former duties and drawbacks on the like articles; and to make farther regulations for securing the duties of customs in Ireland.

An act to amend the laws for making, repairing and improving the roads and other public works in Ireland by grand jury presentments, and for a more effectual investigation of such presentments, and for farther securing a true, full, and faithful account of all monies levied under the same.

An act to amend and correct an act of the last session of parliament for the regulation of parish vestries in England.

An act for regulating the exercise

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exercise of the right of common of pasture in the New Forest, in the county of Southampton; for repealing certain parts of two acts passed in the 39th and 40th and the 52nd years of his present majesty; and for the better collection and recovery of the Gale rents in the forest of Dean, in the county of Gloucester.

An act to grant to his majesty certain duties of excise in Ireland on malt.

An act to repeal the annual excise duties upon malt, tobacco and snuff, continued by an act of the present session of parliament, and to grant other duties in lieu thereof for the service of the year ending the 5th day of July, 1820.

An act to continue until the 10th of October, 1824, an act made in the 57th year of his present majesty, for suspending a part of the duties on sweet or made wines.

An act for the prevention of frauds in the duties on soap; for preserving the books or papers called Specimens, left by officers of excise on the premises of traders; and for requiring more speedy payment of the excise duties on printed calicoes.

An act for giving additional facilities in applications to courts of equity regarding the management of estates or funds belonging to charities.

An act to enable justices of the peace in Ireland to act as such, in certain cases, out of the limits of the counties in which they actually are; to make provision for the execution of warrants of distress granted by them; and to

authorize them to impose fines upon constables and other officers for neglect of duty, and on masters for ill usage of their apprentices.

An act to continue for one year, and from thence until the end of the then next session of parliament, an act, made in the 56th year of his present majesty's reign, to make provision for securing the profits of the office of clerk of the pleas of his majesty's court of exchequer in Ireland.

An act to explain and amend two acts, passed in the 39th and 40th and 47th years of his present majesty, concerning the disposition of certain real and personal property of his majesty, his heirs and successors.

An act for confirming ancient separations of towns corporate from parishes, in regard to the maintenance of the poor.

An act to facilitate the trials of felonies committed on stage coaches and stage waggons and other such carriages, and of felonies committed on the boundaries of counties.

An act to extend the provisions of an act made in the forty-sixth year of his majesty's reign, intituled "An Act for the more speedy trial of offences committed in distant parts upon the seas," to the trial of offences committed in Africa against the laws for abolishing the slave trade.

An act to limit the continuance of the operation of the several acts for imposing fines upon townlands and places in Ireland, in respect of offences relating to the unlawful distillation of spirits, and to amend the said acts; and to provide

provide for the more effectual prevention or suppression of such offences.

An act to continue until the 1st day of June, 1823, the restrictions on payments in cash by the Bank of Ireland, and to direct the gradual resumption of cash payments by the said Bank.

An act to amend an act of the 50th year of the reign of his present majesty, relating to prisons in Ireland.

An act to enlarge the powers of an act passed in the 56th year of his present majesty, relative to the transportation of offenders, to continue until the 1st day of May, 1821.

An act for farther regulating the appointment of gamekeepers in Wales.

An act to repeal so much of two acts as require certain accounts to be laid before parliament; and to amend an act of the 26th year of his present majesty, relative to laying an account before parliament.

An act to continue until the 5th day of July, 1820, certain laws of excise with regard to crown glass, and flint and phial glass, and to alter certain laws with regard to flint glass.

An act for granting to his majesty an additional countervailing duty on spirits extracted in England or Ireland respectively, and imported into Scotland; and for repealing the additional duty on licences taken out by retailers of sweets in Great Britain; and for exempting from all countervailing duties the leather and glass of carriages brought by persons for private use from Ireland into

Great Britain, or from Great Britain into Ireland.

An act to amend the several acts for securing the payment of the duties of excise upon certain licences, and regulating the issuing of such licences; and for securing the duties upon spirits distilled by licenced distillers in Ireland.

An act to consolidate and amend several acts for regulating the granting of permits and certificates for the conveyance and protection of certain goods in Ireland.

An act to amend several acts relating to the post-office and conveyance of letters in Ireland.

An act for the farther encouragement and improvement of the Irish fisheries.

An act to remove doubts respecting the dues payable to the Levant company.

An act to repeal so much of an act passed in the 55th year of his present majesty as relates to the postage and conveyance of letters to and from the Cape of Good Hope, Ceylon, the Mauritius and the East Indies; and to make other regulations respecting the postage of such letters and packets and other letters and packets, sent by the post.

An act to grant, until the 5th of July, 1821, an additional bounty on the exportation of certain silk manufactures of Great Britain.

An act for continuing the premiums allowed to ships employed in the southern whale fishery.

An act to stay proceedings against any governor or other persons concerned in imposing
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and levying duties in New South Wales; to continue until the 1st day of January, 1821, certain duties; and to empower the said governor to levy a duty on spirits made in the said colony.

An act to repeal the duties and drawbacks of excise on plates or sheets of plate glass, and to impose other duties and allow other drawbacks in lieu thereof.

An act to defray the charge of the pay, clothing and contingent expenses of the disembodied militia in Great Britain; and for granting allowances in certain cases to subaltern officers, adjutants, quarter-masters, surgeons, surgeons mates and serjeant majors of militia, until the 25th of March, 1820.

An act for defraying, until the 25th of June, 1820, the charge of the pay and clothing of the militia of Ireland; and for making allowances to officers and quarter-masters of the said militia during peace.

An act to give relief in certain cases of assessment of taxes in Great Britain, and to persons compounding for their assessed taxes in Ireland, from an annual assessment, for three years, from the 6th day of January, 1820.

An act to explain and amend an act passed in the 31st year of his majesty king George 2nd, for the encouragement of seamen employed in the royal navy, as it relates to certain allowances to navy agents.

An act for establishing a registry of colonial slaves in Great Britain, and for making farther provision with respect to the removal of slaves from British colonies.

An act to make farther regulations for the prevention of smuggling.

An act to permit vessels, under a certain tonnage, to trade between the united kingdom and New South Wales.

An act to empower the officers of the customs in Great Britain to allow reports of vessels cargoes to be amended; to require goods which have been warehoused without payment of duties, or, being prohibited, warehoused for exportation to be put on board vessels by persons licensed for that purpose; to direct that cocquet and bond shall be required for slate and stone carried coastwise; and to empower officers of the customs to administer oaths.

An act for amending an act made in the 43rd year of the reign of his present majesty, for regulating the vessels carrying passengers from the united kingdom to his majesty's plantations and settlements abroad, or to foreign parts, with respect to the number of such passengers, and for making farther provision for that purpose.

An act to admit certain goods imported from the East Indies to entry and payment of duty without being warehoused; and to permit the exportation of certain East India goods to Guernsey and Jersey, and the removal of certain East India goods to Liverpool, Lancaster, Bristol and Glasgow, for exportation.

An act for requiring the like proof to obtain drawback of duty on coals used or consumed in calcining or smelting tin, copper, or lead ores, in the counties of
Devon

Devon and Cornwall, as is required on coals used in mines of tin, copper, or lead, in the said counties.

An act for making provision for the better care of pauper lunatics in England.

An act for the farther protection and encouragement of friendly societies, and for preventing frauds and abuses therein.

An act to continue in force until the expiration of three calendar months after the commencement of the next session of parliament, three acts of his present majesty, for the relief of insolvent debtors in England.

An act to continue the several acts for the relief of insolvent debtors in Ireland until the 1st of June, 1820.

An act for raising the sum of sixteen millions five hundred thousand pounds by Exchequer bills, for the service of the year 1819.

An act for raising the sum of two millions British currency by Treasury bills in Ireland for the service of the year 1819.

An act for applying certain monies therein mentioned for the service of the year 1819; and for farther appropriating the supplies granted in this session of parliament.

An act to amend and render more effectual an act passed in the last session of parliament, for building and promoting the building of additional churches in populous parishes.

An act to repeal two acts, made in the 54th and 55th years of the reign of his present majesty, for maintaining and keeping in repair certain roads and bridges in Scotland; to provide more effectually for that purpose; and for regulation of ferries in Scotland.

An act for the better regulation of the General Penitentiary for Convicts at Millbank.

An act to enable the directors of the poor of the several parishes within the city of Worcester, and of the parishes united therewith, to sell and dispose of certain lands discharged of all claims of the crown in respect of any forfeiture incurred under the statutes of mortmain.

An act for appointing commissioners for carrying into execution an act of this session of parliament, for granting to his majesty a duty on pensions and offices in England; and an act made in the 38th year of his present majesty, for granting an aid to his majesty by a land tax to be raised in Great Britain for the service of the year 1796.

P A T E N T S.

New Patents in the Year 1819.

Daniel Towers Shears, of Fleet-market, copper-smith; for a machine for the cooling of liquids, and which may be applied to the condensation of vapour, and may be useful in the condensing of spirits in the process of distillation.

James Ikin, of William-street, Surrey, machinist; for an improved method or methods of constructing or manufacturing fire or furnace bars or gratings.

T. Jones, of Bradford-street, Birmingham, iron-founder, and *C. Plimley*, of Birmingham, re-siper; for an improvement to blast engines and steam-engines.

W. Bush, jun. of Bermondsey, engineer; for an improvement in drying and preparing of malt, wheat and other grain.

W. Benjamin, of Plymouth-dock, umbrella manufacturer; for a composition, varying in colour, for the purpose of rendering canvas, linen and cloth, durable, pliable, free from cracking, and water-proof; and also for preserving every description of wood from wind and weather.

T. Todd, of Swansea, organ-builder; for certain improvements in rolling of iron, and making wire, nails, brads and screws.

William Church, of Turner-

street, Commercial-road; for certain improvements in the machinery for making nails and spikes of various forms and dimensions, and also wire and screws of iron, copper, brass, or any other suitable metal.

H. C. Jennings, of Carburton-street, Fitzroy-square, esq.; for an improvement in the mariners' compass.

Ri Eccles, of Edinburgh, esq.; for certain improvements in the masts, sails and rigging of ships or sailing vessels.

T. B. Mills, of Linton, Nottinghamshire, bleacher; for certain improvements on machinery for the finishing of cotton, Angora and lambs-wool stockings.

M. St. Leger, of Camberwell, Surrey, gentleman; for an improved method of making lime,

T. Hills, of Bromley, merchant, and *Uriah Haddock*, of the City-terrace, City-road, chemist, for an improvement in the method of making sulphuric acid.

J. Johnson, coach-maker, of Long-acre, for a machine called the Velocipede, or swift walker.

J. Dymon, of Watford, Herts, for certain apparatus for the culture and tillage of land.

G. Michell, of St. Austle, Cornwall, builder; for improvements in the method of opening and

and shutting windows; and also in the application of machinery to the opening and shutting window shutters.

H. Taylor, of Kingston, Surrey, gentleman, for improvements on machines for catching and destroying rats.

T. Homfray, of the Hyde, Staffordshire, iron-master, for a new kind of bobbin used in spinning.

W. Lester, of the Commercial-road, engineer; for a method of increasing and projecting light produced by lamps or other means.

G. Atkinson, of Leeds, canvass manufacturer; for a combination of materials to produce an article resembling bombazeen.

W. Eaton, of With-mills, Derbyshire, cotton-spinner, for improvements in the machinery employed in spinning cotton and wool.

R. Winch, of Shoe-lane, printers' carpenter and press-maker, and *R. Holden*, of Stafford-street, St. Mary-le-bone, gentleman; for machinery to communicate motion and power to various other machinery which requires reciprocating or alternating motion.

Thomas Parker, jun. of Sevenoaks, bricklayer, for a method or methods of regulating and improving the draught of chimneys.

J. Neilson, of Linlithgow, glue manufacturer; for an improvement in the tanning of hides and skins.

A. Rouz, of Yverdun, Switzerland; for an improvement applicable to locks of different kinds.

J. Baird, of Lanark, manager

for the new shots iron company; for improvements in the manufacturing of cast-iron boilers, used for the purpose of evaporating the juice of the sugar-cane.

William Bailey, of High Holborn, ironmonger; for improvements in sashes, sky-lights and frames, generally used for the purpose of receiving, holding and containing glass for the admission of light and the exclusion of rain.

Thomas Heppenstall, of Doncaster, machine-maker; for an improvement upon the machine for cutting into chaff different articles used as dry fodder for horses and cattle.

Mr. Paddon, organist of Quebec chapel; for an invention called "La Tablette Harmonique."

J. Milton, of Ashton-under-line; for a new species of loom-work, whereby figures or flowers can be produced in a mode hitherto unknown upon cloth, while in the process of weaving, whether linen, cotton, woollen, silk, or any of them intermixed.

J. Richter, of Holloway; for improvements in the apparatus used for distillation, evaporation and condensation.

R. Ormrod, of Manchester, iron-founder; for an improvement in the manufacturing of copper or other metal cylinders or rollers for calico printing.

U. Sartores, of Winchester-street, merchant; for an improvement in the method of producing ignition in fire-arms by the condensation of atmospheric air.

H. Creighton,

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H. Creighton, of Glasgow, civil engineer; for a new method of regulating the admission of steam into pipes or other vessels used for the heating of buildings.

T. Machell, of Great Rider-street, surgeon; for his method of applying, for medicinal purposes, the agency of atmospheric air, liquid or gaseous substances, to the external surface and to some of the internal cavities and passages of the human body.

J. Bennet, of Manchester, shop-keeper, for certain improvements in filtering vessels.

J. Bowyer, of Kidderminster, carpet manufacturer; for an improvement in the machinery for making Brussels and cut pile carpeting.

R. Green, of Lisle-street, Leicester-square, saddlers' ironmonger; for an improvement upon the spring billet for harness.

G. Preston, of Burr-street, brazier; for an improvement in the deck glass rim and safety-grate.

G. H. Palmer, of Regent-street, Westminster, esq.; for a new mode of purifying certain kinds of gas.

Mrs. M. Sedgewick, of Bishops-gate Within; for a valuable product from that part of the refuse of starch which will not of itself subside.

T. Goode, of Hinkley; for an apparatus to assist persons to escape from fires in dwelling-houses.

C. Watt, of Ratcliffe-highway, surgeon; for gilding quills and pens, by manual labour and chemical operations, to render them more durable.

N. Desforges, of Bucklersbury, merchant; for improvements in propelling boats, &c.

J. Bogaerts, of Air-street, Piccadilly, gentleman; for a method for raising and lowering water on canal locks.

E. Woolley, of Bilston; for an improvement in the machinery for making wood-screw forgings.

J. Ingledeu, of Little College-street, licensed victualler; for effecting a saving in the consumption of articles of fuel, by the application of materials not hitherto used for that purpose.

M. Poole, of Lincoln's-inn, gentleman; for the application of cements to different purposes, such as modelling statues, making slabs, &c.

J. Grafton, of Edinburgh, engineer; for a method of making carbonated hydrogen gas, for the purpose of illumination.

J. Hadden, jun. of Aberdeen, woollen manufacturer; for an improvement in preparing, roving and spinning of wool.

G. J. Clark, of Bath, working cutler; for an apparatus for the more easily applying the drag to a carriage wheel.

W. Styles, of Islington, carpenter; for improvements in machinery for sifting cinders and discharging the cinders into a convenient receptacle.

E. H. Collyer, late of Boston, America, gentleman; for an improvement in fire-arms of various kinds.

J. Frazer, of Long-acre, coppersmith and engineer; for a new and original junction of tunnels in a steam-boiler; also new flues in the steam-boiler, or the furnace



nace connected with its erection.

R. Wright, of Token-house-yard, for improvements in the construction of steam-engines, and the subsequent use of steam.

H. Matthews, of Gretton-place, East, Bethnal-green, gentleman; for improvements applicable to wheeled carriages, or vehicles of different kinds, calculated to render them more safe and commodious.

G. Clymer, late of Philadelphia; for certain improvements on ships' pumps.

J. Chancellor, of Saville-street, Dublin, watch-maker; for an improvement in turning the leaves of music-books.

J. Ruthven, of Edinburgh, printer; for an improved drag for coaches.

A. Adie, of Edinburgh, optician; for an improvement on the air-barometer, to be called a Sympiesometer.

W. Johnson, of Salford, brewer; for improvements in the construction of furnaces, whereby a great saving in the consumption of fuel is effected.

H. Faveryear, of Castle-street, Leicester-square, gentleman; for a machine for the cutting of veneers in wood and other substances.

C. Tanner, of Plymouth, tanner; for improvements in curing raw hides and skins, by the application of certain materials hitherto not used for that purpose.

Thomas Homfray, of the Hyde, Staffordshire; for a new kind of bobbins or bobbin, used in spinning and other manufactures.

James Thomson, of Clithero, calico-printer; for certain im-

provements in the process of printing cloth made of cotton or linen, or both.

G. Prior, of Howard's-green, City-road; for perfectly detaching the escape-wheel of chronometers from the influence of the friction and inaccuracies arising from the main-spring, the pivots and the teeth.

Wm. Cleland, of Bolton-le-Moors; for an improvement in the bleaching of flax and hemp, and of yarn and cloth, or other goods made of either of those articles.

J. Pontifex, of Shoe-lane, copper-smith; for improvements in the means of raising water to give motion to machinery.

W. Carter, of Shoreditch, printer; for improved methods of preparing cork-bark, usually employed in the manufacture of corks.

J. Simpson, of Birmingham, plater; for a method of constructing harness on an improved principle, to be called release harness.

C. Smith, of Piccadilly, superfine colour manufacturer; for improvements in the method of making-up superfine oil and water-colours for drawing.

R. Salmon, esq. of Woburn Beds, and *Wm. Warrel*, of Cheneys, Bucks, engineer; for sundry apparatus for cooling worts, &c.

J. Gregory, of Poplar, shipwright; for a fire-escape ladder, &c.

Wm. Hazledine, of Shrewsbury, iron-founder; for a method of casting certain kinds of cast-iron vessels.

J. Roberts, jun. of Llanelly, merchant:

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merchant; for apparatus for preventing stage-coaches from overturning.

T. C. Cherry, of Croydon, veterinary surgeon; for a box, case, or frame-forge applicable to shipping.

Jos. Hill, of Paulton, gentleman; for a machine for cure of smoky chimnies.

J. Fox, jun. of Plymouth, rectifier; for a method of diminishing the loss of ardent spirits and other fluids during the process of distillation.

M. Thomas, of Greenhill's-rents, engineer; for an improved plough.

J. Simpson, of Edinburgh esq.; for a method of conveying gas used for illumination to the burners, and at the same time to suspend the burners.

H. Ewbank, of London, merchant; for machinery for cleaning rough rice.

R. Willis, of Upper Norton-street, gent.; for an improvement upon the pedal harp.

E. Heard, of Brighton, chemist; for a method of hardening and improving tallow.

J. Simpson, of Birmingham, plater; for a method of constructing spring hooks for coach harness.

R. Blakemore, of Millingriffith works, and *J. James*, of Lower Redbrook; for amorphous metal plates, and likewise a method of crystallizing, or rendering crystallizable the surface of tin, iron, or copper plates.

J. Turner, of Birmingham, button-maker; for improvements in the plating of copper or brass.

R. Ormrod, of Manchester, calico-printer; for an improvement in rollers for calico-printing.

J. W. Phipson, of Birmingham; for an improvement in gas-pipes.

T. Wilcox, of Bristol; for a pneumatic stove for warming houses.

U. Haddock, of Mile End; for a method of producing coal-gas.

W. Sawbridge, of Coventry; for improvements on engine-looms for weaving figured ribbons.

H. Booth, of Liverpool; for a method of propelling boats.

J. Lowder, of Walcot; for machines for preparing hemp, flax and other fibrous vegetable substances.

J. Mason, of Birmingham; for a method of working the oars or paddles of boats and ships.

D. Gordon, of Edinburgh; for moveable gas-lights.

Z. Barratt, of Windmill-street; for an invention for curing, sweeping, ventilating and extinguishing chimnies.

J. Hollingrake, of Manchester; for applying a method of casting metallic substances in various forms, with improved closeness.

T. Cooper, of Weston-by-Weedon; for improvements on machines or ploughs for under-draining land.

G. Atkins, of Hornsey-road; for an instrument for ascertaining the variation of the compass.

W. Rutt, of Shacklewell, printer and stereotype founder; for improvements in printing machines.

T. Barry, of Plough-court; for his improved appurtenances

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for distillation, evaporation, exsiccation, and for the preparation of colours.

W. Geldart, J. Servant and J. Howgate, of Leeds; for improvements in the manner of heating dry houses, &c.

C. Attwood, of Bridge-street, Blackfriars; for a mode of manufacturing mineral and vegetable alkali.

J. Lewis, W. Lewis and W. Davis, of Brinscomb; for improved application of pointed wires for raising the pile of woollen and other cloths. The same for improved application of mechanic powers to laying, smoothing and polishing the pile of woollen or other cloth.

J. Nedson, of Linlithgow; for discovery of vegetable substances not hitherto used by tanners and leather dressers, and of vegetable substances not hitherto used by dyers.

W. Brunton, of Birmingham; for improvements in steam-engines and their furnaces, by which a saving in fuel is effected.

N. Conne, of St. Mary-le-Strand, glass-engraver; for an improvement applicable to lamps for domestic purposes.

J. Scheffer, of Blackfriars-road; for a machine for writing, termed the pennographic instrument.

W. Good, of Bridport-harbour, ship-builder; for an improvement

in tanning hides and skins, and barking or colouring nets, sails and other articles, by the application of materials not before used for that purpose.

J. Head, of Lower Brook-street, esq.; for a machine to ascertain the difference of ships' draught of water forward and aft, at sea or in harbour.

H. Tritton, of Clapham, esq.; for an improved filtering apparatus.

J. Thompson, manufacturer of iron and coal-miner; for a new method of extracting iron from ore.

Baron C. P. de Thierry, of Bath Hampton; for a bit for coach and bridle horses, called the humane safety-bit.

J. Baynes, of Leeds, cutler; for machinery to be attached to carriages for giving them motion by manual labour or other suitable power.

W. Bainbridge, of Holborn, musician; for improvements in the double and single flageolet, or English flute.

C. Hilton, of Darwen, Lancashire, bleacher; for his process for improving and finishing manufactured piece-goods.

A. R. Strutt, of Mackeney, Derbyshire, cotton-spinner; for improvements in the construction of locks and latches.

APPENDIX TO CHRONICLE. 305

A BILL of all the **CHRISTENINGS and BURIALS** from December 15, 1818, to December 14, 1819.

Christened in the 97 parishes within the walls 1977—Buried 1149.

Christened in the 17 parishes without the walls 5599—Buried 4143.

Christened in the 23 out-parishes in Middlesex and Surrey 19256—Buried 9922.

Christened in the 10 parishes in the City and Liberties of Westminster 4175—Buried 4014.

DISEASES AND CASUALTIES.

Abscess	83	Fever	1093	Veneral	14	Excessive Drinking	4
Apoplexy and Suddenly ..	178	Fever (Typhus).....	57	Rheumatism	10	Executed	10
Asthma	799	Fistula	6	Rupture	44	Found Dead	10
Bedriders	1	Flux	13	Scrophula	98	Fractured	2
Cancer	81	Gout	41	Small Pox.....	713	Frightened	4
Childbed	299	Hemorrhage.....	57	Sore Throat and Quinsay... 19		Killed by Falls and several } 65	
Consumption	3839	Hooping Cough	750	Spasm	42	other Accidents	
Convulsions	3076	Hydrophobia	2	Still-born	673	Killed by Fighting..... } 1	
Croup	91	Inflammation	1243	Stones	54	Killed by Lightning	1
Diarrhoea	2	Insanity	71	Stoppage in the Stomach... 18		Murdered	2
Dropsy	684	Insanity.....	240	Suddenly	310	Poisoned	2
Dropsy in the Brain.....	417	Jaundice	81	Teething	502	Scalded	2
Dropsy in the Chest.....	143	Measles	695	Thrush	118	Strangled.....	1
Dysentery	2	Miscarriage	3	Worms	8	Suffocated	2
Epilepsy	1	Mortification	399	Broken Limbs	1	Suicides	35
Eruptive Diseases.....	4	Old Age, and Debility..... 1850		Burnt	97		
Erysipelas, or St. Anthony's Fire 8		Palsy	208	Drowned	97		
						Total	266

Christened Males 12,574—Females 11,726—In all 24,300 || Buried Males 9,671—Females 9,557—In all 19,228.

Whereof have died,

Under two years of age	4779	Twenty and thirty	1577	Sixty and seventy.....	1600	A hundred.....	
Between two and five	1771	Thirty and forty	1990	Seventy and eighty	1230	A hundred and one ..	
Five and ten.....	826	Forty and fifty	3095	Eighty and ninety.....	666	A hundred and two	
Ten and twenty.....	631	Fifty and sixty	1918	Ninety and a hundred	144	A hundred and three.....	1

Decreased in the Burials this Year, 477.

* There have been Executed in London and the county of Surrey, 28; of which Number 10 only have been reported to be buried within the Bills of Mortality.

PRICE OF STOCKS FOR EACH MONTH IN 1819.—Lowest and Highest.

1819.	Bank Stock.	3 p. ct. red.	3 p. ct. conv.	4 p. ct. conv.	5 p. ct. Navy.	Long Ann.	India Stock.	India Bonds.	Eschequer Bills 2d.	Irish.	Omnium.
January	{ 267½ 272 }	{ 77½ 79 }	{ 95½ 98½ }	{ 105½ 107½ }	20 20½	231¼ 232½	85½ pr. 86½ pr.	16 pr. 20 pr.	106½ 108	7 2½	
February	{ 266 272½ }	{ 75½ 78½ }	{ 94½ 97½ }	{ 105½ 106½ }	20½ 20½	228 233½	62 pr. 82 pr.	4-11 pr. 18.9 pr.		½ dis. 1½ pr.	
March	{ 261 251 }	{ 73 75 }	{ 91½ 93½ }	{ 1037 105½ }	19½ 19½	220 221	15-10pr. 40.39 pr.	19.12dis. par.			
April.....	{ 251 254 }	{ 70½ 74½ }	{ 89½ 93 }	{ 103½ 105½ }	18½ 20½	220 221	26 pr. 40 pr.	3 dis. 10 pr.			
May	{ 210 251½ }	{ 64½ 71½ }	{ 78 90½ }	{ 99 105½ }	17 18½	205 219½	14 dis. 29 pr.	6 dis. 11 pr.			
June.....	{ 215 228 }	{ 65½ 70 }	{ 82½ 86½ }	{ 99½ 100½ }	17 18½	210 210.09	7 dis. 1 pr.	2 dis. 7 pr.		0½ dis. 2½ pr.	
July	{ 216½ 224 }	{ 67½ 73 }	{ 78½ 90½ }	{ 100½ 105½ }	17½ 19½	203½ 217	4 dis. 11 pr.	4 dis. 4 pr.	102½ 106½	½ dis. 5½ pr.	
August	{ 228 233 }	{ 70½ 72½ }	{ 90½ 91½ }	{ 104½ 105 }	19 19½	218 222	9 pr. 20 pr.	7 dis. 3 pr.		3½ pr. 5 pr.	
September.....	{ 229½ 230½ }	{ 71½ 72 }	{ 90½ 91 }	{ 102½ 104½ }	19½ 19½		5 pr. 16 pr.	12 dis. par.	105½	½ pr. 4 pr.	
October... ..	{ 216½ 220 }	{ 66½ 70½ }	{ 83½ 87½ }	{ 102½ 104½ }	17½ 18½	209½ 212	7 pr. 16 pr.	7 dis. par.		3½ dis. 13½ pr.	
November	{ 213 216½ }	{ 66½ 67½ }	{ 83½ 84½ }	{ 104½ 104½ }	17½ 17½	207 209	4 pr. 8 pr.	5 dis. par.		2½ dis. 1½ dis.	
December	{ 211 215 }	{ 65½ 67½ }	{ 83½ 84½ }	{ 103½ 104½ }	17½ 17½	208½ 209	5.1 dis. 5.1 pr.	14 } dis. 2 }		2 } 4½ }	

Table

APPENDIX TO CHRONICLE. 307

Table of the Number of Bankruptcies in England, from December 20, 1818, to December 20, 1819, inclusive.

Jan.	Feb.	March.	April.	May.	June.
86	134	124	132	178	167
July.	Aug.	Sept.	Oct.	Nov.	Dec.
144	78	91	17	165	129

Total 1499.—Increased from the last year, 531

Average prices of CORN per Quarter, in England and Wales, 1819.

	Wheat.		Rye.		Barley.		Oats.		Beans.	
	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.
Jan.	79	6	59	0	63	11	35	9	70	9
Feb.	80	5	59	2	63	9	34	4	68	11
Mar.	79	3	56	11	59	4	33	7	66	0
April.	74	7	52	11	51	6	31	0	57	4
May.	72	8	50	6	44	7	29	5	53	5
June.	68	9	46	6	40	0	27	6	50	10
July.	75		48	2	41	0	27	10	50	4
Aug.	75	2	45	4	40	2	28	6	50	3
Sept.	71	11	44	5	39	2	27	1	48	5
Oct.	66	8	43	6	38	3	25	4	47	5
Nov.	68	2	43	0	39	2	25	11	49	4
Dec.	65	10	42	6	37	1	25	2	48	2

Average of the Year.

73 2 | 49 4 | 46 6 | 29 34 | 55 1

Quantity of PORTER brewed by the eleven first Porter Breweries in London, for the Year ending July 5, 1819.

Barclay, Perkins and Co.....	320,090
Truman, Hanbury, Buxton and Co.....	210,967
Andrew, Reid, and Co.....	183,675
Whitbread and Co.....	181,844
Combe, Delafield and Co.....	133,008
Henry Meux and Co.....	111,138
Calvert and Co.....	99,286
Goodwyn and Co.....	63,377
Elliott and Co.....	53,111
Taylor	53,104
Cocks and Campbell.....	26,035

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METEOR.

METEOROLOGICAL REGISTER,
for the Year 1819.

MONTH.	BAROMETER.		THERMOM.		RAIN.
	MAX.	MIN.	MAX.	MIN.	
January	30.06	29.25	59	22	1.22
February	30.12	29.01	51	18	2.16
March	30.34	28.09	59	23	2.03
April	30.02	29.03	68	29	2.23
May	30.17	29.04	73	25	1.91
June	30.19	29.69	78	42	3.44
July	30.21	29.27	86	42	1.45
August	30.32	29.02	86	43	0.41
September	30.05	29.05	82	33	2.58
October	30.03	29.03	77	22	2.09
November	30.16	29.18	55	21	2.12
December	30.23	29.03	56	10	2.45
	30.28	29.34	68	27	24.36

PARLIAMENTARY REPORTS.

**REPORT OF THE COMMISSIONERS
APPOINTED FOR INQUIRING
INTO THE MODE OF PREVENTING
THE FORGERY OF BANK
NOTES.**

*To his Royal Highness George
Prince of Wales, Regent of the
United Kingdom of Great Britain
and Ireland.*

IN obedience to the directions contained in his majesty's commission, we proceeded, in the latter end of the month of July last, to consider the important subject referred to us.

Our attention was first directed to the proposals for improvement in the form of the notes issued by the Bank of England; and it being known that many plans had been submitted to that body which they had not thought it expedient to adopt, we felt it proper, in the first instance, to obtain correct information upon this point; and we therefore requested the court of directors to furnish us with an account of such plans. They did accordingly furnish us, without delay, with a detailed account of 108 projects, regularly classed and arranged; together with the correspondence respecting them, a statement of the trials to which they had been

subjected, and specimens of the proposed originals and of the imitations executed by order of the Bank. They also laid before us about seventy varieties of paper made at their manufactory in experiments for its improvement, in which almost every alteration recommended for adoption had been tried, and, in some instances, anticipated by their own manufacturer.

We have also received and answered communications from about seventy individuals, which have been arranged and considered; and in some cases, a personal interview has been requested, and held. Several of these persons had been previously in communication with the Bank; and we find that in the instance of some projects of superior promise, the directors had furnished to the proposers the pecuniary means of carrying their ideas into effect. We have likewise sought and obtained information as to the state of the paper currency in other countries; but this has proved of very little importance, with reference to the object of our present inquiry. From America, which affords the closest parallel to the state of England in this particular, no official return has

has yet been received, but we have reason to think that in several parts of the United States, the crime of forgery is prevalent, and that great efforts are now making to give to the notes such a character as may baffle the skill of the American forger. Specimens of these improved notes have been communicated to us by the agent of the American patentee, and have received our particular attention with regard to the practicability of adopting the invention, in whole or in part, so as to present a barrier to the art and skill of the forger in this country.

Upon the general subject of the extent of forgery, we do not think it necessary to recapitulate statements which are already before parliament and the public. It appeared to us however proper to obtain more particular information as to the course which has been hitherto pursued by the Bank, both with respect to the prevention and with respect to the detection and punishment of the crime. Upon the former of these points, we have received from the directors, in addition to the account before alluded to, clear and circumstantial details. And it is but common justice to those gentlemen to state, that in every instance our inquiries have been met by them in the most prompt and satisfactory manner, and every sort of useful information readily furnished. We feel it also proper to add our opinion, formed after an examination of all the projects which have been formerly submitted to the Bank for a change in the form of their notes, that no one of these

could have been adopted with such a prospect of solid advantage to the public, as would compensate the evils necessarily attendant upon a change.

The invention to which we refer in the latter part of this report, and on which our attention is now principally engaged, was laid before the directors a short time previous to the issuing of his majesty's commission, and so far entertained by them, that they advanced a large sum of money to the author. The chief merit of this invention consisting in the extreme accuracy of the machinery requisite; time and application are necessary to bring it to such a state of perfection as appears likely to answer the purpose desired.

Upon the latter of the two points above referred to, we have received from the chief inspector and chief investigator at the Bank, and also from the solicitor, accounts of the course pursued in their respective departments. For which purpose, we requested the personal attendance of each of those officers, and entered into such an examination of them, as appeared to us to be calculated to produce the necessary information. We have also been furnished by the Bank with the means of judging of the actual state of forgery, and of that degree of skill which appears sufficient to deceive the public, by the examination of forged notes of various kinds; and even of the tools and instruments used by one forger, which were taken upon him.

Whilst it is painful to observe the degree of talent thus perverted, it is at the same time to
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be remarked, that in many instances the public suffer themselves to be deceived by very miserable imitations; and it is to be feared that a similar carelessness would very much lessen the good effects to be derived from the employment of superior skill and workmanship in the formation of a new note. Another fact appears proper to be noticed here, as forming an important ingredient in the consideration of any proposed plan. The issue of small notes by the bank is necessarily very uncertain and irregular in its amount. We find, that to keep up the usual supply, not less than fifty plates are requisite; and it is considered proper to have a much larger number in a state of preparation. And as it is obviously necessary to preserve, as much as possible, identity in the notes, this circumstance alone precludes the application for this purpose of many ingenious plans, even if there did not exist other insuperable objections to them.

Resulting from the above statements and examinations, some general observations have occurred to us, which appear proper to be introduced in this stage of the Report.

It has been very commonly imagined, that, in consequence of the simplicity of execution in the present bank notes, the actual forgery of them was very generally and extensively practised, and that often by persons without money or talent; and this idea has formed the basis of much of the reasoning used by many of the projectors, whose plans have been under our view. The re-

verse of this we believe to be the fact; and from the information before us, we feel ourselves warranted in stating our opinion, that the great quantity of forged small notes which have lately been found in circulation, have all issued from a very few plates only; and that the fabrication of them is chiefly confined to one particular part of the country, and carried on by men of skill and experience, and possessed of a very considerable command of capital. Upon a cursory observation, it appeared remarkable that whilst so many utterers are constantly brought to justice, the actual forger should very rarely indeed be detected. But further investigation has led us to think, that this fact may be accounted for; and without entering into details, which upon this point it is better to avoid, we think that it results naturally from the lamentable perfection of system to which this fraudulent traffic has been brought; and we have seen no reason to doubt that the directors of the Bank and their officers have used every exertion in their power to bring the actual forgers to justice, though unfortunately without success, except in very few instances. We cannot refrain however from adding to this statement, our opinion, that there must be some culpable remissness in the local police of those districts within which the actual fabricators of bank notes are more than suspected to reside, and to carry on their trade with impunity. And before we quit this part of the subject, we wish to suggest for the consideration of those, by whose judgment such a ques-

a ques-

a question may be properly decided, whether it might not be expedient to offer a very large reward for the apprehension and conviction of a person actually engaged in forging bank notes. We are aware of the objections which exist against the system of pecuniary rewards, and are fully impressed with a sense of the evils that may arise from a too general adoption of it. But the circumstances under which the crime of forgery exists in this country are peculiar; and it appears to us hardly possible that those evils which might be anticipated from the offer of a reward in the case of some other crimes, could follow from such an offer in this case; and knowing how many individuals must be saved from punishment by the conviction of one actual forger, we venture to recommend the adoption of this measure, to be concurrent with such an improvement in the form of the note as we hope to see effected.

Having been furnished with such information as was within our reach relative to the subject of our inquiry, we in the next place proceeded to examine more in detail the several projects submitted to us. In pursuing this examination, we have not indulged the vain expectation of finding any plan for a Bank-note which shall not be imitable by the skill of English artists, and we have considered that it would be utterly unsafe to rely for security against forgery, upon the employment of any process the chief merit of which was to consist in its being kept secret; of which several have been communicated

to us. Our object has been to select some plan, of which the process, when the principles of it are understood and the machinery and implements provided, should be simple enough to be applied without interruption to the extended operations of the Bank; and should at the same time comprise so much of superior art, as may oppose the greatest possible difficulties to the attempts of the forger, and may present such points of accuracy and excellence in workmanship to the eye of any individual using ordinary caution, as shall enable him to detect a fraud by observing the absence of those points in a fabricated note. In the mass of the schemes before us, there are, of course, very various degrees of merit; and we endeavoured to class them as well as circumstances would permit. From a very large portion of them it was obvious, upon a first inspection, that no beneficial result could be expected. Of the whole number, we find about twelve of superior skill and ingenuity, but anticipated by others of higher merit; or merely ingenious, but inapplicable in practice. And we consider nine others to be either of such originality or ingenious combination of existing means as to have required our more particular attention; and with respect to these, much consideration has been had, and in some instances, improvements and experiments suggested and tried.

We have not considered as decisive against the merit of any particular plan, the single fact, that it may be imitated by superior

rior art and expensive means. But when we have found, in the case of specimens submitted to us, apparently of great excellence and the result of a combination of talent or machinery, that a very good imitation has been produced in a short time, without any peculiar expense, and by the application of means only which are within the reach of very many artists and engravers in England; and when we reflect, to how very few hands the business of forgery appears to be at present confined, we cannot doubt that in the event of bank-notes being formed from any of such specimens, an equal number at least of persons would very soon indeed be found capable of fabricating those notes to a considerable extent, and with a degree of skill quite sufficient to deceive the public. Another consideration has also had weight in inducing us to hesitate much before we venture to recommend any specific plan. The adoption of any new form of note presenting peculiar and characteristic marks, but the imitation of which we could not confidently feel to be extremely difficult, would not only not do good, but would produce much evil; and would induce a false security, by accustoming the public to rely upon the appearance of such marks and peculiar character, rather than upon a cautious and general observation of the whole note.

Our remarks, however, as to imitation, do not apply to all the specimens which have been offered to us. There are a few of singular and superior merit, produced by means which it is very

improbable should ever come within the reach of any single forger, and the imitation of which, except by those means, appears in a high degree difficult.

Safety, or rather comparative safety, is to be sought, to a certain extent, in a combination of excellence in various particulars; but chiefly, as we conceive, in the application of a principle beyond the reach of the art of the copper-plate engraver, which in its different processes is possessed of the most formidable power of imitation. One plan, before alluded to as apparently affording this advantage, has been, with the most liberal assistance from the Bank, for some time past in a course of trial for its greater perfection, and with a view to combination with other improvements, satisfactory experiments of which have already been effected. The result, if our expectations be not disappointed, will afford a specimen of great ingenuity in the fabric of the paper, of great excellence in the workmanship, and of a very peculiar invention and difficult machinery in the art of printing. We confidently hope, that no long time will elapse before we are enabled to lay before your royal highness that result; and we have every reason to know, that the Bank directors are seriously anxious to adopt any plan which shall be found, after patient examination, to be worthy of adoption. In the mean time, we have thought it right not to delay informing your royal highness of the course of our proceedings. The investigation in which we have been engaged, has strengthened rather than

than removed our feeling of the difficulties with which the whole subject is surrounded. We do not wish to represent those difficulties as precluding the propriety of an attempt to remove the existing evils, by a change in the form of the notes issued by the Bank of England; but we do feel them to be such as make it imperative upon those with whom the responsibility rests, to be fully satisfied that they shall produce an improvement before they venture to effect a change.

All which is humbly submitted to your royal highness's consideration and judgment.

JOS. BANKS.
WILLIAM CONGREVE.
WILLIAM COURTENAY.
DAVIES GILBERT.
JER. HARMAN.
W. H. WOLLASTON.
CHARLES HATCHETT.

Soho-square, Jan. 15, 1819.

COLONISTS TO THE CAPE OF
GOOD HOPE.

Official Circular.

Downing-street, London, 1819.

I have to acquaint you in reply to your letter of the ———, that the following are the conditions under which it is proposed to give encouragement to emigration to the Cape of Good Hope.

The sufferings to which many individuals have been exposed, who have emigrated to his Majesty's foreign possessions unconnected and unprovided with any capital, or even the means of support, having been very afflictive to themselves and equally

burthensome to the colonies to which they have proceeded, the government have determined to confine the application of the money recently voted by address in the House of Commons, to those persons who, possessing the means, will engage to carry out, at the least, ten able-bodied individuals above 18 years of age, with or without families, the government always reserving to itself the right of selecting from the several offers made to them those which may prove, upon examination, to be most eligible.

In order to give some security to the government, that the persons undertaking to make these establishments have the means of doing so, every person engaging to take out the above-mentioned number of persons or families shall deposit at the rate of 10*l.* (to be repaid as hereinafter mentioned) for every family so taken out, provided that the family does not consist of more than one man, one woman, and two children under 14 years of age. All children above the number of two will be to be paid for, in addition to the deposit above-mentioned, in the proportion of 5*l.* for every two children under 14 years of age, and 5*l.* for every person between the ages of 14 and 18.

In consideration of this deposit, a passage shall be provided at the expense of government for the settlers, who shall also be victualled from the time of their embarkation until the time of their landing in the colony.

A grant of land, under the conditions hereafter specified, shall be made to him at the rate of 100 acres for every such per-

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son or family whom he so takes out; one-third of the sum advanced to government on the outset shall be repaid on landing, when the victualling at the expense of government shall cease. A further proportion of one-third shall be repaid, as soon as it shall be certified to the governor of the colony that the settlers under the direction of the person taking them out are actually located upon the land assigned to them; and the remainder at the expiration of three months from the date of their location.

If any parishes in which there may be a redundancy of population shall unite in selecting an intelligent individual to proceed to the Cape, with settlers under his direction, not less in number and of the description above-mentioned, and shall advance money in the proportion above-mentioned, the government will grant land to such an individual at the rate of 100 acres for every head of a family, leaving the parish at liberty to make such conditions with the individual, or the settlers, as may be calculated to prevent the parish becoming again chargeable with the maintenance of such settlers, in the event of their return to this country.

But no offers of this kind will be accepted, unless it shall be clear that the persons proposing to become settlers shall have distinctly given their consent, and the head of each family is not infirm or incapable of work.

It is further proposed, that in any case in which one hundred families proceed together, and apply for leave to carry out with

them a minister of their own persuasion, government will, upon their being actually located, assign a salary to the minister whom they may have selected to accompany them, if he shall be approved by the secretary of state.

The lands will be granted at a quit rent to be fixed, which rent, however, will be remitted for the first 10 years; and at the expiration of three years (during which the party and a number of families, in the proportion of one for every hundred acres, must have resided on the estate) the land shall be measured at the expense of government, and the holder shall obtain, without fee, his title thereto, on a perpetual quit rent, not exceeding in any case 2*l.* sterling for every 100 acres; subject, however, to this clause beyond the usual reservations*—that the land shall become forfeited to government, in case the party shall abandon the estate, or not bring it into cultivation within a given number of years. I am, your most obedient humble servant.

First Report of the Commissioners appointed to consider the subjects of Weights and Measures.

May it please your Royal Highness,

We, the Commissioners appointed by your Royal Highness

* The usual reservations are the right of the crown to mines of precious stones, of gold and silver, and to make such roads as may be necessary for the convenience of the colony.

for

for the purpose of considering how far it may be practicable and advisable to establish within his Majesty's dominions a more uniform system of weights and measures, having obtained such information as we have been able to collect, beg leave to submit with all humility the first results of our deliberations.

1. We have procured, for the better consideration of the subject referred to us, an abstract of all the statutes relating to weights and measures which have been passed in the United Kingdoms from the earliest times; and we have obtained from the country reports, lately published by the Board of Agriculture, and from various other sources, a large mass of information respecting the present state of the customary measures employed in different parts of the United Kingdom. We have also examined the standard measures of capacity kept in the Exchequer, and we have inquired into the state of the standards of length of the highest authority. Upon a deliberate consideration of the whole of the system at present existing, we are impressed with a sense of the great difficulty of effecting any radical changes, to so considerable an extent as might in some respects be desirable; and we therefore wish to proceed with great caution in the suggestions which we shall venture to propose.

2. With respect to the actual magnitude of the standards of length, it does not appear to us that there can be any sufficient reason for altering those which are at present generally employed.

There is no practical advantage in having a quantity commensurable to any original quantity existing, or which may be imagined to exist, in nature, except as affording some little encouragement to its common adoption by neighbouring nations. But it is scarcely possible that the departure from a standard once universally established in a great country, should not produce much more labour and inconvenience in its internal relations than it could ever be expected to save in the operations of foreign commerce and correspondence, which always are, and always must be, conducted by persons, to whom the difficulty of calculation is comparatively inconsiderable, and who are also remunerated for their trouble, either by the profits of their commercial concerns or by the credit of their scientific acquirements.

3. The subdivisions of weights and measures at present employed in this country, appear to be far more convenient for practical purposes than the decimal scale, which might perhaps be preferred by some persons for making calculations, with quantities already determined. But the power of expressing a third, a fourth and a sixth of a foot in inches, without a fraction, is a peculiar advantage in the duodecimal scale, and for the operations of weighing and of measuring capacities, the continual division by 2 renders it practicable to make up any given quantity with the smallest possible number of standard weights or measures, and is far preferable in this respect to any decimal scale. We would therefore

therefore recommend, that all the multiples and subdivisions of the standard to be adopted should retain the same relative proportions to each other as are at present in general use.

4. The most authentic standards of length which are now in existence being found, upon a minute examination, to vary in a very slight degree from each other, although either of them might be preferred without any difference that would become sensible in common cases, we beg leave to recommend, for the legal determination of the standard yard, that which was employed by general Roy in the measurement of a base on Hounslow Heath, as a foundation for the trigonometrical operations that have been carried on by the ordnance throughout the country, and a duplicate of which will probably be laid down, on a standard scale, by the committee of the Royal Society appointed for assisting the astronomer royal in the determination of the length of the pendulum; the temperature being supposed to be 62 degrees of Fahrenheit, when the scale is employed.

5. We propose also, upon the authority of the experiments made by the committee of the Royal Society, that it should be declared, for the purpose of identifying or recovering the length of this standard, in case that it should ever be lost or impaired, that the length of a pendulum vibrating seconds of mean solar time in London, on the level of the sea, and in a vacuum, is 39.1372 inches of this scale; and that the length of the metre em-

ployed in France, as the ten-millionth part of the quadrantal arc of the meridian, has been found equal to 39.3694 inches.

6. The definitions of measures of capacity are obviously capable of being immediately deduced from their relations to measures of length; but since the readiest practical method of ascertaining the magnitude of any measure of capacity is to weigh the quantity of water which it is capable of containing, it would, in our opinion, be advisable in this instance to invert the more natural order of proceeding, and to define the measures of capacity rather from the weight of the water they are capable of containing, than from their solid contents in space. It will therefore be convenient to begin with the definition of the standard of weight, by declaring, that 19 cubic inches of distilled water, at the temperature of 50 degrees, must weigh exactly 10 ounces of troy, or 4,800 grains; and that 7,000 such grains make a pound avoirdupois; supposing, however, the cubic inches to relate to the measure of a portion of brass, adjusted by a standard scale of brass. This definition is deduced from some very accurate experiments of the late sir George Shuckburgh on the weights and measures of Great Britain; but we propose at a future period to repeat such of them as appear to be the most important.

7. The definitions thus established are not calculated to introduce any variation from the existing standards of length and of weight, which may be considered as already sufficiently well ascertained. But, with respect to

to the measures of capacity, it appears, that the legal standards of the highest authority are considerably at variance with each other: the standard gallon, quart and pint of queen Elizabeth, which are kept in the Exchequer, having been also apparently employed, almost indiscriminately, for adjusting the measures both of corn and beer; between which, however, a difference has gradually, and as it may be supposed unintentionally, crept into the practice of the Excise; the ale gallon being understood to contain about $4\frac{1}{2}$ per cent more than the corn gallon, though we do not find any particular act of parliament in which this excess is expressly recognized. We think it right to propose, that these measures should again be reduced to their original equality; and at the same time, on account of the great convenience which would be derived from the facility of determining a gallon and its parts by the operation of weighing a certain quantity of water, amounting to an entire number of pounds and ounces without fractions, we venture strongly to recommend, that the standard ale and corn gallon should contain exactly 10 pounds avoirdupois of distilled water, at 62° of Fahrenheit, being nearly equal to 277.2 cubic inches, and agreeing with the standard pint in the Exchequer, which is found to contain exactly 20 ounces of water.

8. We presume that very little inconvenience would be felt by the public from the introduction of this gallon, in the place of the customary ale gallon of 282 cubic

inches, and of the Winchester corn gallon, directed by a statute of king William to contain 269, and by some later statutes estimated at $272\frac{1}{4}$ cubic inches; especially when it is considered that the standards by which the quart and pint beer measures used in London are habitually adjusted, do not at present differ in a sensible degree from the standard proposed to be rendered general. We apprehend also, that the slight excess of the new bushel above the common corn measure, would be of less importance, as the customary measures employed in different parts of Great Britain are almost universally larger than the legal Winchester bushel.

9. Upon the question of the propriety of abolishing altogether the use of the wine gallon, and establishing the new gallon of 10 pounds as the only standard for all purposes, we have not yet been able to obtain sufficient grounds for coming to a conclusive determination; we can only suggest, that there would be a manifest advantage in the identification of all measures of the same name, provided that the change could be made without practical inconvenience: but how far the inconvenience might be more felt than the advantage, we must leave to the wisdom of his majesty's government to decide.

10. In the mean time it may be advisable to take into consideration the present state of the numerous and complicated laws which have been enacted at various times for the regulation of
the

the weights and measures employed in commerce; and the abstract of these laws, which we have prepared, will be found in the Appendix (B) of this Report. We must, however, reserve for a future occasion the information which we have procured respecting the customary weights and measures of the different counties, as we have not yet been able to reduce our abstract into the most convenient form for affording a connected view of this branch of the subject referred to us.

(Signed) JOS. BANKS.
 GEORGE CLERK.
 DAVIES GILBERT.
 WM. H. WOLLASTON.
 THOMAS YOUNG.
 HENRY KATER.

Soho-square, June 24, 1819.

EXTRACTS FROM THE REPORT
 OF THE COMMITTEE ON THE
 POOR LAWS.

The farther consideration of the Laws for the Relief of the Poor, and of the practical application of them, has tended to confirm, in the opinion of your committee, the correctness of that view of the subject which was taken by the committee in the year 1817, and the soundness of the principles which were then stated in their Report; to that document, therefore, your committee would rather refer, than repeat a detailed statement of the evil which must be necessarily inherent in any system which undertakes to provide for the indigent by a compulsory contribution from the funds accumulated by the industry of others, and of

the aggravation of that evil by a lax or mistaken execution of the law. The consideration that upwards of two centuries had elapsed since the system was established, that it had operated in the mean time, and latterly with augmented force, upon the habits, the pursuits, the feelings, and the social economy, of a large class of the community, induced that committee to attempt to correct, in the first instance, the administration of the law; and to consider such means as might, by their gradual operation, effect a transition to a better order of things, and revive those habits of industry and frugality which a reliance upon an indiscriminate parish support must necessarily impair. They consequently recommended to the House, and the legislature has since enacted, various provisions for the better administration of this system. Regulations have been prescribed for the conduct of parish vestries, with a view of securing a more efficient control over that expenditure which is become so large in its amount as to require the vigilant attention of those most interested in the welfare of the parish; a weight, therefore, has been given to the persons rated, proportioned in some degree to the magnitude of their respective contributions.

In populous places, however, the numbers of which that body is composed, being too great for the convenient discharge of complicated and detailed business, power has been given to the vestry at large of choosing a select body, on whom new authority is conferred, and under whose direction

rection the officers of the parish are to act in the management and relief of the poor. Their proceedings and orders are moreover not subject to the control of a single magistrate. It has been also specially enjoined, that both the select vestry and magistrates, in determining the nature and quantity of relief required in particular cases, shall take into their consideration the character and conduct of the applicant, in order that the same measure of relief may not be extended to the wants arising from unavoidable misfortune on the one hand, and from idleness and extravagance on the other; it being important that the express words of the law should leave the duty of such discrimination no longer doubtful.

It has been also provided, for the better execution of the office of overseer in particular cases, that the vestry may appoint an assistant or assistants, with an adequate salary. This provision arose from the inconvenience resulting from the office of overseer being annual, and the injustice of extending beyond that period a burthen that often requires the unrequited sacrifice of his whole time and private interests. But a person so selected, and remunerated for this task, may be required to devote his whole time to the service of the parish, and may be expected to become, from a continuance in office, accurately acquainted with the duties he has to discharge. A more correct adherence to the law, and a uniformity in the system of management, may therefore be anticipated from such an appointment, which, under annual of-

ficers, without a select vestry, may well be wanting.

To these provisions have been added others to guard against evasion in the payment of rates, and against the frauds of persons who seek to derive aid from the parish while they are in the receipt of other means of subsistence. It having been found essential to make such provision against bestowing on one man the property of others, without that reason which alone can justify such an act; the plea of absolute necessity. The advance of relief, by way of loan only, there is reason to hope will be found beneficial, by affording timely aid in some instances, and discouraging in others the applications of those whose earnings have been impropvidently and extravagantly wasted.

The partial alteration of the law of settlement, as far as it respects the renting of tenements, which has also been effected, will undoubtedly have placed that part of the law on a more reasonable and simple footing; and while it diminishes the endless litigation respecting the nature and value of the tenement, will no longer be an obstacle to the accommodation which may be afforded in some instances to a poor family, by renting the pasturage of a cow, or some other temporary profit from the occupation of land.

Other enactments of minor importance will be found in the Act of this session, which it is unnecessary here to detail: but in addition to these, there are some expedients which your committee are enabled to recommend, and which

which either do not absolutely require, or do not perhaps admit, of any legislative injunction; such as establishing a prescribed form for keeping parochial accounts, and giving to them periodical publicity; by which the amount of expenditure will be seen under its proper head, and any illegal or unnecessary disbursements will be brought to light and corrected. Printing and distributing still more frequently, lists, which the vestry is now bound by law to make out, of the names of all those who at any time receive relief, and on what account, is a practice which has prevailed lately in many populous parishes, and with the best effect.

By such provisions, and more especially by the establishment of select vestries and assistant overseers, your committee are sanguine in their hopes, that the mischief resulting from the reliance on parish support, may be in some degree palliated, and that the loose and careless administration of the law, by which it has been aggravated, will be essentially corrected.

But this is not all that your committee deem requisite to secure the kingdom from the calamities that must attend the continued progress of this evil; and they do not believe that such security can be obtained, as long as by an erroneous construction, as your committee believe, of the act of Elizabeth, parishes are supposed liable to be called upon to effect the impracticable purpose of finding employment for all who may at any time require it; they believe the ill conse-

quences which have arisen from this practice are most palpable, and most mischievous, and they are therefore peculiarly anxious to recall the most serious attention of the House to this construction which has been put practically on this part of the statute.

Pecuniary relief seems indisputably to have been only contemplated by this Act for "the lame, impotent, old, blind, and such other among them being poor and not able to work, and also for putting out children to be apprentices;" but the direction to "set to work all persons having no means to maintain them, and using no ordinary or daily trade of life to get their living by," has been acted upon as if it were a clear authority for requiring the parish to find employment for all who want it. The committee, in 1817, questioned the soundness of this construction in the following terms: "If the object of the statute was merely to set to hard labour such idle, wandering persons as might be found in a state nearly approaching to that of vagrancy, such an object might possibly be carried into effect with a fair hope of beneficial consequences; but if the object of the statute was (as it is now interpreted) that the state is to find work for all who in the present and in all succeeding time may require it, your committee are of opinion, that this is a condition which it is not in the power of any law to fulfil; what number of persons can be employed in labour, must depend absolutely upon the amount of the funds, which alone

are applicable to the maintenance of labour."

The farther consideration and investigation of this subject has confirmed their opinions; for your committee are not aware, that the courts of law have at any time construed the act according to this practice; indeed the decision referred to in the former Report, in which it was held that an order of maintenance is not valid without it adjudges the party seeking relief to be *impotent*, leads to an opposite conclusion. If reference be had also to the authority of early writers, or to those who in modern times have bestowed the most attention on this subject, the same inference would follow. In a work which has been lately cited by an able anonymous author, intitled "A Description of England, by W. Harrison," and which, as published in the Chronicles of Holingshed, is brought down to the year 1586; it is stated that "the poor are divided into three sorts, so that some are poor by impotency, as the fatherless child, the aged, blind or lame, and the diseased person that is judged to be incurable; the second are poor by casualty, as the wounded soldier, the decayed householder, and the sick person visited with grievous and painful diseases; the third consisteth of thriftless poor, as the rioter that hath consumed all, the vagabond that will abide no where, but runneth up and down from place to place (as it were seeking work, and finding none); and finally, the rogue, &c."

"The two first sorts, that is to say, the poor by impotency,

and the poor by casualty, are the true poor indeed, and for whom the word doth bind us to make some daily provision; there is order taken throughout every parish in the realm that weekly collection shall be made for their help and sustentation; but if they refuse to be supported by this benefit of the law, and will rather endeavour, by going to and fro, to maintain their idle trades, then they are parcel of the third sort, and so instead of courteous refreshing at home, are often corrected with sharp execution, and whip of justice abroad."

Now this classification of the poor in the very age of Elizabeth, leads to the conclusion, that the persons designed by the terms, "using no ordinary or daily trade of life to get their living by," were, as the committee of 1817 supposed, that third class who are deemed "thriftless poor, &c." who it should seem were made to labour as long as they continued within their own parish, but if they left it, were subject to the severe penalties then inflicted on vagrancy; and would now come within the provisions of the present vagrant laws.

But to come nearer to our own times, and to the most laborious, copious and valuable work on this subject, we find the opinion of the judicious and unprejudiced author of "The State of the Poor," expressed in the following decided terms:

"From the language of various statutes concerning the poor, which passed during the reign of queen Elizabeth, and which being *in pari materia*, explain each other,

other, either in matter of law, or illustrate each other in matter of fact, it may fairly be implied to prove, that the relief of the able-bodied poor, with or without families, was no part of the original system of the poor laws. The third of William and Mary, c. 11, s. 11, corroborates this idea, which is *put out of doubt* by the preamble to 8 and 9 William and Mary, c. 30, s. 2: "To the end that the money raised only for the relief of such as are as well impotent as poor, may not be misapplied or consumed by the idle, sturdy and disorderly beggars."

These opinions would, in the absence of any decision of courts of law to the contrary, be entitled to much weight; but this preamble referred to by the last author, and which was cited in the former Report for the same purpose, seems decisive on the question. Nor indeed can it be well imagined, that the supreme legislative power of any country would have anticipated a permanent order of things, in which a large class of the people should be habitually and necessarily without employment. Your committee conceive that the demand and supply of labour have, in the natural course of things, such a tendency to regulate and balance each other, unless counteracted by artificial institutions, that any excess of either, arising from temporary causes, would, if met by temporary expedients alone, in no long time correct itself; whereas the practice now under consideration, originating perhaps in a humane extension of

the law to meet cases of occasional and pressing emergency, and inconsiderately continued, is calculated to perpetuate evils that would otherwise be transient, and permanently to derange the whole industry of the country.

That such has been its effect in those parts of this kingdom, where the practice has most prevailed, is but too manifest. Your committee say, where the practice has most prevailed, because they have learned that some magistrates have resisted this, which they have deemed, with your committee, a misconstruction of the law. We may see and lament, that a compulsory provision, for even the helplessness of age and infirmity, has a tendency to weaken, in a degree, the natural efforts of men to provide against *future* ill; but if by any human institution the *present* wants of life are to be obtained otherwise than by human exertion, the very sources of all industry must be destroyed. If therefore the parish be bound to find employment for those who are, from whatever cause, without it, it is obvious that in cases where the family is numerous, and the honest pride and independence of self-support is extinguished, it becomes on calculation a matter of perfect indifference, whether the money requisite for their maintenance be derived from the wages of labour, or the alms of the parish. The consequence is, that the motive that would naturally impel men to active and faithful service is wanting; for even if employment be forfeited by misconduct,

the same means of support, in the case supposed, will be given, and probably little labour will be exacted in return; for the parish work is in all cases performed without the superintending control of private interest; and it must be remembered, that the persons who make this demand for work on the parish, are, generally speaking (though at the present time it is certainly in many instances otherwise), the least active, the least strenuous, and the least industrious of the community. It is the want of those qualities which has, generally speaking, deprived them of employment. It has consequently appeared to your committee that, under this practice, not only the pressure of the burthen of the poor-rate has become almost overwhelming, but that the amount of regular labour has been greatly diminished, and its quality materially impaired: and that it should be so, under such direct temptations to idleness, can scarcely be matter of surprise, or even of inculpation. But a striking proof of the prejudicial consequences of this practice is afforded by the circumstance, which for other purposes has been pressed on the attention of your committee, that it is uniformly found that such inhabitants of a parish as have not acquired a settlement in it, and can obtain no such relief without being removed, are distinguished by their activity and industry, and generally possess not only the necessaries, but the comforts of life; and your committee have lately learned with satisfaction,

that the operation of the act of this session has already relieved some parishes of the metropolis from the heavy burthen of maintaining numbers of persons without settlements in England; who are stated "now to support themselves, instead of applying for parochial relief, under the apprehension of being sent home."

If therefore this supposed obligation of parishes to find work for all who require it, is at variance with the letter and spirit of the law, and has been, and is productive of the most baneful effects; it appears to your committee, to be of the last importance, that the practice of the country should be made consonant with the law in this respect, by a new enactment, specifying distinctly to whom, and to whom alone, relief derived from a compulsory assessment, shall be afforded. At the same time, they are well aware, that it is not at a moment like the present, when from a concurrence of circumstances, the country is unusually embarrassed by the number of persons without employment, that it should be attempted to bring this better system at once into operation; and it would be probably expedient previously to remove any impediments which are thrown in the way of the free circulation of labour, either by the existing laws respecting the settlement of the poor, or those which relate to vagrancy.

That the market for labour is in many parts of the kingdom at present much overstocked, does not admit of dispute; nor does your committee believe, that in
other

other parts the demand is greater than the supply; it is not probable, therefore, that even the entire and immediate removal of all such impediments, if it were practicable, would of itself, at this moment, cure the existing evil. Other measures, assisted by the unrestrained operation of natural causes, will yet be wanting to bring the kingdom, in this respect, to its ordinary and healthful state. Your committee, therefore, must recur to the opinion expressed in the former report, that "all obstacles to seeking employment wherever it can be found, even out of the realm, should be removed, and every facility that is reasonable, afforded to those who may wish to resort to some of our own colonies;" for it seems not unnatural, that this country should, at such a time, recur to an expedient which has been adopted successfully in other times, and in other countries, especially as it has facilities for this purpose, which no other state has perhaps ever enjoyed to the same extent, by the possession of colonies affording an extent of unoccupied territory, in which the labour of man, assisted by a genial and healthy climate, would produce an early and abundant return. Your committee thought it desirable to make some inquiries on this subject, the result of which will be found in the minutes of evidence.

If by these and other means, by a continuance of the blessings of peace, and a consequent augmentation of capital, the demand and supply of labour should be nearly balanced, and the wages

of labour become a more adequate remuneration of industry, your committee are satisfied, that the object which they recommend might be gradually attained, without material embarrassment or difficulty; provision continuing to be made by law for the infirm and helpless, and the partial and temporary distress which might occasionally befall even the able and industrious, being left, as it confidently might, to the aid of voluntary and discriminating benevolence, to which alone it should be remembered the wants even of age and infirmity in most other countries are referred. The assessment, thus limited in its application, would no longer threaten to absorb all the sources of supply, nor continue to seduce the labouring part of the population, by the delusive promise of parish relief, from their natural habits of industry. The greater part, your committee believe, of the sums of money which are now forced into the poor-rate, and undergo a compulsory, and for the most part unprofitable distribution, would probably be restored to their natural channel, giving thereby an increased activity to labour, under the interested but beneficial superintendence of their owners; from which would necessarily result a rise of wages, with the beneficial consequences that would naturally ensue to the labouring classes; active and faithful service would indeed be found indispensable for the supply of present wants; and recourse would doubtless be had to those facilities and inducements which are now afforded to

to realize the benefits of exertion and frugality?

Reverend *Henry Duncan* called in; and examined.

In what part of Scotland do you reside?—In the parish of Ruthwell and presbytery of Annan, in Dumfries-shire.

In what manner are the indigent poor of your parish supported?—By collections in the church, by private charities, but chiefly by their own relations.

What is the amount annually of the funds under the management of your session, and in what manner are these funds raised?—The annual amount is about *24*l.; these funds are raised by collections in the church, and by fines, which the session has in its power to impose on irregular marriages, on the parents of illegitimate children, and on proclamations for marriage.

Are there any other funds out of which the poor of your parish are supported?—No; there are no other funds.

What is the population of your parish?—About 1,160.

Have the goodness to detail to the Committee the mode of management by which the sessions of Scotland become acquainted with the wants of the poor, and afford them supply?—I believe the Committee is aware, that the session of a parish consists of the minister and elders, and that the minister is the moderator or president; the elders are chosen from the respectable householders, and the selection is made from particular districts of the parish, as far apart as circumstances will admit; they supply

vacancies by election of their own body. The parish is by a mutual understanding divided into districts, over which each elder exercises a kind of superintendence, and he is perfectly acquainted with the situation of all the inhabitants of his own particular district; he gains this acquaintance not only by his residence among them, but also from the exercise of the duties of his office, which consists in visiting the sick and in praying with them, on which occasion he takes an opportunity of inquiring into their circumstances, and of ascertaining whether they are in pecuniary distress, or otherwise. Every Sunday, if necessary, there is a meeting of the session, which generally takes place immediately after divine service. The affairs of the poor are then talked over, and if there are any who require immediate relief, it is ordered to be given. Relief, however, is only ordered at these meetings, in cases of remarkable distress, the usual time of making distributions being at a quarterly meeting of the session; at that quarterly meeting, the minister and elders look over the poor list, and appoint the different allowances to the indigent. I should mention also, that the heritors (that is to say, the landed proprietors) have it in their power to attend these meetings of session. In point of fact, however, they never do attend excepting when specially summoned on ten days notice; they are never called upon but in cases where it may be necessary to levy some particular contribution for the exigencies of the poor.

Is it customary to suffer indigent persons connected with the parish to ask alms, and what method is adopted to restrain or modify the practice?—It is sometimes, but not very frequently, the custom, to grant certificates to poor persons to beg in the parish. Occasionally, in cases of particular distress, the certificate is given to extend to the whole presbytery. By a resolution of the Synod of Dumfries, passed some years ago, it was recommended to the different ministers within their bounds, to grant no certificates, the operation of which should extend beyond their own presbytery; and to take care that no person should be permitted to beg in any parish till the minister of that parish had signed the certificate. Where this recommendation has been enforced, it has been productive of useful consequences.

What is the amount of the poor on the poor roll of your parish, and what are the average allowances made to each person?—The amount of the poor on our roll is from 16 to 18, and the average allowances are from half a crown to seven shillings a quarter.

What other means of support do these poor persons possess?—The poor are principally supported by their own relations. There is that feeling in Scotland of independence, that laudable desire among the poor to provide for themselves, and that dislike of any thing approaching to reliance upon charity, that the labouring classes in those quarters, where poor-rates have not been introduced, universally consider

it to be their duty to make every sacrifice in support of their poor relations. There is another mode pretty frequently adopted for the support of the poor. In the particular district to which I belong, it has been customary for persons in indigent circumstances to have what is called a drinking. This is a kind of rustic charity-ball. The person for whose benefit it is intended, employs some friends or some persons for hire, to go through the parish, and invite the parishioners to this drinking. Those who do not wish any of their family to attend, generally give a contribution, either in meal or money. Ale and spirits are distributed at the ball, as well as other refreshments; and a contribution is made by the individuals present, which, after clearing all expenses, generally leaves to the entertainer about 1 or 2*l.* of clear gain. This was the usual mode of relief in the parish of Ruthwell, for persons under particular circumstances of distress, when I came to it. I found, however, that there were irregularities (as might be supposed) consequent upon this mode of giving relief, and I discouraged it; but it was necessary to find some substitute. I therefore proposed, that instead of having this ball, the poor persons, who would have resorted to it, should confine themselves to the raising of a contribution. This has generally been adopted in the parish of Ruthwell; and, I believe, in some other parishes. And now a common mode of obtaining relief for such persons, is to hire two individuals, who go through the parish with a certificate

cate from the minister, stating the circumstances of the case, and who obtain for them a supply in meal or money. This is a substitute for begging; and though it may be attended with disadvantages, is probably better than permitting the individual himself to ask alms, because it has not so great a tendency to bring down the spirit of the lower classes, by degrading them in their own eyes, or in public opinion, and possesses other recommendations which will readily occur.

Have you any reason to believe that pauperism is increasing in Scotland?—Certainly it is in those districts where poor-rates have been established. I had an opportunity of ascertaining this fact by inquiries which I made about 10 years ago, when poor-rates began first to be introduced into my own neighbourhood; I had a good deal of correspondence at that time with persons resident in those parts of Scotland where poor rates had been established; and I obtained information from various districts, all going to prove that the establishment of poor-rates had a tendency to increase pauperism in a very great degree. With reference to this subject, I may also mention the situation of the parish of Carluke, which borders on that of Ruthwell, and which is precisely in similar circumstances. In that parish a sum of money was, more than a century ago, left for the poor, by a Dr. Hutton; with this money land was purchased, which now yields about 300*l.* a year. This annual sum goes entirely, I be-

lieve, to the support of the poor; and the consequence is, that the numbers on the poor roll of that parish have very greatly increased; there are on that poor roll about 50 individuals. If you compare this with the state of the adjoining parish of Ruthwell, which contains exactly the same number of inhabitants, you will find that pauperism must have been greatly increased by the bequest in question; the number of the poor in the one parish being threefold that of the poor in the other.

Do you refer the increase of pauperism to any other cause than that which you have mentioned with respect to the establishment of poor-rates?—Years of scarcity and embarrassment have also had a very distressing tendency in that respect. I will mention in which way I conceive these to operate. In years of scarcity the landed proprietors meet for the purpose of affording relief to the poor, when on other occasions they had not been accustomed to meet. They afford such relief in general, by a voluntary assessment, and this voluntary assessment teaches the poor to look up to a mode of supplying their wants which they had not been accustomed to. In point of fact, the consequence has been, that the dislike to receive parochial relief is wearing away, and has evidently done so within the last two or three years. I may mention one proof of this, which just occurs to me. A poor labourer in a neighbouring parish applied to me about two years ago, requesting that I would inform him of the best method of compelling

pelling the heritors to assess themselves for the support of the indigent. He told me, that the poor in his parish had been receiving relief from a voluntary assessment, but that he understood that this was only to last for one year; and that there was a deputation of the poor of that parish who were to come to my house in a day or two for the purpose of inquiring into the law on the subject, that they might compel the heritors to continue their assessment. I told him that I conceived poor-rates had a very injurious tendency, and that I certainly would not assist him in any method that might serve to introduce them. What I said to him had the effect, I presume, of preventing the deputation which he mentioned, from waiting upon me, for I heard no more of it. Now I am persuaded, that this would not have happened at any time before the years of distress, and it was to me a very melancholy proof of the demoralizing influence even of voluntary assessments. I will state to the committee another reason why the poor, as I conceive, are beginning to be desirous of legal assessments. I allude to the discussion which has taken place on the poor laws. The poor were not aware that they possessed any right to demand relief from the heritors, until very lately. You are aware that I speak only of the particular district to which I belong. The discussion of the subject has made them acquainted with the practice in other parts of the country with regard to legal assessments.

What are the means best

adapted in your opinion, for restraining the establishment of poor-rates in Scotland, and for abolishing them where already established?—I should certainly think that some restraint being placed on the power at present exercised by the sheriff, would be one efficient means of preventing the establishment of poor-rates, where they have not yet been put in operation, and of restraining the further increase of them where they have been established. But I would chiefly rely on the encouragement held out for the poor to support themselves.

We know how much the public are indebted to you on the subject of banks for savings, and we wish to know from your experience in the operation of them, whether it is your opinion that they are likely to be very efficient as the means of improving the condition of the poor?—I certainly conceive that they are. A very general interest has been excited among the lower classes in favour of these establishments; and desire, amounting sometimes to a painful anxiety, now exists among them, of laying up a portion of their earnings.

Among the lower orders?—Yes; and the upper classes of the community have greatly contributed by their judicious encouragement to foster this laudable spirit. These establishments have a manifest tendency to increase habits of industry, economy, and sobriety.

Are there any other means of a similar nature which you conceive to be useful, for giving the lower

lower orders facilities in providing for their own support?—I conceive friendly societies, in some respects, even of superior advantage to the lower orders.

Do you conceive that the establishment of parochial schools in Scotland, has had any influence in restraining the introduction of the poor-rates?—I do; the education of the lower orders has given a manly spirit to that class of society. They feel their own powers, are become high minded and independent, and are unwilling to subsist upon charity. Whilst at the same time, sensible of the advantages of subordination, they are loyal, submissive to lawful authority, and averse from faction and turbulence. One undoubted consequence of the Scotch system of education is, to excite and foster a spirit of enterprise, for which the inhabitants of that country are, I believe, universally considered as remarkable. This spirit has induced a number of young persons to emigrate to foreign parts, and by this means to leave the population not so injuriously abundant as it would otherwise have been.

State, if you please, the nature of your parochial school establishment, and the manner in which it is conducted?—These seminaries are not *free* schools, as they have been frequently considered by persons not acquainted with the subject; they constitute an establishment connected with the ecclesiastical institutions of the country; the landed proprietors are bound to give a certain salary to the parochial school-master; this salary does not in any instance

amount to more than 22*l.*, or thereabouts, a year; this at least is the *maximum* appointed by the last act of parliament; this sum is not enough for the support of the schoolmaster, but it is sufficient when added to the school-wages; whilst these school-wages are so low, that the poorer classes of the people are enabled to get their children educated. The allowances of school-wages are appointed by the presbytery. In my parish, where I believe the wages are nearly the average of these rates throughout Scotland, 2*s.* a quarter is charged for teaching reading; 2*s.* 6*d.* for reading and writing; 3*s.* 6*d.* for arithmetic, and 5*s.* for the learned languages, all per quarter.

What part do the clergy of Scotland take in the instruction of the lower orders, independently of their instructions in the pulpit?—They superintend the school-master in the performance of his duty, and visit the school, at least once a year, along with a committee of the presbytery; and they regularly catechize the inhabitants of the parish once a year, examining them in the principles of religion.

Is that duty optional, or is it required?—It is required, and I believe is almost universally performed. The clergy of Scotland are peculiarly efficient, from the circumstance of their constant residence in their own parish, and from the intimate and endearing union which generally subsists between them and their people. Being all on a footing of perfect equality, they have no unattained object of ambition to distract their

their attention from the important labours of their profession. They have seldom any prospect of changing their living; and they find it their interest to establish their character and respectability, by a diligent discharge of their various duties in the place where they are established for life. Independent of religious motives, therefore, they have powerful secular inducements to activity and zeal.

Is there a superabundant population in the district of Scotland in which you reside?—I do not think there is a superabundant population in the particular parish to which I belong; nor, indeed, in any of the neighbouring districts where poor-rates are not established.

Is it your opinion, from your knowledge of the habits of the lower orders, as well as their feelings, that the establishment and organization of a system by which facilities might be held out to emigration, would be attended with good effects, or the contrary?—I certainly think that the establishment of such a system would have a tendency to prevent the introduction of the poor-rates, as well as to diminish their operation where they are established.

You have said, that the poor are maintained mostly by their relations; have you many families in your district who have none but poor connexions?—Yes, there are many, and yet they contrive to support each other. I may be permitted to mention an instance which might show the Committee better perhaps, than in any other way, the kind of

feeling which prevails among our lower classes. Several years ago, a poor man got into difficulties, his son, who was a weaver, finding that he had no means of immediately raising a sum of money for the relief of his father's family by his trade, enlisted in the militia for the express purpose of obtaining the bounty of 20*l.*, and thus affording the requisite aid. After paying his father's debts, there was still a small reversion, this he placed in the parish bank, and it lay there at interest until he was discharged from the militia, when he drew it out for the purpose of purchasing a loom, with which he now supports himself, and assists in maintaining his father's family; and I may add, that this industrious young man continues to pay into the saving bank, any little savings he may make above what is necessary for the purposes I have mentioned. Many similar instances have occurred to my observation; and I believe I may say, that the example of this young man is only such as would have been followed, in similar circumstances, by a great many individuals of the lower classes in Scotland.

William John Burchell, esq. called in; and examined.

State to the committee in what situation you are?—I am following no profession; I am living at Fulham, where I am employed in arranging the observations I made in Africa.

You have been in South Africa?—I have.

For a considerable time?—Nearly five years.

You

You have been there as a traveller?—Yes, only as a traveller; not as a resident, except during my stay at Cape Town, previous to setting out for the interior, and on my return waiting for a passage.

Have you visited most parts of the colony?—I have passed through it in one direction, from Cape Town to its northern boundary; and on my return I travelled along the eastern boundary, and thence along the southern coast to Cape Town.

The committee will thank you for any information you can give them with respect to the capability of the colony to employ, profitably, any considerable number of labourers emigrating from this country?—In the first place, with respect only to the colony, it should be known, that a very great extent of country is unoccupied, which arises from the manner in which the Dutch government has made their grants of land, allowing each settler or farmer to take up his station at those places where there are springs of water; so that it arises from that, that all those intermediate parts of the colony, where there are no very good springs of water, are at present unoccupied; and that surface of the colony may at a rough guess be estimated at more than one half of the surface of the whole colony. I do not mean to speak exactly, only by way of giving an idea.

How far from Cape Town do you suppose the most distant settlement at present to be?—About 500 miles or more by the road; so that the quantity of land un-

occupied would receive a great number of emigrants, were they to be employed only in agriculture. But with a view to the formation of one entire settlement of emigrants alone, there remains on the eastern part of the colony a district named Albany, which forms part of the eastern boundary of the colony, which was in the year 1815, and is I believe at present unoccupied by any settlers; and is the most beautiful, and probably the most productive part of Cape colony; it is of sufficient extent to receive a population of emigrants of several thousand persons.

You think that upon the whole the most eligible spot?—I do.

Is it supplied with pasture?—Very well; the manner in which it happens so fine a country is unoccupied, is, that the Caffrees had a good many years ago under the Dutch government, made irruptions into the colony, and driven the inhabitants away; so that the Dutch have forfeited their tenures, and they have become open to fresh settlers.

The Caffrees are not very desirable neighbours, and they are very near this spot?—I am aware of that, but I do not conceive that to be any discouragement.

State your reason for that opinion?—I think the Caffrees are only a predatory race of men, and their only object is not that of destroying their neighbours, but robbing them of their cattle; and if the population of that part of the colony was as great as the country would admit of, I believe the Caffrees would not venture

to commit their robberies in such a country.

Has it not been necessary, in point of fact, to keep up a constant force to repel their attacks?—It has been done hitherto, and I believe it is now done.

Would the operation of cultivating this land be a tedious one?—Not the least; no more than breaking up the land.

Would it make an early return?—Yes, the first year, or the second at furthest.

Within how many months?—Within seven months from ploughing and putting the corn in.

What would be the most favourable season for putting the seed in?—Towards the rainy season; the autumn.

Are you speaking of those spots which lie between?—Yes; and the general districts.

Would it be most convenient to cultivate those intermediate spots, or a separate district?—Most decidedly a separate district.

Are there any woods to be cleared in Albany?—There are small woods, or rather groves, which it would be better to leave for wood.

What materials would the country supply, or what would be requisite to send there towards erecting buildings?—Nothing but iron work.

There is timber sufficient?—Yes, in the colony; all the country which is designated the Antinoqua and Zilzikama, would supply timber for every purpose.

These are the unoccupied lands?—They are the woods belonging to government, where a

supply of timber could be drawn; but they are not in the district of Albany.

Would the iron work or any other materials be easily landed at Algoa Bay?—Yes.

Is there from Algoa Bay a tolerable road to Albany?—Yes; the same sort of road as there is all over the colony. The facility of emigrants building houses there, and making shelter for themselves, is exceedingly great; for in building the walls of a house they make them with mud alone; and it is not easy to be credited by those who have not seen them, how excellent and strong a wall is made by those means.

Is there no stone?—Yes; but it is seldom used on account of the labour it requires. Following the method they have of building in the country; they make walls with mud, as good as they are made with bricks in this country, and better than they are built with common bricks.

What would be the vent for the surplus produce of the colony formed there?—By ships coming to Algoa Bay to receive it there, if it was produce that might be exported, or afterwards sent by the coast to Cape Town, where it would take the same chance as all other produce sent there.

What do you apprehend the productions would be chiefly?—Corn, wine, hides, ivory, and ostrich feathers.

Is the pasturage good?—The district of Albany is very fine pasture country.

Do you think tobacco would be an article of export?—Yes, I think it would succeed extremely well,

plete returns, probably unparalleled in the history of criminal law.

The deputy clerk of assize for the home circuit, has laid before your Committee a return of commitments, convictions and executions on that circuit, which comprehends the counties of Herts, Essex, Kent, Sussex and Surry, from 1689 to 1718, from 1755 to 1784, and from 1784 to 1814. The returns of the intermediate period from 1718 to 1755, he will doubtless furnish very soon. From this important return it appears, that, for the first thirty years which followed the revolution, the average proportion of convictions to executions was 38 to 20; that from 1755 to 1784 it was 46 to 13; and that from 1784 to 1814, it was 74 to 19. It is worthy of remark, that the whole number of convictions for murder, on the home circuit, in the first period was 123; that the executions for the same period were 87: that in the second, the convictions for the same offence were 67, and the executions 57; and that in the third, the convictions were 54, and the executions 44. If the increase of the population during a prosperous period of a hundred and thirty years be taken into the account, and if we bear in mind that within that time a considerable city has grown up on the southern bank of the Thames, we shall be disposed to consider it as no exaggeration to affirm, that in this district (not one of the most favorably situated in this respect) murder has abated in the remarkable proportion of three if not four to one.

In the thirty years from 1755 to 1784 the whole convictions for murder in London and Middlesex were 71; and in the thirty years from 1784 to 1814 they were 66. In the years 1815, 1816 and 1817, the whole convictions for murder in London were 9, while in the three preceding years they were 14. Most of the other returns relate to too short a period, or too narrow a district, to afford materials for safe conclusion with respect to the comparative frequency of crimes at different periods.

In general however it appears that murders and other crimes of violence and cruelty, have either diminished, or not increased; and that the deplorable increase of criminals is not of such a nature as to indicate any diminution in the humanity of the people.

In considering the subject of our penal laws, your committee will first lay before the House their observations on that which is the least likely to give rise to difference of opinion. That many statutes denouncing capital punishments might be safely and wisely repealed, has long been a prevalent opinion. It is sanctioned by the authority of two successive committees of this House, composed of the most eminent men of their age, and in some measure by the authority of the House itself, which passed several bills on the recommendation of their committees. As a general position, the propriety of repealing such statutes seems scarcely to have been disputed; respecting the number and choice of them, different sentiments must

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must always be expected. Your committee have not attempted a complete enumeration, which much time and considerable deliberation would be required to accomplish. They selected some capital felonies for the continuance of which they cannot anticipate any serious argument, and which seem to them to serve no purpose but that of encumbering and discrediting the Statute book. Various considerations have combined to guide their choice; sometimes mere levity and hurry have raised an insignificant offence, or an almost indifferent act, into a capital crime; in other acts the evil has been manifestly and indeed avowedly temporary, though it unfortunately produced a permanent law. Where the punishment of death was evidently unnecessary at the time of its original establishment, and where, if it was originally justified by a temporary danger, or excused by a temporary fear, it has long been acknowledged to be altogether disproportioned to the offence, your committee conceive themselves warranted in confidently recommending its abolition. But they have also adverted to another consideration; if in addition to the intrinsic evidence of unwarrantable severity in law which arises from the comparison of the act forbidden with the punishment threatened, they find also that the law has scarcely ever been executed since its first enactment, or if it has fallen into disuse as the nation became more humane and generally enlightened, your committee consider themselves as

authorized to recommend its repeal by long experience and by the deliberate judgment of the whole nation. In the application of this latter principle, they have been materially aided by the documents which have been mentioned. Where a penal law has not been carried into effect in Middlesex for more than a century, in the counties round London for sixty years, and in the extensive district which forms the western circuit for fifty, it may be safely concluded that the general opinion has pronounced it to be unfit or unnecessary to continue in force.

It has sometimes been said, that the abolition of penal laws which have fallen into disuse is of little advantage to the community. Your committee consider this opinion as an error. They forbear to enlarge on the striking remark of Lord Bacon; that all such laws weaken and disarm the other parts of the criminal system. The frequent occurrence of the unexecuted threat of death in a criminal code, tends to rob that punishment of all its terrors, and to enervate the general authority of the government and the laws. The multiplication of this threat in the laws of England has brought on them, and on the nation, a character of harshness and cruelty which evidence of a mild administration of them will not entirely remove. Repeal silences the objection. Reasoning founded on lenient exercise of authority, whatever its force may be, is not calculated to efface a general and deep impression. The removal of disused laws is a preliminary operation

operation which greatly facilitates a just estimate, and (where it is necessary) an effectual reform of those laws which are to remain in activity. Were capital punishments reduced to the comparatively small number of cases in which they are often inflicted, it would become a much simpler operation to form a right judgment of their propriety or necessity. Another consideration of still greater moment presents itself on this part of the subject; penal laws are sometimes called into activity after long disuse, and in cases where their very existence may be unknown to the best informed part of the community; malicious prosecutors set them in motion; a mistaken administration of the law may apply them to purposes for which they were not intended, and which they are calculated more to defeat than to promote: such seems to have been the case of the person who, in the year 1814, at the assizes for Essex, was capitally convicted of the offence of cutting down trees, and who, in spite of earnest applications for mercy from the prosecutor, the committing magistrate and the whole neighbourhood, was executed, apparently because he was believed to be habitually engaged in other offences, for none of which however he had been convicted or tried.

This case is not quoted as furnishing any charge against the humanity of the judge or of the advisers of the crown; they certainly acted according to the dictates of their judgment: but it is a case where the effect of punishment is sufficiently shown by the

evidence to be the reverse of exemplary, and it is hard to say whether the general disuse of the capital punishment in this offence, or the single instance in which it has been carried into effect, suggests the strongest reasons for its abolition.

The statutes creating capital felonies which the committee have considered under this head, are reducible to two classes; the first relate to acts either so nearly indifferent as to require no penalty, or if injurious, not of such a magnitude as that they may not safely be left punishable as misdemeanors at common law. In these your committee propose the simple repeal; they are as follows:—

1.—1 and 2 Phil. and Mary, c. 4. Egyptians remaining within the kingdom one month.

2.—18 Charles 2, c. 3. Notorious thieves in Cumberland and Northumberland.

3.—9 Geo. 1, c. 22. Being armed and disguised in any forest, park, &c.

4.—9 Geo. 1, c. 22. Being armed and disguised in any warren.

5.—9 Geo. 1, c. 22. Being armed and disguised in any high road, open heath, common or down.

6.—9 Geo. 1, c. 22. Unlawfully hunting, killing, or stealing deer.

7.—9 Geo. 1, c. 22. Robbing warrens, &c.

8.—9 Geo. 1, c. 22. Stealing or taking any fish out of any river or pond, &c.

9.—9 Geo. 1, c. 22. Hunting in his Majesty's forests or chases.

10.—9 Geo. 1, c. 22. Break-
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ing down the head or mound of a fish-pond.

11.—9 Geo. 1, c. 28. Being disguised within the Mint.

12.—12 Geo. 2, c. 29. Injuring of Westminster-bridge, and other bridges by other acts.

The second class consists of those offences which, though in the opinion of your committee never fit to be punished with death, are yet so malignant and dangerous as to require the highest punishments except death which are known to our laws. These the committee would make punishable either by transportation or imprisonment with hard labour, allowing considerable scope to the discretion of the judges respecting the term for which either punishment is to endure.

1.—31 Eliz. c. 9. Taking away any maid, widow, or wife, &c.

2.—21 Jac. 1, c. 26. Acknowledging or procuring any fine, recovery, &c.

3.—4 Geo. 1, c. 2, s. 4. Helping to the recovery of stolen goods.

4.—9 Geo. 1, c. 22. Maliciously killing or wounding cattle.

5.—9 Geo. 1, c. 22. Cutting down or destroying trees growing, &c.

6.—5 Geo. 2, c. 30. Bankrupts not surrendering, &c.

7.—5 Geo. 2, c. 30. Bankrupts concealing or embezzling.

8.—6 Geo. 2, c. 37. Cutting down the bank of any river.

9.—8 Geo. 2, c. 20. Destroying any fence, lock, sluice, &c.

10.—26 Geo. 2, c. 23. Making a false entry in a marriage register, &c. Five felonies.

11.—27 Geo. 2, c. 15. Sending threatening letters.

12.—27 Geo. 2, c. 19. Destroying bank, &c. Bedford Level.

13.—3 Geo. 3, c. 16. Personating out-pensioners of Greenwich-hospital.

14.—22 Geo. 3, c. 40. Maliciously cutting serges.

15.—24 Geo. 3, c. 47. Harbours offenders against that (Revenue) act, when returned from transportation.

In the more disputable questions, which relate to offences of more frequent occurrence and more extensive mischief, your committee will limit their present practical conclusions to those cases to which the evidence before them most distinctly refers. They cannot entertain any doubt that the general principles which have been so strikingly verified and corroborated in some particular cases by that evidence, apply with equal force to many others, relating to which they have not had sufficient time to collect the testimony of witnesses. That some offences which the law treats as arson, and more which it punishes as burglary, are not properly classed with these crimes, and ought not to be punished with death, would probably be rendered apparent by a legislative consolidation of the laws in being respecting arson and burglary. The same result, though in a less degree, might be expected from a similar operation in other important heads of criminal law.

On the three capital felonies of privately stealing in a shop to the amount of five shillings,—of privately stealing in a dwelling-house,

house to the amount of forty shillings; and of privately stealing from vessels in a navigable river to the amount of forty shillings, the House of Commons have pronounced their opinion, by passing bills for reducing the punishment to transportation or imprisonment.

In proposing to revive those bills, your committee feel a singular satisfaction that they are enabled to present to the House so considerable a body of direct evidence in support of opinions which had hitherto chiefly rested on general reasoning, and were often alleged by their opponents to be contradicted by experience. Numerous and respectable witnesses have borne testimony, for themselves and for the classes whom they represent, that a great reluctance prevails to prosecute, to give evidence, and to convict, in the cases of the three last-mentioned offences; and that this reluctance has had the effect of producing impunity to such a degree, that it may be considered as among the temptations to the commission of crimes. Your committee beg leave to direct the attention of the House to the evidence of Sir Archibald Macdonald, on this and other parts of the general subject, in which that venerable person has stated the result of many years' experience in the administration of criminal law. They forbore to desire the opinion of the present judges, out of consideration to the station and duties of these respectable magistrates. It appeared unbecoming and inconvenient that those whose office it is to execute the criminal law should

be called on to give an opinion whether it ought to be altered.

But highly as the committee esteem and respect the judges, it is not from them that the most accurate and satisfactory evidence of the effect of the penal law can reasonably be expected. They only see the exterior of criminal proceedings after they are brought into a court of justice. Of the cases which never appear there, and of the causes which prevent their appearance, they can know nothing. Of the motives which influence the testimony of witnesses, they can form but a hasty and inadequate estimate. Even in the grounds of verdicts they may often be deceived. From any opportunity of observing the influence of punishment upon those classes of men among whom malefactors are most commonly found, the judges are, by their stations and duties, placed at a great distance.

Your committee have sought for evidence on these subjects from those classes of men who are sufferers from larcenies, who must be prosecutors where these larcenies are brought to trial, who are the witnesses by whom such charges must be substantiated, and who are the jurors by whose verdicts only effect can be given to the laws. On this class of persons, where the crimes are most frequent, and where long and extensive experience allows little room for error and none for misrepresentation, or in other words, on the traders of the cities of London and Westminster, your committee have principally relied for information.

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information. To the clerks at the offices of magistrates, and to the officers of criminal courts who receive informations and prepare indictments, to experienced magistrates themselves, and to the gaolers and others, who, in the performance of their duties, have constant opportunities of observing the feelings of offenders, the committee have also directed their inquiries; their testimony has been perfectly uniform.

After due consideration of this important question, your committee are of opinion, that forgeries are a class of offences respecting which it is expedient to bring together and methodize the laws now in being. That in the present state of public feeling, a reduction of the punishment in most cases of that crime is become necessary to the execution of the laws, and consequently to the security of property and the protection of commerce; and that the means adopted by the legislature to return to our ancient standard of value, render the reformation of the criminal laws respecting forgeries a matter of very considerable urgency. Private forgeries will, in the opinion of the committee, be sufficiently and most effectually repressed by the punishments of transportation and imprisonment. As long as the smaller notes of the Bank of England shall continue to constitute the principal part of the circulating medium of the kingdom, it may be reasonable to place them on the same footing with the metallic currency: your com-

mittee therefore propose, that the forgery of these notes may for the present remain a capital offence; that the uttering of forged Bank notes shall, for the first offence, be transportation or imprisonment; but that on the second conviction the offender shall be deemed to be a common utterer of forged notes, and shall, if the prosecutor shall so desire, be indicted as such, which will render him liable to capital punishment.

Respecting the offence of knowingly possessing forged notes, your committee have no alteration to suggest but what they conceive would be fit in all transportable offences, that a discretion should be vested in the judges to substitute imprisonment with hard labour for transportation, where such a substitution shall seem to them expedient. As the discovery of the actual forgers of Bank notes has been found by experience to be in the highest degree difficult, your committee consider the suggestion of the commissioners for inquiring into the means of preventing forgeries, of offering an unusually large reward for the detection of forgeries, as worthy of serious consideration: to such rewards in general, the committee feel an insuperable objection. In the case of forgery there are circumstances which considerably weaken the objection. No jury could convict in such a case on the mere evidence of an informer, unsupported by the discovery of those materials, implements and establishments necessary for carrying on the criminal system.

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The reward would therefore have little tendency to endanger innocent men by false accusation. The evidence on which the conviction would rest, must be of a sort which can hardly deceive. The informer would only furnish the key by which the means of evidence would be found; the reward would rather be for detection than for conviction.

There are several points on which your committee are desirous of offering some observation to the House: two of these are of great importance: the first relates to the best means of enabling judges to pronounce sentence of death only in those cases where they think it probable that death will be inflicted; the second, whether the establishment of unexpensive and accessible jurisdictions, for the trial of small offences, with the help of juries, but with simple forms of proceeding and corrective punishments, might not be a means of checking the first steps towards criminality. These and other parts of this great subject, the committee hope that the House will allow them another opportunity to consider, by permitting them, in the next session, to resume, and if possible to complete their inquiries.

Thomas Shelton, Esq. Clerk of Arraignment at the Old Bailey, examined.

What do you, speaking upon conjecture and general estimate, take to be the proportion of the persons capitally convicted, compared to the proportion of those who receive sentence of death?—I believe in the paper which you

alluded to just now, the number of capital convictions and executions are stated; this is a copy of that account, showing the number for London and Middlesex [handing it in.]

The proportion in that account is rather more than one in twelve?—Yes.

In your experience of these proceedings, what do you think is the effect or result, with respect to the impression made by pronouncing sentence of death, on the minds of malefactors and spectators?—It depends a great deal upon the address made to them by the judge who passes the sentence. I have not an opportunity of seeing the prisoners afterwards when they go from the bar; many of them receive it with great indifference indeed, many of them, but some of them are greatly affected.

What have you observed to be generally the apparent effect produced upon criminals, by hearing an unfavourable verdict given against them in a capital case?—Some of them seem to labour under great anxiety, and you may discover it particularly in their attention to the jury whilst they are considering their verdict; some of them show a considerable degree of feeling when they hear the verdict pronounced, if it be a verdict of guilty; and others (and I am sorry to say the greater part by far) hear it with great indifference.

Should you judge, from the way in which generally old offenders receive the verdict of the jury against them in capital cases, that they conceived it to be a sentence which is to be accom-
panied

panied with the loss of life?— They certainly appear, some of them, to be more alarmed than others.

You mean old offenders?— Yes.

Do you suppose that that arises from their belief that judgment will be more likely to be executed against them than others, or from the experience they have had of the law taking its course in the case of other people?—It occurs to me, that it is from the apprehension that the law will take its course, and that they conceive it probable the sentence of the law will be executed.

A very considerable number of those persons who are tried at the Old Bailey, one may say, are malefactors by profession; that is, persons habitually engaged in crimes?—Yes, they are.

A great number of persons are more than once or twice brought to that bar?—O dear, some are brought many times.

Allow me to ask you, if you have had considerable experience of the reluctance of prosecutors to appear against criminals?— Yes.

Pray to what extent has that been observable in small offences that are capital by law; do you not find, in almost all instances where the crime is not in itself of an atrocious description, but capital by law, that there is a reluctance in individuals to prosecute?—No, not generally; in cases of stealing in a dwelling-house to the amount of upwards of forty shillings, and privately stealing in shops to the amount of five shillings and upwards, there is a great anxiety on the

part of the prosecutors generally to undervalue the property stolen, and to reduce it under the sum that makes it capital.

What do you suppose to be the cause of that?—It is lest the party should be capitally convicted?

Then there is a considerable reluctance in those instances you mention in the parties to prosecute capitally?—Certainly; but the officer who frames the indictment frames it according to the nature of the offence, and that has been done with more particularity lately than in former years; in many cases formerly it was omitted to be stated, that the property was stolen in the dwelling-house, or that it was to the amount of forty shillings.

That was the case at the beginning of your time?—Yes.

In the case of murder, do you find any reluctance to prosecute?—No, except in the cases of the murder of bastard children.

But not in cases of the murder of men and women?—No.

Do you find it so in very atrocious cases of burglary; do you find that there is, in such case, a great reluctance to prosecute?—I recollect but very few instances of burglary, unless it be constructive burglary, where a shop-window is broken, or a latch lifted, and the party enters into a house in that way; in many cases of that sort, the prosecutors would willingly forbear, or seek to elude the indictment being capitally framed.

As there is no reluctance in very atrocious crimes, and considerable reluctance in smaller crimes,

crimes, you would infer, that as the offence diminishes, the disinclination to prosecute increases; that is, that the punishment being less, the disinclination to prosecute becomes greater?—Certainly.

Allow me to ask you this question, whether you think, from your experience, that if sentence of death were pronounced only in those cases where it is in general executed, it would much increase the effect of the sentence of death on the minds of malefactors and spectators?—Yes, I conceive it would, because when a person is sentenced who is convicted of murder, there is a great impression made on the mind of the offender, and also on the mind of every person present.

Pray have you observed, in cases of forgery and other offences not affecting personal security, that there is a reluctance in witnesses to appear?—I believe it very frequently happens in cases of forgery.

Do you think that there is a reluctance in witnesses to give their full evidence on those occasions; I mean, is there a disposition to suppress facts that materially affect the life of the prisoner?—I have not observed particularly that there is, but rather that there is a reluctance in witnesses to appear; and I believe persons have relaxed much in cases of forgery of late years. Bankers were extremely rigid formerly, but latterly persons have been discharged by proclamation for want of prosecution.

Taking the charge as to stealing in a dwelling-house, is there

a greater reluctance to convict in a jury, when it is a capital offence, than when it is not capital?

—They seek every opportunity, when it can be done with propriety, to reduce the value of the articles stolen under forty shillings; and that they do very frequently indeed; for it often happens, where property is missed, that it cannot possibly be proved to have been all stolen at one time, although every person who hears the evidence given will suppose it taken at one time; yet inasmuch as it is not proved that it is all taken at one time so as to amount to forty shillings, they make it amount only to thirty-nine shillings.

Then I understand you to say, that juries are willing to resort to any expedient they can, in order to reduce the penalty of capital punishment to some other punishment?—Yes, if they can devise means not contrary to their conscience, and justify it to their own minds, they being on oath, they certainly will take every means they can to excuse the party charged of the capital part of the charge.

Have you not seen many instances, in which juries have brought in a verdict of “Not Guilty” directly contrary to the evidence in capital cases, according to your own view of the evidence?—It sometimes happens that juries acquit prisoners in cases where persons who are in the habit of attending courts would find no difficulty in convicting them; but I have not observed a reluctance in juries to find a verdict of “Guilty” more in these cases than they have in other

other cases; but where persons are indicted for privately stealing in a shop or dwelling-house, and where the crime is capital by the law and the opinion of the court, they have done every thing they can to excuse the party.

Do not the juries often resort to the expedient of finding prisoners guilty of the lesser offence, in a manner not suggested by the judge from the bench?—They do.

In shoplifting do they not find a verdict often upon the ground that it is not privately stealing?—Certainly.

Have you observed that there is an indifference in the demeanor of prisoners during their trial for crimes when the punishment is not executed; and has not that indifference increased in your experience of late years?—No, not at all.

I think I understood you to say, that in the case of smaller crimes, which are made capital, you have observed a disinclination on the part of witnesses to appear?—In the cases of forgery.

Have you observed such a disinclination on the part of witnesses to come forward in cases of murder, or in cases of very atrocious burglary?—Certainly not.

I would ask you generally, Do you not think that in offences not atrocious, if the punishment were mitigated the prosecutions and convictions would become more certain?—No; parties are not prevented after the offences are committed, for then they are irri-

tated, and the offender is taken before a magistrate and put in the course of prosecution by the injured party being put under recognizance, so that they have not any discretion to exercise, and unless in cases where the punishment depends much upon the value of the property, I do not observe any disinclinations injurious to convict in one case more than another.

But as to forgeries there is a disinclination to prosecute?—Yes.

Now supposing, in that particular offence, if the punishment were mitigated, do not you think that persons might be more disposed to prosecute?—Yes.

It would cause a greater certainty of conviction and punishment?—Yes, because generally persons convicted of forgery were executed, and indeed it was almost universally the case.

Do you think that the severity of the punishment operates to the encouragement of the crime, by the not carrying that punishment into effect?—It increases the number.

Right Honourable Sir A. Macdonald, late Lord Chief Baron, examined.

One of the objects of inquiry of the committee is, whether the degree of severity which exists, with respect to some of the penal laws against the minor offences, has or has not the effect of preventing convictions, or deterring prosecutions?—In what instances prosecutions may have been deterred, or convictions may have been evaded, it is impossible for any

any one to say, but it is a very strong symptom, both of suppressing prosecutions and of preventing convictions, to see the extreme avidity with which juries will look to those points by which they may favour a prisoner. For example, in the notorious diminution of the value of a shilling. The shilling, at the time of the reign of king Athelstan, between eight and nine centuries ago, was considerably different from what it is now. It is well known, that stealing up to the value of one shilling constitutes the crime of petty larceny, and stealing to an amount above the value of one shilling constitutes a capital felony, excepting where the benefit of clergy intervenes. It is known too that the conviction of a capital felony has very strong and dangerous consequences, if followed up by judgment of death. The consequence of judgment of death is attainder, a word derived from *attinctus*, stained, and the consequence of attainder is a loss of lands, an absolute loss of goods and the corruption of blood, which corruption of blood impedes the possibility of making a pedigree through the person who is attainted, and the corruption of blood cannot be pardoned by the king, nor can the goods be restored merely by pardon. Now the sums which discriminate the various kinds of grand larceny are small, and in the instances where they are largest, say 40*s.*; the jury are constantly anxious, even though the articles stolen are worth 20*l.*, to find them worth only 39*s.* In the very nature of things, the prosecutor must be

reluctant to prosecute in proportion to the severity of the punishment, but I recollect an instance in the Statute book, where it is the avowed cause of repealing a former act of parliament because the severity of that former act discouraged prosecution. Many instances might be given, in which it would appear that a person must with reluctance prevail upon himself to bring the offender to justice. For instance, breaking down a tree in a garden, of any value whatever, is a felony without benefit of clergy. It is not probable that any offenders should be so indicted, in that or in many other instances where the punishment seems greatly disproportioned to the offence. The penal statutes have been accumulating for a great length of time, and few only, comparatively speaking, have been put out of the Statute book. Lord Bacon, [as long ago as the reign of James I, complained of this as an evil then existing. But since that time a very great multitude of new felonies have been created, and many, for want of a revision, remain on the Statute book and are in a manner obsolete; yet as no statute by the law of England becomes virtually repealed by time, they might be put in execution. Upon the whole, I cannot but think, that inadequacy in the nature of the punishment to the nature of the crime, must necessarily be an impediment to the even administration of justice.

Will you have the goodness to inform the committee, whether you have observed at any time the same reluctance to convict in

cases

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cases of more atrocious offences, where the feelings of mankind naturally agree with the criminal law?—I have seen juries paying great attention in such cases, but I never saw them otherwise affected than by being extremely careful, but not in any degree to be too much swayed by motives of humanity. I have been often surprised, and once indeed for 19 hours of an end, to see the unwearied attention of a jury, not one of whom, as far as I could observe, being inattentive for a single moment.

It has been thought, that the circumstance of sentence of death being very frequently pronounced on many offenders, which is not intended to be inflicted, has a tendency to diminish the terror of the punishment. Does your experience agree with that observation?—I have thought for many many years, that there was a great impropriety in passing the solemn sentence of death upon 18 or 20 people, not one of whom could with any sort of propriety be left for execution; and most of whom, especially in London and other very populous places, were very confident in their own minds that they would not be left for execution; my own idea being, that the criminal law should be ingenuous, and that it should speak distinctly what a criminal is to expect; and that the execution of that sentence should be as nearly infallible as possible; which, if moderate, could well be afforded; subject always to the interposition of the crown.

What is the result of your experience with respect to the

severity of the penal laws in the revenue department?—When I held the office of attorney-general and solicitor-general, of course I had a good deal to do with the drawing of those acts; and I was always an exceedingly strong advocate for the milder course; because such cases were generally of such a nature that a man might be ruined by a conviction, and the conviction in the lower penalty in all reasonably clear cases was almost infallible. That was the principle which I myself followed.

It may be worth the consideration of the committee, to remark on the state of the law with respect to forfeiture; that there is one case which, though it may not come within the range of your inquiries, may deserve your attention. I allude to the case of *felo de se*. It may not be totally foreign to your object, to see how the law of forfeiture stands with respect to that case. When a man kills himself, that unhappy act is attended with the forfeiture of all his goods. That is, when a family has thus lost its support, it is also to lose all possible means of subsistence. One cannot help observing, that there is something disgusting and brutal in that. When a man commits an act of that sort, his reason has been overturned and he does not look to the family, and his mind is in a state of disturbance which very nearly approaches to insanity. I take the origin of this punishment to have been in catholic times, that when a man avoided extreme unction he was not permitted to be buried in consecrated ground, which

which to the feelings of persons of that persuasion is very important; and why should the survivors have the mortification of knowing, that the corpse of their father or husband is disgraced? it is punishing them when the unfortunate man himself is beyond the reach of temporal punishment. With respect to cases of capital felony, there is a forfeiture of land to a certain extent, the freehold going to the king during the life of the felon. The goods are irretrievable, and afterwards the king has what is called his "*year and day and waste*;" which last, formerly, was literally put into execution, but that has not been the case now for a great length of time. That too is attended with a visitation of poverty on the family, and proceeds upon a principle which I am afraid has little operation upon the depraved minds of felons, which is the well-being and comfort of their families. It is supposed, that that would have a hold upon mankind, which does not seem to be the case, as capital felonies, we all know, are, if any thing, increasing. It is too refined a principle to be acted upon by such persons.

Is the law in the respect of forfeiture now carried into execution?—Yes, the king may do it, but the felons generally have nothing, and therefore it is not worth pursuing; but the king may do it: upon the whole, I have always considered that the certainty and not the severity of punishment, will best repress crime.

Do you think, that much more

terror is caused by an execution of one in twenty than by an execution of one in sixty?—Do you mean more effect on the public?—Yes. Upon my word I do not know what to say. Frequency of execution I have no doubt has a bad effect.

You are well aware that it has often been observed, that more offenders escape justice from flaws and informalities in this country than in any other. Now, although that is to be considered as the result of a precision necessary in the administration of the laws of a free country, do not you think, that in some measure it may be imputed to the disposition of judges as well as juries to favour the prisoner, in consequence of the disproportionate severity of the punishments?—It is very certain, with respect to myself at least, that I would always desire to give the prisoner the benefit of every thing that I could discover in his favour. I knew it perhaps when he did not, and I always felt it my duty to be counsel for him; as the common expression is; and I cannot but say, that where the punishment is very disproportionate to the offence, I would always lean to the merciful side, if I could with satisfaction to my own mind!

Do you think that it would be expedient that capital punishments should not be materially extended beyond crimes affecting personal safety?—I think myself, that against treason, murder, arson, rape, and crimes against the dwelling-house and person, and some others, the punishment of death should be directed; but
I always

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I always thought that the antidote to many crimes is hard labour, confinement and regular diet; when I say regular diet, I mean that they should have no indulgencies of gin, or such kind of things.

The people of England being as moral and religious a people as any in the world, do you think that this phenomenon of the number of crimes results from the severity of the laws?—I certainly think, that the chances of escape are much greater in cases of severe punishment than in those to which a more moderate punishment is attached; and, as I said before, were punishments and crimes better adjusted than they are, crimes would be fewer; and there is another very great thing that arises from the chances of escape in cases of severity; namely, that every one who is executed thinks himself hardly dealt with: I was going to add, that when a criminal code is of such a nature that you shrink from the execution of the letter, it pretty plainly shows that that letter should be modified in some shape or other. A statute which, if executed, would shock the feelings of mankind, must have some defect in it. There are certainly instances in the letter of the law, which, if put in execution, would shock mankind; as, for instance, if a man were to suffer the execution of the law for doing some damage to one of the banisters of Westminster-bridge, or for breaking to pieces a small cherry tree, not worth half-a-crown, it would be an extravagant degree of severity, which would shock the feelings

of all mankind. It is quite enough to say, that out of about 280 felonies that exist by the present laws, it is seldom that more than from a dozen to twenty of them, when committed, are capitally punished.

*T. W. Carr, Esq. Solicitor of
Eccles, examined.*

Are you very well acquainted with the statute of 52 Geo. III., cap. 149?—I cannot say I am very well acquainted with the statute. It was passed, I believe, upon the recommendation of a committee of the Lords in 1812. I was examined before that committee. It was a consolidation act, remitting the punishment of death for all revenue offences except those therein specifically mentioned. My evidence went to deprecate the making offences against the revenue punishable as crimes, unless where committed with violence; and I understood it was ultimately determined, to confine the law to those species of revenue offences where the fraud was a forgery, or accompanied with violence.

I stated to the Lords' committee, that the efficacy of criminal law, if it were thought fit to apply criminal law to the security of the revenue, depended not more upon the means of detection, than the sufficiency of motive for prosecution, and the facility of conviction. The officers in their survey have generally the means of detection; but it has been found necessary, in order to excite their activity and stimulate their zeal; indeed to preserve

preserve their integrity, to give them a certain share in the penalties in which they may convict offenders. The moment the offence is made a crime this motive is entirely taken away. The officer has perhaps to undergo, and generally does undergo, a considerable degree of obloquy in convicting a man who has committed an offence against the excise laws in a penalty; this becomes considerably increased if he subjects the trader under his survey to a personal punishment. But it will be easily conceived by the committee, that the officers, in addition to having to withstand the shame and discredit that are thrown upon them by the detection and conviction of a trader, have also to support themselves against the influence of the bribes which are offered them to collude in the evasion of the duties. Now both operate in conjunction against his integrity, where the offence is made a crime. The obloquy becomes more terrible, and the influence of the offered bribe becomes greater also; all motive of benefiting himself or his family by conviction is taken away, and he stands a personal sufferer without reward. When, therefore, the revenue is attempted to be secured by making the breaches of its laws crimes, it is the fraudulent trader who is secured and not the revenue. I believe that it will rarely be found that an officer, under such circumstances (and he alone is likely to come forward as a prosecutor), would make the offence known; would willingly subject himself to the obloquy which would arise

from bringing such an offender to death or transportation; but where the trader is liable to only a pecuniary penalty, no such difficulty or reluctance is experienced.

The excised manufactures to which stamps denoting the charge of duty apply, are printed goods, such as paper and calicoes, hides, and paper in general, and starch. There are two other subjects of forgery, debentures and permits, for which we prepare the paper. The word *Excise Office* is a water-mark, and it is made penal to forge it.

One sort of offence against the revenue which it was the tendency of your evidence to subject to capital punishment, the committee understand you mean to state, was violent resistance?—According to my impression, it was rarely violent resistance; and it appeared to me, that the objections which I had the honor to submit just now applied to excise forgeries just as much as to any other frauds; for much as may be written or said on this subject, the people will never be brought to feel or admit, that to defraud the revenue is a moral crime; and therefore they will continue to follow with the severest obloquy the officer who is the prosecutor and instrument of bringing any individual to the punishment of death for such an offence.

There is another reason against it, which has also considerable weight; I mean the difficulty of conviction which attends trials for criminal offences; as for instance, for forging an impression of an excise stamp, compared with

With a trial of the same offence when subject to a penalty. It is a maxim established by innumerable determinations in the court of Exchequer, that any trader who enters his premises for the purpose of carrying on a trade under the excise, is *civiliter* responsible for a breach of the revenue laws, committed by his servants, on his entered premises in such trade, but *criminaliter* the offence must be brought home to himself; and therefore fifty instances might occur, in which the commissioners of excise, who make all orders for prosecutions, might be perfectly satisfied that such offences were committed on certain entered premises, for which they could with no hope of success make an order to proceed as for a crime, though they might for a penalty.

The committee understand you to give this as the result of your experience, arising out of many years' experience and observation upon offences committed against the revenue laws?—Yes; I believe I may add one material fact. The offence of putting a forged stamp on paper was first made criminal about the year 1806 or 1807; before that time it was a penalty of 500*l.*, and it had been by no means unusual before that time to convict persons guilty of the offence in that penalty. I am not sure whether any convictions have taken place or not, but certainly very few, since it has been made a crime.

The committee would ask, generally; does your own experience, with regard to the revenue, lead you to believe that

the laws become more inefficient by becoming more severe?—If by severity is meant punishment, I should think they did; as far as relates to the making frauds crimes, I am perfectly certain they do. It is a very common thing with respect to penalties, for traders requesting a liberty to do what is objected to by the board (who always attach greater consequence to laws of prevention than to laws of punishment) because it facilitates the commission of a fraud, to say, "Grant us that, and secure it against fraud by any penalty you please; let it be one or two thousand pounds." It is perfectly well known, that such penalties never are or can be enforced to their extent, therefore they amount in their excess to nothing but penalties upon paper, which experience shows to be nothing.

The committee understand you to say, that the great increase of the penalty tends to an impunity of offence?—The increase of a penalty beyond what can be levied, or what the offence can be supposed ever to merit, must be inefficacious.

There is a class of offences criminal at common law, of which the committee are no doubt aware, and which belongs not only to the excise but to every branch of the revenue, and appears to me to give as great power of punishment as ever can be desirable for revenue frauds unattended with violence, that is conspiracy. Wherever the trader and officer, or any other person, combine together to commit a fraud, that is a conspiracy at common law, and they are liable

to be prosecuted criminally for that offence. So that the commissioners of excise have, if they think the enormity of the case demands it, the means of such punishment without the aid of any particular statute for that purpose. The fact is, that the most serious offence against which the revenue has to guard, is a combination between the trader and the officer by whom the duty is charged. Against that there can be no certain protection. When once the officer is in collusion, who alone has the charge of the duty, it is only by the check of the superior officer, who may come in by chance and detect the offence, that the most extensive fraud can be prevented continuance.

It is the practice of the board of excise, and also I believe of the other boards, to make periodical returns to government of those who are under imprisonment; with an account of the circumstances of life of the prisoner; the cause of the imprisonment; his conduct, age and family. These particulars are constantly so reported, and orders are given from time to time for the discharge of such offenders without payment of the penalties incurred, where it is thought that the person has been sufficiently punished by the length of his imprisonment. There is, therefore, under the laws inflicting pecuniary penalties, not only the means of punishing a man by imprisonment who commits an offence against the revenue without property to pay the penalty, but there is likewise a discretion which may be, and always has

been, exercised to prevent that punishment from going too far; and I cannot see that any improvement can be made on this system, which is at once calculated to secure the revenue, and to provide a due measure of punishment for revenue offences, either by the exaction of a proportionate penalty, or by such length of simple imprisonment as may answer the same end.

P. Colquhoun, L.L.D. examined.

Are you a magistrate for the city of Westminster, and how long have you been a magistrate?—I have upon the whole been nearly forty years in the magistracy, and have acted as a magistrate for Middlesex, Westminster, and the adjoining counties of Surrey, Kent and Essex, for the last 27 years; I resigned my situation as a police justice in January 1818.

During this period have you had general experience of the administration of the criminal law and the effects of punishment on convicted persons?—The situation I held as a police magistrate, both in the eastern and western part of the metropolis, for so many years, certainly afforded me opportunities of attending to the administration of the criminal law, and its effects in regard to punishment.

What has been your experience with respect to these laws on different offenders, in cases where the punishment has been rarely inflicted?—My experience has led me to draw this conclusion; namely,

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namely, that the punishment should be such as would answer the ends of justice; and that the sentence of the laws should be invariably (except in extreme cases) carried into execution. My opinion on the subject of capital punishments for minor offences remains unaltered; they operate powerfully in preventing convictions, and send back upon society many offenders, by acquittals, to renew their depredations on the public.

Have you observed a considerable repugnance to prosecute in certain classes of crime which are made capital by the law of England?—Very frequently, inasmuch that I have in some instances been obliged to threaten imprisonment to prosecutors who have refused to enter into recognizance; and I have reason to believe, that crimes in several instances, not of atrocious nature, but when the punishment of death attaches, are never brought under the review of magistrates at all. And when such prosecutions take place, it is well known that where the law is considered as too severe, juries frequently return verdicts greatly under the value of the property stolen, that the capital punishment may not attach to the crime committed.

Which is the class of crime to which you allude?—The crimes to which I allude are forgery, shoplifting, larceny, burglary without entering the house, horse-stealing, cattle-stealing, sheep-stealing, frame-breaking, house-breaking in the day time, highway robbery with acts of violence on the person, and various other

minor offences now subject to the punishment of death.

And when the law is executed in these cases, do you think there often prevails a general disapprobation?—It appears to me that, generally speaking, the public mind revolts at the infliction of the punishment of death on crimes not of an atrocious nature.

With respect to the most atrocious crimes, have you observed any reluctance to prosecute?—I scarcely recollect any instance in atrocious crimes accompanied with violence.

Edward Foster, Esq., Banker, examined.

You are a partner in the house of Lubbock, Forster and Co.?—I am.

Have you any experience of the effect of the severity in any of the criminal laws, as deterring prosecutions or preventing convictions?—Yes.

Will you be so good as to describe to the committee what that experience is?—I certainly, in general, might say, that I have heard of several cases, but I will only mention those I can authenticate. The first I should mention is a case of forgery where the criminal was in custody, but the prosecutor being unwilling to prosecute, on account of the offence being capital, a hint was given, that the best way to avoid proceeding would be to destroy the instrument; in order to do this, another person was introduced to the magistrate, as a friend

friend of the prisoner, desirous of seeing the check, which being shown to him he snatched it away and threw it into the fire; this was done with the connivance of the prosecutor, as I said before, because the offence was capital; had the offence not been so, there is no reason at all to believe the prosecutor would have connived at such a scheme.

What was the station and occupation of the prosecutor?—Very respectable. Another was a forgery to a very large amount, 1,500*l.* the forger and the utterer were both in custody and actually committed for trial, but no prosecution did actually take place; this was entirely because the offence was capital; had the punishment been ever so severe, short of death, no endeavour would have been made to save the offender; there were no particular circumstances that called for mercy, and it was merely on account of the offence being capital.

Would not the prosecutors, if that had not been the case, have thought it their duty to use every exertion in their power for the conviction of the party?—Certainly.

The committee understood you to intimate, it was an aggravated case of forgery?—There were no extenuating circumstances. I have another instance, which occurred not long since in a public institution, which was lately robbed and the criminals apprehended, and when a meeting was holden to consider the propriety of prosecuting, a magistrate, a man of great discretion and judg-

ment, stated to the rest of the committee the duty of prosecuting very forcibly and properly, but when he had done so he asked what was the value of the goods stolen, whether it was more than 40*s.*, that if it was he would have nothing to do with the prosecution; this sentiment was universal in the meeting, and it was only on the officer of the institution whose particular business it was to prosecute, undertaking that the indictment should be laid under 40*s.* that the prosecution did take place.

From your experience as a banker, do you believe that a great many prosecutions for forgeries are prevented, from the circumstance of its being capitally punished?—No doubt of it.

Do you think to the amount of one half?—I have no doubt of it; probably more than that.

Basil Montague, Esq. examined.

I hope I may be permitted to call to the attention of the committee, the practice now prevailing with respect to the effect of severe laws in forgery, by which I see, day after day, that capital enactments are used as engines to induce persons to confess themselves guilty of the minor offence, without any trial at all, upon a confession obtained under circumstances, which, except upon a plea of guilty, would not be evidence. There is another crime of great importance in this commercial country; I mean the crime of concealment and embezzling property, the frauds in bankruptcy;

bankruptcy; it is scarcely possible to imagine the extent of these crimes. I published a tract some time since, in which I explained, that there were regular houses where people could be procured at a per-centage, who had old bill stamps and old deed stamps, upon old paper, to any amount, to prove debts under commissions, all of which involve capital offences in the bankrupt; I suppose there is scarcely any person who has seen so much of this species of capital felony as myself, and I am satisfied, that it is carried to such an extent as to set the whole law at defiance. I beg on this subject to refer to my examination before a committee of the House of Commons on the bankrupt laws, on the 11th of February 1818, in which I endeavoured to explain the state of the law, and its inefficacy in respect to this crime; I stated, and I repeat the act, 5 Geo. II, passed in the year 1732, since which time there have been, I conceive, at least 38,000 bankrupts; for taking the average from 1732 to 1786, at 250 a year, the number of bankrupts during those years will be 13,200; the actual number of bankrupts from 1786 to 1805 was 16,200; taking the present average to be 800 each year, which is much below the number, that will be 3,200; the total sum from 1732 till 1810 was 32,600; supposing the average from 1809 to 1819 to be 700 per annum, which I believe is below the mark, there will be 6,300, making the total number 38,900; I believe I have taken each of the averages much below what they ought to be computed. During

this time, that is for near a century, with nearly 40,000 bankrupts, I doubt whether there have been ten prosecutions; I believe there have been only three executions; and yet fraudulent bankrupts and concealments of property are proverbial, are so common as to be supposed almost to have lost the nature of crime. With respect to bankruptcy, may I beg to refer the committee to the examination of sir Samuel Romilly, which will be found before the bankrupt committee, in page 51, where he states, "The nation, however, has been so far from adopting this severe disposition of its government, that it scarcely ever happens, that persons can be found who will institute prosecution for felonies under the bankrupt laws. Very numerous instances might, I believe, according to information which I have received from various quarters, be laid before the committee of creditors, who have deliberately resolved to allow bankrupts, by whom they had been grossly defrauded, to enjoy complete impunity, because they saw no other alternative than such impunity, or the certainty of shedding their blood. That men should feel great repugnance to put a human creature to death for such an offence cannot surprise those who have reflected what the nature of the crime really is. Whatever the language of the law may be, or whatever national expediency may be thought to require, the great mass of mankind never can be brought to regard as highly criminal that which is not to a great degree immoral; and when it is considered, that by our

our law a bankrupt is made such against his will, it is evident that the only immorality of one who has secreted none of his property, but who does not surrender to his commission, is, that he withholds from his creditors the information and assistance which he ought to afford them, to enable them to recover his effects and to apply them in satisfaction of their demands; and even this immorality may find some extenuation in the disgrace to which he must be subjected and in the danger to which he is exposed; since, however honestly he may have acted, and though every thing he has in the world be given up to his creditors, yet if he do not obtain his certificate he may be imprisoned for life, by any one creditor who will prefer gratifying his resentment to any benefit he might derive from the commission. That a man has not fortitude enough to encounter so much shame and such a risk may be culpable; but who can upon calm reflection say, that it ought to be punished with death. The crime of withholding property from the creditors is indeed much more immoral; but even this, in the case of one who has been made a bankrupt without his own concurrence, amounts in reality to nothing more than the not paying (to the extent of the property withheld) debts which it is in his power to pay. That this is criminal cannot be denied; but that it should be expiated by the blood of the offender, confounds all notions of justice and destroys all gradations of guilt; it is very dishonest, but it is not more dishonest in an obscure

tradesman than in the heir to a title; and yet for this dishonesty, while our law hangs the tradesman, it suffers all other such debtors to enjoy complete impunity; nay, it not only leaves them unpunished, but it suffers them, in defiance of their creditors, to enjoy and to squander in gaol the substance which ought to be applied in the payment of their debts; for there is no process by which, in the case of persons not subject to the bankrupt laws, copyhold estates, property in the public funds, or money lent upon security, can be taken by creditors in execution." I beg also to refer to my own examination before the committee, in which I state as follows: "I submit to the committee, that the legal sanction is in this case opposed by the moral sanction; the amount of the moral guilt of the bankrupt is the non-payment of his debts, or the non-delivery by him of his property to his creditors. Of the immorality and impropriety of this no doubt can be entertained; but I conceive that there is scarcely any person in this intelligent community, who will think that a man ought to be put to death for the non-delivery of his property; particularly, when it is remembered that the offender is not the only person to blame; there must be a feeling in the community, that the imprudent confidence reposed by creditors is not wholly exempt from censure. It appears to me that the religious sanction also is in this case at variance with the legal sanction. Our religion is daily inculcating upon us mild-
ness

ness and forbearance; as christians we are taught (except for the most atrocious and bloody offences, and even then with sorrow) 'not to desire the death of a sinner, but rather that he should turn from his wickedness and live;' and we are particularly taught to forgive our debtors as we ourselves expect forgiveness. For these reasons it appears to me that the existing laws are wholly inoperative." There were various persons who were examined before the committee upon the same subject, all of whose opinions, expressing their disapprobation of it, will be found in the examination; and the committee on that occasion have reported that the law is injurious.

John Harmer, Esq. examined.

You are a solicitor, residing in Hatton-garden?—I am.

You have had considerable experience in crown practice at the Old Bailey?—I have.

For how many years?—Twenty years, within a few months, for myself; and upwards of three years previous to that time in the office of Messrs. Fletcher and Wright, to whom I was last articulated.

Have you any observations to make with respect to the effect of capital punishment?—I have; first, as to forgery; it appears to me that the punishment of death has no tendency to prevent this crime. I have, in many instances, known prosecutors decline proceeding against offenders, because the punishment is so severe. Instances have come within my

knowledge, of bankers and opulent individuals, who, rather than take away the life of a fellow-creature, have compromised with the delinquent. Instances have occurred of a prosecutor pretending to have had his pocket picked of the forged instrument; in other cases prosecutors have destroyed, or refused to produce it, and when they have so refused, they have stated publicly that it was because the person's life was in jeopardy. I will relate a very recent circumstance, that occurred under my observation at the Old Bailey. A person, through whose hands a forged bill had passed, and whose appearance upon the trial was requisite to keep up the necessary chain of evidence, kept out of the way to prevent the conviction of the prisoner: it was a private bill of exchange. I also know another recent instance, where some private individuals, after the commitment of a prisoner, raised a thousand pounds for the purpose of satisfying some forged bills of exchange; and they declared, and I have good reason to know the fact, that if the punishment had been any thing short of death, they would not have advanced a farthing, because he was a man whose conduct had been very disgraceful; but they were friends to the man's family, and wished to spare them the mortification and disgrace of a relative being executed, and therefore stepped forward and subscribed the before-mentioned sum. I have frequently seen persons withhold their testimony, even when under the solemn obligation of an oath to speak the whole

whole truth; because they were aware that their testimony, if given to its full extent, would have brought the guilt home to the parties accused; and they have therefore kept back a material part of their testimony. In all capital indictments, with the exception of murder and some other heinous offences, I have often observed prosecutors show great reluctance to persevere, frequently forfeiting their recognizances; and indeed, I have, on many occasions, been consulted by prosecutors as to the consequences of refusing to conform to their recognizances, that is, to appear and prosecute the prisoner.

When you speak of the cases of murder and other heinous offences, do you mean offences accompanied with violence to the person, or which are likely in their consequences to inflict serious injury?—Certainly; those are the offences to which I allude; I know that many persons who are summoned to serve as jurymen at the Old Bailey, have the greatest disinclination to perform the duty on account of the distress that would be done to their feelings, in consigning so many of their fellow-creatures to death as they must now necessarily do, if serving throughout a session; and I have heard of some who have bribed the summoning officer to put them at the bottom of their list, or keep them out altogether, so as to prevent them from discharging this painful duty: and the instances I may say are innumerable, within my own observation, of jurymen giving verdicts, in capital cases, in

favour of the prisoner directly contrary to the evidence. I have seen acquittals in forgery where the verdict has excited the astonishment of every one in court, because the guilt appeared unequivocal, and the acquittal could only be attributed to a strong feeling of sympathy and humanity in the jury to save a fellow creature from certain death. The old professed thieves are aware of this sympathy, and are desirous of being tried rather on capital indictments than otherwise; it has frequently happened to myself in my communications with them, that they have expressed a wish that they might be indicted capitally, because there was a greater chance of escape. In the course of my experience, I have found that the punishment of death has no terror upon a common thief; indeed it is much more the subject of ridicule among them than of serious deliberation; their common expression among themselves used to be, "such a one is to be twisted;" and now it is, "such a one is to be top't." The certain approach of an ignominious death does not seem to operate upon them, for after the warrant has come down for their execution, I have seen them treat it with levity. I once saw a man for whom I had been concerned; the day before his execution, and on my offering him condolence and expressing my sorrow at his situation, he replied, with an air of indifference, "Players at bowls must expect rubbers." Another man I heard say, that it was only a few minutes, a kick and a struggle, and it was all over;

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over; and that if he was kept hanging for more than an hour, he should leave directions for an action to be brought against the sheriffs and others; and others I have heard state, that they should kick Jack Ketch in their last moments. I have seen some of the last separations of persons about to be executed with their friends, where there was nothing of solemnity in it; and it was more like a parting for a country journey than taking their last farewell. I heard one man say (in taking a glass of wine) to his companion who was to suffer next morning, "Well, here's luck." The fate of one set of culprits, in some instances, had no effect even on those who were next to be reported; they play at ball and pass their jokes, as if nothing was the matter. I mention these circumstances to show what little fear common thieves entertain of capital punishment; and that so far from being arrested in their wicked courses by the distant possibility of its infliction, they are not even intimidated at its certainty; and the present numerous enactments to take away life appear to me wholly inefficacious. But there are punishments which I am convinced a thief would dread, and which, if steadily pursued, might have the most salutary effect; namely, a course of discipline totally reversing his former habits. Idleness is one of the prominent characteristics of a professed thief—put him to labour: Debauchery is another quality—abstinence is its opposite—apply it: Dissipated company is a thing they indulge in; they ought, therefore, to ex-

perience solitude; They are accustomed to uncontrolled liberty of action; I would, consequently impose restraint and decorum; and were these suggestions put in practice, I have no doubt we should find a considerable reduction in the number of offenders; I say this, because I have very often heard thieves express their great dislike and dread of being sent to the House of Correction, or to the Hulks, where they would be obliged to labour and be kept under restraint; but I never heard one say he was afraid of being hanged. Formerly, before Newgate was under the regulations that it now is, I could always tell an old thief from the person who had for the first time committed crime; the novice would shudder at the idea of being sent to Newgate, but the old thief would request that he might be committed at once to that prison by the magistrate, because he could there associate with his companions and have his girl to sleep with him; which some years back used to be allowed or winked at by the upper turnkeys; but since the late regulations, certainly, I have not heard of such applications being made by thieves, because now they are as much restrained and kept in order in Newgate, as in other prisons. From my own observations, I am quite certain that a thief cannot bear the idea of being kept under subordination. As to transportation, I, with deference, think it ought not to be adopted, except for incorrigible offenders, and then it ought to be for life; if it is for seven years, the novelty of the thing

thing, and the prospect of returning to their friends and associates, reconciles offenders to it, so that in fact they consider it no punishment, and when this sentence is passed on men, they frequently say, "Thank you, my Lord." Indeed this is a common expression, used every session by prisoners when sentenced to seven years transportation.

Have you any particular observations to make on the offences of stealing in shops, and privately stealing in dwelling-houses?—I have; the stealing in a dwelling-house above the value of 40s. and privately stealing in a shop to the value of 5s. is capital; and though I have frequently been present where the evidence has in my mind amounted to demonstration, and it has struck me that many of the articles were of such value as to imperiously call upon the jury for a verdict of guilty; they have, from motives of compassion, given a verdict contrary to such evidence, by reducing the value of the article stolen so low as to lessen the offence to grand larceny.

What are the offences in which you think there is neither a general reluctance to prosecute nor to convict?—Murder, arson, burglary, but not in its extended sense, such as breaking a pane of glass or lifting a latch, but where it is committed by a professed house-breaker, who breaks into a house in the middle of the night: highway robbery accompanied with violence, cutting and other offences under lord Ellenborough's Act, where it is the clear intent of the offender to commit murder, but the interpo-

sition of Divine providence, or accident, only prevents its accomplishment.

Do you not think that the offenders who have the least fear of death are the most dissolute and idle?—Certainly they are.

And therefore the most likely to feel confinement and hard labour very much?—Certainly; I believe it would be felt by them as the greatest punishment that could be inflicted.

Have you made any observation with respect to the expense and trouble that might be saved to prosecutors by trying accessaries after the fact in the same county with the principals?—I have; some years ago an act of parliament was passed to enable the prosecutor to try the accessary before the fact in the same county with the principal; this act has been found extremely useful; but it appears to me, that it would very much facilitate the purposes of justice if the accessary after the fact were also to be liable to be tried with the principal; because prosecutors after convicting the principal in one county, are now frequently put to very great expense in being obliged to go to another county to prosecute the receiver, and have all the chances of a failure of justice in losing their witnesses by death or other accidental causes.

Can you state the average number of persons for whom you have been professionally engaged yearly, at the Old Bailey?—I cannot with certainty, but on a moderate computation, I should think one hundred prisoners yearly; and during my experience

ence at the Old Bailey, I have had personal communication with two thousand or more prisoners.

Latterly you have been employed in many prosecutions also?—I have.

Have you not also had frequent opportunities of observing the feelings of prosecutors and of prisoners?—Certainly; for the last eight years my business for prosecutions has been progressively increasing.

But when you were employed professionally for the prisoners, had not you an opportunity of observing the feelings of prosecutors also?—Certainly; from attending the examinations, I had an opportunity of observing the wishes and feelings of prosecutors.

Are the committee to understand you as stating, that you consider capital punishments to be efficacious only in those cases where the general feelings of the public go along with them?—Certainly; the thieves observe the sympathy of the public, and it seems to console them, and they appear less concerned than those who witness their sentence; I have been present on very many occasions when the sentence of death has been passed, and the criminals have been far less affected than the auditors.

Do you think that the general feeling goes along with the infliction of the punishment of death, in the cases of crime unaccompanied with violence?—Certainly it does not.

Do you conceive that the infliction of the punishment of death, in those cases, tends rather to excite the public feeling

against the criminal laws?—No doubt it does; there are, I believe, very few advocates for the generality of the present capital punishments.

Do you mean to apply that observation to those who have had the most experience of the effect of those capital punishments?—I should think I might safely so apply it.

REPORT ON GAOLS.

S. Hoare, jun. esq. examined.

You are a visitor of the Refuge for the Destitute?—I am.

Does your acquaintance with that establishment enable you to state what ought to be the provision with respect to boys in different gaols?—In the different prisons I have visited, the reformation of the boys is generally considered as hopeless; in the Refuge we generally succeed; therefore, I think that the system pursued there might be adopted with great probability of success in our prisons and penitentiaries.

Will you state to the committee what that system is; does it apply particularly to boys?—In the male refuge, chiefly to boys; there are some men among them, though but few in proportion.

Have the goodness to state the plan adopted in that establishment?—They are in some measure classed; constantly employed; their religious instruction, as well as their general education, is attended to; and improper association is very much prevented.

In

In what does that classification consist? The generality of objects admitted are lads discharged from prison, recommended by the judges or magistrates; on their first reception they are placed in the wood-shed, for no previous instruction is required for this employment; and we conceive that idleness is the source of most crimes. Whilst there, we observe their different dispositions and inclinations, and employ them afterwards according to their own wishes, in tayloring, shoemaking, or basket-making.

Have you any means of ascertaining the characters of the boys before they come in?—Most of the children, before their admission, have been in different prisons. We have very few indeed who have not been criminals.

They are almost all criminals?—Many are recommended to the institution by the judges, some by the magistrates; some of them are so very young, that it would be unreasonable to inflict upon them the punishment annexed by law to their offences.

Will you proceed to state how they are classified?—They are divided into four classes; shoemakers, taylor, woodcutters and basket-makers. The classification is not so perfect as I think desirable; but the funds of the society are very low, and we are obliged to do the best we can; but having several trusty persons continually with the children, they are prevented in great measure from contaminating each other.

State the manner in which they perform their work?—The master

taylor is in the centre of the room, with the children under his tuition both in sight and hearing; the assistant taylor are on the boards, with the lads arranged around them; nothing can pass without being over-heard.

The committee will thank you to state what are the numbers in each class?—There are twenty-three taylor, with three superintendents, a master and two assistants.

Each of whom takes a certain number?—Yes; whilst the master superintends and cuts out for them all.

Please to go on with the other trades?—The shoemakers are arranged in nearly the same way.

State the numbers?—Twenty-four; the master cuts out and prepares the work. I believe there are about eight basket-makers. The rest of the objects are employed in the wood-yard, in the service of the house, cooking, cleaning, &c. &c.

Under what superintendence are the whole?—A chaplain, a superintendent, a master taylor with two assistants, a master shoemaker with two, and a basket-maker. Three of the assistants were criminals, one under sentence of death; were educated in the establishment, left it, and supported themselves respectably and with unblemished characters; but hearing of vacancies in the asylum, they applied for the situations and were gladly received.

Of what description of character are the other superintendents?—Persons selected by the committee as suitable for the employment. In the wood-shed I believe

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believe the master of the establishment superintends.

How many basket-makers are there?—Not more than eight, who are instructed and inspected by one master. We do not wish to press the manufacture of baskets, as that work can be done by the blind, with whom we are unwilling to interfere.

Are the assistants paid?—Yes; when I speak of assistants, I mean those officers who receive salaries.

How many wood-cutters did you mention?—About three and twenty.

How many superintendents?—I do not think there is a paid superintendent in that department; one of the objects superintends; but the master is continually in and out, and the clerk who keeps the accounts of the establishment assists.

No one is paid in that department?—No.

You say there are eighty objects in the whole?—Eighty is the limit, but the number varies.

In what way do they take their relaxation?—They have a playground at the back of the premises.

Is that common for all?—Yes, common to all; but the officers superintend the whole of the time they are there; they are never left without inspection.

Are the whole of the superintendents with them, or only some?—Some of the masters; they take the duty alternately.

Have you any species of hard labour?—Wood-cutting we consider to be hard labour; we purchase ship-timber, cut it into proper lengths, and bind it in

parcels, for kindling. This employment is also carried on in the temporary refuge, a branch of the establishment.

Is that given in consequence of any refractory conduct?—There the objects do not remain sufficiently long to enable us to instruct them in a trade; they bruise oyster shells, or cut wood; at the present moment they are cutting some very hard wood which has been received from Botany Bay.

The committee would be glad to know to what description of persons you give that hard labour: how do you regulate the labour?—In the temporary refuge, which is attached to the other, the same labour is shared by all; we do not expect much emolument from it; but we consider idleness the bane, and we apply labour as the antidote.

What is the one kind of labour in which they are employed?—Bruising oyster shells, sawing wood, or any thing we can procure for them to do.

The number of eighty which you have stated is exclusive of those in the temporary refuge?—Yes, exclusive of the thirty-five in the temporary refuge; and we find it very difficult to keep the numbers within the limits.

Is sawing done by the double saw?—In the permanent refuge it is done by a circular saw; in the temporary, by a double saw.

Are they ever removed from the one to the other?—In some instances they are; but it is not the general practice; the proper objects of admission to the temporary refuge are those for whom

What is the general mode of restoring them to credit in society; that appears rather extraordinary?—They are frequently restored to their friends, when they are respectable and we think a complete reform has taken place in the object; frequently they are put out as apprentices; sometimes they go to sea. Some lads have been to sea before they come to us; these, if we can find a suitable captain with whom to place them, we endeavour so to dispose of in their former employ.

Does this apply to those who are bred to trades?—Frequently.

When you apprentice them out, do you give the whole premium at once?—Yes; the premium is so small that little advantage is gained by reserving a part.

Do you lose sight of them altogether, after they are apprenticed?—No, we frequently inquire after them, feeling strong interest in their welfare.

What is the total number of objects in the Refuge for the Destitute, independent of the women?—On the permanent establishment, eighty males, in the temporary, about thirty-five.

Hitherto you have only been speaking of males?—Yes.

The Committee wish to know whether, in apprenticing them out, you find the masters make any inquiry as to their conduct and character, or only as to their qualification as manufacturers?—Both; the masters more often than not come and look over the boys and make their own selection.

Do they look over the returns?

—No; they see their work, and select them as they may happen to like their appearance.

The question is, do you find, when the masters express an inclination to take the boys, they inquire into their general conduct, or only their skill in their manufacture?—I think they inquire more into their skill in the manufacture. When we recommend a boy, it would not be without considerable experience of his good conduct, and in this we are seldom deceived.

Can you say whether those forty-six who turned out ill were apprenticed, or what number of them were apprenticed in the same way as the others who turned out well?—I should think those forty-six (but it is merely speaking at hazard) left us at a very early period of the establishment, or when they had continued in it a time, so that they could not have been apprenticed out. When we think they are sufficiently reformed to be apprenticed out, they seldom disappoint us.

For what time do you bind them out?—To the age of twenty-one; we receive some as young as twelve.

You have not spoken any thing about the schools?—A portion of the day is appropriated to instruction; they are educated in the principles of the church of England.

You have a master, have you not?—We have a chaplain who attends to their education and devotes much of his time to the religious instruction of the children.

What is his salary?—£200 a-year,

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a-year, out of which he pays an assistant.

Does he live in the establishment?—No, he lives immediately adjacent.

Has he any other duty to perform?—He is curate of St. Leonard's Shoreditch.

Perhaps you could tell the Committee what part of the day he is employed in education?—In the evening, after work is done; prayers are read morning and evening; and when labour is over they receive religious and general instruction.

The same in summer and winter?—Yes, with a variation in the hours.

Do you admit a second time those boys who misconduct themselves in their situation?—It is contrary to our rules, but sometimes we do it; we find great difficulty in refusing them.

Then in some instances you have re-admitted some of those bad boys?—Yes; they will earnestly apply for admission, but we generally refuse them.

Having been convicted of any other crime?—No, but when reduced by hunger and want.

Supposing they have misconducted themselves, and apply for re-admission, how long do you keep them? We consider them as new objects, and treat them accordingly.

Do they frequently apply to you again for re-admission?—Not very often.

Do you find a reformation take place in a second admission?—Yes; some have conducted themselves very well since.

Their friends are allowed to see

them once a-week, are they not?—Yes.

In what way?—They come to the establishment, and the boys are called down.

They see them privately?—No; never but in the presence of an officer.

Who gives permission?—The master, the discretion rests with him; but a great part of the boys are poor and destitute, and have not a friend in the world.

Do you think, after the expiration of two years, their labour would pay their subsistence?—I am satisfied that it would, after that time they will earn to the establishment twelve shillings a-week; I should think, at the end of the first year, their earnings would be from seven to eight shillings; at the end of the second year, not less than twelve shillings.

Do they receive any part of their earnings?—At their discharge they do.

A sixth is their proportion; but in fact, when we find a safe situation for a boy, we do not spare a good outfit; he does not leave the establishment without money in his pocket and a sufficient quantity of clothes.

Have you any reason to know that their labour after two years would pay their subsistence?—We find, after the expiration of two years, they can engage themselves as journeymen, and earn their bread. We have now as many orders as we can well execute; and as we do not undersell tradesmen, it is reasonable to suppose, if they can earn their living

living with others, they do it with us also.

Do you think, under the present improved discipline, if fifty boys were to remain in the institution for two years, that the majority of them would conduct themselves respectably?—I should have no doubt at all that five-and-forty out of the fifty would become valuable members of society.

Do many come into the institution who are unable to read?—Yes; and we generally find a very exact proportion between ignorance and guilt; if a boy comes in wholly ignorant, it generally appears that his offences are of a far deeper dye than of those who have received instruction.

In what state do they go out?—They receive education, and go out nearly as much instructed as the others.

I think the present improved system, the constant employment and other means adopted, almost insure reformation. At first I think that the objects were not treated with a sufficient degree of kindness; the poor fellows have received nothing but harshness and mismanagement from their earliest infancy, and are therefore easily to be worked upon by kindness.

How are they disposed of at night?—Owing to the contracted state of the funds, there is a defect in this part of the system; they sleep in hammocks; their masters, however, are within hearing, so that a word can scarcely be spoken without being overheard. It would be much

better, if we were enabled to allow them separate apartments.

What is the mode of admission?—By a committee, who meet on the premises every Friday; they endeavour to select the most forlorn cases, and it is frequently a very painful thing to make the selection; indeed, some of the members of the committee will order the doors to be shut, that their feelings may be spared the pain of rejecting those who cannot be admitted from the number already in the establishment.

Do the boys often apply themselves for admission, without being brought?—Frequently. I should think the applications, though discouraged by frequent refusals, would not average less than seven or eight a-week.

Do you consider that you reject half the deserving cases that apply?—I have no doubt that we reject three-fourths of the deserving cases; perhaps if I say five-sixths I should be nearer the truth.

Do you receive any who have not been confined in prison?—The majority have been in prison. We feel ourselves bound to receive all those who are recommended by the judges, in consequence of receiving assistance from government; and they are always suitable objects.

How many are there now in the temporary refuge?—Thirty-three.

Do you mix them with the others?—No; it would be very undesirable to mix those who come to the temporary Refuge with those who have been for some time under reform.

How

How is the temporary Refuge supported?—By the individual members of the committee; the assistance of government is not applied to that part of the establishment. It originated with the society for the reformation of juvenile delinquents and improvement of prison discipline. In visiting the prisons, they discovered so many destitute objects, who had literally no means of support upon their discharge, that they prevailed upon the Refuge committee to allow them to fit up a part of their premises as a temporary asylum. This was done at the expense of the prison committee, but the members of the Refuge only have liberty to grant admissions.

Do you use any corporal punishment?—It is directly contrary to the rules of the society, and has never proceeded beyond a hasty blow.

It has been stated that they do not pilfer from one another; do they ever pilfer any of the materials which are given to them?—Never; had they the inclination, they have no opportunity of disposing of them; take away the receiver, and the consequence is well known.

Your general rule is not to receive them under twelve?—Yes; I should think the majority are from twelve to fifteen.

Is solitary confinement a part of the punishment?—No; we have seldom any occasion to apply punishment.

Are they ever whipt?—They are deprived of a portion of their food, or suspended from learning a trade and sent to the wood-shed,

or are reprimanded by the committee.

Do you find that fifty or sixty boys can be governed in that way?—I do not doubt it; most of these lads have been spurned and ill-treated from their infancy; with such, any thing can be effected by kindness.

What reward do you apply to individuals?—They are suffered to go out for a day to their relations; we always ascertain where they are going, and always send a trusty person with them; their mothers will often come for and bring them back at night.

Have you the means of informing the committee, what are the number of juvenile offenders in the metropolis?—From the various sources of information of which I have made use, I conclude that the number of juvenile delinquents in the metropolis, under the age of twenty-one, cannot be less than 6,000.

In the practice of felony?—Of felony or larceny.

Upon what data do you found your calculation?—When the Society for the Improvement of Prison Discipline, to which I belong, were commencing their inquiries, they were very anxious to ascertain the cause of the alarming extent of juvenile depravity; and in the course of a very short time, they visited at their own houses nearly 2,000 cases. From one offender we heard of his guilty companion, and the inquiry seemed without end. When we had ascertained the causes, as we thought, of the evil, we relinquished the investigation; but from the rapidity with

with which we were going on, & am satisfied that we should have found a very large number indeed. The convictions at the Old Bailey and at the different courts entirely confirm me in that opinion.

I have no correct account; but from all that I have seen and heard of the numbers in confinement, of those frequenting the different houses of resort, I cannot estimate the total at less than 6,000.

Is it your intention to state that that is the number of those who commit fraud, or who live habitually by fraud?—I believe there are but few boys who live altogether by fraud, they have generally some little employment.

Were the 2,000 cases which your society visited, youths who had been committed to prison?—No; the greater part had never been taken up; the method we took to procure the information in the first instance was perhaps very doubtful; of boys in the different prisons we inquired the names and address of their guilty associates; we then went, according to the different references, and in the neighbourhood ascertained the characters of the boys whose names had been thus furnished. The members of the society have very frequently called upon the parents, for the purpose of suggesting to them some means of rescuing their children from the commission of crime.

Did you find that any of those boys had been to any of the national schools?—Very few. It

was from the result of those inquiries, and those I made in prison, that I speak with so much confidence with respect to the relation between ignorance and crime.

A considerable proportion of those boys get into the prisons of the metropolis; what is the consequence to them in a moral point of view?—I have invariably asked the question in visiting the prisons, and have always received the same answer from the gaolers and others, that the boys have become worse and worse; and from my own observation I can say, that lads going into prison for a first offence, generally leave it instructed in the ways of vice; I have collected this from the boys themselves, and from the other prisoners.

What does it amount to more than the boys being taught to speak more profigately?—They are instructed in the manner of committing plunder; they have nothing to do whilst in prison but to communicate with each other, and the young mind is very active and will always be acquiring something.

Can you state any perceptible difference in those who are sent from different prisons?—Not in their after conduct; when they are admitted, we are desirous to forget what has been their past conduct; we never speak of it to them; and give them strict orders never to state their previous life to one another.

Mr. William Crawford examined.

Have you any means of being informed

informed of the number of juvenile offenders whom you suppose to exist in the metropolis?—I will state to the committee the grounds on which I have formed an estimate of the number of juvenile delinquents in the metropolis. I am a member of a society which has, during the last four years, directed its attention to this subject: in the course of our inquiries, we discovered numerous gangs in different parts of the town, and investigated the cases of about two thousand individuals; we also obtained information of above a hundred public houses to which thieves habitually resort, and which are technically called “flash houses;” we understood that a considerable number of boys resorted to each of these houses, as many as from twenty to thirty; stating it at twenty, the number of boys frequenting such houses will amount to two thousand. These houses are situated principally in London and Westminster, and do not include Wapping or St. George’s-fields, and many other parts of the town, in which no doubt such houses exist.

Do you include Spitalfields?
—Yes. In examining the cases of two thousand boys, we calculated that about one-fourth only attended flash houses; I should therefore consider, that there are certainly eight thousand juvenile depredators of all descriptions in the metropolis; and I think they amount to considerably above that number.

I wish to observe, that the juvenile depredators in the metropolis are, generally speaking, divided into three classes: the

first class is composed of boys who do not join gangs of men, or of boys, but are principally in service at the time they commit the theft: the second class consists of boys who almost entirely subsist by stealing from shop windows, shop doors, picking pockets, and petty larcenies; they are not connected with gangs of men, and they generally assign this reason for it, that in street robberies the men usually place the boys in the greatest danger and give them the smallest share of the plunder; they do not resort to flash houses but to coffee shops, a great many of which are open all night, and at which they receive, I am informed, stolen goods. They usually form gangs with boys of their own ages, appear in the streets in parties of three or four, generally three; one takes the pocket handkerchief or watch, hands it to the second, who conveys it to the third: the boys of this class are by far the youngest and the most numerous description of juvenile depredators; the condition of a great many of them is very wretched: they sleep out at nights in the market-places, and are in a state of the grossest ignorance. The third class of boys consists of characters of the most desperate description, and the numbers of this class are, of course, daily augmented from boys of the preceding classes; as they advance in years and in crime they associate with men, usually resort to flash houses, and are generally concerned in committing burglaries and highway robberies.

Have the generality of them received

received any education or not?—I think about one-third of them have received some education, but in a slight degree; they have acknowledged that they have attended school but very irregularly; they could read very imperfectly; most of those who could read belonged to the old parish schools, and but very few to the schools either on the National or the British systems.

Of that one-third, how many do you imagine have received any religious education?—A very small proportion.

Where you have traced out the parents of the individuals, what state did you find the parents in, either as to circumstances or as to information?—I generally found them extremely indigent and very ignorant.

What have you observed to be the effect of the present system of imprisonment upon the character of the boys? I consider that it has a very pernicious effect upon the character of the boys committed to the several prisons: I have often been present when a boy of the first class, perhaps a servant lad, has first entered a prison; and I have witnessed his distress, his tears, his ignorance of the different boys in the prison, and his repugnance to mixing with them: I have taken down the particulars of his case, and called on his prosecutor and friends, and I have in many cases learned that the boy, though humbly, was creditably connected; that it appeared to be his first offence, and that he was not concerned with experienced thieves: upon my next visit, but a few days afterwards, I have observed the

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boy to be reconciled to his companions, and have subsequently seen him gambling with some of the most desperate characters in the prison. I have known many instances in which lads have been acquitted as innocent, and discharged with habits which have eventually brought them again into confinement. One boy, whose case strikes me at this moment, was under sentence of death, and he fully expected to suffer; he had seemed very sensibly affected with his situation on his first coming into the prison, and continued for a considerable time to keep himself separate from his companions, but he was not able to resist the constant influence of corrupt association; and although his mind was at first deeply impressed with the awful nature of his situation, I saw him gambling with some of the most desperate characters in the prison, but two hours before the recorder's report came down which determined his fate.

Have you ever considered how far any part of the system adopted in the Refuge could be applied to a prison?—I think most of the arrangements in the Refuge might be adopted in prisons with better effect than in the Refuge, as we labour under disadvantages from the want of space, arising from our inadequate funds; and also from our not having a legal power to detain the objects.

*Sir John Palmer Acland, Bart.
examined.*

How long have you acted as chairman of the quarter sessions of

of the county of Somerset?—I am now in my fifteenth year.

Have you, during that time, given any particular attention to the county gaol at Ilchester?—Yes; I have given up my whole time to it.

In what state was the prison when you first became acquainted with it, and when was that?—I first became acquainted with it in 1805; there was but one pump in the gaol for water, and that was common to the whole gaol; all prisoners of every class whatever were obliged to go to that pump for water, and that brought a regular intercourse between all the classes of male prisoners; the pump was in the debtors ward.

Seeing the state of disorder in which the gaol was, we knew nothing could be done without effecting the separation of the prisoners; we first divided the male debtors into two apartments, classing all those who required assistance from the county by themselves, but refusing such assistance unless they consented to work; of course all the other debtors were left to themselves, subject to certain regulations with regard to liquor.

We proceeded to two different classifications of the felons, making as many separate places of confinement as we possibly could considering the local state of the gaol itself, which did not admit of extension.

Has any addition been made to the building of the gaol?—Considerable additions have been made, but we were obliged to make the best of the old buildings of the gaol, so as to form them into separate wards with

separate kitchens and court-yards for the respective uses of the prisoners.

Was any part of the work carried on by the prisoners themselves?—A great deal; common sewers being necessary for convenience, cleanliness and health, we were obliged to make different branches of them through every ward of the prison, and to carry them to a depth of from six to ten feet, which created a great deal of hard labour in excavating and removing the earth and constructing the sewers themselves; all which operations were performed solely by prison labour; and all the foundations for new buildings were made and carried up to the surface of the ground by the same means of prison labour.

We have very good water in every ward of the prison; for which purpose we have made fourteen additional wells, entirely by prison labour, and through all our sewers we have a constant stream of water supplied from the river.

Were the prisoners employed in any of the works above ground, as masons or carpenters?—Yes; when at first we let work by contract, the contractors agreed to hire of us all labourers and persons whom they found convenient, paying the county per day according to their abilities, then we received that money and paid the prisoners their proportions.

Did you find any inconvenience in the discipline of the prison from having so employed the prisoners?—We experienced the greatest possible convenience from doing it; we should have found

found the most manifest inconvenience from not doing it, because, when we were pulling the prison to pieces, if we had not employed the prisoners we must have had a class of strangers in the gaol, who might have overpowered our people in their looking after the prisoners, or otherwise have assisted them in the means of escaping.

Had you any escapes?—I believe, during the time that we were carrying on the works, when we had a great quantity of stones cracked and piled against one of the walls, three or four men did escape out of the walls, but we got them again.

Have you observed any difference in the conduct of the prisoners since the alterations have taken place that you have described?—The most manifest.

State them?—Before, they were idle, dissolute and refractory, not knowing what to do with themselves; in point of fact, all idle men are not only meditating plans and schemes of escape, but constantly forming combinations to prevent all discipline in the gaol; whereas by means of employment, they are taken out of that restless system and made comparatively happy and comfortable.

Have you any opportunity of knowing any particular good effects in individual instances?—Numerous; every man as soon as he finds it to be his interest to be set to work (and it is a favour to be employed before trial), generally offers his services in his own particular line of labour, and by way of encouragement to him,

he is employed as much as possible in that line; if a man behaves well in his labour, he expects that the visiting magistrates will endeavour to obtain for him a remission of a part of his sentence towards the end of his time; if he should not be entitled to this reward, he knows he is to receive a certain proportion of his earnings towards his better maintenance in prison, and that the remainder is to form an accumulating fund, which, when he leaves the prison, will be paid him so as to enable him to provide for his necessities before he can get work, when he gets home; and I have always found that this system operated as a very main inducement to every one when he came into the gaol to behave well, and more especially when it is connected with the hope of even a short remission of his imprisonment; for that operates as a testimonial to his friends, when he returns home, of his good conduct in prison, and as a strong recommendation to future masters for employment. There are many instances in which I have applied to the secretary of state for a remission of part of the sentence, in consequence of good behaviour; a man was discharged the other day, I think his sentence was for one or two years; he was a manufacturer of cloth; when he came into prison, he immediately offered his services to teach his particular branch of the business to any one in the gaol, and undertook the employment hoping that he should thereby recommend himself to the favour of the visiting magistrates; in
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the end he obtained that favour, and I applied to the secretary of state and got a remission of his sentence. I had also a man, who, for his good conduct, obtained a remission of his sentence, and he is now working in what was my former neighbourhood, with an exceeding good character and trusted by every one.

Are there any other instances? —Many instances, both male and female; this is the great inducement we have to hold out to prisoners. I have one man now, who has been sentenced to receive corporal punishment during the period of six months imprisonment; as soon as he came into the gaol he applied to the governor, and said, that if he behaved well and taught his trade in the gaol, he hoped he might be benefited by a remission of the sentence of corporal punishment; and I have held out that encouragement to him, and he is behaving exceedingly well, and is teaching his business to prisoners. Those examples have very powerful effects upon the prisoners in general.

Every trade that we have acquired in the gaol has been introduced and established by means of prisoners, and chiefly from holding out those inducements to them. When we had the typhus fever, two years ago, prisoners volunteered their services, at the hazard of their lives, to nurse the infected prisoners and perform all the dangerous offices required of them, in hopes that they might meet with favour; they behaved extremely well; we were obliged to hire a house two miles distant from the

prison, and our chief reliance for the security of our prisoners was from those men, because we had not servants enough for the different services required; those men knew it was not worth their while to try to escape; their better dependance for their liberation from prison was on the expectation that their good conduct and services would obtain them a pardon, which would enable them to go to their homes with redeemed characters.

I never apply for the least remission of a sentence unless I can receive an assurance that the prisoner will be employed by some master when he goes home. I have a man who occasionally works for me as a cabinet-maker; he was committed with his brother, before alluded to; when this man went into prison he was a common carpenter; he improved himself during his imprisonment in joiner's work, and is now a cabinet-maker; this advancement he owes to knowledge acquired in prison; I employ him in my house, give him the liberty of going into all my rooms as unguarded as if he had never been in prison, and I do not know whether I had not sooner trust him than another person, because he knows what the best of character is; no man behaved better in prison, or has conducted himself better since.

How long is that ago?—Six or seven years, I suppose; it was in consequence of a question put to me by the secretary of state, when I applied for a pardon, "will any body employ these people?" and then I laid it down in the gaol as a principle, that it would

would be of no use for a prisoner to apply for a remission of his sentence unless he should be able to gain admittance to some employment when he should be discharged; and it is common for prisoners to endeavour to relieve their characters when in gaol, that they may be the better for it when they go out.

Have you any means of knowing the comparative number of prisoners who may have returned to the gaol since the new system has been established, compared with what they might have been before?—I cannot state numbers, but they are very considerably lessened.

What length of time is required to teach a prisoner, previously uninformed, to weave those articles which are manufactured in your gaol?—We seldom put a man to learn a trade unless he is sentenced to six months imprisonment, but we prefer a man sentenced to twelve months, or a boy to that or a longer period.

Is there any coarse manufacture in this prison that would be learned in a shorter period?—Yes; the making of blanketing, drugging and coarse things may be learned in a much shorter period, and all narrow cloth weaving may be taught in a much shorter period; but it requires a good deal of time to learn to throw the shuttle in the making of breadth of cloth.

What period of imprisonment in general, with employment, have you found sufficient to produce reform in the prisoners?—From six to twelve months, or two years; it requires sometimes a considerable period to bring a

boy from previous bad habits so as to be able almost to transform his nature, without which there is little reliance to be placed on his reformation. I think six months will do for some people, twelve months with others, according to their characters and dispositions.

Have you found it necessary to make use of any punishment in the prison, with a view of maintaining the discipline there?—Solitary confinement, if they behave ill.

For what length of time has that ever been extended?—Generally a few days is sufficient; but with hardened and obdurate minds it will require weeks, more or less. The governor has the power to put a prisoner into solitary confinement, but he is obliged to give notice to a visiting magistrate of his having so done, and then when the visiting magistrate comes in a day or two he examines what that person has done, and if he appears contrite and promises amendment he is generally put to his work again; if he has been found to have behaved very ill, his proportion of his earnings is forfeited to the county, as an addition to his punishment.

We take also other species of punishment, more or less partaking of seclusion from general society; if a debtor, or a man in any ward behaves ill, we remove him from that society and put him with one or more prisoners, according to circumstances, in a separate ward, which is a grievous punishment to them; they do not like to be separated from their companions; it marks them as ill-behaved

ill-behaved characters, and this produces a very salutary effect on all; for what is one man's case to-day, may be another's to-morrow.

I think I have stated generally, that prison labour is the groundwork of all improvement, of general tranquillity, and of hope of reformation in a prisoner's habits of life and disposition of mind: give a prisoner action by labour and employment, and it will give him a determined direction towards a better system of life; industrious habits must be created, be the expense what it may; the moral effects produced will compensate for all numerical loss that may be sustained; nothing can save a prisoner from the bitter reflection of a misspent life but employment; idleness and rest will not do it; those will throw him back upon the thoughts of his former life, extinguish all hope, harden his heart and drive him to despair.

Do you conceive the manufactures carried on in the gaol at Ilchester could be also carried on in other counties where there are no manufactures?—Perfectly so; I have no doubt of it; all that is requisite is, to get a person to instruct them, and no person will instruct them so well as a prisoner.

You give your prisoners a proportion of their earnings at the time?—Yes; I consider it essential for this reason: our prison allowance is a pound and a half of bread and a penny per day; if a prisoner is to be kept at labour, he requires some additional sustenance; and we having no common kitchen in the gaol by which

we could prepare such articles of food, which in other prisons are supplied to prisoners, find it necessary to give him some means of adding to his sustenance, and we find that sixpence allowed in that way to find his own provision is better, and more acceptable to him, than if he was allowed any prepared articles of food to the value of one shilling found by the county; for prisoners are not satisfied that the best provisions are provided, of which they do not see the cooking.

Do they cook their own victuals?—Yes; in every ward there is a common kitchen, and two prisoners are left as cooks to boil the potatoes or meat, or any thing they choose to have; and when they go to work they leave their several prepared messes in their own pots, and the cooks see to the cooking.

The instances of pride among prisoners in executing work in a masterly and expeditious manner are very frequent with us.

Would you recommend a central building for the turnkeys to inspect them?—I do not think it practicable to put all the wards of a gaol under one officer; but I think a gaol may be effectually managed without it: if a prisoner is always exposed to open inspection, it makes him carry on his ill designs, if he forms any, in a secret manner; but I think a prisoner should always have it on his mind, that there is a power in the officer of the prison of his overlooking without his having a knowledge of it. In the gaol at Ilchester, which is a long and perhaps as awkward a building as can

can be imagined, the governor or his officers can inspect all the wards by day, and from his bed-chamber can go into all the cells on the one side of the gaol, and through all the debtors' apartments, without ever its being known to a turnkey or a prisoner; and from the same floor of his house he can go through all the male criminal cells, and he can hear and attend to any operation that may be wrongfully going on, without being seen by prisoners or turnkeys; and I conceive that to be of the greatest possible advantage, because a turnkey should not know when the gaoler visits his prisoners, and a gaoler must have his eye as much on the turnkeys as on the prisoners, and must always consider himself in danger, and so must the turnkeys also. It is only by constant vigilance that a prison can be kept in a state of security and order; one turnkey has the power from his house of inspecting each of the debtors' courts, and the task-masters can overlook the work-yard and the female wards without being seen by the prisoners.

Would you not think it desirable, if your convenience would allow it, that each prisoner should sleep in a separate cell?—No, I do not think that is necessary; on the contrary, it very often produces the best security to have two or three or more prisoners in a room, because one in that case is a watch upon others, especially if they are classed, as I have before stated that prisoners ought to be.

Do you not think it gives a facility for licentious and dissolute conversation?—Prisoners in general have the opportunities of it

in the day-time; and if they behave tolerably well, we must run the risk of their doing the same in the night. Should, however, any improper conduct be observed in any one, he would be classed with a lesser number, or made to sleep by himself.

Would you have labour in your gaol if it produced no profit?—Yes; I do not think prison labour ought to be stinted because it is not profitable.

Would you have labour in your gaol if it produced loss?—Yes; if it produced loss I should consider it a great gain in moral habits produced, because no persons can govern a gaol without labour.

*Sir George Onesiphorus Paul, &c.
examined.*

Are you an acting magistrate in the county of Gloucester?—I am.

Were the present gaol, penitentiary-house and houses of correction built, and the system adopted there carried into effect, under your particular recommendation?—Yes.

Have you had an opportunity of examining the effect of that system, and up to what period?—I attended to the effect for seventeen years, up to the period of 1809. The principle of my system of imprisonment is, to make a discriminate and distinct use of the several species of prisons which are sanctioned by the common, or ordained by the statute law.

To what species of prisons do you allude?—The prisons to which I allude are, first, the gaol or sheriff's prison, which is the sole

sole prison known and acknowledged by the common law. It is therefore the legal place of confinement for all offenders at common law. It is also the prison in which every person should be confined who is presumed by law to be committed to the custody of the sheriff, as well in execution as for deliverance at a gaol delivery.—Secondly, the penitentiary-house, or prison of punishment for felons convicted, as originally ordained by an act of parliament passed in the 19th of the present king; and which act has its purposes explained and its regulations modified and suited to the application of a single county, by the act for the county of Gloucester, of the 25th of George 3rd, cap. 10. The enactments of this statute were afterwards made general by the 31st of the king, cap. 46; these acts first created, by mode of confinement, by labour and modified seclusion, a system of penal imprisonment, as a substitute for the punishments by death and transportation.—The third species of prison is the house of correction; its purpose, when duly applied, is to check the early dawnings of vice and disobedience to legal ordinance; by wholesome restraint and by privations acting on the mind, to punish and discourage incipient offenders.—These prisons are regulated by the statutes of the 22nd and 24th of the king, with reference to acts of the 7th James 1st, and the 17th George 2nd. By the Gloucestershire act it is directed, that the penitentiary-house shall be made use of for the reception and custody of such offenders as at

any assize or quarter-sessions of the county shall be convicted of crimes for which they would be liable to be imprisoned and kept to hard labour within any other prison of the county, &c. It is required by the said act, and by the special by-laws authorized thereby, that in this prison the offenders, during night, shall be lodged in separate rooms or cells, and “that during the hours of labour (as far as the nature of their several employments will permit) they shall be kept separate and apart from each other.”—“That they shall be employed at work every day in the year, except Sundays, Christmas-days and Good-Fridays, or when (in the judgment of the surgeon) ill health will not allow of their working.”—“And that their hours of work in each day shall be as many as the season of the year will permit, but not exceeding eight hours in the months of December and January, nine hours in the months of February and October, and ten hours during the rest of the year.”—It is farther directed, that “every offender shall be clothed in a coarse and uniform apparel, with certain obvious marks or badges affixed to the same, as well to humiliate the wearer as to facilitate discovery in case of escape.”—“And that no offender shall, during the time of his confinement, be permitted to have any other food, drink, or clothing, than such as shall, from time to time, be appointed by the justices in their quarter-sessions, or than shall be adjudged necessary in especial cases by the visiting justices; and the like penalties are imposed

imposed, as by the 19th George 3rd, c. 74, on all persons, as well officers of the prison as others, who shall supply or attempt to supply any offender confined in this prison with either food, clothing or money. The offenders, at their first rising, attend prayers in the chapel together, and in the evening, and before retiring to their night cells, are directed to walk for exercise and air in the airing-yards of the prison, in the presence of the governor or other officer, whose duty it is to see that they do not stand still and defeat the purpose of exercise by loitering in parties and caballing together in conversation." No person is permitted to enter the wards of the penitentiary-house, or to converse with any offender who is in health, except the sheriff and the justices of the peace for the county, the chaplain, surgeon and officers of the house, and except such other person as shall be authorized by a special order in writing of the justice who shall have signed the original commitment to gaol of any offender, to see such offender; but in case an offender shall be seized with a dangerous sickness, and be in consequence removed to the infirmary ward, his friends are informed thereof, and are permitted to visit such offender. "The penalties of the 19 George 3rd, c. 74, attach on escape, or on any attempt to escape, as also on all persons aiding and abetting."—But by the same act, if the visiting justices shall observe, or be satisfactorily informed of, any extraordinary diligence or merit in any of the offenders under their inspection, they are di-

rected to report the same to the justices at the gaol delivery, in order that such justices may, if they think proper, recommend such offenders to royal mercy; and in the case of shortening the duration of an offender's confinement, he shall, together with necessary clothing, receive such sum of money for his or her immediate subsistence as the visiting justices shall think proper, so as such sums shall not exceed twenty shillings, or be less than five shillings, in case such offender shall have been confined for the space of one year, and so in proportion for any shorter term of confinement; or the visiting justices may make application to his majesty's principal secretary of state, recommending that an offender may receive such mitigation of sentence as by his majesty may be deemed meet; or if any person who shall have been confined as an offender shall have been industrious and orderly during the time of his confinement, the chaplain and governor, or the chaplain and the visiting justice, shall on his dismissal give him a certificate of such good behaviour; and when such person shall be discharged, decent clothing shall be delivered to such person, together with such sum of money as the visiting justices shall judge necessary for his subsistence to the place of his legal settlement, or to the limits of the county, if not settled within it. And in case a person so discharged shall procure any reputable master of a ship or tradesman, or any substantial housekeeper, to take him into service, or to provide him with proper and suitable employ-
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ment for one year next ensuing, if at the end of one year the master or mistress who shall have so employed such person shall certify that such person has served him ably and honestly during an entire year, and that he or she is content with such person's service, the justices at their quarter sessions shall allow to such prisoner a farther sum, not exceeding three pounds.

Was this prison, during the time you have referred to, conducted upon these principles?—Strictly so.

How have the prisoners been employed?—In a great variety of works of simple manufacture.

How have the prisoners been confined during the day?—All of them have worked alone so long as there were separate cells for the purpose.

What laborious work have they had?—Since the gaol was finished, the only laborious work has been walking in a vertical wheel, for the purpose of raising water for the prison, which wheel is necessarily kept going the greater part of the day; in this wheel two prisoners make a joint effort, without being able to see or to converse with each other. The prisoners are taken from their cells in pairs and work about twenty minutes; after they come out of the wheel they are generally, more or less, in a state of perspiration, and as it would be improper to put them into their cells in that state, they therefore walk in the yard for other twenty minutes. These prisoners are then returned to their day cells, and others in succession pursue the same course.

Did that working in the wheel find employment for all the prisoners in the course of the day, who were in a fit state of health?—Yes, generally, in this degree, with the exception of old men or boys, and others who were unfit for such labour.

Did you consider that as beneficial to the prisoners with regard to health?—I have every reason to believe it greatly conduced to their health.

Did it operate as a punishment, or was it undertaken with cheerfulness?—I never observed any disposition to murmur at these or any other orders which were given to the prisoners in this prison.

Was work of any other kind found for all the prisoners in the penitentiary?—Yes; some employment or other has been found for all, as necessary concomitants to seclusion.

Do you conceive constant employment to be essential for persons confined in solitude?—I believe that solitude, with occupation or employment, and with due attention to its effects, will reform the most hardened criminal; but without such occupation and such attention it ought never to be applied for such a length of time as prisoners in the penitentiary-house are generally confined.

Are you aware that the governor has been in the habit, for the last seventeen or eighteen years, of leaving persons who have been sent there for a month, in perfect solitude without any occupation?—I understand that the governor has suffered prisoners to remain in solitude, without employment, when confined for short terms,

as in houses of correction. I may presume, that even this solitude has been relieved by congregating them with their fellow-prisoners at the morning chapel, and on their evening parade: this practice, although it may be usefully applied in special cases, I am not at present disposed to admit into the general rules of discipline.

For what time do you think it might be allowed?—The effect of solitude depends on the character of the patient; but generally I should say, not more than a month, without some occupation of mind or body. I beg to add, that the employment of the prisoners has principally been on manufactures on account of the county, by purchasing the raw material and abiding by the risk of sale of the manufactured goods. The late improvements in machinery have so diminished, or rather so annihilated the objects of work by hand, that the power of supporting a system of hard labour in prison to be productive of emolument, is entirely out of the question. The principle, therefore, of this part of our discipline is, rather to give employment than to punish by hard labour, as intended by former laws; by preventing solitude from pressing too severely on the mind; by accustoming prisoners to find relief and gratification in employment; and thus to dispose them to habits of industry; and finally, by providing a variety of useful trades and adapting them to the respective dispositions of prisoners, to enable them to maintain themselves on their return to society; for these several purposes the employment of pri-

soners in a penitentiary is essential, but subservient to the great purpose of reformation by seclusion.

What share of the earnings are the prisoners allowed?—They are not allowed any money-share of earnings in the penitentiary-house; the prisoners are furnished by the public with every thing conducive to their health, both as to food and clothing: the use of other extraneous supply is forbidden by the law, and would, in my opinion, be injurious in practice.

Do you think that some share of the profits would not operate as an encouragement to work?—It has not appeared that a disposition to work in this penitentiary has required any encouragement: it is a prison of punishment for great offences; and I think, that having provided for the offenders confined in it a supply far beyond the necessary, and even to comfort, in food, raiment, bedding and fire, it is no more than a bare justice to the public that the amount of their earnings should be carried to the account of their maintenance.

Have you had an opportunity during the time you have mentioned, to observe the effect produced by this mode of punishment?—Although I have to acknowledge, in common with other theorists, that on the whole design I have imagined more than has been, or perhaps could be, brought into practice and effect; yet not so with regard to our penitentiary-house; that prison succeeded in its early effects beyond the theory imagined by the original projectors of the system; far indeed beyond my most sanguine

guine hopes. It is within my own personal knowledge that many returned from this prison to obtain a livelihood by honest industry.

Have you observed the effect of this system on the prisoners during the time they are confined?—During the first seventeen years that I particularly attended to the effects of this prison, I ever found its inhabitants orderly, obedient to the discipline, and resigned to their situation.

Have you observed any change in their moral character?—I have reason to think that their moral character was, in general, greatly improved by the discipline of this prison; few, if any of them, returned to a second punishment during that period of my attention.

REPORT FROM SELECT COMMITTEE ON ACTS RESPECTING INSOLVENT DEBTORS.

The Select Committee appointed to take into consideration the state of the Law respecting the Discharge of Insolvent Debtors, and the several Acts passed in the 53rd, 54th, and 56th years of the reign of his present Majesty, relative to the same, and the effects produced thereby; and to report to the House their Observations thereupon, and the best means of rendering the same effectual;—

Have proceeded to take the said acts, and the petitions which have been referred to them, into their consideration; and for this purpose have examined several

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witnesses, and called for various documents.

As the result of this inquiry, they feel themselves called upon, in the first place, to express their most decided approbation of the principle, on which they conceive the laws for the relief of insolvent debtors were founded. This principle is, that a debtor ought to be released from custody on making a *bonâ fide* division of all his property amongst his creditors, except in cases where the conduct of the debtor appears to have been fraudulent. But it must be observed, that though this principle appears to be entirely unobjectionable, yet the provisions of the law are so defective, and the practice of the Insolvent debtor's court has been such, that in its practical operation it has hitherto been productive of considerable injustice and inconvenience, and the committee are not at all surprised at the number of petitions against the renewal of the existing acts, which have been presented to the House. In order to secure the just interests of the creditor under a law of this nature, it is absolutely necessary that the whole of the property of the debtor should be fairly and fully stated, in order that it may actually be delivered over and divided amongst the creditors; but, under the present acts, no effectual examination into the truth of the debtor's statement of his property takes place previous to his discharge.

From the nature of the case, this must be an examination into matters of account; and when the House considers that it is in evidence,

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dence, that from three to four thousand cases pass through the court in the course of a year, and that under any circumstances matters of account must be very imperfectly inquired into in open court, they will be satisfied that an examination before the commissioner in the Insolvent debtors court, the only one provided for by the present law, must be in the highest degree ineffectual. Another defect in the law, which appears to have a general influence in exposing the creditors to fraud and injustice, is, that, as the law at present stands, the debtor has no interest that his creditors should receive as large a dividend of his property as it is in his power to give them; because, whether they have a large dividend, or whether they have a small one; whether they are satisfied with his conduct, or whether they are dissatisfied, the term of his imprisonment remains the same; and when once he has received his discharge from the court, his person is equally free.

Another great opportunity for committing frauds is afforded to the insolvent from the act having provided, that he should not make the statement of his property, and deliver it over for the benefit of his creditors, till the period of his actual liberation; that is to say, till he shall think fit to apply to the court after three months imprisonment; thereby giving him the whole of this interval, either fraudulently to convey the remainder of his property away, or profusely to squander it on himself. It is to be observed, however, that, previous to the passing of these acts, creditors were liable to considerable injustice from

debtors who had sufficient property to pay their debts, but chose to remain in custody, and to set their creditors at defiance.

The provisions of the existing law, for the purpose of rendering any property which the insolvent may acquire after his discharge, liable to the debts which he had contracted previously, appear to be so easily evaded, that they can only be put in force when the insolvent himself is willing to comply with them. For, from the circumstance of the debts contracted before his discharge having no precedence with respect to liquidation over those contracted after it, it is always in the power of the debtor to frustrate the provisions of the law by a collusive claim of some subsequent creditor.

Besides these principal objections to the acts, which the committee have stated, there are other smaller defects in the constitution of the Insolvent debtors court, in consequence of which, it does not appear to possess all the powers necessary to the performance of its functions. The committee will endeavour to obviate these as well as the greater ones, which have been already mentioned, in the remedy they will have the honour to recommend to the House.

But before recommending any remedy, it will be necessary to call the attention of the House to the evils which have arisen, not so much from the provisions of the law itself, as from the mode in which it has been carried into practice. It has been already observed, that an inquiry into any matter of account, in an open court, must necessarily be very

very inefficient; but this inefficiency must be increased to a great degree, unless every facility be given to the creditors to carry it on in such a manner as appears to them most likely to lead to a satisfactory result. In order to render this examination as perfect as the nature of the case would admit of, the seventh section of the act of the 53rd of the king, provides, that when the insolvent is brought up into court, to be examined touching the truth of the matter contained in his petition and schedule, "any of the creditors of such prisoner, and any of the persons named or described in such schedule as claiming to be creditors of any such prisoner, and any person or persons not named or described in such schedule, who shall claim to be a creditor or creditors of such prisoner, shall be at liberty to oppose such petition; and for that purpose to put such questions to such prisoner as the said court shall think fit, touching the matters contained in such petition and schedule, and touching such other matters as the said court shall be of opinion it may be fit and proper that such questions should be put, for the due execution of this act." But by a rule of the Insolvent debtors court, made with the best possible intention, no doubt, no creditor is allowed to oppose the discharge of an insolvent, unless he has given two days notice, not only of such being his intention, but of the particular grounds on which such opposition is to be founded; and this rule has, generally, been interpreted so strictly, that, if any new matter has

arisen during the course of the examination, the opposing creditors have not been allowed to take advantage thereof.

It is further to be observed, that, as the persons, who are suitors in the Insolvent debtors court, are on one side, at least, always in the lowest state of distress, and that ultimately the expenses of both parties must be drawn from the pockets of the creditors, every proceeding ought, peculiarly in this court, to be attended with as little expense to the parties as possible. With this view, in all the cases where the legislature appear to have contemplated the possibility of the imposition even of stamp duties, they have provided, in the act of the 53rd of the king, that none shall be imposed. This provision has not been quite effectual, because, in the practice of the court, other cases have arisen, where stamps must be affixed, and which were not specially provided for by the act.

But the increase of expense to the suitors in this court, which has arisen from this defect in the act, has been trifling, when compared with that which has been incurred in consequence of the establishment of a system of fees by the present commissioner, a considerable share of which he has appropriated to himself. For it appears by the accounts presented, that the nett balances of the money paid into the hands of the receiver of the Insolvent debtors court, during the year 1817, amounted to 6,003*l.* 1*s.* 11*d.* and during the year 1818, to 5,261*l.* 17*s.* 10*d.*, while, during the same years, the aggregate amount

amount of the fees paid by suitors in this court amounted, for the former year, to 1,420*l.* 11*s.* 5*d.*, and for the latter year to 1,545*l.* 13*s.*, being rather more than one quarter of the whole amount of the nett balances in the hands of the receiver. The commissioner did not state any particular inconvenience to have occurred during the time of his predecessor, from such fees not having been established; but assigned, as his reason for originating them, that he considered the salary of the chief clerk inadequate to the duties of his office. He acknowledged that he had not made any representation to the Treasury, as to the inadequacy of this or any other of the

salaries, previous to the establishment of the fees; and that the reason why he thought it desirable that he himself should take a portion of the fees was, "that, when called upon for the purpose, he might know, and be enabled to state, and that correctly, the full amount of fees taken, as allowed by himself." That the validity of these reasons may be duly estimated by the House, the committee beg leave to submit the amount of the salaries, as established by the lords of the treasury, for the remuneration of the different officers of the court, and a table of the fees which are established, together with the mode in which they are divided.

SALARIES.

	Per Annum.		
To the Commissioner	£.	2,000	0 0
Chief Clerk		400	0 0
Assistant Clerk		200	0 0
Provisional Assignee		100	0 0
Third Clerk		130	0 0
Fourth Clerk		100	0 0
Fifth Clerk		80	0 0

F E E S.

	DIVISION.								
	Commis ^r .			Chief Clerk.					
	£.	s.	d.	£.	s.	d.	£.	s.	d.
For the discharge of every insolvent -	0	5	0	0	2	6	0	2	6
every subpoena.....	0	2	6	0	1	6	0	1	0
every rule of court	0	2	0	0	1	0	0	1	0
filing every special affidavit	0	1	0	.....	.....	.....	0	1	0
swearing affidavits in court.....	0	1	0	0	0	6	0	0	6
every order upon summons	0	1	0	.....	.....	.....	0	1	0
every search	0	1	0	.....	.....	.....	0	1	0
every certificate of prisoner's discharge	0	1	0	.....	.....	.....	0	1	0
every copy of the schedule of the insolvent (per sheet)	0	0	4	moiety.	moiety.	moiety.	moiety.	moiety.	moiety.

The

The expenses have been much increased also by unnecessarily multiplying affidavits. According to the 2nd section of the act 53rd of the king, if the creditors are numerous, or live at considerable distances from one another, it is lawful for the debtor, instead of serving them personally, to give notice in the Gazette of his intention to take the benefit of the act. By a rule, however, of the Insolvent debtor's court, the insolvent is required to prove that his creditors are thus numerous, or that they live at such considerable distances from one another, by an affidavit made by him in prison; and the court has appointed an officer to take these affidavits, who receives 7s. 8d. for each; and there is besides a stamp duty of 2s. 6d. imposed upon them.

By the 54th of the king, cap. 23, the office of a receiver was established in this court, and the mode in which this officer has been paid, viz. by an allowance of five per cent on all monies passing through his hands, has had a further effect in increasing the expenses of the parties.

The committee cannot conclude their statement of the objections to the proceedings of this court, which have occurred to them, without noticing the appointment of persons to act as agents before this court who are not regularly admitted attorneys; at present there are one hundred and twenty, on the appointment of each of whom a fee of one pound nine shillings is exacted, one pound of which is paid to the commissioner, and the remainder to the chief clerk.

In order to remedy these inconveniences, and yet to preserve the principle of the laws, which was stated in the beginning of this report, the committee beg leave to recommend to the House, that the acts which were referred for their consideration should be allowed to expire; and that a new act, for a limited time, should be substituted, in which provision should be made for a more accurate examination into the accounts of the debtor and the claims of his creditors, by the appointment of three commissioners instead of one; that the examination should in the first instance take place out of court, under the direction of one of the three commissioners, preparatory to the final examination of the insolvent before the three commissioners in the Insolvent debtors court; the act should further provide, that when an insolvent makes his option to take the benefit of this act, he should be compelled to deliver all his property into the hands of an assignee, within a much shorter period than the present law obliges; and that in case of his neglecting to make this option, it should be lawful for his creditors, if they think fit, to compel him to deliver up his property to be divided amongst them according to the provisions of this act; that it should enact, that all the creditors should be empowered to oppose the discharge of the insolvent, on whatever grounds they may think proper; that all fees and stamps should be abolished in this court; that more effectual provision should be made to render any property which the insolvent may acquire after

after his discharge liable to the debts which he had previously contracted; and lastly, that none but regularly admitted attornies should practise as agents in the court; and where doubts have arisen as to whether the court possesses the powers necessary to the performance of its functions, adequate powers should be given to it.

It remains now only to be considered how this measure may be made applicable to the country. For this purpose it should be provided, that the same examination should take place out of court, previous to the insolvent being brought before the court of quarter sessions, that may be enacted for the proceedings in the metropolis; such examination might be made either before one of the magistrates, or a commissioner appointed for this purpose. It has also appeared to the committee, that great injustice arises where a debtor is arrested in the country, from his having the power of removing himself to London, which must frequently, of course, be at a considerable distance from the residence of his creditors; in order to remedy this evil, it should be provided, that such removal should not be allowed, unless on application from the creditors. In every other respect the proceedings before the court of quarter sessions may be assimilated to those before the Insolvent debtors court.

If the House shall think proper to adopt these suggestions, the committee hope that the principle of the law will be carried into effect, in such a manner as to obviate inconvenience, and be pro-

ductive of considerable advantage both to debtor and creditor.

Having made all the observations which they think necessary upon the subject referred to their consideration, the committee will here conclude; but they hope they may be permitted to call the attention of the House to the evidence of Mr. Nixon, warden of the Fleet-prison, in which he describes the riot and confusion which prevail in that establishment: and they beg to submit to the serious consideration of the House, whether it is not necessary that some steps should be taken for the regulation of debtors' prisons; and especially, if possible, to abolish the privilege of the rules of the Fleet and of the King's-bench.

Mr. N. Nixon, deputy-warden of the Fleet, examined.

Do you believe that this act operates as a great inducement to fraud and perjury?—That can only be matter of opinion in me; I should think it certainly does; and I question, if any one man has ever taken the benefit of this act conscientiously.

Have you seen frequent instances of persons who have taken the benefit of the act, who afterwards have made a good and gentleman-like appearance?—That is just as they can obtain credit, perhaps. I have known a gentleman discharged under an insolvent act, who has come down Fleet-market the next day, with a groom behind him, on two horses worth from 150 to 200 guineas.

They live luxuriously sometimes in prison?—Yes:

Taking

Taking wine?—Yes.

Sometimes you have known them send for ice to cool their wine?—I have.

Since the passing this act?—No.

Are there a great many in the rules now?—Seventy-four.

Have they been there some considerable time?—Several of them have.

And they are not inclined to take the benefit of the Insolvent debtors act?—Not that I know of.

Some of them live expensively?—Yes.

In expensive lodgings?—Yes.

In some of the houses on Ludgate-hill?—Yes.

Do you happen to know what those lodgings are let at, any of them?—I suppose three or four guineas a week.

Under this act, the creditors, however inclined to take a composition, have no means of compelling them to give up their property?—No.

Then they prefer living there to paying their creditors?—If they have the means they will not do it; and certainly prefer it.

Are there any of those now who could get their discharge if they chose?—I do not know.

You stated in your evidence in the year 1792, that however severe the punishment of a prison was to some persons, it was no punishment at all to others; is that your opinion still?—Yes; that evidence is correct from my observation.

It appears from the same evidence, that you stated that there were eighty prisoners in the rules of the Fleet, fifty-eight of whom

were supersedable, and might get discharged if they would?—I dare say that was correct at the time I stated it.

Then they would not go out of the prison?—No.

Has any prisoner in the prison a power of sending for any article he pleases?—Unquestionably.

He may live in any way he pleases, without any control on your part?—I have nothing to do with it.

May he drink and riot through the night?—He frequently does.

Has no person a power to control that riot and noise?—I have power to control it in the morning; because if complaint is made to me of it, I can send him to the strong-room in the morning.

Cannot you send in the night and take him to the strong room?—No; the gates are shut up, and the turnkeys are all in bed.

You say drunken prisoners disturb the more prudent ones?—Frequently.

Cannot you send and take that man and put him into confinement?—It is in the dead of the night, and I have no officer at leisure to do such a thing; we never interfere in that respect.

How are your officers occupied in the dead of the night?—They go to bed and sleep and rest themselves.

The committee understand you have the management of this prison?—Yes.

You complain of riot and drunkenness?—Yes.

You say you have power to suppress it?—When it is complained of in the morning.

When you hear riot and drunkenness in the prison, have not you

you the power to suppress it?— I have never interfered in that respect in the dead of the night.

Why have you not interfered? —For fear of getting my head broke. When people are drunk, any person going to put them to rights, most likely, would have his head broke; a drunken man does not care much whose head he breaks; and in the dead of the night I could not open my gates to go in; it would be attended with a considerable degree of danger to open the gates to go in in the dead of the night.

You say the prisoners can send for any thing they want out of the prison, so that they have money to pay for it?—Yes.

Do you suffer any persons that please, to visit them within the prison?—Yes, in the day-time.

Are they suffered to remain during the night within the prison?—Yes.

If a prisoner has acquired a room in the prison, and any female visits him, is she permitted to remain there during the night?—Yes.

And he may have any thing to eat or drink in the prison he pleases?—Yes.

In fact, he is as much his own master as a man is in his house, if he has money?—Yes, if he has money.

He is only confined to his room?—No; he may walk about the prison.

May as many prisoners meet as please, in one room?—They may meet together in any one room, but they cannot eat and drink in that room without leave of the warden, that is by a rule of court.

And if that leave is given, is there any fee payable upon it?—No; no fee whatever.

If a person has acquired a room to himself, and has a friend come to see him, they cannot dine together in that room without permission of the warden?—Yes; I never interfere in any thing of that sort; I speak of a person making his room a public room.

Supposing two persons are known to each other, cannot they dine together in one of their rooms without your leave?—Unquestionably; it is only where they make the room a public room.

What do you mean by a public room?—That is a room that is frequented by many of the prisoners, where they eat and drink.

You state, that you do not think it safe to interpose in the night, notwithstanding the riots you have heard in your prison; should you think it right to interpose if those riots happened in the day?—If there is any violence attempted from one to another, I generally do interpose, in the day-time, to prevent mischief.

Should persons riot in the way you describe in the day, should you not think it your duty to interpose?—Certainly I do, in the day-time.

You stated in 1816 that they rioted and revelled night and day, to the disturbance of the quiet part of the prison?—They will drink and get drunk both night and day, but perhaps not so as to do any mischief, though they may disturb the other part of the prison.

THE
FINANCE ACCOUNTS
OF
THE UNITED KINGDOM
OF
GREAT BRITAIN AND IRELAND,

FOR THE YEAR ENDED FIFTH JANUARY,

1819.

Class.

I. PUBLIC INCOME.
II. CONSOLIDATED FUND.
III. ARREARS AND BALANCES.
IV. TRADE AND NAVIGATION.

Class.

V. PUBLIC EXPENDITURE.
VI. PUBLIC FUNDED DEBT.
VII. UNFUNDED DEBT.
VIII. DISPOSITION OF GRANTS.

I.—PUBLIC INCOME OF THE UNITED KINGDOM,
FOR THE YEAR ENDED THE FIFTH OF JANUARY, 1819.

An Account of the ORDINARY REVENUES and EXTRAORDINARY RESOURCES, constituting the PUBLIC INCOME of the United Kingdom of GREAT BRITAIN and IRELAND.

HEADS OF REVENUE.	GROSS ACCOUNT: Total sum to be accounted for.			Deductions, Discounts, &c. paid out of the Gross Revenue.			Payments out of the NETT PRODUCE.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.
Ordinary Revenue.									
CUSTOMS	16,781,503	5	5	3,983,693	0	2½	19,797,810	5	2½
EXCISE	28,848,714	2	6½	3,258,040	5	2½	25,580,673	17	4
STAMPS	7,569,864	6	0	487,778	19	0½	7,142,091	6	11½
LAND AND ASSESSED TAXES	8,688,918	14	5½	375,098	4	5½	8,313,886	10	9
POST OFFICE	2,373,965	11	6½	705,993	6	7½	1,667,943	4	11½
PENSIONS AND SALARIES AND } Lt. in the £.	23,815	17	8	489	5	9	23,386	11	11
HACKNEY COACHES. } 6d. in the £.	11,215	1	9	587	11	11	10,685	9	10
HAWKERS AND PEDLARS	26,679	5	9	3,779	5	0	22,900	0	9½
POUNDRAGE FEES (Ireland)	27,788	18	4½	4,160	7	7	23,698	10	9½
PELLS FEES	4,100	4	10½	-	-	-	4,100	4	10½
CASUALTIES	820	1	0½	-	-	-	820	1	0½
TREASURY FEES, AND HOSPITAL FEE (Do.)	3,657	8	8½	-	-	-	3,657	8	8½
SMALL BRANCHES OF THE KING'S HEREDITARY REVENUE.....	1,983	4	8½	-	-	-	1,983	4	8½
	144,579	0	6	5,687	4	8½	138,951	15	9½
Total of Ordinary Revenues	64,506,305	3	4½	8,765,104	10	4	55,741,098	13	0½

PARLIAMENTARY ACCOUNTS. 305

Extraordinary Resources.

PROPERTY TAX AND INCOME DUTY. (Arrears)	698,397 14 0	40,758 8 4½	697,579 5 7½
Loans, &c. Profit	211,925 0 0	15,948 3 4	195,976 16 8
Unclaimed Dividends, &c. per Act 56 Geo. 3, c. 97	332,948 6 7	-	332,948 6 7
Surplus Fees of Regulated Public Offices	38,713 17 2½	-	38,713 17 2½
Voluntary Contributions	20,000 0 0	-	20,000 0 0
Balance of the Commissioners for issuing Exchequer Bills for Grenada, per Act 35 Geo. 3, c. 197	8,771 3 8	-	8,771 3 8
Provisional Comptrolleers in Ireland, on Account of Advances made by the Treasury for improving Post Roads, for building Gaols, and under the Post-Act of 54 Geo. 3, (Ireland)	85,459 15 8½	-	85,459 15 8½
Imprest Monies Repaid by Sundry Public Accountants, and other Monies paid to the Public	384,020 12 1½	-	384,020 12 1½
Loans, &c. paid into the Exchequer	2,725,000 0 0	-	2,725,000 0 0
Contributions to Associates, per Act 58 Geo. 3, c. 23	-	-	-
Contributions to Associates towards discharging Exchequer Bills, per Act 58 Geo. 3, c. 23	8,125,000 0 0	-	8,125,000 0 0
Total Public Income of the United Kingdom	77,095,679 12 7½	8,801,111 2 0½	68,994,568 10 7½
Add, Appropriated Duties for Local Objects in Ireland	57,573 13 8½	3,437 5 1½	54,196 8 6½
GRAND TOTAL	77,153,253 6 4	8,804,538 7 2	68,348,714 19 2

II.—CONSOLIDATED FUND AND PERMANENT TAXES.—INCOME AND CHARGE, 1819.

INCOME.		CHARGE.	Actual Payment out of the Consolidated Fund in the Year ended 5th January, 1819.		Balance Annual Charge upon the Consolidated Fund as it stood on 5th January, 1819.	
£.	s. d.		£.	s. d.	£.	s. d.
CUSTOMS: Consolidated, after reserving the sum of £. 105,000 per annum, to be carried to Duties pro Anno 1809, per Act 49 Geo. 3, £. 3,944,775 0 6½		Total Charges for Debt created prior to 1809	23,791,195 12 0½	23,949,353 13 11½		
Isle of Man Duties 9,656 5 9		CIVIL LIST:				
Quarantine Duty 29,723 17 7		For the Support of his Majesty's Household, per Act 17 Geo. 3 ...	898,000 0 0	898,000 0 0		
Casal and Dock Duty..... 41,283 5 1		Ditto..... 44 ditto	60,000 0 0	60,000 0 0		
Temporary or War Duty 1809, made permanent Anno 1816..... 9,614,750 11 1½		Ditto..... 58 ditto	70,000 0 0	70,000 0 0		
Do. in 1810 and 1811..... 146,975 18 8½		COURTS OF JUSTICE, &c.				
		Judges of England and Wales, in Augmentation of their Salaries ...	15,050 0 0	13,050 0 0		
		Deficiencies of Judges Salaries in England	15,402 0 10	Uncertain.		
		Additional Salaries to Welsh Judges	3,900 0 0	3,900 0 0		
		John Baldwin, Esq. Receiver of the Seven Police Offices	23,269 3 11½	Uncertain.		
		Patrick Colquhoun, Esq. Ditto Thames Ditto	6,961 5 3	Ditto.		
6,786,462 16 9½						

PARLIAMENTARY ACCOUNTS. 397

<p>EXCISE: Consolidated, after reserving the several sums carried per Acts 53 and 55 Geo. 3, to the Duties pro Annis 1813 and 1815..... £.15,948,732 0 0</p> <p>British Spirits, Anno 1806, Schedule A... 550,170 0 0</p>	2,000 0 0
<p>15,198,992 0 0</p>	2,085 2 1½ 4,000 0 0
<p>STAMPS: Consolidated, after reserving as directed per Acts 50 and 55 Geo. 3... £.4,140,050 11 4</p> <p>Licences for selling Lottery Tickets..... 4,948 0 0</p>	13,800 0 0 1,900 0 0
<p>4,144,299 3 0</p> <p>[This Account continued over leaf.]</p>	1,053 14 0 650 0 0 700 0 0 9,956 13 8 1,167 10 0
<p>Commissioners of Public Accounts:</p> <p>W. M. Praed, Esq.</p> <p>Sir C. W. R. Broughton, Bart.</p> <p>F. P. Elliot, Esq.</p>	1,500 0 0 1,900 0 0 751 10 11
<p>15,198,992 0 0</p> <p>[This Account continued over leaf.]</p>	4,000 0 0
<p>CLERK OF THE HANAPER</p> <p>H. J. Hinchliffe, Esq. Vice Admiralty Judge at Jamaica</p> <p>Sheriffs of England and Wales</p> <p style="text-align: center;">MINT:</p> <p>Master of the Mint in England</p> <p>Ditto..... Scotland</p> <p>SALARIES AND ALLOWANCES:</p> <p>Speaker of the House of Commons, to complete his Salary of £.6,000 per annum</p> <p>Edward Roberts, Esq. an annual sum formerly paid to the Auditor.....</p> <p>George Pepler, Esq. Inspector of Tontine Certificates.....</p> <p>For the Encouragement of the Growth of Hemp and Flax in Scotland</p> <p>Chief Cashier of the Bank, for Fees</p> <p>COMMISSIONERS OF PUBLIC ACCOUNTS:</p> <p>W. M. Praed, Esq.</p> <p>Sir C. W. R. Broughton, Bart.</p> <p>F. P. Elliot, Esq.</p>	1,500 0 0 1,900 0 0 751 10 11
<p>15,198,992 0 0</p> <p>[This Account continued over leaf.]</p>	1,500 0 0 1,900 0 0 751 10 11

[This Account continued over leaf.]

398 ANNUAL REGISTER, 1819.

INCIDENTS	7,136,593 18 11			1,900 0 0	1,900 0 0
R. Davine, Esq.....				1,900 0 0	1,900 0 0
John Wishaw, Esq.....				1,900 0 0	1,900 0 0
John Sargent, Esq.....				1,900 0 0	1,900 0 0
John Anstry, Esq.....				1,900 0 0	1,900 0 0
Salaries, &c. in the Office of the said Commissioners				35,117 11 7	Uncertain.
COMMISSIONERS OF WEST INDIA ACCOUNTS:					
John Herket, Esq.				1,500 0 0	1,500 0 0
James Chaptain, Esq.....				1,000 0 0	1,000 0 0
John Wilson, Esq.....				1,000 0 0	1,000 0 0
Salaries, &c. in the Office of the said Commissioners.....				6,768 4 0	Uncertain.
MISCELLANEOUS:					
Interest, &c. on a moiety of 50 millions of Florins, raised by the House of Hope and Co. for the Service of Russia, per 55 Geo. 3, c. 115				153,417 6 3	Ditto.
Deficiency of Profits to the South Sea Company, per 55 Geo. 3, c. 57.....				1,717 9 3	Ditto.
Sundry Bounties on Seizures				22,875 16 8	Ditto.
Contingencies in the Office of Commissioners for inquiring into Charitable Institutions for the Education of the Poor				4,000 0 0	Ditto.
PENSIONS:					
Earl of Chatham.....	35,899 12 9			4,000 0 0	4,000 0 0
Surplus Duty on Sugar, Malt, and Tobacco, annually granted.....	1,340,473 0 10½				
Annual Malt, &c. Anno 1816 and 1817.....	536,451 0 0				
Pensions, Offices, and Personal Estimates, 1814, 1815, 1816, and 1817.....					

PARLIAMENTARY ACCOUNTS. 329

Land Taxes, Anno 1803 to 1818 ...	1,175,786 5 11	Lord Rodney	2,000 0 0	2,000 0 0
		Lady Dorchester.....	1,000 0 0	1,000 0 0
		John Penn, Esq.....	1,000 0 0	1,000 0 0
		Richard Penn, Esq.....	3,000 0 0	3,000 0 0
		Duke of Clarence	12,000 0 0	12,000 0 0
		- - York	14,000 0 0	14,000 0 0
		Duchess of York	4,000 0 0	4,000 0 0
		Prince of Wales	65,000 0 0	65,000 0 0
		Earl St. Vincent	2,000 0 0	2,000 0 0
Income Duty, Anno 1801	30 0 0	Viscount Duncan	2,000 0 0	2,000 0 0
		Duke of Kent	12,000 0 0	12,000 0 0
		Duke of Cumberland	12,000 0 0	12,000 0 0
		- - Richmond	6,333 6 8	6,333 6 8
		Lord Erskine	4,000 0 0	4,000 0 0
		Sir Arch. Macdonald	2,500 0 0	2,500 0 0
		Sir Vicary Gibbs.....	452 11 8½	452 11 8½
		Sir James Mansfield	2,500 0 0	2,500 0 0
		Sir Wm. Grant	2,535 18 4½	2,535 18 4½
Unappropriated War Duties	6,639 16 0½	Sir Alan Chambers	2,000 0 0	2,000 0 0
		Sir Sidney Smith.....	1,000 0 0	1,000 0 0
		Baroness Abercrombie	2,000 0 0	2,000 0 0
		J. W. Compton, Esq.....	1,000 0 0	1,000 0 0
		Alex. Croke, Esq.....	1,000 0 0	1,000 0 0
		John Hinchliffe, Esq., ..	706 0 10½	706 0 10½
		Duke of Sussex	12,000 0 0	12,000 0 0
		- - Cambridge	12,000 0 0	12,000 0 0
		Lord Hutchinson	2,000 0 0	2,000 0 0
		Sir James Sarmarez	1,200 0 0	1,200 0 0
		Lord Boringdon et al. for lord Am- herst.....	3,000 0 0	3,000 0 0
		Duke of Athol.....	3,870 19 3¼	Uncertain.
		H. Moreton Dyer	1,000 0 0	1,000 0 0
		John Sewell	1,000 0 0	1,000 0 0
Money reserved on account of No- mises appointed by the Lords of the Treasury, in Tontine, Anno 1789.....	23,456 3 7½			

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tinued over leaf.]

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tinued over leaf.]

400 ANNUAL REGISTER, 1819.

Arrears of Duty on Property, after satisfying £. 250,000, pro Anno 1818	78,473	8	6½		
Monies paid by divers Persons	292,364	19	5		
TOTAL. Income of Duties, &c. applicable to paying the Charges prior to the Year 1809, and the Incidental Charges as they stood on the 31st January 1819.....	37,283,791	3	10½		

Wm. Terret	1,000	0	0	1,000	0	0	1,000
Lady Nelson.....	2,000	0	0	2,000	0	0	2,000
Sir Richard Strachan	1,000	0	0	1,000	0	0	1,000
Lady Collingwood	1,000	0	0	1,000	0	0	1,000
Hon. Sarah Ditto	500	0	0	500	0	0	500
Hon. Mary Patience Ditto.....	500	0	0	500	0	0	500
Duke of Clarence	6,000	0	0	6,000	0	0	6,000
- - Kent	6,000	0	0	6,000	0	0	6,000
- - Cumberland	6,000	0	0	6,000	0	0	6,000
- - Sussex	6,000	0	0	6,000	0	0	6,000
- - Cambridge	6,000	0	0	6,000	0	0	6,000
- - Gloucester.....	14,000	0	0	14,000	0	0	14,000
Princess Sophia of Gloucester.....	7,000	0	0	7,000	0	0	7,000
Earl Nelson.....	5,000	0	0	5,000	0	0	5,000
Lord Rodney	923	1	6	923	1	6	923
Viscount Lake.....	2,000	0	0	2,000	0	0	2,000
Viscount Wellington	2,000	0	0	2,000	0	0	2,000
Earl of Ditto	2,000	0	0	2,000	0	0	2,000
Hon. Jane Percival	2,000	0	0	2,000	0	0	2,000
Princesses Augusta Sophia, Elizabeth, Mary, and Sophia, on £. 9,000 per annum, each	36,000	0	0	36,000	0	0	36,000
Sir Arch. Macdonald	800	0	0	800	0	0	800
Sir Vicary Gibbs	144	16	6½	144	16	6½	144
Sir James Mansfield	800	0	0	800	0	0	800
Sir William Grant	811	9	10½	811	9	10½	811
Sir Alan Chambré	600	0	0	600	0	0	600
Princess of Wales	35,000	0	0	35,000	0	0	35,000
Duke of Wellington	13,000	0	0	13,000	0	0	13,000
Lord Beresford.....	2,000	0	0	2,000	0	0	2,000
- - Combermere	2,000	0	0	2,000	0	0	2,000
- - Exmouth	2,000	0	0	2,000	0	0	2,000
- - Hill	2,000	0	0	2,000	0	0	2,000
- - Lynedoch	2,000	0	0	2,000	0	0	2,000

PARLIAMENTARY ACCOUNTS. 401

Total Income of Duties for the Year	Date of York et al. in trust for the Prince of Saxe Cobourg	50,000 0 0	1809	105,000 0 0
Do.	Duke of York	12,000 0 0	1810	1,465,396 11 0
Do.	- Clarence	2,500 0 0	1811	632,898 0 0
Do.	Princess Augusta Sophia, Elizabeth, Mary, and Sophia, £. 4,000 each	16,000 0 0	1812	1,900,348 13 7
Do.	Lord Colchester	4,000 0 0	1813	698,735 11 7½
Do.	Duke of Cambridge	6,000 0 0	1814	22,000 0 0
Do.	- Kent	4,500 0 0	1815	1,037,608 6 3
Do.	Total of Incidental Charges, &c. upon the Consolidated Fund, as they stood on the 5th of January 1819	1,793,614 13 2½		42,445,650 6 4½
Do.	Total Charge for Debt incurred prior to the Year 1809	23,721,135 12 0½		
Do.	Total of Incidental Charges, &c.	1,793,614 13 2½		
Do.	Total charge for Debt incurred in the Year	1,302,863 3 9		
Do.	Do.	1,276,589 0 2½		
Do.	Do.	1,495,929 14 9		
Do.	Do.	2,316,397 10 6½		
Do.	Do.	4,152,671 15 5		
Do.	Do.	3,368,802 16 0½		
Do.	Do.	4,365,619 10 2		
Do.	Do.	82,613 11 8½		
Do.	Do.	713,400 7 9½		
Do.	Interest upon Exchequer Bills issued to make good the Deficiency of this Fund, per Act 57 Geo. 3.	8,246 16 8		
Do.	Do.	44,562,682 12 11½		
Do.	Do.	Uncertain.		
Do.	Do.	1,537,613 1 10		
Do.	Do.	23,249,353 13 11½		
Do.	Do.	1,537,613 1 10		
Do.	Do.	1,161,285 15 1½		
Do.	Do.	1,976,589 0 2½		
Do.	Do.	1,495,929 14 9		
Do.	Do.	2,316,397 10 6½		
Do.	Do.	4,152,671 15 5		
Do.	Do.	3,368,802 16 0½		
Do.	Do.	4,365,619 10 2		
Do.	Do.	78,699 10 1½		
Do.	Do.	1,759,594 13 4½		



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III.

ARREARS AND BALANCES OF PUBLIC ACCOUNTANTS.

HEADS OF THESE ACCOUNTS.

Customs in England; Balances and Arrears, the 5th of January, 1819.— <i>Customs in Scotland; Current Balances, Ditto.—Customs in Ireland; Balances, Ditto.</i>
Excise in England; Arrears and Current Balances, due on the 5th January, 1819.— <i>Excise in Scotland; Ditto.—Excise in Ireland; Balances of deceased and dismissed Collectors, Ditto.</i>
Stamps in Great Britain;—Arrears due on 5th January, 1819, from Distributors.— <i>Nett Balances in the hands of Distributors.—Stamps in Ireland; Balances and Arrears on 5th January, 1819.</i>
LAND AND ASSESSED TAXES in Great Britain;—Arrears and Current Balances, 5th January, 1819.
Ditto in Ireland;—Balances of deceased and dismissed Collectors.
Ditto Ditto;—Balance due by a dismissed Revenue Collector, 5th January, 1819.
POST OFFICE in Great Britain;—Arrears due on 5th January, 1819.
Ditto Ditto;—Balances of Deputy Postmasters,
Ditto in Ireland;—Arrears due on the 5th January, 1819.
Ditto Ditto;—Balances of Deputy Postmasters.
Ditto Ditto;—Arrears of Letter Carriers, on 5th January, 1819.
Ditto Ditto;—Insolvent Arrears.
Ditto Ditto;—Balances of Deputy Postmaster, &c.
LAND REVENUES OF THE CROWN in England and Wales;—Arrears and Current Balances, 5th January, 1819.
PUBLIC ACCOUNTANTS; List of, in respect of whom the Execution of any Process or Proceeding hath been controlled, suspended, or procured, between 5th January, 1818, and 5th January, 1819.
ARMY ACCOUNTS;—Balances of Accountants, on 5th January, 1819.
COMMISSIONERS for auditing Public Accounts;—List of Officers and Departments, whose Accounts have been usually audited by them.
Ditto List of Accounts delivered over to them, which have not been audited, stated, or declared; completed to 5th Jan., 1819.
Ditto Ditto delivered over to them, which have been either stated or declared, so far as any Balances appear to be now owing to or from the Public; completed to 5th January, 1819.

IV.
TRADE AND NAVIGATION OF THE UNITED KINGDOM.

I.—TRADE OF GREAT BRITAIN.

An Account of the Value of all Imports into, and of all Exports from, GREAT BRITAIN, during each of the Three Years ending the 5th of January, 1819 (calculated at the Official Rates of Valuation, and stated inclusive and exclusive of the Trade with IRELAND); distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandize Exported:—also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported from GREAT BRITAIN, according to the Real and Declared Value thereof.

YEARS.	OFFICIAL VALUE OF IMPORTS into Great Britain.			OFFICIAL VALUE OF EXPORTS.						Declared Value of the Produce and Manufactures of the United Kingdom Exported.					
	£.	s.	d.	Produce and Manufactures of the United Kingdom.		Foreign and Colonial Merchandize.		Total Exports.		£.	s.	d.			
1817.....	30,105,566	1	9	36,697,610	5	8	14,545,964	2	3	51,243,574	7	11	42,955,256	3	8
1818.....	33,985,232	6	0	41,588,583	11	11	11,334,616	12	11	53,123,208	4	10	43,696,233	14	2
1819.....	40,137,634	9	6	44,534,044	14	10	12,227,274	15	0	56,851,319	9	10	48,903,760	16	1
1817.....	26,374,931	5	8	34,774,520	11	9	13,431,664	11	9	48,216,185	2	11	40,388,939	13	10
1818.....	29,910,503	9	8	39,233,465	19	10	10,269,271	8	9	49,502,738	8	7	40,349,233	6	11
1819.....	35,867,021	9	5	41,963,527	0	9	10,835,800	6	4	52,799,327	7	1	45,188,249	9	0

2.—TRADE OF IRELAND.

An Account of the Value of all Imports into, and all Exports from, IRELAND, during each of the Three Years ending the 5th January 1819 (calculated at the Official Rates of Valuation, and stated inclusive and exclusive of the Trade with GREAT BRITAIN); distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandise Exported;—also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported from IRELAND, according to the Value thereof, as computed at the Average Prices Current.

YEARS.	OFFICIAL VALUE OF IMPORTS.			OFFICIAL VALUE OF EXPORTS.						Declared Value of Produce and Manufactures of the United Kingdom Exported.					
	£.	s.	d.	Produce and Manufactures of the United Kingdom.		Foreign and Colonial Merchandise.		Total Exports.		£.	s.	d.			
1817	4,593,745	4	6	6,042,253	15	9½	165,369	4	8	6,908,193	0	5½	8,510,977	1	5
1818	5,644,175	16	5½	6,412,892	10	2	150,568	7	10½	6,563,454	18	0½	10,526,325	8	0½
1819	6,098,790	2	7½	6,436,950	14	11½	84,078	9	8½	6,521,029	4	8½	11,776,860	14	9½
1817	1,050,618	19	5	923,488	0	10½	42,374	6	4	974,862	7	2½	1,998,933	6	4
1818	889,335	14	2½	831,548	5	9	23,413	4	10½	874,961	10	7½	1,411,897	9	11
1819	1,033,660	7	2½	736,925	17	11½	24,057	17	2	760,383	15	1½	1,423,099	0	6½

NAVIGATION OF THE UNITED KINGDOM.

An Account of the Number of Vessels, with the Amount of their Tonnages, that were Built and Registered in the several Ports of the British Empire, in the Years ending the 5th January 1817, 1818, and 1819, respectively.

	1817.			1818.			1819.		
	In the Years ending the 5th January.								
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.	
United Kingdom.....	851	84,676	758	81,263	752	86,748			
Isles, Guernsey, Jersey, and Man.....	15	443	8	845	9	316			
British Plantations	408	32,222	316	22,321	167	10,441			
TOTAL.....	1,374	117,401	1,082	104,489	928	97,505			

An Account of the Number of Vessels, with the Amount of their Tonnages, and the Number of Men and Boys usually employed in navigating the same, that belonged to the several Ports of the British Empire, on the 30th September in the Years 1816, 1817, and 1818, respectively.

	On 30th Sept. 1816.			On 30th Sept. 1817.			On 30th Sept. 1818.		
	Vessels.	Tonn.	Men.	Vessels.	Tonn.	Men.	Vessels.	Tonn.	Men.
United Kingdom.....	21,515	2,479,733	158,516	21,990	2,397,665	152,352	21,596	2,406,969	154,893
Isles, Guernsey, Jersey, and Man.....	511	24,564	3,445	485	23,639	3,190	498	25,639	3,595
British Plantations	3,775	279,643	16,859	3,571	243,632	15,471	3,483	221,860	15,121
TOTAL.....	25,801	2,783,940	178,890	25,346	2,664,986	171,015	25,507	2,674,468	173,609

408 ANNUAL REGISTER, 1819.

	£.	s.	d.	£.	s.	d.	£.	s.	d.
VIII. The Ordnance									
IX. The Army, viz.									
Ordinary Services	7,255,646	2	9½						
Extraordinary Services, including Remittances and Advances to other Countries	1,261,604	1	3½						
Deduct the Amount of Remittances and Advances to other Countries, included in Appendix I.				8,517,250	4	1			
				206	1	0½			
X. Loans, Remittances and Advances to other Countries, viz.									
Morocco, and the Native Chiefs on the Coast of Africa				149	5	0			
Holland				56	16	0½			
XI. Issues from Appropriated Funds, for Local Purposes									
XII. Miscellaneous Services, viz.									
At Home				1,782,956	3	4½			
Abroad				897,935	0	0			
							2,680,891	3	4½
Deduct Sinking Fund on Loan to the East India Company							68,965,073	3	1
							144,636	1	1
							68,821,437	2	0

* This includes the Sum of £. 495,609 5s. 10d. for Interest, Management, and Sinking Fund, on Imperial Loan; and £. 57,095 Os. 7½d. Portuguese Loan.

VI.—PUBLIC FUNDED DEBT.

An Account of the FUNDED DEBT of GREAT BRITAIN, as the same stood on January 5th, 1819.

	£.	s.	d.
At 3 per Cent			
Bank of England and Annuities, 1786.....	14,686,800	0	0
South Sea Old and New Annuities, 1751	21,037,684	13	11½
Consolidated Annuities.....	404,869,786	10	8½
Reduced Annuities	193,208,389	9	11
At 3½ per Cent.....	42,009,848	2	3
Consolidated 4 per Cent	75,725,503	14	6
Consolidated Annuities at 5 per Cent.....	147,652,151	10	0½
	899,190,164	1	4½
Deduct in the Names of Commissioners of the National Debt; for the Purchase of Life Annuities	102,804,384	12	0
	796,385,779	9	4½
Annual Interest	27,851,298	15	4½
Annuities for Lives or for Terms of Years	1,699,175	15	9½
Charges of Management	279,888	8	3
Annual or other Sums by sundry Acts	15,696,503	17	5½
Total of Annual Expense	45,450,866	16	10½

REDEMPTION OF THE PUBLIC FUNDED DEBT.

An Account of the Progress made in the Redemption of the Public Funded Debt of the United Kingdom, payable in Great Britain, at the 5th January, 1819.

FUNDS.	CAPITALS.			Long Annuities paid at the Bank of England.			Transferred to, or Redeemed by the Commissioners, from 1st August, 1786, to 5th Jan., 1819.			TOTAL SUMS paid.			Average Price of Stocks.
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	
Consolidated £. 3 per Cent Annuities	490,008	119	7 10½	-	-	-	108,951,837	0	0	70,034,782	5	10	64½
Reduced	363,027	458	0 1	-	-	-	215,090,811	0	0	135,878,653	17	4	65½
£. 3½ per Cent Annuities	25,356,573	12	3	-	-	-	1,908,400	0	0	1,663,923	5	0	87½
Old South Sea ... Do.....	24,063,084	13	11½	-	-	-	6,498,300	0	0	4,454,839	2	0	68½
New ... Do. Do.....	1,916,600	0	0	-	-	-	4,910,500	0	0	3,409,057	11	9	69½
£. 3 per Cent ... Do., Anno 1751.....	89,739,119	9	2	-	-	-	1,103,000	0	0	777,348	0	0	70½
Consolidated £. 4 per Cent Annuities	135,049,037	9	7	-	-	-	7,796,400	0	0	6,586,934	8	9	84½
Do..... £. 5 ... Do. Do.....	1,091,968	12	4	-	-	-	145,500	0	0	130,113	7	6	89½
£. 5 per Cent Annuities, Anno 1797 and 1802	1,600,000	0	0	-	-	-	-	-	-	-	-	-	-
£. 3 per Cent ... Do., Anno 1726	14,686,800	0	0	-	-	-	-	-	-	-	-	-	-
Do. Bank Annuities	1,776,900	0	0	1,359,435	18	8½	-	-	-	-	-	-	-
Consolidated Long ... Do.	-	-	-	-	-	-	-	-	-	-	-	-	-
£. 5 per Cent Annuities, formerly paid by Ireland	-	-	-	-	-	-	180,996	9	4	155,334	10	3	86½
Capitals transferred to the Commissioners, the	-	-	-	-	-	-	-	-	-	-	-	-	-
Dividends on which have not been claimed for	-	-	-	-	-	-	-	-	-	-	-	-	-
10 Years and upwards, and which are subject	-	-	-	-	-	-	-	-	-	-	-	-	-
to the Claims of the Parties entitled thereto.	-	-	-	-	-	-	-	-	-	-	-	-	-
Transferred to Commissioners, on account of Land Tax Redeemed	1,140,636,674	18	3½	1,359,435	18	8½	346,515,044	9	4	925,090,305	8	5	-
£5,509,093 1 9	25,509,093	1	9	-	-	-	604,346	9	10	-	-	-	-
1,115,134,381 16 5½	1,115,134,381	16	5½	-	-	-	347,119,490	19	2	-	-	-	-
4,895,146 0 0	4,895,146	0	0	6,980	0	0	-	-	-	-	-	-	-
1,110,339,435 16 5½	1,110,339,435	16	5½	1,353,435	18	8½	-	-	-	-	-	-	-

PARLIAMENTARY ACCOUNTS. 411

<p>Redeemed by the Commissioners, including Capitals, the Dividends upon which have not been claimed for 10 Years and upwards</p> <p style="text-align: right;">540 16 2</p>	
<p>Unredeemed Debt of the United Kingdom, payable in Great Britain, at 5th January, 1819</p>	<p>1,351,915 2 6½</p>

	£.	s.	d.
<p>AMOUNTS annually applicable to the Redemption of the National Debt.</p>			
Annual Charge, per Act 26 Geo. 3	1,009,000	0	0
Ditto	900,000	0	0
Ditto	560,000	0	0
Annuitiess for 99 and 96 Years, Expired, 1799 ..	54,880	14	6
Ditto ... 10 Years	25,000	0	0
Exchequer Life Annuitiess Unclaimed for Three Years, at 5th January, 1819	31,005	13	0
Exchequer Life Annuitiess Unclaimed, of which, Nomineess shall have died prior to 5th July, 1802	21,481	6	1
Ann. Interest on £. 556,484,448 at £. 3 per Cent ..	10,094,533	8	9½
Ditto ... on 1,908,400 at 3½ Ditto	66,794	0	0
Ditto ... on 7,796,400 at 4 Ditto	311,856	0	0
Ditto ... on 145,500 at 5 Ditto	7,875	0	0
Ditto ... on 180,296 9 4 Irish £. 5 per Cent, payable in England	9,014	16	5½
<p>AMOUNTS fallen in since 22d June, 1802, or that will fall in hereafter.</p>			
Exchequer Annuitiess, 2d and 3rd Anne; Expired 5th April, 1803	23,369	13	4
Ditto	7,030	6	8
Ditto 4th Anne Ditto 5th April	23,254	11	6
Ditto 5 Ditto ... Ditto	7,776	10	0
Ditto 6 Ditto ... Ditto	4,710	10	0
Ditto	10,181	0	0
Bank Short Annuitiess Ditto 5th Jan. 1808	418,333	0	11
Ditto Long Ditto will expire Ditto 1860	1,359,435	18	8¼
<p>By an Act of 42nd Geo. 3, c. 71, such Annuitiess as fall in after the passing of that Act, are not to be placed to the Account of the Commissioners for the Reduction of the National Debt.</p>			
<p>[Sums applicable to the Redemption of the Nat. Debt continued overleaf.]</p>			

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£. 1 per Cent on part of Capitals created, from 1793 to 1815	6,640,220	3	7½
Ann. Interest on £. 4,886,594 ... £. 3 per Cents, trans. for Purchase of Life Annuities...	144,797	16	4½
Ditto on £. 13,480 ... £. 4 per Cents Ditto	539	4	0
Ditto on 55,072 ... 5 per Cents Ditto	2,753	12	0
Long Annuities transferred for Ditto	6,980	0	0
Proportion of Sinking Fund. Anno 1815, to be borne by Consolidated Fund	543,494	6	11½
Sinking Fund on Bills funded, &c.....	430,924	5	2
Annual Appropriation on £. 12,000,000, part of £. 14,200,000, Loan 1807.....	686,955	10	5
Annual Interest on £. 179,499 17 7 ... £. 3 per Cents, unclaimed for 10 Years and upwards...	5,384	19	11
Ditto on £. 24,168 18 9 £. 4 per Cents Ditto...	966	15	1½
Ditto on 21,577 13 6 5 per Cents Ditto...	1,078	17	8
Long Annuities, Unclaimed ... Ditto ...	540	16	2
Annual Interest on £. 379,900 ... £. 3 per Cents, purchased with Unclaimed Dividends....	11,376	0	0
Chargeable on Sinking Fund:			
Life Annuities.....	£. 329,437	2	6
Loans and Bills, funded			
from 1813 to 1815 ...	7,689,969	14	9½
Part of Charge on Treasury Bills raised for Ireland, Anno 1816	9,014	16	5½
Deduct for Sinking Fund for said Loans and Bills ...	7,971,421	13	9½
Actual Sinking Fund of Great Britain and Ireland, funded therein, Consolidated	5,758,596	14	10½
	15,038,756	10	5½

PARLIAMENTARY ACCOUNTS. 413

An Account of the Progress made in the Redemption of the Imperial Debt, at 5th January, 1819.

FUNDS.	CAPITALS.	Long Annuities at the Bank of England.	Transferred to, or Redeemed by the Commissioners 1st August, 1785, to 5th January, 1819.	TOTAL SUMS paid.	Average Price of Stocks.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.	
Imperial £. 3 per Cent Annuities.....	7,502,633 6 8	230,000 0 0	2,176,165 0 0	1,354,639 12 11	69½
Redeemed by the Commissioners, including Capitals transferred to them, the Dividends on which have not been claimed for 10 Years and upwards	2,176,565 3 0	46 7 9	400 3 0		
Debt Unredeemed at 5th January, 1819	5,326,068 3 8	229,953 12 4	2,176,565 3 0		

SUMS Annually applicable to the Reduction of the DEBT.	£. s. d.	Imperial Annuities for 25 Years will expire 1st May, 1819.
£. 1 per Cent per Annum on Capitals created by Loan, 1797.....	36,693 0 0	
Annual Interest on £. 2,176,165, at £. 3 per Cent.....	65,284 19 0	
Ditto on £. 400 3 Unclaimed Capital, £. 3 per Cent	18 0 1	
Ditto on Imperial Annuities for 25 Years	46 7 8	£. 230,000 0 0
	108,036 6 9	

ANNUITIES fallen in since 22nd June, 1802, or that will fall in hereafter.

414 ANNUAL REGISTER, 1819.

An Account of the Progress made in the Redemption of the Debt of PORTUGAL, at 5th January, 1819.

FUNDS.	CAPITALS.		Loas Annuities at the Bank of England.		Transferred to, or Redeemed by the Commissioners from 1764 to 5th January, 1819.		TOTAL SUMS paid.		Average Price of Stock.
	£.	s. d.	£.	s. d.	£.	s. d.	£.	s. d.	
Reduced £. 3 per Cent Annuities.....	895,523	7 9	-	-	538,966	0 0	534,388	8 3	65½
Redeemed by the Commissioners.....	538,966	0 0	-	-	-	-	-	-	
Debt Unredeemed at 5th January, 1819	356,556	7 9	-	-	-	-	-	-	

SUMS Annually applicable to the Reduction of the DEBT.

Annual Appropriation for Redemption of Loan, 1809	£.	s.	d.
Annual Interest on £. 538,966 £. 3 per Cent	30,000	0	0
	16,168	19	7
	46,168	19	7

PARLIAMENTARY ACCOUNTS. 415

An Account of the Progress made in the Redemption of the Funded Debt of Ireland, payable in Ireland, at 5th January, 1819, in British Currency.

		Terminable and Life Annuities.			
£. 3½ per Cent Debentures and Stock	18,719,502 16 2	- - -	7,430,694 19 1	5,805,507 17 3½	78½
£. 4 per Cents	1,061,630 15 5	- - -	435,184 12 4	385,623 16 5½	88½
£. 5 per Cents, exclusive of £. 180,296 9 4 Redeemed Irish £. 5 per Cents, payable in England	12,694,399 16 5	110,525 4 11½	1,538,909 6 7½	1,382,187 1 1½	89½
Redeemed by the Commissioners	32,469,533 8 0 9,404,788 18 0½	110,525 4 11½	9,404,788 18 0½	7,573,318 14 11½	
Deduct Annuities expired	23,064,744 9 11½ - - -	66,616 6 6			
Debt Unredeemed at 5th January, 1819	23,064,744 9 11½	43,908 18 5½			

An Account of the Progress made in the Redemption of the FUNDSD DEER of IRLAND, &c.—Continued.

SUMS applicable to the reduction of the DEBT.	
	£. s. d.
Annually applicable per Act 37 Geo. 3.....	62,445 5 7
Terminable Annuities expired.....	66,616 6 6
Part of per Centage on Loans and Outstanding Treasury Bills, at 5th January, 1819	276,403 10 2½
Annual Interest on £. 7,430,694 19 1 at 3½ per Cent.....	260,074 6 5½
Ditto on £. 435,184 12 4 at 4 per Cent	17,407 7 8½
Ditto on £. 1,538,909 6 7½ at 5 per Cent	76,945 9 4
Chargeable on Sinking Fund	759,892 5 9
Interest cancelled in Ireland, towards defraying the Charge of Treasury Bills raised in 1816, &c. the remainder being cancelled in England.....	£. 159,927 6 0½
Deduct for Sinking Fund for said Bills	28,076 18 5½
Actual Sinking Fund of Ireland, payable in Ireland.....	131,850 7 7
	638,041 18 2

VIII.—DISPOSITION OF GRANTS.

An Account, showing how the MONIES given for the SERVICE of the United Kingdom of GREAT BRITAIN and IRELAND, for the Year 1818, have been disposed of; distinguished under their several Heads, to the 5th January, 1819.

SERVICES.

	£.	s.	d.
NAVY :.....	6,456,809	17	3
ORDNANCE :	1,245,600	2	9
FORCES.....	8,909,608	3	10
For carrying into execution the Treaty between his Britannic Majesty and his Catholic Majesty, signed at Madrid, the 23rd day of September, 1817	400,000	0	0
For defraying the Charge of the Civil Establishments under-mentioned; viz.			
Of Sierra Leone, from the 1st day of January to the 31st day of December, 1818.....	15,450	0	0
Ditto..... Nova Scotia..... from Ditto to Ditto	13,440	0	0
Ditto..... New South Wales from Ditto to Ditto.....	12,605	0	0
Ditto..... Upper Canada..... from Ditto to Ditto.....	10,800	0	0
Ditto..... New Brunswick from Ditto to Ditto.....	6,757	10	0
Ditto..... Newfoundland..... from Ditto to Ditto.....	5,485	0	0
Ditto..... St. John (now called } Prince Edward Island) } ...from Ditto to Ditto	3,760	0	0
Ditto..... Bahama Islands, in addition to the Salaries now paid to the Public Officers out of the Duty Fund, and the Incidental Charges attending the same	3,301	10	0
Ditto..... Cape Breton..... from Ditto to Ditto.....	2,190	0	0
Ditto..... Dominica..... from Ditto to Ditto.....	600	0	0
Royal Military College; from the 25th December, 1817, to the 24th December, 1818, both inclusive, being 365 days.....	25,514	16	9
Royal Military Asylum at Chelsea; for the same time	32,851	0	3
Interest on Exchequer Bills, Irish Treasury Bills, and Mint Notes	2,000,000	0	0
One hundredth part of 56 Millions of Exchequer Bills, authorized, in the last Session of Parliament, to be issued and paid by equal Quarterly Payments to the Governor and Company of the Bank of England, to be by them placed to the Account of the Commissioners for the Reduction of the National Debt; for the year ending the 1st February, 1819.....	560,000	0	0
To enable his Majesty to provide for such Expenses of a Civil Nature, in Great Britain, as do not form part of the ordinary Charges of the Civil List	370,000	0	0
To defray the Expense of Law Charges; for the year 1818	25,000	0	0
Expense attending the confining, maintaining, and employing Convicts at Home; for the year 1818	59,368	14	10
	SERVICES		

PARLIAMENTARY ACCOUNTS. 419

SERVICES—continued.

	£.	s.	d.
Expense that may be incurred for Prosecutions, &c. relating to the Coin of this Kingdom; for the year 1818.....	6,000	0	0
Charge for printing Acts of Parliament for the two Houses of Parliament, for the Sheriffs, Clerks of the Peace, and Chief Magistrates throughout the United Kingdom, and for the acting Justices throughout Great Britain; also for printing Bills, Reports, Evidence, and other Papers and Accounts for the House of Lords; for the year 1818	17,000	0	0
To make good the Deficiency of the Grant of 1817, for printing 1750 Copies of the 71st Volume of Journals of the House of Commons	427	3	3
To make good Ditto for defraying the Expenses of printing Bills, Reports, and other Papers, by order of the House of Commons, during the last Session	1,446	15	7
To defray the Expense of printing the Votes of the House of Commons, during the present Session of Parliament	2,200	0	0
To make good the Deficiency of the Grant of 1817, for reprinting Journals and Reports of the House of Commons	6,824	7	1½
To defray the Expense, in the present Session, for printing 1,150 Copies of the General Index to 16 Volumes of Journals of the House of Lords, from the 20th to the 35th Volume, both inclusive	1,969	6	3
To defray the Amount of Bills drawn or to be drawn from New South Wales; for the year 1818	80,000	0	0
To pay off and discharge Exchequer Bills issued pursuant to Acts of the 7th and 11th years of the reign of Queen Anne, remaining in the Chests of the Tellers of the Exchequer, together with the Interest due upon them outstanding and unprovided for	1,092	14	2½
For defraying the Expenses of the Gold Coinage; for the year 1818	75,000	0	0
To make good the deficiency of the Vote in the year 1816, for making good any deficiency or loss that might arise from the Recoinage of the Silver Coin of this Realm, and the Charges and Expenses of melting down, casting, assaying, and recoinage the same, and all other Expenses incident thereto	54,357	1	11
For defraying the Expense of printing Bills, Reports, and other Papers, by order of the House of Commons, during the present Session of Parliament	21,000	0	0
For defraying the Expense that may be incurred in 1818, for printing 1,750 Copies of the 73rd Volume of Journals of the House of Commons, being for the present Session	3,500	0	0
For defraying the Expense that may be incurred for reprinting Journals and Reports of the House of Commons, in the year 1818	4,000	0	0
To defray the Expense of Sundry Works proposed to be done at Holyhead; for the year 1818	14,246	12	0
For further making good the deficiencies of the Fee Funds; for the year 1818	43,300	0	0
For further defraying the Contingent Expenses and Messengers Bills in the Departments of the Treasury, three Secretaries of State, and Lord Chamberlain; for the year 1818	26,000	0	0
For further defraying the Expenses of the House of Lords and Commons; for the year 1818	11,500	0	0
For further defraying the Salaries to the Officers, and Expenses of the Court, and Receipt of Exchequer; for the year 1818...	5,500	0	0

SERVICES

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SERVICES—continued.

	£.	s.	d.
For further defraying the Salaries and Allowances to the Officers of the Houses of Lords and Commons; for the year 1818 ...	23,500	0	0
Towards further defraying the Expenses of Works, and Repairs of Public Buildings; for the year 1818	37,000	0	0
For the Expense of making variations in the Road between Bangor and Chirk; for the year 1818	10,000	0	0
Towards building a Bridge over the Menai Strait, near Bangor Ferry; for the year 1818	20,000	0	0
To complete the Expense of Building the Royal Military College at Sandhurst	78,058	11	3
To make up the total Sum charged upon the Fees arising in the Exchequer, in the year ending the 5th day of January, 1818	13,685	15	4
To make good the deficiency of the Grants for the year 1817 ...	259,686	19	10½
For the purchase of a Lot of Ground adjoining the Branch of the Royal Military Asylum at Southampton, for the purposes of Air and Exercise.....	850	0	0
The following SERVICES are directed to be paid, without any Fee or other Deduction whatsoever:—			
To be applied in further execution of an Act of the 43rd year of his present Majesty, cap. 80, towards making Roads and building Bridges in the Highlands of Scotland; for the year 1818...	20,000	0	0
Towards defraying the Expense of the building of a Penitentiary House at Millbank; for the year 1818	60,000	0	0
To defray the Expense of the Establishment of the Penitentiary House; from the 24th day of June, 1818, to the 24th day of June, 1819	11,048	12	2
To defray the Expense of the National Vaccine Establishment; for the year 1818	3,000	0	0
To defray the Expense of confining and maintaining Criminal Lunatics; for the year 1818.....	2,777	0	0
For the Relief of American Loyalists; for the year 1818	12,500	0	0
To defray the Charge of the Superannuation Allowances, or Compensations to retired Clerks and other Officers, formerly employed in the Office of the Commissioners for auditing the Public Accounts; for the year 1818	1,750	0	0
To defray the Charge of Ditto Ditto formerly employed in the Lottery Office; for the year 1818.....	336	10	0
To defray the Charge of the Superannuation Allowances, or Compensations to retired Clerks and other Officers, formerly employed in his Majesty's Mint; for the year 1818	630	0	0
To defray the Charge of Ditto to one of the late Paymasters of Exchequer Bills; for the year 1818	266	13	4
To amount of the Annuity granted to the Trustees of her late Royal Highness the Princess Charlotte Augusta, and his Serene Highness Leopold George Frederick Prince of Cobourg, which would have accrued from the 10th day of October, 1817, to the 6th day of November following, the day of her Royal Highness's death	4,655	3	5
To enable the Trustees of the British Museum to purchase the Library and Collection of the late Dr. Charles Burney	13,500	0	0
To defray the Expense of maintaining and repairing the British Forts on the Coast of Africa; for the year 1818.....	28,000	0	0
For the Board of Agriculture; for the year 1818	3,000	0	0
For defraying the Expense of Works carrying on at the College of Edinburgh; for the year 1818	10,000	0	0
SERVICES			

PARLIAMENTARY ACCOUNTS. 421

SERVICES—continued.

	£.	s.	d.
Towards the Repairs of Henry the Seventh's Chapel; for the year 1818	3,494	14	6½
For the purchase of Land on Hounslow Heath, for the Exercise of Cavalry	15,000	0	0
Towards defraying the Expense of making an Inland Navigation from the Eastern to the Western Sea, by Inverness and Fort William; for the year 1818	50,000	0	0
To pay retired Allowances and Gratuities to the Officers and other persons formerly employed upon the Military Roads in Scotland, and the Management of which Roads has been transferred to the Commissioners for Highland Roads and Bridges..	2,397	0	0
To be applied towards the Expenses to be incurred in the Management of the British Museum; for the year 1818.....	8,663	16	8
Towards completing the Improvements in Westminster	3,626	8	0
Towards defraying the Charge of an Institution called the Veterinary College; for the year 1818	1,000	0	0
To enable his Majesty to pay the same to the Governors of the Bounty of Queen Anne, for the Augmentation of the Maintenance of the Poor Clergy, according to the Rules and Regulations by which the Funds of that Corporation are governed ...	100,000	0	0
Towards enabling his Majesty to make provision for the Augmentation of the Maintenance of the Poorer Clergy of Scotland, to be issued and applied pursuant to the provisions of any Act passed for that purpose	10,000	0	0
For defraying the Charges of preparing and drawing the Lotteries for 1817, &c.	18,000	0	0

IRELAND.

For defraying the Charge of the following SERVICES in IRELAND, which are directed to be paid Nett in British Currency :

For the Remuneration of certain Public Officers in Ireland, for their extraordinary trouble in the year 1818	1,153	16	11
For defraying the probable Expenditure of the Board of Works in Ireland; for the year 1818	18,901	0	0
For defraying the Charge of Printing, Stationary, and other Disbursements, for the chief and under Secretaries' offices and apartments, and other Public Offices in Dublin Castle, &c.; and for riding Charges, and other Expenses of the Deputy Pursuivants and extra Messengers attending the said Offices; also Superannuated Allowances in the said chief Secretary's Office; for one year ending the 5th day of January, 1819.....	20,809	9	0
For defraying the Expense of publishing Proclamations, and other matters of a Public nature, in the Dublin Gazette and other Newspapers in Ireland; for one year ending the 5th day of January, 1819	9,692	0	0
For defraying the Expense of Printing 1,500 Copies of a compressed Quarto Edition of the Statutes of the United Kingdom, for the use of the Magistrates of Ireland, and also 250 Copies of a Folio Edition of the same, bound, for the use of the Lords, Bishops, and Public Officers in Ireland	3,439	0	0
For defraying the Expense of Criminal Prosecutions, and other Law Expenses in Ireland; for one year ending the 5th day of January, 1819	23,076	0	0

SERVICES

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SERVICES IN IRELAND—continued.

	£.	s.	d.
To defray the Expense of apprehending Public Offenders in Ireland; for one year ending the 5th day of January, 1819	2,307	0	0
For completing the Sum necessary for the support of the Non-conforming Ministers in Ireland; for one year ending the 5th day of January, 1819.....	8,581	0	0
For the Support of Seceding Ministers from the Synod of Ulster in Ireland; for one year ending Ditto.....	3,868	0	0
For the Support of Protestant Dissenting Ministers in Ireland; for one year ending Ditto	756	0	0
For paying the Salaries of the Lottery Officers in Ireland; for one year ending 24th of June, 1818	1,764	18	6
For defraying the Expense of the Pratique of the Port of Dublin; for one year ending the 5th of January, 1819	691	0	0
For the Establishment and Maintenance of the Public Navigations in Ireland, vested in the Directors of Inland Navigation; for the year 1818	5,475	0	0
To defray Civil Contingencies in Ireland; for one year ending the 5th day of January, 1819	40,000	0	0
For defraying the Expense of making a Line of Canal from Lough Allan to the River Shannon, below Battle Bridge; in the current year	15,000	0	0
For further defraying the Civil Contingencies in Ireland; for the year ending 5th day of January, 1819	15,000	0	0
To carry on the Works at Donmore Harbour; in the year 1818	8,000	0	0
To carry on the Works at Howth Harbour; in the year 1818 ...	5,000	0	0
To defray the Expense of building Churches and Glebe Houses, and purchasing Glebes in Ireland; for one year ending the 5th day of January, 1819	9,230	0	0
For defraying the Expense of the Trustees of the Linen and Hempen Manufactures of Ireland; for the year ending the 5th day of January, 1819; to be by the said Trustees applied in such manner as shall appear to them to be most conducive to promote and encourage the said manufactures	19,938	9	2½
To defray the Expense of the Commissioners for making wide and convenient Streets in the City of Dublin; for one year ending the 5th day of January, 1819	11,076	0	0
To defray the additional Allowance to the Chairman of the Board of Inland Navigation in Ireland; for the year 1818.....	276	18	3¼
To defray the Expense of putting the House of the Royal Irish Academy, in Grafton-street, into perfect Repair.....	323	0	0
For defraying the Expense of building Churches and Glebe Houses, and for purchasing Glebes in Ireland; for one year ending the 5th day of January, 1819	18,461	0	0
For defraying the Expense of supporting the Protestant Charter Schools of Ireland; for one year ending Ditto	36,331	0	0
For defraying the Expense of the Foundling Hospital at Dublin; for one year ending Ditto	92,515	0	0
For supporting the House of Industry, Hospitals, and Asylums, for Industrious Children in Dublin; for one year ending Ditto	26,646	0	0
For defraying the Expense of supporting the Richmond Lunatic Asylum at Dublin; for one year ending Ditto	7,065	0	0
For defraying the Expense of the Hibernian Society for Soldiers' Children at Dublin; for one year ending Ditto	3,530	0	0
To defray the probable Charge of the Hibernian Marine Society; for one year ending Ditto	2,735	0	0

SERVICES

PARLIAMENTARY ACCOUNTS. 423

SERVICES IN IRELAND—continued.

	£.	s.	d.
For defraying the Expense of the Female Orphan House, on the Circular Road, near Dublin; for one year ending the 5th day of January, 1819.....	2,307	0	0
For supporting the Westmorland Lock Hospital in Dublin; for one year ending Ditto	8,907	0	0
For supporting the Lying-in Hospital; for one year ending Ditto	3,148	0	0
To defray the probable Expense of Dr. Steven's Hospital; for one year ending Ditto	1,467	0	0
To defray the Expense of the Fever Hospital and House of Recovery in Cork-street, Dublin; for one year ending Ditto.....	4,615	0	0
To defray the Expense of the Hospital for Incurables in Dublin; for one year ending Ditto	465	0	0
To defray the Charge of the Establishment of the Roman Catholic Seminary; for the year ending Ditto	8,928	0	0
For defraying the Expense of the Association incorporated for discountenancing Vice, and promoting the Knowledge and Practice of the Christian Religion; for one year ending the 5th day of January, 1819	3,430	0	0
To defray the Charge of the Green Coat Hospital of the City of Cork; for one year ending Ditto	104	0	0
To defray the Expense of the Cork Institution; for one year ending Ditto	2,307	0	0
To defray the Expenses of the Society for promoting the Education of the Poor of Ireland; for one year ending Ditto	5,558	0	0
To defray the Expenses of the Dublin Society; for one year ending Ditto	9,230	0	0
For defraying the Expenses of the Farming Society of Ireland; for one year ending Ditto	4,015	0	0
	21,808,645 3 8		
Exchequer Bills voted in Supply, per Act	£.	s.	d.
56 Geo. 3rd, c. 14.....	6,000,000	0	0
57 ... Do. 2.....	24,000,000	0	0
..... Do. 16.....	18,000,000	0	0
..... Do. 80.....	9,000,000	0	0
	57,000,000 0 0		
Irish Treasury Bills, per Act 56 Geo. 3rd, c. 41 and 47.....	1,084,615	7	8½
	58,084,615 7 8½		
	79,893,260 11 4½		

PAYMENTS

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PAYMENTS FOR OTHER SERVICES,

Not being part of the Supplies granted for the Service of the Year.

	£.	s.	d.
James Fisher, Esq. on his Salary, for additional trouble in preparing Exchequer Bills, pursuant to Act 48 Geo. 3rd, c. 1.....	375	0	0
Bank of England, for Management on Life Annuities	1,156	8	6½
Expenses in the Office of the Commissioners for the Reduction of the National Debt	4,300	0	0
Expenses in the Office of the Commissioners for issuing Commercial Exchequer Bills	9,000	0	0
Repayment of Annuities claimed pursuant to Act 56 Geo. 3rd, c. 142		13	9
	7,836	2	5½
Amount of Sums voted; as above	79,893,260	11	4½
TOTAL Sums voted, and Payments for Services not voted...	79,901,096	13	8½

WAYS AND MEANS for Answering the foregoing SERVICES.

	£.	s.	d.
Duty on Malt, Sugar, Tobacco and Snuff, and on Pensions, Offices, &c. continued	3,000,000	0	0
Excise Duties, continued per Act 56 Geo. 3rd, c. 17	3,500,000	0	0
Profits of Lotteries	240,000	0	0
Arrears of Property Tax	250,000	0	0
Monies to arise from the Sale of Old Naval and Victualling Stores	250,000	0	0
Sums paid into the Exchequer by the Commissioners for the Management of Commercial Exchequer Bills	21,448	12	6
Loan 3,000,000l. per Act 58 Geo. 3rd, c. 23	2,999,980	0	0
Exchequer Bills, funded per Act 58 Geo. 3rd, c. 23	27,424,872	16	0
Interest on Land Tax redeemed by Money	92	1	2
Unclaimed Dividends, &c. after deducting Repayments to the Bank for Deficiencies of Balance in their hands	59,656	2	10
	37,745,989	12	6
£.	s.	d.	
Exchequer Bills voted in Ways and Means, 58 Geo. 3rd, c. 4	30,000,000	0	0
... Ditto ... 86	11,600,000	0	0
	41,600,000	0	0
Irish Treasury Bills, 58 Geo. 3rd, c. 87 ...	800,000	0	0
	42,400,000	0	0
TOTAL Ways and Means	80,145,989	12	6
TOTAL Sums voted, and Payments for Services not voted; as before.....	79,901,096	13	8½
Surplus Ways and Means.....	244,892	18	9½

Whitehall, Treasury Chambers, }
23rd March, 1819.

C. ARBUTHNOT.

END OF THE FINANCE ACCOUNTS FOR 1819.

CHARACTERS

AND

ANECDOTES.

NAPOLEON BUONAPARTE.

(From Madame de Stael's "Considerations on the French Revolution.")

THE two great armies of the republic, those of the Rhine and of Italy, were almost constantly victorious, to the treaty of Campo Formio, which, for a short time suspended the long continental war. The army of the Rhine, of which Moreau was general, had preserved all the republican simplicity; the army of Italy, commanded by general Buonaparté, dazzled by its conquests, but was every day deviating further from the patriotic spirit, which till then had animated the French armies. Personal interest was taking the place of a patriotic spirit, and attachment to one man was prevailing over a devotion to liberty. The generals of the army of Italy, likewise, sought ere long to enrich themselves, thus proportionally diminishing that enthusiasm for austere principles without which a free state cannot exist.

General Bernadotte, of whom I shall have occasion to speak in the sequel, came with a division

of the army of the Rhine to join the army of Italy. There was a sort of contrast between the noble poverty of the one, and the irregular riches of the other: they resembled only in bravery. The army of Italy was the army of Buonaparté, that of the Rhine was the army of the French republic. Yet nothing was so brilliant as the rapid conquest of Italy. Doubtless the desire, which the enlightened Italians have always felt, to unite themselves into one state, and thus to possess so much national strength as to have nothing either to fear or to hope from strangers, contributed much to favour the progress of general Buonaparté. It was with the cry of 'Italy for ever!' that he passed the bridge of Lodi; and it was to the hope of independence, that he owed his reception among the Italians. But the victories which subjected to France countries beyond her natural limits, far from favouring liberty, exposed it to the danger of military government.

Buonaparté was already much talked of in Paris; the superiority of his capacity in business, joined to the splendor of his talents as a general, gave to his name an importance

importance which no individual had ever acquired from the commencement of the revolution. But although in his proclamations he spoke incessantly of the republic, attentive men perceived that it was in his eyes, a mean, and not an end. It was in this same light that he viewed all things and all men. A rumour prevailed, that he meant to make himself king of Lombardy. One day I met general Augereau, who had just returned from Italy, and who was cited, I believe then with reason, as a zealous republican, I asked him whether it was true that general Buonaparté was thinking of becoming a king. "No, assuredly," replied he; "he is a young man of too good principles for that." This singular answer was in exact conformity with the ideas of the moment. The sincere republicans would have regarded it as a degradation for a man, however distinguished he might be, to wish to turn the revolution to his personal advantage. Why had not this sentiment more force and longer duration among Frenchmen!

Buonaparté was stopped in his march to Rome by signing the peace of Tolentino; and it was then that he obtained the surrender of the superb monuments of the arts which we have long seen collected in the Museum of Paris. The true abode of these master-pieces was, without doubt, Italy, and the imagination regretted their loss; but of all her illustrious prisoners it was upon these that France justly set the highest value.

General Buonaparté wrote to

the Directory, that he had made the surrender of these monuments one of the conditions of the peace with the pope. I have particularly insisted, said he, on the busts of Junius and Marcus Brutus, which I wish to send to Paris before the rest. Buonaparté, who afterwards removed these busts from the hall of the legislative body, might have spared them the trouble of the journey.

Buonaparté made himself remarkable by his character and capacity as much as by his victories, and the imagination of the French was beginning to attach itself warmly to him. His proclamations to the Cisalpine and Ligurian republics were quoted. In the one this phrase was remarked: You were divided, and bent down by tyranny; you were not in a situation to conquer liberty. In the other, True conquests, the only conquests which cost no regret, are those which we make from ignorance. In his style there reigned a spirit of moderation and dignity, which formed a contrast with the revolutionary bitterness of the civil leaders of France. The warrior then spoke like a magistrate, while magistrates expressed themselves with military violence. Buonaparté in his army had not enforced the laws against emigrants. He was said to be much attached to his wife, whose character was full of gentleness; it was asserted that he was feelingly alive to the beauties of Ossian; people took delight in ascribing to him all the generous qualities which give a pleasing relief to extraordinary talents. Besides, the nation was so weary of oppressors

pressors who borrowed the name of liberty, and of oppressed persons who regretted the loss of arbitrary power, that admiration knew not what to attach itself to, and Buonaparté seemed to unite all that was fitted to take it captive.

It was with this sentiment at least that I saw him for the first time at Paris. I could not find words to reply to him, when he came to me to say, that he had sought my father at Coppet, and that he regretted having passed into Switzerland without seeing him. But when I was a little recovered from the confusion of admiration, a strongly-marked sentiment of fear succeeded. Buonaparté, at that time, had no power; he was even believed to be not a little threatened by the captious suspicions of the Directory; so that the fear which he inspired was caused only by the singular effect of his person upon nearly all who approached him. I had seen men highly worthy of esteem; I had likewise seen monsters of ferocity: there was nothing in the effect which Buonaparté produced on me, that could bring back to my recollection either the one or the other. I soon perceived, in the different opportunities which I had of meeting him during his stay at Paris, that his character could not be defined by the words which we commonly use; he was neither good nor violent, nor gentle, nor cruel, after the manner of individuals of whom we have any knowledge. Such a being had no fellow, and therefore could neither feel nor excite sympathy; he was more or less than man.

His cast of character, his understanding, his language, were stamped with the impress of an unknown nature;—an additional advantage, as we have elsewhere observed, for the subjugation of Frenchmen.

Far from recovering my confidence by seeing Buonaparté more frequently, he constantly intimidated me more and more. I had a confused feeling that no emotion of the heart could act upon him. He regards a human being as an action or a thing, not as a fellow creature. He does not hate more than he loves; for him nothing exists but himself: all other creatures are ciphers. The force of his will consists in the impossibility of disturbing the calculations of his egotism; he is an able chess-player, and the human race is the opponent to whom he proposes to give check-mate. His successes depend as much on the qualities in which he is deficient as on the talents which he possesses. Neither pity nor allurements, nor religion, nor attachment to any idea whatsoever, could turn him aside from his principal direction. He is for his self-interest what the just man should be for virtue; if the end were good, his perseverance would be noble.

Every time that I heard him speak, I was struck with his superiority; yet it had no similitude to that of men instructed and cultivated by study or society, such as those of whom France and England can furnish examples. But his discourse indicated a fine perception of circumstances, such as the sportsman has of the game which he pursues.

sues. Sometimes he related the political and military events of his life in a very interesting manner; he had even somewhat of Italian imagination in narratives which allowed of gaiety. Yet nothing could triumph over my invincible aversion for what I perceived in him. I felt in his soul a cold, sharp-edged sword, which froze the wound that it inflicted; I perceived in his understanding a profound irony, from which nothing great or beautiful, not even his own glory, could escape; for he despised the nation whose suffrages he wished, and no spark of enthusiasm was mingled with his desire of astonishing the human race.

It was in the interval between the return of Buonaparté and his departure for Egypt, that is to say, about the end of 1797, that I saw him several times at Paris; and never could I dissipate the difficulty of breathing which I experienced in his presence. I was one day at table between him and the abbé Sieyes;—a singular situation, if I had been able to foresee what afterwards happened. I examined the figure of Buonaparté with attention; but whenever he discovered that my looks were fixed upon him, he had the art of taking away all expression from his eyes, as if they had been turned into marble. His countenance was then immovable, except a vague smile which his lips assumed at random, to mislead any one who might wish to observe the external signs of what was passing within.

The abbé Sieyes conversed during dinner unaffectedly and fluently, as suited a mind of his

degree of strength. He expressed himself concerning my father with a sincere esteem. "He is the only man," said he, "who has ever united the most perfect precision in the calculations of a great financier to the imagination of a poet." This eulogium pleased me, because it characterized him. Buonaparté, who heard it, also said some obliging things concerning my father and me; but like a man who takes no interest in individuals whom he cannot make use of in the accomplishment of his own ends.

His figure, at that time thin and pale, was rather agreeable; he has since grown fat, which does not become him; for we can scarcely tolerate a character which inflicts so many sufferings on others, if we do not believe it to be a torment to the person himself. As his stature is short, and his waist very long, he appeared to much more advantage on horseback than on foot. In every respect it is war, and only war, which suits him. His manners in society are constrained, without timidity; he has an air of vulgarity when he is at his ease, and of disdain when he is not: disdain suits him best, and accordingly he indulges in it without scruple.

By a natural vocation to the regal office, he already addressed trifling questions to all who were presented to him. Are you married? was his question to one of the guests. How many children have you? said he to another. How long is it since you arrived? When do you set out? and other interrogations of a similar kind, which establish the superiority of him

him who puts them over those who submit to be thus questioned. He already took delight in the art of embarrassing, by saying disagreeable things;—an art which he has since reduced into a system, as he has every other mode of subjugating men by degrading them. At this epoch, however, he had a desire to please, for he confined to his own thoughts the project of overturning the Directory, and substituting himself in its stead; but in spite of this desire, one would have said that, unlike the prophet, he cursed involuntarily, though he intended to bless.

I saw him one day approach a French lady distinguished for her beauty, her wit, and the ardour of her opinions. He placed himself straight before her, like the stiffest of the German generals, and said to her, “Madam, I don’t like women to meddle with politics.” “You are right, general,” replied she; “but in a country where they lose their heads, it is natural for them to desire to know the reason.” Buonaparté made no answer. He is a man who is calmed by an effective resistance; those who have borne his despotism deserve to be accused as much as he himself.

The Directory gave general Buonaparté a solemn reception, which in several respects should be considered as one of the most important epochs in the history of the revolution. The court of the palace of the Luxembourg was chosen for this ceremony. No hall would have been large enough to contain the multitude which it attracted: all the win-

dows and all the roofs were crowded with spectators. The five directors, in Roman costume, were seated on a platform at the further end of the court, and near them the deputies of the two councils, the tribunals, and the institute. Had this spectacle occurred before the subjugation of the national representation to military power on the 18th Fructidor, it would have exhibited an air of grandeur: patriotic tunes were played by an excellent band; banners served as a canopy to the Directors, and these banners brought back the recollection of great victories.

Buonaparté arrived, dressed very simply, followed by his aides-de-camp, all taller than himself, but nearly bent by the respect which they displayed to him. In the presence of whatever was most distinguished in France, the victorious general was covered with applauses: he was the hope of every one: republicans, royalists, all saw the present or the future in the support of his powerful hand. Alas! of the young men who then cried, “Long live Buonaparté!” how many has his insatiable ambition left alive?

M. de Talleyrand, in presenting Buonaparté to the Directory, called him “the liberator of Italy, and the pacificator of the continent.” He assured them that “general Buonaparté detested luxury and splendor, the miserable ambition of vulgar souls, and that he loved the poems of Ossian, particularly because they detach us from the earth.” The earth would have required nothing better, I think, than to let him

him detach himself from its concerns. Buonaparté himself then spoke with a sort of affected negligence, as if he had wished to intimate, that he bore little love to the government under which he was called to serve.

He said that for twenty centuries royalty and feudality had governed the world, and that the peace which he had just concluded was the era of republican government. "When the happiness of the French," said he, "shall be established upon better organical laws, all Europe will be free." I know not whether by the organical laws of freedom he meant the establishment of his absolute power. However that might be, Barras, at that time his friend, and president of the Directory, made a reply which supposed him to be sincere in all that he had just said, and concluded by charging him specially with the conquest of England, a mission rather difficult.

Nothing was better calculated to produce a striking effect on the mind than the Egyptian war; and though the great naval victory gained by Nelson near Aboukir, had destroyed all its possible advantages, letters dated from Cairo, orders issuing from Alexandria to penetrate to Thebes, on the confines of Ethiopia, increased the reputation of a man who was not now within sight, but who at a distance seemed an extraordinary phenomenon. He put at the head of his proclamations, "Buonaparté, Commander-in-chief, and Member of the National Institute;" whence it was concluded, that he was a friend to knowledge, and a protector of letters; but

the security which he gave for these qualities was not more firm than his profession of the Mahomedan faith, followed by his concordat with the pope. He was already beginning to impose upon Europe by a system of juggling tricks, convinced, as he was, that the science of life consists merely in the manœuvres of egotism. Buonaparté is not a man only, but also a system; and if he were right, the human species would no longer be what God has made it. He ought therefore to be examined like a great problem, the solution of which is of importance to meditation throughout all ages.

Buonaparté, in reducing every thing to calculation, was sufficiently acquainted with that part of the nature of man which does not obey the will, to feel the necessity of acting upon the imagination; and his twofold dexterity consisted in the art of dazzling multitudes and of corrupting individuals.

His conversation with the mufti in the pyramid of the Cheops could not fail to enchant the Parisians, for it united the two qualities by which they are most easily captivated; a certain kind of grandeur and of mockery together. The French like to be moved and to laugh at being moved: quackery is their delight, and they aid willingly in deceiving themselves, provided they be allowed, while they act as dupes, to show by some witticisms that they are not so.

Buonaparté, in the pyramid, made use of the oriental style. "Glory to Allah," said he, "there is no true God but God,
and

and Mahomet is his prophet. The bread stolen by the wicked turns into dust in his mouth." "Thou hast spoken," said the mufti, "like the most learned of the mullahs."—"I can cause a chariot of fire to descend from heaven," continued Buonaparté, "and direct it upon the earth."—"Thou art the mightiest captain," replied the mufti, "whose hand the power of Mahomet hath armed." Mahomet, however, did not prevent Sir Sidney Smith from arresting, by his brilliant valour, the successes of Buonaparté at St. Jean d'Acree.

When Napoleon, in 1805, was named King of Italy, he said to general Berthier, in one of those moments when he talked of every thing that he might try his ideas upon other people; "This Sidney Smith made fortune fail me at St. Jean d'Acree; my purpose was, to set out from Egypt, proceed to Constantinople, and arrive at Paris by marching back through Europe." This failure, however, made at the time a very decent appearance. Whatever his regrets might be, gigantic like the enterprises which followed them, Buonaparté found means to make his reverses in Egypt pass for successes; and although his expedition had no other result than the ruin of the fleet, and the destruction of one of our finest armies, he was called the Conqueror of the East.

Buonaparte, availing himself with ability of the enthusiasm of the French for military glory, associated their self-love with his victories as well as with his defeats. He gradually took possession of the place which the

revolution occupied in every head, and attached to his own name that national feeling, which had aggrandized France in the eyes of foreigners.

Two of his brothers, Lucien and Joseph, had seats in the Council of Five Hundred; and both in their different lines had enough of intellect and talent to be eminently useful to the general. They watched for him over the state of affairs, and when the moment was come, they advised him to return to France. The armies had been beaten in Italy, and were for the most part disorganized through the misconduct of the administration. The Jacobins began to show themselves once more; the Directory was without reputation and without strength. Buonaparte received all this intelligence in Egypt, and after some hours of solitary meditation, he resolved to set out. This rapid and certain perception of circumstances is precisely what distinguishes him, and opportunity has never offered itself to him in vain. It has been frequently repeated, that on departing then, he deserted his army. Doubtless, there is a species of exalted disinterestedness, which would not have allowed a warrior to separate himself thus from the men who had followed him, and whom he left in distress. But Buonaparte ran such risks in traversing the sea, covered with English vessels; the design which summoned him to France was so bold, that it is absurd to treat his departure from Egypt as cowardice. Such a being must not be attacked with common declamations:—every man, who has produced a great

great effect on other men, to be judged, should be examined thoroughly.

A reproach of a much graver nature is the total want of humanity which Buonaparte manifested in his Egyptian campaign. Whenever he found any advantage in cruelty, he indulged in it, and yet his despotism was not sanguinary. He had no more desire to shed blood, than a reasonable man has to spend money without need. But his ambition was, in his nomenclature, necessity; and when this ambition was concerned, he did not for a moment allow himself to hesitate to sacrifice others to himself. What we call conscience, was in his eyes only the poetical name of cozenage.

Different accounts have been given of the manner in which the revolution of the 18th Brumaire was accomplished. The point of chief importance is, to observe on this occasion the characteristic traits of the man, who has been for nearly fifteen years the master of the continent of Europe. He repaired to the bar of the Council of Ancients, and wished to draw them into his views by addressing them with warmth and dignity: but he cannot express himself in connected discourse; it is only in conversation that his keen and decisive spirit shows itself to advantage. Besides, as he has no true enthusiasm on any subject, he is never eloquent but in abuse; and nothing was more difficult for him than to confine himself in his address to that kind of respect which is due to an assembly whom we wish to convince. He

attempted to say to the Council of Ancients, "I am the god of war and of fortune, follow me." But he used these pompous words from mere embarrassment, and in their place would rather have said, "You are all a pack of wretches, and I will have you shot if you do not obey me."

On the 19th Brumaire he came to the Council of Five Hundred, his arms crossed, with a very gloomy air, and followed by two tall grenadiers, who protected the shortness of his stature. The deputies, who were named Jacobins, uttered violent exclamations when they saw him enter the hall: fortunately for him his brother Lucien was president at the time; it was in vain that he rang the bell to re-establish order; cries of traitor and usurper resounded from every quarter; and one of the members, a countryman of Buonaparte, the Corsican Arena, approached the general, and shook him violently by the collar of his coat. It has been supposed, but without reason, that he had a poignard to kill him. His action, however, terrified Buonaparte, who said to the grenadiers by his side, as he let his head drop over the shoulder of one of them, "Get me out of this." The grenadiers carried him away from among the deputies who surrounded him, and bore him from the hall into the open air. He was no sooner out than his presence of mind returned. He instantly mounted on horseback, and passing along the ranks of his grenadiers, soon determined them to what he wished should be done.

In this situation, as in many others,

others, it has been observed that Buonaparte could be thrown into confusion, when another danger than that of war was set before him; whence some persons have ridiculously enough inferred that he was deficient in courage. His hardihood surely cannot be denied; but as he is nothing, not even brave, in a generous manner, it follows that he never exposes himself but when it may be advantageous. He would be much vexed at the prospect of being killed, for that would be a reverse, and he wishes to be successful in every thing; he would likewise be vexed at it, because death is disagreeable to the imagination: but he does not hesitate to hazard his life, when, according to his views, the game, if I may be allowed the expression, is worth the risk of the stake.

After general Buonaparte left the hall of the Five Hundred, the deputies opposed to him were vehement in demanding, that he should be put out of the protection of the law; and it was then that his brother Lucien, president of the assembly, did him an eminent service by refusing, in spite of all the solicitations with which he was urged, to put that proposition to the vote. If he had consented, the decree would have passed, and no one can tell what impression it might yet have produced on the soldiers. For ten years they had uniformly abandoned such of their generals as the legislative power had proscribed; and although the national representation had lost its character of legality by the 18th Fructidor, the similarity of words often prevails over the diversity of

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things. Buonaparte hastened to send an armed force to bring Lucien in safety out of the hall: as soon as he was gone, the grenadiers entered the orangery, where the deputies were assembled, and drove them away by marching from one extremity of the hall to the other, as if there had been nobody present. The deputies, driven against the wall, were forced to escape by the window into the gardens of St. Cloud with their senatorial robes. The representatives of the people had been already proscribed in France; but it was the first time since the Revolution that the civil power had been rendered ridiculous in presence of the military; and Buonaparte, who wished to establish his dominion on the degradation of bodies, as well as on that of individuals, enjoyed his success in destroying at the very outset the dignity of the deputies. From the moment that the moral force of the national representation was annihilated, a legislative body, whatever it might be, was in the eyes of the military a mere assemblage of five hundred men, much less strong and active than a battalion of the same number; and they have since been always ready, at the command of their chief, to correct diversities of opinion like faults in discipline.

In the committees of the Five Hundred, Buonaparte, in presence of the officers of his suite and some friends of the Directory, made a speech, which was printed in the journals of the day. It contains a remarkable comparison, which history ought to store up. "What have they done," said he, speaking of the directors,

“with that France which I left to them so brilliant? I left them peace, and I find war at my return; I left them victories, and I find defeats. What, in short, have they done with the hundred thousand Frenchmen, all of them my acquaintances and my companions in arms, who are now no more?” Then all at once concluding his harangue, in a calm tone he added, “This state of things cannot last; it would lead us in three years to despotism.” He took upon himself the charge of hastening the accomplishment of his prediction.

The first symptoms of tyranny cannot be watched too carefully; for when once it has grown up to a certain point, it can no longer be stopped in its career. A single man enchains the will of a multitude of individuals, the greater part of whom, taken separately, would wish to be free, but who nevertheless submit because they dread one another, and dare not communicate their thoughts freely. A minority not very numerous is often sufficient to resist in succession every portion of the majority which is unacquainted with its own strength.

In spite of the differences of time and place, there are points of resemblance in the history of all nations who have fallen under the yoke. It is generally after long civil troubles that tyranny is established, because it offers the hope of shelter to all the exhausted and timorous factions. Buonaparte said of himself with reason, that he could play admirably upon the instrument of power. In truth, as he is attached to no principles, nor restrained by any

obstacles, he presents himself in the arena of circumstances like a wrestler, no less supple than vigorous, and discovers at the first glance the points in every man or association of men, which may promote his private designs. His scheme for arriving at the dominion of France rested upon three principal bases,—to satisfy men’s interests at the expense of their virtues, to deprave public opinion by sophisms, and to give the nation war for an object instead of liberty. We shall see him follow these different paths with uncommon ability. The French, alas! seconded him only too well: yet it is his fatal genius which should be chiefly blamed; for as an arbitrary government had at all times prevented the nation from acquiring fixed ideas upon any subject, Buonaparte set its passions in motion without having to struggle against its principles. He had it in his power to do honour to France, and to establish himself firmly by upright institutions: but his contempt of the human race had quite dried up his soul, and he believed that there was no depth but in the region of evil.

We have already seen him decree a constitution, in which there existed no securities. Besides, he took great care to leave the laws that had been published during the revolution unrepealed, that he might at his pleasure select from this accursed arsenal the weapon which suited him. The extraordinary commissions, the transportations, the banishments, the slavery of the press, measures unfortunately introduced in the name of liberty, were

were extremely useful to tyranny. When he employed them, he alleged as a pretext, sometimes reasons of state, sometimes the urgency of the conjuncture, sometimes the activity of his adversaries, sometimes the necessity of maintaining tranquillity. Such is the artillery of the phrases by which absolute power is defended, for circumstances never have an end; and in proportion as restraint by illegal measures is increased, the disaffected become more numerous, which serves to justify the necessity of new acts of injustice. The establishment of the sovereignty of law is always deferred till tomorrow, a vicious circle of reasoning which it is difficult to leave; for liberty will scarcely be permitted till that public spirit prevail which can result only from the enjoyment of liberty.

The constitution gave Buonaparte two colleagues: he chose with singular sagacity, for his assistant consuls, two men, who were of no use but to disguise the unity of his despotism: the one was Cambacérès, a lawyer of great learning, who had been taught in the convention to bend methodically before terror; the other, Lebrun, a man of highly cultivated mind and highly polished manners, who had been trained under the chancellor Maupeou, under that minister, who, satisfied with the degree of arbitrary power which he found in the monarchy as it then existed, had substituted for the parliaments of France one named by himself. Cambacérès was the interpreter of Buonaparte to the

revolutionists, Lebrun to the royalists: both translated the same text into two different languages. Thus two able ministers were charged with the task of adapting the old system and the new to the mixed mass of the third. The one, a great noble who had been engaged in the revolution, told the royalists, that it was their interest to recover monarchical institutions, at the expense of renouncing the ancient dynasty. The other, who, though a creature of the era of disaster, was ready to promote the re-establishment of courts, preached to the republicans the necessity of abandoning their political opinions, in order to preserve their places. Among these knights of circumstances, the grand master Buonaparte could create such conjunctures as he desired; while the others manœuvred according to the wind with which the genius of the storms had filled their sails.

The political army of the First Consul was composed of deserters from the two parties. The royalists sacrificed to him their fidelity to the Bourbons; the patriots, their attachment to liberty: so that no independent style of thinking could show itself under his dominion; for he was more willing to pardon a selfish calculation than a disinterested opinion. It was by the bad side of the human heart that he hoped to gain possession of it.

Buonaparte took the Tuileries for his abode: and even the choice of this residence was a stroke of policy. It was there that the king of France was accustomed to be seen; circum-

stances connected with monarchy were there presented to every eye; and the very influence of the walls on the minds of spectators was, if we may say so, sufficient for the restoration of regal power. Towards the concluding days of the last century, I saw the First Consul enter the palace built by our kings: and though Buonaparte was still very far from the magnificence which he afterwards displayed, there was visible in all around him an eagerness to vie in the courtier arts of oriental servility, which must have persuaded him that it was a very easy matter to govern the earth. When his carriage arrived in the court of the Tuileries, his valets opened the door and put down the steps with a violence which seemed to say, that even inanimate substances were insolent when they retarded his progress for a moment. He neither looked at, nor thanked any person, as if he were afraid of being thought sensible to the homage which he required. As he ascended the staircase in the midst of the crowd which pressed to follow him, his eyes were not fixed on any object or any person in particular. There was an air of vagueness and want of thought in his physiognomy, and his looks expressed only what it always becomes him to show—indifference to fortune, and disdain for men.

One circumstance, which was singularly favourable to the power of Buonaparte, was, that he had nothing but the mass of the nation to manage. All individual existence had been annihilated by ten years of tumult, and no-

thing acts upon a people like military success: to resist this inclination on their part, instead of profiting by it, a great strength of reason is requisite. Nobody in France could believe his situation secure; men of all classes, whether ruined or enriched, banished or recompensed, found themselves, if I may say so, one by one alike in the hands of power. Thousands of Frenchmen were upon the list of emigrants, thousands more had acquired national domains; thousands were proscribed as priests or nobles; and thousands of others feared to be so for their revolutionary deeds. Buonaparte, who constantly marched between two opposite interests, took care not to terminate these inquietudes by fixed laws, which would enable every man to know his rights. To this or that man he gave back his property; from this or that other he took it away for ever. A decree concerning the restitution of woods reduced one man to misery, while another recovered more than he had originally possessed. Sometimes he restored the estate of the father to the son, or that of the elder brother to the younger, according as he was satisfied or dissatisfied with their attachment to his person. There was not a Frenchman who had not something to ask of the government; and that something was life: for favour then consisted, not in the frivolous pleasure which it can impart, but in the hope of revisiting the land in which he was born, and of recovering a part at least of what he once possessed. The First Consul had reserved to himself, under
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some pretext or other, the power of disposing of the lot of all and of every one. This unheard-of state of dependance excuses in a great measure the nation. Is universal heroism to be expected; and was there not need of heroism to run the risk of the ruin and the banishment which impended over all, and which might fall by the application of a decree. A singular concurrence of circumstances placed the laws of the period of terror, and the military force created by republican enthusiasm, at the disposal of one man. What an inheritance for an able despot!

Two very different plans of conduct presented themselves to Buonaparte when he was crowned emperor of France. He might confine himself to the barrier of the Rhine and the Alps, which Europe did not dispute with him after the battle of Marengo, and render France, thus enlarged, the most powerful empire in the world. The example of constitutional liberty in France would have acted gradually, but with certainty, on the rest of Europe. It would no longer have been said that freedom is suitable only for England, because it is an island; or for Holland, because it is a plain; or for Switzerland, because it is a mountainous country; and a continental monarchy would have been seen flourishing under the shadow of the law, than which there is nothing more holy upon earth, except the religion from which it emanates.

Many men of genius have exerted all their efforts to do a little good, and to leave some traces of their institutions behind them.

Destiny, in its prodigality towards Buonaparte, put into his hands a nation at that time containing forty millions of men, a nation whose amiable manners gave it a powerful influence on the opinions and taste of Europe. An able ruler, at the opening of the present century, might have rendered France happy and free without any effort, merely by a few virtues. Napoleon is guilty not less for the good which he has not done, than for the evils of which he is accused.

In short, if his devouring activity felt itself straitened in the finest monarchy in the world; if to be merely emperor of France was too pitiful a lot for a Corsican, who, in 1790, was a subaltern, he should at least have stirred up Europe by the pretext of some great advantages to herself. The re-establishment of Poland, the independence of Italy, the deliverance of Greece, were schemes that had an air of grandeur; states might have felt an interest in the revival of other states. But was the earth to be inundated with blood, that prince Jerome might fill the place of the Elector of Hesse; and that the Germans might be governed by French rulers, who took to themselves fiefs of which they could scarcely pronounce the titles, though they bore them; but on the revenues of which they easily laid hold in every language? Why should Germany have submitted to French influence? This influence communicated no new knowledge, and established no liberal institutions within her limits, except contributions and conscriptions still heavier

heavier than all that had been imposed by her ancient masters. There were, without doubt, many reasonable changes to be made in the constitutions of Germany; all enlightened men knew it; and for a long time accordingly they had shown themselves favourable to the cause of France, because they hoped to derive from her an improvement of their own condition. But without speaking of the just indignation which every people must feel at the sight of foreign soldiers in their territory, Buonaparte did nothing in Germany but with the view of establishing there his own power and that of his family: was such a nation made to serve as a footstool to his vanity? Spain too could not but reject with horror the perfidious means which Buonaparte employed to enslave her. What then did he offer to the empires which he wished to subjugate? Was it liberty? Was it strength? Was it riches? No; it was himself, always himself, with whom the world was to be regaled in exchange for every earthly blessing.

The Italians, in the confused hope of being finally united in one state; the unfortunate Poles, who implore hell as well as heaven that they may again become a people, were the only nations who served the emperor voluntarily. But he had such a horror for the love of liberty, that, though he needed the Poles as auxiliaries, he hated in them the noble enthusiasm which condemned them to obey him. This man, so able in the arts of dissimulation, could not avail himself even hypocritically of the pa-

triotic sentiments from which he might have drawn so many resources; he could not handle such a weapon, and he was always afraid lest it should be shivered in his hand. At Posen, the Polish deputies came to offer him their fortunes and their lives for the re-establishment of Poland. Napoleon answered them with that gloomy voice, and that hurried declamation, which have been remarked in him when under constraint, consisting of a few words about liberty, well or ill put together, which cost him such an effort that it was the only lie which he could not pronounce with apparent ease. Even when the applauses of the people were in his favour, the people were still disagreeable to him. This instinct of despotism made him raise a throne without foundation, and forced him to fail in what was his vocation here below, the establishment of political reform.

The means of the Emperor to enslave Europe were audacity in war and craft in peace. He signed treaties when his enemies were half beaten, that he might not drive them to despair, but yet weaken them so much, that the axe which remained in the trunk of the tree might cause it at length to perish. He gained some friends among the old sovereigns by showing himself in every thing the enemy of freedom. Accordingly, it was the nations who finally rose up against him; for he had offended them more even than kings. Yet it is surprising still to find partisans of Buonaparte elsewhere than among the French, to whom he at least gave victory as a compensation for

for despotism. His partisans especially in Italy, were in general friends of liberty, who had erroneously flattered themselves with obtaining it from him, and who would still prefer any great event to the dejection into which they are now fallen. Without wishing to enter upon the interests of foreigners, of which we have determined not to speak, we may venture to affirm, that the particular benefits conferred by Buonaparte, the high roads necessary to his projects, the monuments consecrated to his glory, some remains of the liberal institutions of the Constituent Assembly, of which he occasionally permitted the application out of France, such as the improvement of jurisprudence and public education, or the encouragements given to the sciences: all these benefits, desirable as they might be, could not compensate for the degrading yoke which weighed down the general character. What superior genius has been developed during his reign, or will be developed for a long time to come, in the countries where he ruled? If he had desired the triumph of a virtuous and discreet liberty, energy would have been displayed on every side, and a new impulse would have animated the civilized world. But Buonaparte has not procured for France the friendship of a single nation. He has made up marriages, rounded and united provinces, new-modelled geographical maps, and counted souls, in the manner since received, to complete the dominions of princes; but where has he implanted those political principles which are the ramparts, the

treasures, and the glory of England? those institutions which are invincible after a duration of even ten years; for they have by that time produced so much happiness, that they rally all the citizens of a country in their defence?

The two principal causes of Napoleon's power in France were, above all, his military glory, and the art with which he re-established order, without attacking those selfish passions to which the revolution had given birth. But every thing was not included in these two problems.

It is pretended that, in discussions in the council of state, Napoleon displayed a universal sagacity. I have some doubts of the ability ascribed to a man who is all-powerful; we plain people in private life earn our celebrity at a much dearer rate. One is not, however, master of Europe during fifteen years, without having a piercing view of men and things. But there was in the mind of Buonaparte an incoherence, which is a marked feature of those who do not range their thoughts under the law of duty. The power of commanding had been given by nature to Buonaparte; but it was rather because other men did not act upon him, than because he acted upon them, that he became their master. The qualities of which he was destitute served his purpose as well as the talents he possessed; and he made himself obeyed, only by degrading those whom he subjected. His successes are astonishing; his reverses more astonishing still. What he performed, aided by the energy of the

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the nation, is admirable: the state of torpor in which he left it can scarcely be conceived. The multitude of men of talents whom he employed is extraordinary; but the characters whom he debased have done more harm to the cause of liberty than the service that could be rendered to it by all the powers of intelligence. To him, above all, may be applied the fine image of despotism, in the "Spirit of Laws;" "he cut up the tree by its roots to obtain its fruit," and perhaps he has even dried up the soil.

In a word, Buonaparte, the absolute master of eighty millions of men, and meeting nowhere with opposition, knew neither how to found a single institution in the state, nor durable power for himself. What then was the destructive principle which haunted his triumphal steps? What was it?—the contempt of mankind, and consequently of all the laws, all the studies, all the establishments, and all the elections of which the basis is respect for the human race. Buonaparte was intoxicated with the vile draught of Machiavelism; he resembled in many respects the Italian tyrants of the fourteenth and fifteenth centuries; and as he had read but little, the natural tendency of his character was not counteracted by the effect of information. The middle ages being the most brilliant era in the history of the Italians, many of them have but too much respect for the maxims of government at that period, and those maxims were all collected by Machiavel.

A general principle, whatever it might be, was displeasing to

Buonaparte, as a thing foolish or hostile. He listened only to the considerations of the moment, and examined things merely with a view to their immediate utility; for he would have wished to stake the whole world in an annuity on his own life. He was not sanguinary, but indifferent respecting the lives of men, considering them but as a means of attaining his end, or as an obstacle to be removed out of his way. He was even less irascible than he often seemed to be: he wished to terrify by his words, in order to spare himself the act by the threat. Every thing with him was means, or end; nothing involuntarily was to be found either in good or evil. It is pretended that he said, "I have so many conscripts to expend by the year;" and it is probable that he held that language; for Buonaparte had contempt enough for his hearers to delight in a kind of sincerity which is nothing less than impudence.

He never believed in exalted sentiments, either in individuals or in nations; he considered the expression of these sentiments as hypocrisy. He believed that he held the key of human nature by fear and by hope, skilfully presented to the selfish and the ambitious. It must be allowed that his perseverance and activity were never slackened in behalf of the slightest interests of despotism; but it was that very despotism which was destined one day to fall upon his head. An anecdote, in which I happened to have some share, may give an additional idea of the system of Buonaparte relative to the art of governing.

The duke of Melzi, who was for some time vice-president of the Cisalpine republic; was one of the most distinguished characters which Italy, so fertile in every production, has brought forth. Born of a Spanish mother, and an Italian father, he blended the dignity of one nation with the vivacity of the other; and I am not sure whether even in France, a man could be cited more remarkable for his powers of conversation, and for the more important and essential talent of knowing and appreciating all those who acted a political part in Europe. The First Consul was obliged to employ him, because he had the greatest influence over his fellow-citizens, and because his attachment to his country was unquestioned. Buonaparte did not like to make use of men who were disinterested, and whose principles, whatever they might be, were not to be shaken; he was therefore continually circumventing Melzi, in order to corrupt him.

Having caused himself to be crowned king of Italy, in 1805, Buonaparte went to the legislative body of Lombardy, and informed the assembly that he had the intention of giving a considerable estate to the duke of Melzi, as a testimony of public gratitude towards him: this, he hoped, would render him unpopular. Being then at Milan, I saw that same evening M. de Melzi, who was quite in despair at the perfidious trick that Napoleon had played him, without having given him the slightest warning. As Buonaparte would have been irritated by a refusal, I

advised M. de Melzi to appropriate instantly to a public establishment the revenues with which he was thus overwhelmed. He followed my advice, and the next day, walking with the emperor, he told him that such was his intention. Buonaparte, seizing him by the arm, exclaimed, "This, I would wager is an idea of Madame de Staël; but take my advice, and do not give into the romantic philanthropy of the eighteenth century; there is only one thing to do in this world: that is to get continually more money, and more power; all the rest is chimerical." Many people will say that he was right; I think, on the contrary, that history will show that by establishing this doctrine, by setting men loose from the ties of honour, every where but on the field of battle, he prepared his partisans to abandon him, according to his own precepts, when he should cease to be the strongest; and indeed he may well boast of having met with more disciples faithful to his system, than adherents devoted to his misfortunes. He consecrated his policy by fatalism, the only religion suitable to this devotedness to fortune; and his prosperity constantly increasing, he ended by making himself the high-priest and idol of his own adoration, believing in himself, as if his desires were pre-sages, and his designs oracles.

The duration of the power of Buonaparte was a perpetual lesson of immorality. If he had always succeeded, what should we have been able to say to our children? There would have been left, it is true, the solace of religious resignation;

signation; but the mass of the inhabitants of the world would have sought in vain to discover the intentions of Providence in human affairs.

Nevertheless, in 1811, the Germans still called Buonaparte the man of fate, and the imagination even of some Englishmen was dazzled by his extraordinary talents. Poland and Italy still hoped for independence from him, and the daughter of the Cæsars had become his consort. This signal honour caused him a transport of joy, foreign to his nature; and for some time it might be believed that his illustrious partner would change the character of the man with whom destiny had connected her. Even at this time, Buonaparte wanted but one good sentiment to have become the greatest monarch upon earth; either that of paternal affection, which induces men to take care of the inheritance of their children; or pity for the French who rushed to death for him whenever he gave the signal; or equity towards foreign nations who gazed at him with wonder; or, in short, that kind of prudence natural to every man, towards the middle of life, when he sees the approach of the vast shadows by which he must soon be enveloped: one virtue, one single virtue would have sufficed to have fixed all human prosperity on the head of Buonaparte. But the divine spark dwelt not in his heart.

I was at Moscow exactly a month before Napoleon's army entered its walls; and I did not dare to remain but a very short time, fearing its immediate approach. When walking on the

top of the Kremlin, the palace of the ancient Czars, which commands the vast capital of Russia and its eighteen hundred churches, I thought it was the lot of Buonaparte to see empires at his feet, as Satan offered them to our Saviour. But it was when there remained nothing more for him to conquer in Europe, that fate seized upon him, and made him fall with as much rapidity as he had risen. Perhaps he has since learned, that whatever may be the events in the earlier scenes, there is a potency in virtue which always re-appears at the fifth act of the tragedy; as, among the ancients, the knot was severed by a god, when the action was worthy of his intervention.

Buonaparte performed, or rather the nation performed for him, a miracle: notwithstanding his immense losses in Russia, a new army was created in less than three months, which was able to march into Germany, and to gain battles anew. It was then that the demon of pride and folly took possession of Buonaparte in such a manner, that reasoning, founded on his own interest, can no longer explain the motives of his conduct: it was at Dresden that he mistook the last apparition of his tutelary genius.

The Germans, long indignant, rose at length against the French, who occupied their territory; national pride, the great strength of human nature, again displayed itself among the sons of Germany. Buonaparte was then taught what becomes of allies who have been constrained by force; and that, whatever is not voluntary, is destroyed at the first

first reverse of fortune. The sovereigns of Germany fought with the intrepidity of soldiers; and it seemed as if the Prussians and their warlike king were animated by the remembrance of the personal insult offered some years before by Buonaparte to their beautiful and virtuous queen.

The liberation of Germany had long been the object of the wishes of the emperor of Russia. When the French were repulsed from his country, he devoted himself to this cause, not only as a sovereign, but as a general; and he several times exposed his life, not in the character of a monarch guarded by his courtiers, but in that of an intrepid soldier. Holland welcomed her deliverers, and recalled that house of Orange, whose princes are now, as heretofore, the defenders of independence, and the magistrates of liberty. Whatever was the influence at this period of the English victories in Spain, we shall speak elsewhere of lord Wellington; for we must pause at that name; we cannot take an incidental notice of it.

Buonaparte returned to Paris; and even at this moment France might have been saved. Five members of the Legislative Assembly, Gallois, Raynourd, Flaugergues, Maine de Biran, and Lainé, asked for peace at the peril of their lives. Each of those persons might be designated by his particular merit; and the last I have named, Lainé, perpetuates every day by his conduct and talents the remembrance of an action which alone would suffice to honour any character. If the Senate had joined with the five

members of the legislative body, and the generals had supported the Senate, France would have been the disposer of her own fate; and whatever course she had taken, she would have remained France. But fifteen years of tyranny subvert every idea, and change every sentiment; the very men who would expose so nobly their lives in war, are not aware that the same courage, and the same honour, command resistance in the civil career to the enemy of all despotism.

Buonaparte answered the deputation of the Legislative Body with a kind of concentrated fury; he expressed himself ill, but his pride was seen to pierce through his confused language. He said "that France wanted him more than he wanted France;" forgetting that it was himself who had reduced her to that state. He added, "that a throne was but a piece of wood, upon which a carpet was spread, and that all depended on the person by whom it was occupied." In short, he continued to appear intoxicated with himself. A singular anecdote, however, might lead us to believe that he was already struck with that stupor which seems to have taken possession of his character during the last crisis of his political life. A person worthy of credit told me, that, conversing with him alone, the day before his departure for the army, in the month of January, 1814, when the allies had already entered France, Buonaparte confessed in this private interview that he did not possess the means of resisting; they discussed the question, and Buonaparte showed him,

him, without reserve, the worst side of things; and, what will scarcely be believed, he fell asleep while talking on such a subject, without any preceding fatigue that could explain so singular an apathy. This did not prevent his displaying an extreme activity in his campaign of 1814; he suffered himself, no doubt, to be misled by a presumptuous confidence; and, on the other hand, physical existence, through enjoyments and facilities of all kinds, had gained possession of this man, formerly so intellectual. His soul seemed in some sort to have become gross along with his body. His genius now pierced only at intervals through that covering of egotism which a long habit of being considered every thing had made him acquire. He sunk under the weight of prosperity, before he was overthrown by misfortune.

No, never shall I forget the moment when I learned from one of my friends, on the morning of the 6th of March, 1815, that Buonaparte had disembarked on the coast of France: I had the misfortune to foresee instantly the consequences of that event, such as they have since taken place, and I thought that the earth was about to open under my feet. For several days after the success of this man, the aid of prayer failed me entirely, and, in my trouble, it seemed to me that the Deity had withdrawn from the earth, and would no longer communicate with the beings whom he had placed there.

I suffered in the bottom of my heart from personal circumstances; but the situation of

France absorbed every other thought. I said to M. de Lavalette, whom I met almost at the hour when this news was resounding around us: "There is an end of liberty, if Buonaparté triumph, and of national independence, if he be defeated." The event has, I think, but too much justified this sad prediction.

It was impossible to avoid an inexpressible irritation before the return, and during the progress of Buonaparte. For a month back, all those who have any acquaintance with revolutions felt the air charged with storms; repeated notice of this was given to persons connected with government; but many among them regarded the disquieted friends of liberty as relapsing, and as still believing in the influence of the people, in the power of revolutions. The most moderate among the aristocrats thought that public affairs regarded government only, and that it was indiscreet to interfere with them. They could not be made to understand, that to be acquainted with what is passing in a country where the spirit of liberty ferments, men in office should neglect no intelligence, be indifferent to no circumstance, and multiply their numbers by activity, instead of wrapping themselves up in a mysterious silence. The partisans of Buonaparte were a thousand times better informed on every thing than the servants of the king; for the Buonapartists, as well as their master, were aware of what importance every individual can be in a time of trouble. Formerly every thing depended on men in office;

office; at present those who are out of office act more on public opinion than government itself, and have consequently a better foresight into the future.

A continual dread had taken possession of my soul several weeks before the disembarkation of Buonaparte. In the evening, when the beautiful buildings of the town were displayed by the rays of the moon, it seemed to me that I saw my happiness and that of France, like a sick friend, whose smile is the more amiable, because he is on the eve of leaving us. When told that this terrible man was at Cannes, I shrunk before the certainty as before a poignard; but when it was no longer possible to escape that certainty, I was but too well assured that he would be at Paris in a fortnight. The royalists made a mockery of this terror; it was strange to hear them say that this event was the most fortunate thing possible, because we should then be relieved from Buonaparté, because the two chambers would feel the necessity of giving the king absolute power, as if absolute power was a thing to be given?—despotism, like liberty, is assumed, it is never granted. I am not sure that among the enemies, of every constitution, there may not have been some who rejoiced at the convulsion which might recall foreigners and induce them to impose an absolute government on France.

Three days were passed in the inconsiderate hopes of the royalist party. At last, on the 9th of March, we were told that nothing was known of the Lyons telegraph because a cloud had prevented reading the communica-

tion. I was at no loss to understand what this cloud was. I went in the evening to the Tuileries to attend the king's levee; on seeing him, it seemed to me that, with a great deal of courage, he had an expression of sadness, and nothing was more affecting than his noble resignation at such a moment. On going out, I perceived on the walls of the apartment, the eagles of Napoleon which had not yet been removed, and they seemed to me to have re-assumed their threatening look.

In the evening, in a party, one of those young ladies who, with so many others, had contributed to the spirit of frivolity which it was attempted to oppose to the spirit of faction, as if the one could contend against the other; one of these young ladies, I say, came up to me, and began jesting on that anxiety which I could not conceal: "*What, Madam,*" said she to me, "*can you apprehend that the French will not fight for their legitimate king against a usurper?*" How, without committing one's self, could one answer a phrase so adroitly turned? But, after twenty-five years of revolution, ought one to flatter one's self that legitimacy, an idea respectable but abstract, would have more ascendancy over the soldiers than all the recollections of their long wars? In fact, none of them contended against the supernatural ascendancy of the genius of the African isles; they called for the tyrant in the name of liberty: they rejected in its name the constitutional monarch; they brought six hundred thousand foreigners into the bosom of France, to

efface the humiliation of having seen them there during a few weeks; and this frightful day of the 1st of March, the day when Buonaparte again set foot on the soil of France, was more fertile in disasters than any epoch of history.

I will not launch out, as has been but too much done, into declamations of every kind against Napoleon. He did what it was natural to do in endeavouring to regain the throne he had lost, and his progress from Cannes to Paris is one of the greatest conceptions of audacity that can be cited in history. But what shall we say of the enlightened men who did not see the misfortunes of France and of the world in the possibility of his return? A great general, it will be said, was wanted to avenge the reverses experienced by the French army. In that case, Buonaparte ought not to have proclaimed the treaty of Paris; for if he was unable to re-conquer the barrier of the Rhine sacrificed by that treaty, what purpose did it answer to expose that which France was possessing in peace? But, it will be answered, the secret intention of Buonaparte was to restore to France her natural barriers. But was it not clear that Europe would penetrate that intention, that she would form a coalition to resist it, and that, particularly at the time in question, France was unable to resist united Europe? The congress was still assembled; and although a great deal of discontent was produced by several of their resolutions, was it possible that the nations would make choice of Buonaparte for their

defender? Was it he who had oppressed them whom they could oppose to the faults of their princes? The people were more violent than the sovereigns in the war against Buonaparte; and France, on taking him back for her ruler, necessarily brought on herself the hatred both of governments and nations. Will it be pretended that it was for the interest of liberty that they recalled the man who had, during fifteen years, shown himself most dextrous in the art of being master—a man equally violent and deceitful? People spoke of his conversion, and there were not wanting believers in this miracle: less faith certainly was required for the miracles of Mahomet. The friends of liberty have been able to see in Buonaparte only the counter-revolution of despotism, and the revival of an old regime more recent, but on that account more formidable; for the nation was still completely fashioned to tyranny, and neither principles nor public virtue had had time to take root. Personal interests only, and not opinions, conspired for the return of Buonaparté, and of those mad interests which were blinded in regard to their own danger, and accounted the fate of France as nothing.

POPE.

[From *King's Anecdotes of his own Times.*]

A man, who has contracted the pernicious habit of drinking drams, is conscious that he is taking in a slow poison, and therefore he will never own it either to his friend or his physician,

cian, though it is visible to all his acquaintance. Pope and I, with my lord Orrery and Sir Harry Bedingfield, dined with the late earl of Burlington. After the first course Pope grew sick, and went out of the room. When dinner was ended, and the cloth removed, my lord Burlington said he would go out, and see what was become of Pope. And soon after they returned together. But Pope, who had been casting up his dinner, looked very pale, and complained much. My lord asked him if he would have some mulled wine or a glass of old sack, which Pope refused. I told my lord Burlington that he wanted a dram. Upon which the little man expressed some resentment against me, and said he would not taste any spirits, and that he abhorred drams as much as I did. However I persisted, and assured my lord Burlington that he could not oblige our friend more at that instant than by ordering a large glass of cherry-brandy to be set before him. This was done, and in less than half an hour, while my lord was acquainting us with an affair which engaged our attention, Pope had sipped up all the brandy. Pope's frame of body did not promise long life; but he certainly hastened his death by feeding much on high-seasoned dishes, and drinking spirits.

SWIFT.

[From *King's Anecdotes.*]

The last time I dined with Dean Swift, which was about three years before he fell into that distemper which totally de-

prived him of his understanding, I observed, that he was affected by the wine which he drank, about a pint of claret. The next morning, as we were walking together in his garden, he complained much of his head, when I took the liberty to tell him (for I most sincerely loved him) that I was afraid he drank too much wine. He was a little startled, and answered, "that as to his drinking he had always looked on himself as a very temperate man; for he never exceeded the quantity which his physician had allowed and prescribed him." Now his physician never drank less than two bottles of claret after his dinner.

Doctor Swift was always persuaded that the archbishop of York had made impressions on Queen Anne to his disadvantage, and by that means had obstructed his preferment in England; and he has hinted this in his apology for the Tale of the Tub, and in other parts of his works; and yet my lord Bolingbroke, who must have been well informed of this particular, told me that he had been assured by the queen herself, that she never had received any unfavourable character of Dr. Swift, nor had the archbishop, or any other person, endeavoured to lessen him in her esteem. My lord Bolingbroke added, that this tale was invented by the earl of Oxford to deceive Swift, and make him contented with his deanery in Ireland; which, although his native country, he always looked on as a place of banishment. If lord Bolingbroke had hated the earl of Oxford less, I should have been readily inclined to believe him.

THE

THE REGENT DUKE OF ORLEANS.

[From King's Anecdotes.]

The duke of Orleans, who was regent of France during the minority of the present king Lewis the XVth, was most debauched in his life and abandoned in his morals. And yet he appeared to be a prince of great humanity, and a lover of public justice. When count Horn was sentenced to be broke on the wheel, duke D'Arenberg, and the whole family of Horn, applied to the regent for a pardon. But not succeeding in this attempt, and finding the regent inflexible, they requested that the Count's sentence might only be changed, and to avoid an ignominious death, which would be a lasting stain in the whole family, that he might have the favour of being beheaded. But this likewise the Regent refused, and made this answer: "count Horn is my relation as well as yours: but the infamy is not in the punishment, but in the crime." When the Prince of * * * * solicited the Regent to pardon a murder, which he had committed, after having been pardoned for the same crime once or twice before; "I will pardon you," says the Regent, "but take notice and keep this in your memory, I will certainly pardon the man, whoever he be, that kills you." This monitory had a proper effect, and put a stop to the barbarities of this Bourbon prince, who presumed that his quality of Prince of the blood was a licence for murder. These two answers of the Regent of France deserve to be written in letters of gold.

REPORTEE OF ATTERBURY.

[From King's Anecdotes.]

Atterbury, bishop of Rochester, when a certain bill was brought into the House of Lords, said among other things, "that he prophesied last winter this bill would be attempted in the present session, and he was sorry to find that he had proved a true prophet." My lord Coningsby, who spoke after the bishop, and always spoke in a passion, desired the house to remark, "that one of the right reverend had set himself forth as a prophet; but for his part he did not know what prophet to liken him to, unless to that furious prophet Balaam, who was reproved by his own ass." The bishop in a reply, with great wit and calmness, exposed this rude attack, concluding thus: "since the noble lord hath discovered in our manners such a similitude, I am well content to be compared to the prophet Balaam: but, my lords, I am at a loss how to make out the other part of the parallel: I am sure that I have been reproved by nobody but his lordship."

THE PRETENDER.

[From King's Anecdotes.]

September 1750, I received a note from my lady Primrose, who desired to see me immediately. As soon as I waited on her, she led me into her dressing-room, and presented me to _____.* If I was surprised to find him there, I was still more astonished when he acquainted me

* The Pretender.

me with the motives which had induced him to hazard a journey to England at this juncture. The impatience of his friends who were in exile had formed a scheme which was impracticable; but although it had been as feasible as they had represented it to him, yet no preparation had been made, nor was any thing ready to carry it into execution. He was soon convinced that he had been deceived, and therefore, after a stay in London of five days only, he returned to the place from whence he came. As I had some long conversations with him here, and for some years after held a constant correspondence with him, not indeed by letters but by messengers, who were occasionally despatched to him; and as during this intercourse I informed myself of all particulars relating to him and of his whole conduct, both in public and private life, I am perhaps as well qualified as any man in England to draw a just character of him; and I impose this task on myself not only for the information of posterity, but for the sake of many worthy gentlemen whom I shall leave behind me, who are at present attached to his name, and who have formed their ideas of him from public report, but more particularly from those great actions which he performed in Scotland. As to his person, he is tall and well-made, but stoops a little, owing perhaps to the great fatigue which he underwent in his northern expedition. He has an handsome face and good eyes; (I think his busts, which about this time were commonly sold in London, are more like

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him than any of his pictures which I have yet seen;*) but in a polite company he would not pass for a genteel man. He hath a quick apprehension, and speaks French, Italian, and English, the last with a little of a foreign accent. As to the rest, very little care seems to have been taken of his education. He had not made the belles lettres or any of the finer arts his study, which surprised me much, considering his preceptors, and the noble opportunities he must have always had in that nursery of all the elegant and liberal arts and science. But I was still more astonished, when I found him unacquainted with the history and constitution of England, in which he ought to have been very early instructed. I never heard him express any noble or benevolent sentiments, the certain indications of a great soul and a good heart; or discover any sorrow or compassion for the misfortunes of so many worthy men who had suffered in his cause.† But the most

* He came one evening to my lodgings and drank tea with me: my servant, after he was gone, said to me, "that he thought my new visitor very like Prince Charles." "Why," said I, "have you ever seen Prince Charles?" "No, sir," replied the fellow, "but this gentleman, whoever he may be, exactly resembles the busts which are sold in Red-lion-street, and are said to be busts of Prince Charles." The truth is, these busts were taken in plaster of Paris from his face.

† As to his religion, he is certainly free from all bigotry and superstition, and would readily conform to the religion of the country. With the Catholics he is a Catholic; with the Pro-

most odious part of his character is his love of money, a vice which I do not remember to have been imputed by our historians to any of his ancestors, and is the certain index of a base and little mind. I know it may be urged in his vindication, that a prince in exile ought to be an economist. And so he ought; but nevertheless his purse should be always open, as long as there is any thing in it to relieve the necessities of his friends and adherents. King Charles the second, during his banishment, would have shared the last pistole in his pocket with his little family. But I have known this gentleman with two thousand Louis-d'ors in his strong box pretend he was in great distress, and borrow money from a lady in Paris, who was not in affluent circumstances. His most faithful servants, who had closely attended him in all his difficulties, were ill rewarded. Two Frenchmen, who had left every thing to follow his fortune who had been sent as couriers through half Europe, and executed their commissions with great punctuality and exactness, were suddenly discharged without any faults imputed to them, or any recompense for their past service. To this spirit of avarice may be added his insolent manner of treating his immediate depend-

testants he is a Protestant; and, to convince the latter of his sincerity, he often carried an English Common Prayer-book in his pocket: and sent to Gordon (whom I have mentioned before), a nonjuring clergyman, to christen the first child he had by Mrs. W.

ants, very unbecoming a great prince, and a sure prognostic of what might be expected from him if ever he acquired sovereign power. Sir J. Harrington, and colonel Goring, who suffered themselves to be imprisoned with him, rather than desert him, when the rest of his family and attendants fled, were afterwards obliged to quit his service on account of his illiberal behaviour. But there is one part of his character, which I must particularly insist on, since it occasioned the defection of the most powerful of his friends and adherents in England, and by some concurring accidents totally blasted all his hopes and pretensions. When he was in Scotland, he had a mistress, whose name is Walkenshaw, and whose sister was at that time, and is still housekeeper at Leicester House. Some years after he was released from his prison, and conducted out of France, he sent for this girl, who soon acquired such a dominion over him, that she was acquainted with all his schemes, and trusted with his most secret correspondence. As soon as this was known in England, all those persons of distinction, who were attached to him, were greatly alarmed; they imagined that this wench had been placed in his family by the English ministers; and, considering her sister's situation, they seemed to have some ground for their suspicion; wherefore they dispatched a gentleman to Paris, where the Prince then was, who had instructions to insist that Mrs. Walkenshaw should be removed to a convent for a certain term; but her gallant absolutely refused

refused to comply with this demand; and although Mr. M'Namara, the gentleman who was sent to him, who has a natural eloquence, and an excellent understanding, urged the most cogent reasons, and used all the arts of persuasion to induce him to part with his mistress, and even proceeded so far as to assure him, according to his instructions, that an immediate interruption of all correspondence with his most powerful friends in England, and in short that the ruin of his interest, which was now daily increasing, would be the infallible consequence of his refusal; yet he continued inflexible, and all M'Namara's intreaties and remonstrances were ineffectual. M'Namara staid in Paris some days beyond the time prescribed him, endeavouring to reason the Prince into a better temper; but finding him obstinately persevere in his first answer, he took his leave with concern and indignation, saying, as he passed out, "what has your family done, Sir, thus to draw down the vengeance of heaven on every branch of it through so many ages?" It is worthy of remark, that in all the conferences which M'Namara had with the Prince on this occasion, the latter declared, that it was not a violent passion, or indeed any particular regard,* which attached

him to Mrs. Walkenshaw, and that he could see her removed from him without any concern; but he would not receive directions in respect to his private conduct from any man alive. When M'Namara returned to London, and reported the Prince's answer to the gentlemen who had employed him, they were astonished and confounded. However, they soon resolved on the measures which they were to pursue for the future, and determined no longer to serve a man who could not be persuaded to serve himself, and chose rather to endanger the lives of his best and most faithful friends, than part with an harlot, whom, as he often declared, he neither loved nor esteemed. If ever that old adage *Quos Jupiter vult perdere*, &c. could be properly applied to any person, whom could it so well fit as the gentleman of whom I have been speaking? for it is difficult by any other means to account for such a sudden infatuation. He was, indeed, soon afterwards made sensible of his misconduct, when it was too late to repair it: for from this era may truly be dated the ruin of his cause; which, for the future, can only subsist in the N—n—ing congregations, which are generally formed of the meanest people, from whom no danger to the present government need ever be apprehended.

* I believe he spoke truth when he declared he had no esteem for his northern mistress, although she has been his companion for so many years. She had no elegance of manners: and as they had both contracted an odious habit of drinking, so they exposed

themselves very frequently, not only to their own family, but to all their neighbours. They often quarrelled and sometimes fought: they were some of these drunken scenes which, probably, occasioned the report of his madness.

apprehended. Before I close this article, I must observe, that during this transaction, my lord M—— was at Paris in the quality of Envoy from the K—— of P——; M'Namara had directions to acquaint him with his commission: my lord M—— not in the least doubting the Prince's compliance with the request of his friends in England, determined to quit the K—— of P——'s service as soon as his embassy was finished, and go into the Prince's family. This would have been a very fortunate circumstance to the Prince on all accounts, but more especially as nothing could be more agreeable to all those persons of figure and distinction, who were at that time so deeply engaged in his cause; for there was not one of all that number who would not have reposed an entire confidence in the honour and discretion of my lord M——. But how was this gentleman amazed, when he perceived the Prince's obstinacy and imprudence? who was resolved, by a strange fatality, to alienate the affections of his best friends, and put an absolute barrier to all his own hopes. From this time my lord M—— would never concern himself in this cause; but prudently embraced the opportunity, through the K—— of P——'s interest of reconciling himself to the English government.

MR. HOWE.

[From King's Anecdotes.]

About the year 1706, I knew one Mr. Howe, a sensible well-

natured man, possessed of an estate of 700*l.* or 800*l.* per annum: he married a young lady of a good family in the west of England, her maiden name was Mallet; she was agreeable in her person and manners, and proved a very good wife. Seven or eight years after they had been married, he rose one morning very early, and told his wife he was obliged to go to the Tower to transact some particular business: the same day, at noon, his wife received a note from him, in which he informed her that he was under a necessity of going to Holland, and should probably be absent three weeks or a month. He was absent from her seventeen years, during which time she neither heard from him, or of him. The evening before he returned, whilst she was at supper, and with her some of her friends and relations, particularly one Dr. Rose, a physician, who had married her sister, a billet, without any name subscribed, was delivered to her, in which the writer requested the favour of her to give him a meeting the next evening in the Birdcage-walk, in St. James's Park. When she had read her billet, she tossed it to Dr. Rose, and laughing, "You see, brother," said she, "as old as I am, I have got a gallant." Rose, who perused the note with more attention, declared it to be Mr. Howe's handwriting; this surprised all the company, and so much affected Mrs. Howe, that she fainted away; however, she soon recovered, when it was agreed that Dr. Rose and his wife, with the other gentlemen and ladies who were

were then at supper, should attend Mrs. Howe the next evening to the Bird-cage Walk: they had not been there more than five or six minutes, when Mr. Howe came to them, and after saluting his friends, and embracing his wife, walked home with her, and they lived together in great harmony from that time to the day of his death. But the most curious part of my tale remains to be related. When Howe left his wife, they lived in a house in Jermyn-street, near St. James's church; he went no farther than to a little street in Westminster, where he took a room, for which he paid five or six shillings a week, and changing his name, and disguising himself by wearing a black wig (for he was a fair man), he remained in this habitation during the whole time of his absence. He had had two children by his wife when he departed from her, who were both living at that time: but they both died young in a few years after. However, during their lives, the second or third year after their father disappeared, Mrs. Howe was obliged to apply for an act of parliament to procure a proper settlement of her husband's estate, and a provision for herself out of it during his absence, as it was uncertain whether he was alive or dead: this act he suffered to be solicited and passed, and enjoyed the pleasure of reading the progress of it in the votes, in a little coffee-house, near his lodging, which he frequented. Upon his quitting his house and family in the manner I have mentioned,

Mrs. Howe at first imagined, as she could not conceive any other cause for such an abrupt elopement, that he had contracted a large debt unknown to her, and by that means involved himself in difficulties which he could not easily surmount; and for some days she lived in continual apprehensions of demands from creditors, of seizures, executions, &c. But nothing of this kind happened; on the contrary, he did not only leave his estate quite free and unencumbered, but he paid the bills of every tradesman with whom he had any dealings; and upon examining his papers, in due time after he was gone, proper receipts and discharges were found from all persons, whether tradesmen or others, with whom he had any manner of transactions or money concerns. Mrs. Howe, after the death of her children, thought proper to lessen her family of servants, and the expenses of her housekeeping; and therefore removed from her house in Jermyn-street to a little house in Brewer-street, near Golden-square. Just over against her lived one Salt, a cornchandler. About ten years after Howe's abdication, he contrived to make an acquaintance with Salt, and was at length in such a degree of intimacy with him, that he usually dined with Salt once or twice a week. From the room in which they eat, it was not difficult to look into Mrs. Howe's dining-room, where she generally ate and received her company; and Salt, who believed Howe to be a bachelor, frequently recommended his own wife to him as a suitable

able match. During the last seven years of this gentleman's absence, he went every Sunday to St. James's church, and used to sit in Mr. Salt's seat, where he had a view of his wife, but could not easily be seen by her. After he returned home, he never would confess, even to his most intimate friends, what was the real cause of such a singular conduct; apparently, there was none: but whatever it was, he was certainly ashamed to own it. Dr. Rose has often said to me, that he believed his brother Howe* would never have returned to his wife, if the money which he took with him, which was supposed to have been 1,000*l.* or 2,000*l.* had not been all spent: and he must have been a good economist, and frugal in his manner of living, otherwise his money would scarce have held out; for I imagine he had his whole fortune by him, I mean what he carried away with him in money or bank bills, and daily took out of his bag, like the Spaniard in Gil Blas, what was sufficient for his expenses.

HORACE WALPOLE.

(Letters from the Hon. Horace Walpole to the Rev. W. Cole, and others.)

I have been eagerly reading

* And yet I have seen him after his return addressing his wife in the language of a young bridegroom. And I have been assured by some of his most intimate friends, that he treated her during the rest of their lives with the greatest kindness and affection.

Mr. Shenstone's Letters, which, though containing nothing but trifles, amused me extremely, as they mention so many persons I know; particularly myself. I found there, what I did not know, and what, I believe, Mr. Gray himself never knew, that his ode on my cat was written to ridicule lord Littleton's monody. It is just as true as that the latter will survive, and the former be forgotten. There is another anecdote equally vulgar, and void of truth: that my father, sitting in George's coffee-house (I suppose Mr. Shenstone thought, that, after he quitted his place, he went to coffee-houses to learn news), was asked to contribute to a figure of himself that was to be beheaded by the mob. I do remember something like it, but it happened to myself. I met a mob, just after my father was out, in Hanover-square, and drove up to it to know what was the matter. They were carrying about a figure of my sister. This probably gave rise to the other story. That on my uncle I never heard; but it is a good story, and not at all improbable. I felt great pity on reading these Letters for the narrow circumstances of the author, and the passion for fame that he was tormented with; and yet he had much more fame than his talents intitled him to. Poor man! he wanted to have all the world talk of him for the pretty place he had made; and which he seems to have made only that it might be talked of. The first time a company came to see my house, I felt his joy. I am now so tired
of

of it, that I shudder when the bell rings at the gate. It is as bad as keeping an inn, and I am often tempted to deny its being shown, if it would not be ill-natured to those that come, and to my house-keeper. I own, I was one day too cross. I had been plagued all the week with staring crowds. At last it rained a deluge. Well, said I, at last, nobody will come to-day. The words were scarce uttered, when the bell rang. A company desired to see the house. I replied, Tell them they cannot possibly see the house, but they are very welcome to walk in the garden.

* * * * *

You know I shun authors, and would never have been one myself, if it obliged me to keep such bad company. They are always in earnest, and think their profession serious, and dwell upon trifles and reverence learning. I laugh at all those things, and write only to laugh at them, and divert myself. None of us are authors of any consequence; and it is the most ridiculous of all vanities to be vain of being *mediocre*. A page in a great author humbles me to the dust, and the conversation of those that are not superior to myself, reminds me of what will be thought of myself. I blush to flatter them, or to be flattered by them, and should dread letters being published some time or other, in which they should relate our interviews, and we should appear like those puny conceited wits in Shenstone's and Hugh's Correspondence, who give themselves airs from being

in possession of the soil of Parnassus for the time being; as peers are proud, because they enjoy the estates of great men who went before them. Mr. Gough is very welcome to see Strawberry-hill; or I would help him to any scraps in my possession, that would assist his publications; though he is one of those industrious, who are only reburying the dead—but I cannot be acquainted with him. It is contrary to my system, and my humour; and, besides, I know nothing of barrows, and Danish entrenchments, and Saxon barbarisms, and Phœnician characters—in short, I know nothing of those ages that knew nothing—then how should I be of use to modern litterati? All the Scotch metaphysicians have sent me their works. I did not read one of them, because I do not understand, what is not understood by those that write about it; and I did not get acquainted with one of the writers. I should like to be intimate with Mr. Anstey, even though he wrote Lord Buckhorse, or with the author of the Heroic Epistle—I have no thirst to know the rest of my cotemporaries, from the absurd bombast of Dr. Johnson down to the silly Dr. Goldsmith; though the latter changeling has had bright gleams of parts, and the former had sense, till he changed it for words, and sold it for a pension. Don't think me scornful. Recollect that I have seen Pope, and lived with Gray.

* * * * *

From Berkeley castle I went to Thornbury, of which the rains are half ruined. It would have been

been glorious, if finished. I wish the lords of Berkeley had retained the spirit of deposing till Henry the 8th's time! The situation is fine, though that was not the fashion; for all the windows of the great apartment look into the inner-court. The prospect was left to the servants. Here I had two adventures. I could find nobody to show me about. I saw a paltry house that I took for the sexton's, at the corner of the close, and bade my servant ring, and ask who could show me the castle. A voice in a passion flew from a casement, and issued from a divine. "What! was it his business to show the castle! Go look for somebody else! What did the fellow ring for as if the house was on fire!" The poor Swiss came back in a fright, and said, the doctor had sworn at him. Well—we scrambled over a stone stile, saw a room or two glazed near the gate, and rung at it. A damsel came forth, and satisfied our curiosity. When we had done seeing, I said, "Child, we don't know our way, and want to be directed into the London-road; I see the duke's steward yonder at the window, pray desire him to come to me, that I may consult him." She went—he stood staring at us at the window—and sent his footman. I do not think courtesy is resident at Thornbury. As I returned through the close, the divine came running out of breath, and without his beaver or band, and calls out, "Sir, I am come to justify myself: your servant says I swore at him: I am no sweater—Lord bless me! [dropping his voice] it is Mr.

Walpole!" "Yes, sir, and I think you was lord Beauchamp's tutor at Oxford, but I have forgot your name." "Holwell, sir." "Oh! yes—" and then I comforted him, and laid the ill-breeding on my footman's being a foreigner; but could not help saying, I really had taken his house for the sexton's. "Yes, sir, it is not very good without, won't you please to walk in?" I did, and found the inside ten times worse, and a lean wife, suckling a child. He was making an index to Homer, is going to publish the chief beauties, and I believe had just been reading some of the delicate civilities that pass between Agamemnon and Achilles, and that what my servant took for oaths, were only Greek compliments.

* * * * *

I am always intending to draw up an account of my intercourse with Chatterton, which I take very kindly you remind me of, but some avocation or other has still prevented it. My perfect innocence of having indirectly been an ingredient, in his dismal fate, which happened two years after our correspondence, and after he had exhausted both his resources and his constitution, have made it more easy to prove that I never saw him, knew nothing of his ever being in London, and was the first person instead of the last, on whom he had practised his impositions, and founded his chimeric hopes of promotion. My very first, or at least second letter, undeceived him in those views, and our correspondence was broken off before he quitted his master's business

business and Bristol—so that his disappointment with me was but his first ill-success; and he resented my incredulity so much, that he never condescended to let me see him. Indeed, what I have said now to you, and which cannot be controverted by a shadow of a doubt, would be sufficient vindication. I could only add to the proofs a vain regret of never having known his distresses, which his amazing genius would have tempted me to relieve, though I fear he had no other claim to compassion. Mr. Warton has said enough to open the eyes of every one that is not greatly prejudiced to his forgeries. Dr. Milles is one who will not make a bow to Dr. Percy, for not being as wilfully blind as himself—but when he gets a beam in his eye that he takes for an antique truth, there is no persuading him to submit to be couched.

If Mr. Tyrwhit has opened his eyes to Chatterton's forgeries, there is an instance of conviction against strong prejudice! I have drawn up an account of my transaction with that marvellous young man; you shall see it one day or other, but I do not intend to print it. I have taken a thorough dislike to being an author; and if it would not look like begging you to compliment me, by contradicting me, I would tell you what I am most seriously convinced of, that I find what small share of parts I had, grown dulled—and when I perceive it myself, I may well believe that others would not be less sharp-sighted. It is very natural; mine were spirits rather than parts;

and as time has abated the one, it must surely destroy their resemblance to the other: pray don't say a syllable in reply on this head, or I shall have done exactly what I said I would not do. Besides, as you have always been too partial to me, I am on my guard, and when I will not expose myself to my enemies, I must not listen to the prejudices of my friends; and as nobody is more partial to me than you, there is nobody I must trust less in that respect.

You will be surprised when I tell you, that I have only dipped into Mr. Bryant's book, and lent the dean's before I had cut the leaves, though I had peeped into it enough to see that I shall not read it. Both he and Bryant are so diffuse on our antiquated literature, that I had rather believe in Rowley than go through their proofs. Mr. Warton and Mr. Tyrwhit have more patience, and intend to answer them—and so the controversy will be two hundred years out of my reach. Mr. Bryant, I did find, begged a vast many questions, which proved to me his own doubts. Dr. Glyn's foolish evidence made me laugh—and so did Mr. Bryant's sensibility *for me*; he says Chatterton treated me very *cruelly* in one of his writings. I am sure I did not feel it so. I suppose Bryant means under the title of Baron of Otranto, which is written with humour. I must have been the sensitive plant if any thing in that character had hurt me! Mr. Bryant too, and the dean, as I see by extracts in the papers, have decorated Chatterton with
sanctimonious

sanctimonious honour. Think of that young rascal's note, when summoning up his gains and losses by writing for and against Beckford, he says, "I am glad he is dead by *Sl. 13s. 6d.*" *There* was a lad of too nice honour to be capable of forgery! and a lad who, they do not deny, forged the poems in the style of Ossian, and fifty other things. In the parts I did read, Mr. Bryant, as I expected, reasons admirably, and staggered me; but when I took up the poems called Rowley's again, I protest I cannot see the smallest air of antiquity but the old words. The whole texture is conceived on ideas of the present century. The liberal manner of thinking of a monk so long before the reformation is as stupendous—and where he met with Ovid's *Metamorphoses*, *Eclogues*, and plans of Greek tragedies, when even Caxton, a printer, took Virgil's *Æneid* for so rare a novelty, are not less incomprehensible—though on these things I speak at random, nor have searched for the era when the Greek and Latin classics came again to light—at present I imagine long after our Edward 4th.

Another thing struck me in my very cursory perusal of Bryant. He asks, where Chatterton could find so much knowledge of English events? I could tell him where he might, by a very natural hypothesis, though merely an hypothesis. It appears by the evidence, that Canninge left six chests of MSS. and that Chatterton got possession of some or several. Now what was therein so *probably* as a diary drawn up by Canninge himself or

some churchwarden, or warden, or by a monk, or monks? Is any thing more natural, than for such a person, amidst the events at Bristol, to set down such other public facts as happened in the rest of the kingdom? Was not such almost all the materials of our ancient story? There is actually such an one, with some curious collateral facts, if I am not mistaken, for I write by memory, in the history of Furnese or Fountain's Abbey, I forget which. If Chatterton found such an one, did he want the extensive literature on which so much stress is laid? Hypothesis for hypothesis,—I am sure this is as rational an one, as the supposition, that six chests were filled with poems never else heard of.

These are my indigested thoughts on this matter—not that I ever intend to digest them—for I will not at sixty-four sail back into the fourteenth and fifteenth centuries, and be drowned in an ocean of monkish writers of those ages or of this!

There is a report that some part of Chatterton's forgery is to be produced by an accomplice—but this I do not answer for, nor know the circumstances. I have scarce seen a person who is not persuaded that the *fashion* of the poems was Chatterton's own, though he might have found some old stuff to work upon, which very likely was the case; but now that the poems have been so much examined, nobody (that has an ear) can get over the modernity of the modulations, and the recent cast of the ideas and phraseology, corroborated
by

by such palpable pillage of Pope and Dryden. Still the boy remains a prodigy, by whatever means he procured or produced the edifice erected—and still it will be found inexplicable how he found time or materials for operating such miracles.

* * * * *

I am as impatient and in as much hurry as you was, dear sir, to clear myself from the slightest intention of censuring your politics. I know the sincerity and disinterested goodness of your heart, and when I must be convinced how little certain we all are of what is truth, it would be very presumptuous to condemn the opinions of any good man, and still less an old and unalterable friend, as I have ever found you. The destruction that violent arbitrary principles have drawn on this blinded country has moved my indignation. We never were a great and happy country till the Revolution. The system of these days tended to overturn and has overturned that establishment, and brought on the disgraces that ever attended the foolish and wicked councils of the house of Stuart. If man is a rational being, he has a right to make use of his reason, and to enjoy his liberty. We, we alone almost had a constitution, that every other nation upon earth envied or ought to envy. This is all I contend for. I will give you up whatever descriptions of men you please; that is, the leaders of parties, not the principles. These cannot change, those generally do, when power falls into the hands of them or their party, because men are cor-

ruptible, which truth is not. But the more the leaders of a party dedicated to liberty are apt to change, the more I adore the principle, because it shows that extent of power is not to be trusted even with those that are the most sensible of the value of liberty. Man is a domineering animal; and it has not only been my principle, but my practice too, to quit every body at the gate of the palace.

* * * * *

I think you take in no newspapers, nor I believe condescend to read any more modern than the Paris à la Main at the time of the Ligue—consequently you have not seen a new scandal on my father, which you will not wonder offends me. You cannot be interested in his defence; but, as it comprehends some very curious anecdotes, you will not grudge my indulging myself to a friend in vindicating a name so dear to me.

In the accounts of lady Chesterfield's death and fortune, it is said that the late king, at the instigation of sir R. W. burnt his father's will, which contained a large legacy to that his supposed daughter, and I believe his real one, for she was very like him, as her brother, general Schulembourg, is in black to the late king. The fact of suppressing the will is indubitably true, the instigator most false, as I can demonstrate thus :—

When the news arrived of the death of George 1st, my father carried the account from lord Townshend to the then prince of Wales. One of the first acts of royalty is for the new monarch to
make

make a speech to the privy council. Sir Robert asked the king who he will please to have draw the speech, which was, in fact, asking, who was to be prime minister; to which his majesty replied—Sir Spencer Compton. It is a wonderful anecdote, and but little known, that the new premier, a very dull man, could not draw the speech, and the person to whom he applied was the deposed premier. The queen, who favoured my father, observed how unfit a man was for successor, who was reduced to beg assistance of his predecessor. The council met as soon as possible, the next morning at latest. There archbishop Wake, with whom one copy of the will had been deposited (as another was, I think, with the duke of Wolfenbuttle, who had a pension for sacrificing it, which, I know, the late duke of Newcastle transacted), advanced, and delivered the will to the king, who put it into his pocket, and went out of council without opening it, the archbishop not having courage or presence of mind to desire it to be read, as he ought to have done.

These circumstances, which I solemnly assure you are strictly true, prove that my father neither advised, nor was consulted; nor is it credible that the king in one night's time should have passed from the intention of disgracing him, to make him his bosom confident on so delicate an affair.

I was once talking to the late lady Suffolk, the former mistress, on that extraordinary event. She said, "I cannot justify the deed to the legatees, but towards his

father the late king was justifiable; for George the first had burnt two wills made in favour of George the 2nd." I suppose they were the testaments of the duke and duchess of Zell, parents of George the first's wife, whose treatment of her they always resented.

I said, *I know* the transaction of the duke of N. The late lord Waldegrave showed me a letter from that duke to the first earl of Waldegrave, then ambassador at Paris, with directions about that transaction, or, at least, about payment of the pension, I forget which. I have somewhere, but cannot turn to it now, a memorandum of that affair, and who the prince was, whom I may mistake in calling duke of Wolfenbuttle. There was a third copy of the will, I likewise forget with whom deposited.

The newspaper says, which is true, that lord Chesterfield filed a bill in chancery against the late king to oblige him to produce the will, and was silenced, I think, by payment of 20,000*l.* There was another legacy to his own daughter, the queen of Prussia, which has at times been, and, I believe, is still claimed by the king of Prussia.

Do not mention any part of this story, but it is worth preserving, as I am sure you are satisfied with my scrupulous veracity. It may perhaps be authenticated hereafter by collateral evidence that may come out. If ever true history does come to light, my father's character will have just honour paid to it. Lord Chesterfield, one of his sharpest enemies, has not, with all his prejudices,

judices, left a very unfavourable account of him, and it would alone be raised by a comparison of their two characters. Think of one who calls sir Robert the corrupter of youth, leaving a system of education to poison them from their nursery! Chesterfield, Pulteney and Bolingbroke were the saints that reviled my father!

BIOGRAPHICAL ACCOUNT OF
SAMUEL LYSONS, ESQ.

*Of the Inner Temple, F. R. S.
and F. A. S. Keeper of his Majesty's Records in the Tower of London.*

This gentleman was born on May 17th, 1763, at Rodmarton, near Cirencester, of which parish his father was rector. He received the rudiments of his education under private tuition, and finished his classical studies at the grammar-school of Bath. Being designed for the profession of the law, he was placed in the office of Mr. Jeffries, an eminent solicitor of that city, where the peculiar energy of his mind, and his various talents, acquired him the attention and esteem of many of the persons then occasionally residing at Bath.

In October, 1784, he came to London, having been previously entered at the Inner Temple, and he commenced the study of the law under Mr. Walton. He then practised for several years as a special pleader, which was a reason why he was not called to the bar till June, 1798.

Though he had acquired a com-

petent knowledge of his profession, other more congenial studies began at this time to occupy his attention, and finally led him to withdraw from its practice. The favourite and almost exclusive objects of his researches became the history and antiquity of his native country; and few persons have contributed so much valuable information upon these topics as those which Mr. Lysons has collected and made public.

In July, 1796, he was introduced by sir Joseph Banks at Kew to their majesties and the royal family, who from that time continued to honour him by their frequent notice. In the following year he was elected a member of the Royal Society, and was nominated vice-president and treasurer of that body in the year 1810.

He became a member of the Society of Antiquaries in 1786, and continued to fill the office of director down to the year 1809.

In 1803 he was honoured by his majesty, upon the death of Mr. Astle, by the appointment to the office of keeper of the records in the Tower of London; and under his direction this office soon became one of a very important and interesting nature. Many interesting documents, connected with the history as well as the property of the country, have been discovered among confused heaps of unknown records, which had lain mouldering for ages; and these have been carefully examined, sorted, and arranged in complete order.

In the year 1818, when the honorary office of antiquary profes-

sor was revived in the Royal Academy of Arts, Mr. Lysons was requested, with the approbation of the prince regent, to accept the appointment.

The works he has published are remarkable for the industry and accuracy of information with which they have been compiled. The principal of these are—The Antiquities of Gloucestershire; the Roman Remains discovered by him at Woodchester; a Collection of the Roman Antiquities discovered in various parts of Great Britain. The last and great topographical work, upon which he had for many years employed, in conjunction with his brother, the rev. Daniel Lysons, will probably now be discontinued.

It is worthy of remark, that the whole of the plates in the voluminous work on the Gloucestershire Antiquities, were etched by himself from his own drawings; as were also a very large proportion of the others. His drawings were made with much spirit as well as accuracy.

To his extensive knowledge of British antiquities, Mr. Lysons united great classical learning; and the comprehensive powers of his memory, which enabled him to retain accurately and recall readily, whatever he had heard or read, materially assisted him in his learned labours.

He was never married; but in the several qualities which distinguish a man as a son, brother, and friend, it is impossible to do justice to his amiable and most affectionate disposition.

He died on the 29th of June, at Cirencester, Gloucestershire.

BIOGRAPHICAL MEMOIR OF
MR. PROFESSOR PLAYFAIR.

Mr. *Professor Playfair* was the eldest son of the rev. James Playfair, a much-respected clergyman of the church of Scotland, who died in 1772. He was born in 1749, at the manse or parsonage-house of Bervie, a small village a few miles west from Dundee, and was educated under the tuition of his father till his fourteenth year, when he was sent to the University of St. Andrew's.

Here it soon became evident that he gave a decided preference to mathematical pursuits; and at the age of eighteen he became the friend and companion of Dr. Wilkie, then professor of that science.

When Mr. Playfair's studies were finished at St. Andrew's, he obtained a licence to preach, and occasionally assisted his father. At Edinburgh, which he sometimes visited, he became a member of the Speculative Society, where most of the studious young men in that capital first exercised their talents in argument and investigation.

His father, when he died, left five sons and two daughters, three of them under the age of fifteen. John Playfair succeeded to his father's living of Bervie, and was thus enabled to maintain the family. He instructed his brothers with great care and affection, particularly in mathematics; and when in straitened circumstances, he made great efforts to fit them for their intended professions. His mother and two sisters resided

with

with him at Bervie till 1782, when he became tutor to Mr. Ferguson's two sons, which gave Mr. Playfair the opportunity of residing at Edinburgh. About that time professor Ferguson resigned the chair of moral philosophy to Dugald Stewart, who then held the mathematical class, and Mr. Playfair became successor to professor Stewart.

When the Royal Society of Edinburgh was established, he was appointed secretary. His literary labours were incessant; and he was a constant contributor to the Transactions of the Edinburgh Royal Society, in which many of his papers are to be found. He also contributed occasionally to the Edinburgh Review. He was also the author of a Life of Professor Robison, and a Preface to the second part of the Supplement to the Encyclopædia Britannica.

All the works of Mr. Playfair show him as no less a pure and eloquent writer, than he was a profound and comprehensive thinker; and he was at the same time the most agreeable of companions, and the most sincere of friends. His great reputation as a lecturer arose principally from his manner, which attracted the students in an uncommon degree, and made him at once affable and impressive. As, while yet a young man, he had to support his father's family, he never entered into the state of matrimony, but lived with his mother and two sisters till 1805, when his mother died, at about the age of eighty. One of his brothers died in 1794, leaving a young family, which the professor took immediately

under his protection; and the liberal and kind manner in which he behaved to them, and to all who depended upon him, is above all praise.

Three years ago he went to visit the Alps and Italy, when his principal object was, geological observation. Soon after his return, his health began to give way. He had for many years been occasionally afflicted with a strangury, which returned in an alarming manner in the end of last June, from which time he continued in great pain. In July he caused his sisters and nephews to be called, and repeated to them every thing which appeared necessary relative to his affairs. On the following day, he almost insensibly breathed his last.

His funeral took place in Edinburgh on July 26, when the ceremony presented a mournful spectacle; at which the Royal Medical Society and a numerous train of friends and acquaintances marched in procession.

A character of professor Playfair, ascribed to the pen of Mr. Jeffrey, has been published. It chiefly dwells upon his anxiety to do *something* to gratify a natural impatience, of which the ingenious writer acknowledged himself but slenderly qualified to judge, but in which he says, that he hazards nothing in declaring him among the most learned mathematicians of his age. The principal matter, however, of Mr. Jeffrey's writing, may be admitted to be the following:—

“ His habits of composition, as we have understood, were not, perhaps, exactly what might have been expected from their results.

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He wrote rather slowly, and his first sketches were often rather slight and imperfect, like the rude chalking of a masterly picture. His chief effort and greatest pleasure was, in their revisal and correction, and there were no limits to the improvement which resulted from this application. It was not the style merely, or indeed chiefly, that gained by it. The whole reasoning, and sentiment, and illustration, were enlarged and new modelled in the course of it, and a naked outline became gradually informed with life, colour, and expression. It was not at all like the common finishing and polishing to which careful authors generally subject the first drafts of their compositions, nor even like the fastidious and tentative alterations with which some more anxious writers essay their choicest passages. It was, in fact, the great filling in of the picture, the working-up of the figured web on the naked and meagre woof, that had been stretched to receive it; and the singular thing in this case was, not only that he left this most material part of his work to be performed after the whole outline had been finished, but that he could proceed with it to an indefinite extent."

Much more was added to this clause; but we forbear from making any farther addition to a sentiment thus filled by the author's hand.

BIOGRAPHICAL MEMOIR OF
JAMES WATT, ESQ.

James Watt, esq. was born at Greenock in the year 1736. After

finishing his grammatical studies, in which he laid in a stock of useful elementary knowledge, he was apprenticed to what is called in the North an instrument-maker, whose business consists in making and repairing the various machines and articles used in different professions. After serving three years he removed to London, and worked some time with a mathematical instrument-maker; but having contracted a complaint by sitting in winter at the door of the work-shop, he removed to his native country, where he set up for himself. Whilst he was thus employed, the professor of natural philosophy in the University of Glasgow engaged him in repairing the old model of a steam-engine, which through length of time had grown out of use. Watt was much struck with the contrivance, but he soon perceived defects in it which prevented it from becoming of more general advantage. From that time he devoted himself to the improvement of this machine, particularly with regard to the saving of heat in the production and condensation of steam. By repeated observations he found, that near four times the quantity of steam was wasted in comparison of that which actually worked the machine. He therefore endeavoured to diminish this waste, and at length completely succeeded.

This was about the year 1763; at which period he married a lady of Glasgow, by whom he had two children. About this time he was joined by Dr. Roebuck, a gentleman of science and property; but their means were not adequate

adequate to their objects. In this situation, Mr. Boulton fortunately becoming acquainted with Mr. Watt, instantly made him an offer of partnership, which was accepted, Dr. Roebuck being reimbursed for what he had expended. Mr. Watt now removed with his family to Birmingham, where he was employed in the most extensive concerns; and for the sale of his engines a patent was obtained, with an act of parliament to prolong its duration. He was also the author of many other inventions, particularly of the copying machine, by the help of which, what has taken a person several hours to write, may be transcribed in a few seconds. Soon after his settlement in Birmingham, having lost his wife, he married Miss M'Gregor, of Glasgow.

Mr. Watt was elected a fellow of the Royal Society of Edinburgh in 1784; of the Royal Society of London in 1785; and a member of the Batavian Society in 1787. In 1806 the honorary degree of Doctor of Laws was conferred upon him by the spontaneous vote of the University of Glasgow; and in 1808 he was elected a member of the National Institute of France.

This truly-great man, by his death has deprived our country of one of its most illustrious ornaments. He may justly be placed at the very head of those philosophers who have improved the condition of mankind by the application of science to the practical purposes of life. His steam-

engine is probably the most perfect production of physical and mechanical skill which the world has yet seen, and certainly far transcends every similar invention. So great was the active power of his mind, that he not only embraced the whole compass of science, but was deeply learned in many departments of literature; and such was the felicity of his memory, that it retained, without effort, all that was confided to it. His manners were marked with the simplicity which generally characterizes exalted merit, and were perfectly free from parade and affectation; and though he could not be unconscious of the eminent rank he held among men of science, yet his character was not debased by the slightest taint of vanity or pride. He had for many years retired from business; but his mind continued actively employed on scientific improvements, among which was, an apparatus for the medical employment of factitious airs.

Having at length attained the age of 84 years, his life was terminated by an easy and tranquil death, on the 25th of August, at his house at Heathfield.

His remains were interred at Handsworth, in Warwickshire. The funeral, according to his own wishes, was a private one; but a numerous assemblage of his friends attended his remains to the grave; among whom were several gentlemen, eminent in science and literature, from distant parts of the kingdom.

STATISTICS AND HISTORY.

(From Hallam's Europe.)

THE geographical position of Europe naturally divides its maritime commerce into two principal regions; one comprehending those countries which border on the Baltic, the German and the Atlantic oceans; another, those situated around the Mediterranean sea. During the four centuries which preceded the discovery of America, and especially the two former of them, this separation was more remarkable than at present, inasmuch as their intercourse, either by land or sea, was extremely limited. To the first region belonged the Netherlands, the coasts of France, Germany, and Scandinavia, and the maritime districts of England. In the second we may class the provinces of Valencia and Catalonia, those of Provence and Languedoc, and the whole of Italy.

1. The former, or northern division, was first animated by the woollen manufacture of Flanders. It is not easy either to discover the early beginnings of this, or to account for its rapid advancement. The fertility of that province and its facilities of interior navigation were doubtless necessary causes; but there must have been some temporary encouragement from the personal character of its sovereigns, or

other accidental circumstances. Several testimonies to the flourishing condition of Flemish manufactures occur in the twelfth century, and some might perhaps be found even earlier. A writer of the thirteenth asserts that all the world was clothed from English wool wrought in Flanders. This indeed is an exaggerated vaunt; but the Flemish stuffs were probably sold wherever the sea or a navigable river permitted them to be carried. Cologne was the chief trading city upon the Rhine; and its merchants, who had been considerable even under the emperor Henry 4th; established a factory at London in 1220. The woollen manufacture, notwithstanding frequent wars and the impolitic regulations of magistrates, continued to flourish in the Netherlands (for Brabant and Hainault shared it in some degree with Flanders), until England became not only capable of supplying her own demand, but a rival in all the marts of Europe. All Christian kingdoms, and even the Turks themselves, says an historian of the sixteenth century, lamented the desperate war between the Flemish cities and their count Louis, that broke out in 1380. For at that time Flanders was a market for the traders of all the world. Merchants from seventeen kingdoms had their settled

tled domiciles at Bruges, besides strangers from almost unknown countries who repaired thither. During this war, and on all other occasions, the weavers both of Ghent and Bruges distinguished themselves by a democratical spirit, the consequence no doubt of their numbers and prosperity. Ghent was one of the largest cities in Europe, and in the opinion of many the best situated. But Bruges, though in circuit but half the former, was more splendid in its buildings, and the seat of far more trade; being the great staple both for Mediterranean and northern merchandize. Antwerp, which early in the sixteenth century drew away a large part of this commerce from Bruges, was not considerable in the preceding ages; nor were the towns of Zealand and Holland much noted except for their fisheries, though those provinces acquired in the fifteenth century some share of the woollen manufacture.

For the two first centuries after the conquest, our English towns, as has been observed in a different place, made some forward steps towards improvement, though still very inferior to those of the continent. Their commerce was almost confined to the exportation of wool, the great staple commodity of England, upon which, more than any other, in its raw or manufactured state, our wealth has been founded. A woollen manufacture, however, indisputably existed under Henry 2nd; it is noticed in regulations of Richard 1st; and by the importation of woad under John, it may be inferred to have still flourished. The disturbances of the

next reign, perhaps, or the rapid elevation of the Flemish towns, retarded its growth; though a remarkable law was passed by the Oxford parliament in 1261, prohibiting the export of wool, and the importation of cloth. This, while it shows the deference paid by the discontented barons who predominated in that parliament, to their confederates the burghers, was evidently too premature to be enforced. We may infer from it, however, that cloths were made at home, though not sufficiently for the people's consumption.

Prohibitions of the same nature, though with a different object, were frequently imposed on the trade between England and Flanders by Edward 1, and his son. As their political connexions fluctuated, these princes gave full liberty and settlement to the Flemish merchants, or banished them at once from the country. Nothing could be more injurious to England than this arbitrary vacillation, which, I think, proves Edward 1st to have been a less wise and enlightened sovereign than he has been esteemed. The Flemings were in every respect our natural allies; but besides those connexions with France, the constant enemy of Flanders, into which both the Edwards occasionally fell, a mutual alienation had been produced by the trade of the former people with Scotland, a trade too lucrative to be resigned at the king of England's request. An early instance of that conflicting selfishness of belligerents and neutrals, which was destined to aggravate the animosities and misfortunes of our own time!

A more prosperous æra began with Edward 3rd, the father, as he may almost be called, of English commerce, a title, not indeed more glorious, but by which he may perhaps claim more of our gratitude than as the hero of Crecy. In 1331, he took advantage of discontents among the manufacturers of Flanders, to invite them as settlers into his dominions. They brought the finer manufacture of woollen cloths, which had been unknown in England. The discontents alluded to resulted from the monopolizing spirit of their corporations, who oppressed all artisans without the pale of their community. The history of corporations brings home to our minds one cardinal truth, that political institutions have very frequently but a relative and temporary usefulness, and that what forwarded improvement during one part of its course, may prove to it in time a most pernicious obstacle. Corporations in England, we may be sure, wanted nothing of their usual character; and it cost Edward no little trouble to protect his colonists from their selfishness, and from the blind nationality of the vulgar. The emigration of Flemish weavers into England continued during this reign, and we find it mentioned, at intervals, for more than a century.

Commerce now became, next to liberty, the leading object of parliament. Far the greater part of our statutes from the accession of Edward 3rd, bear relation to this subject; not always well devised, or liberal, or consistent, but by no means worse in those respects than such as have been

enacted in subsequent ages. The occupation of a merchant became honourable; and notwithstanding the natural jealousy of the two classes, he was placed in some measure on a footing with landed proprietors. By the statute of apparel, in 37 Edw. 3rd, merchants and artificers who had five hundred pounds value in goods and chattels might use the same dress as squires of one hundred pounds a year. And those who were worth more than this, might dress like men of double that estate. Wool was still the principal article of export, and source of revenue. Subsidies granted by every parliament upon this article were, on account of the scarcity of money, commonly taken in kind. To prevent evasion of this duty seems to have been the principle of those multifarious regulations, which fix the staple, or market for wool, in certain towns, either in England, or, more commonly, on the continent. To these all wool was to be carried, and the tax was there collected. It is not easy, however, to comprehend the drift of all the provisions relating to the staple, many of which tend to benefit foreign at the expense of English merchants. By degrees, the exportation of woollen cloths increased so as to diminish that of the raw material, but the latter was not absolutely prohibited during the period under review; although some restrictions were imposed upon it by Edward 4th. For a much earlier statute, in the 11th of Edward 3rd, making the exportation of wool a capital felony, was in its terms provisional, until it should be otherwise

wise ordered by the council ; and the king almost immediately set it aside.

A manufacturing district, as we see in our own country, sends out, as it were, suckers into all its neighbourhood. Accordingly, the woollen manufacture spread from Flanders along the banks of the Rhine, and into the northern provinces of France. I am not, however, prepared to trace its history in these regions. In Germany, the privileges conceded by Henry 5th, to the free cities, and especially to their artisans, gave a soul to industry; though the central parts of the empire were, for many reasons, very ill calculated for commercial enterprize during the middle ages. But the French towns were never so much emancipated from arbitrary power as those of Germany or Flanders; and the evils of exorbitant taxation, with those produced by the English wars, conspired to retard the advance of manufactures in France. That of linen made some little progress; but this work was still perhaps chiefly confined to the labour of female servants.

The manufactures of Flanders and England found a market, not only in these adjacent countries, but in a part of Europe which for many ages had only been known enough to be dreaded. In the middle of the eleventh century, a native of Bremen, and a writer much superior to most others of his time, was almost entirely ignorant of the geography of the Baltic; doubting whether any one had reached Russia by that sea, and reckoning Esthonia and Cour-

land among its islands. But in one hundred years more, the maritime regions of Mecklenburg and Pomerania, inhabited by a tribe of heathen Sclavonians, were subdued by some German princes; and the Teutonic order some time afterwards, having conquered Prussia, extended a line of at least comparative civilization as far as the gulf of Finland. The first town erected on the coasts of the Baltic was Lubec, which owes its foundation to Adolphus, count of Holstein, in 1140. After several vicissitudes, it became independent of any sovereign but the emperor in the thirteenth century. Hamburg and Bremen, upon the other side of the Cimbric peninsula, emulated the prosperity of Lubec; the former city purchased independence of its bishop in 1225. A colony from Bremen founded Riga in Livonia, about 1192. The city of Dantzic grew into importance about the end of the following century. Konigsberg was founded by Ottocar king of Bohemia in the same age.

But the real importance of these cities is to be dated from their famous union into the Hanseatic confederacy. The origin of this is rather obscure, but it may certainly be nearly referred in point of time to the middle of the thirteenth century, and accounted for by the necessity of mutual defence, which piracy by sea and pillage by land had taught the merchants of Germany. The nobles endeavoured to obstruct the formation of this league, which indeed was in great measure designed to withstand their exactions.

exactions. It powerfully maintained the influence which the free imperial cities were at this time acquiring. Eighty of the most considerable places constituted the Hanseatic confederacy, divided into four colleges, whereof Lubec, Cologne, Brunswic and Dantzic were the leading towns. Lubec held the chief rank, and became, as it were, the patriarchal see of the league; whose province it was to preside in all general discussions for mercantile, political, or military purposes, and to carry them into execution. The league had four principal factories in foreign parts, at London, Bruges, Burgen and Novogorod; endowed by the sovereigns of those cities with considerable privileges, to which every merchant belonging to a Hanseatic town was entitled. In England the German guildhall or factory was established by concession of Henry 3rd; and in later periods, the Hanse traders were favoured above any others in the capricious vacillations of our mercantile policy. The English had also their factories on the Baltic coast as far as Prussia, and in the dominions of Denmark.

This opening of a northern market powerfully accelerated the growth of our own commercial opulence, especially after the woollen manufacture had begun to thrive. From about the middle of the fourteenth century, we find continual evidences of a rapid increase in wealth. Thus, in 1363, Picard, who had been lord mayor some years before, entertained Edw. 3rd, and the Black Prince, the kings of France, Scotland and

Cyprus, with many of the nobility, at his own house in the Vintry, and presented them with handsome gifts. Philpot, another eminent citizen, in Richard 2nd's time, when the trade of England was considerably annoyed by privateers, hired 1,000 armed men, and dispatched them to sea, where they took fifteen Spanish vessels with their prizes. We find Richard obtaining a great deal from private merchants and trading towns. In 1379, he got 5,000*l.* of London, 1,000 marks of Bristol, and in proportion from smaller places. In 1386, London gave 4,000*l.* more, and 10,000 marks in 1397. The latter sum was obtained also for the coronation of Henry 6th. Nor were the contributions of individuals contemptible, considering the high value of money. Hinde, a citizen of London, lent to Henry 4th 2,000*l.* in 1407, and Whittington one half of that sum. The merchants of the staple advanced 4,000*l.* at the same time. Our commerce continued to be regularly and rapidly progressive during the fifteenth century. The famous Canynges of Bristol, under Henry 6th and Edward 4th, had ships of 900 tons burthen. The trade and even the internal wealth of England reached so much higher a pitch in the reign of the last mentioned king than at any former period, that we may perceive the wars of York and Lancaster to have produced no very serious effect on national prosperity. Some battles were doubtless sanguinary; but the loss of lives in battle is soon repaired by a flourishing nation; and the devastation

tion occasioned by armies was both partial and transitory.

A commercial intercourse between these northern and southern regions of Europe began about the early part of the fourteenth century, or, at most, a little sooner. Until indeed the use of the magnet was thoroughly understood, and a competent skill in marine architecture, as well as navigation, acquired, the Italian merchants were scarce likely to attempt a voyage perilous in itself, and rendered more formidable by the imaginary difficulties which had been supposed to attend an expedition beyond the straits of Hercules. But the English, accustomed to their own rough seas, were always more intrepid, and probably more skilful navigators. Though it was extremely rare even in the fifteenth century for an English trading vessel to appear in the Mediterranean, yet a famous military armament, that destined for the crusade of Richard 1st, displayed at a very early time the seamanship of our countrymen. In the reign of Edward 2nd, we find mention in Rymer's collection of Genoese ships trading to Flanders and England. His son was very solicitous to preserve the friendship of that opulent republic; and it is by his letters to the senate, or by royal orders restoring ships unjustly seized, that we come by a knowledge of those facts, which historians neglect relate. Pisa shared a little in this traffic, and Venice more considerably; but Genoa was beyond all competition at the head of Italian commerce in these seas during the

fourteenth century. In the next, her general decline left it more open to her rival; but I doubt whether Venice ever maintained so strong a connexion with England. Through London, and Bruges, their chief station in Flanders, the merchants of Italy and of Spain transported oriental produce to the farthest parts of the north. The inhabitants of the Baltic coasts were stimulated by the desire of precious luxuries which they had never known; and these wants, though selfish and frivolous, are the means by which nations acquire civility, and the earth is rendered fruitful of its produce. As the carriers of this trade, the Hanseatic merchants resident in England and Flanders derived profits through which eventually of course those countries were enriched. It seems that the Italian vessels unloaded at the marts of London or Bruges, and that such part of their cargoes as were intended for a more northern trade came there into the hands of the German merchants. In the reign of Henry 6th, England carried on a pretty extensive traffic with the countries around the Mediterranean, for whose commodities her wool and woollen cloths enabled her to pay.

The commerce of the southern division, though it did not, I think, produce more extensively beneficial effects upon the progress of society, was both earlier and more splendid than that of England, and the neighbouring countries. Besides Venice, which has been mentioned already, Amalfi kept up the commercial intercourse of Christendom with
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the Saracen countries before the first crusade. It was the singular fate of this city to have filled up the interval between two periods of civilization, in neither of which she was destined to be distinguished. Scarcely known before the end of the sixth century, Amalfi ran a brilliant but short career, as a free and trading republic, which was checked by the arms of a conqueror in the middle of the twelfth. Since her subjugation by Roger king of Sicily, the name of a people who for a while connected Europe with Asia has hardly been repeated, except for two discoveries falsely imputed to them, those of the Pandects and of the compass.

But the decline of Amalfi was amply compensated to the rest of Italy by the constant elevation of Pisa, Genoa, and Venice in the twelfth and ensuing ages. The crusades led immediately to this growing prosperity of the commercial cities. Besides the profit accruing from so many naval armaments which they supplied, and the continual passage of private adventurers in their vessels, they were enabled to open a more extensive channel of oriental traffic than had hitherto been known. These three Italian republics enjoyed immunities in the Christian principalities of Syria; possessing separate quarters in Acre, Tripoli, and other cities, where they were governed by their own laws and magistrates. Though the progress of commerce must, from the condition of European industry, have been slow, it was uninterrupted; and the settlements in Palestine were be-

coming important as factories, an use of which Godfrey and Urban little dreamed, when they were lost through the guilt and imprudence of their inhabitants. Villani laments the injury sustained by commerce in consequence of the capture of Acre, "situated, as it was, on the coast of the Mediterranean, in the centre of Syria, and, as we might say, of the habitable world, a haven for all merchandize, both from the east, and the west, which all the nations of the earth frequented for this trade." But the loss was soon retrieved, not perhaps by Pisa and Genoa, but by Venice, who formed connexions with the Saracen governments, and maintained her commercial intercourse with Syria and Egypt by their licence, though subject probably to heavy exactions. Sanuto, a Venetian author at the beginning of the fourteenth century, has left a curious account of the Levant trade which his countrymen carried on at that time. Their imports it is easy to guess, and it appears that timber, brass, tin, and lead, as well as the precious metals, were exported to Alexandria, besides oil, saffron, and some of the productions of Italy, and even wool and woollen cloths. The European side of the account had therefore become respectable.

The commercial cities enjoyed as great privileges at Constantinople as in Syria, and they bore an eminent part in the vicissitudes of the Eastern empire. After the capture of Constantinople by the Latin crusaders, the Venetians having been concerned in that conquest, became of course the favoured

favoured traders under the new dynasty; possessing their own district in the city, with their magistrate or podesta, appointed at Venice, and subject to the parent republic. When the Greeks recovered the seat of their empire, the Genoese, who from jealousy of their rivals had contributed to that revolution, obtained similar immunities. This powerful and enterprising state, in the fourteenth century, sometimes the ally, sometimes the enemy of the Byzantine count, maintained its independent settlement at Pera. From thence she spread her sails into the Euxine, and, planting a colony at Caffa in the Crimea, extended a line of commerce with the interior regions of Asia, which even the skill and spirit of our own times has not yet been able to revive.

The French provinces which border on the Mediterranean Sea partook in the advantages which it offered. Not only Marseilles, whose trade had continued in a certain degree throughout the worst ages, but Narbonne, Nismes, and especially Montpellier, were distinguished for commercial prosperity. A still greater activity prevailed in Catalonia. From the middle of the thirteenth century (for we need not trace the rudiments of its history) Barcelona began to emulate the Italian cities in both the branches of naval energy, war and commerce. Engaged in frequent and severe hostilities with Genoa, and sometimes with Constantinople, while their vessels traded to every part of the Mediterranean, and even of the English channel, the Catalans might justly be

reckoned among the first of maritime nations. The commerce of Barcelona has never since attained so great a height as in the fifteenth century.

The introduction of a silk manufacture at Palermo, by Roger Guiscard in 1148, gave perhaps the earliest impulse to the industry of Italy. Nearly about the same time, the Genoese plundered two Moorish cities of Spain, from which they derived the same art. In the next age, this became a staple manufacture of the Lombard and Tuscan republics, and the cultivation of mulberries was enforced by their laws. Woollen stuffs, though the trade was perhaps less conspicuous than that of Flanders, and though many of the coarser kinds were imported from thence, employed a multitude of workmen in Italy, Catalonia, and the south of France. Among the trading companies into which the middling ranks were distributed, those concerned in silk and woollens were most numerous and honourable.

A property of a natural substance, long overlooked even though it attracted observation by a different peculiarity, has influenced by its accidental discovery the fortunes of mankind, more than all the deductions of philosophy. It is perhaps impossible to ascertain the epoch when the polarity of the magnet was first known in Europe. The common opinion, which ascribes its discovery to a citizen of Amalfi in the fourteenth century, is undoubtedly erroneous. Guiot de Provins, a French poet who lived about the year 1,200, or at the latest, under St. Louis, describes
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it in the most unequivocal language. James de Vitry, a bishop in Palestine, before the middle of the thirteenth century, and Guido Guinizzelli, an Italian poet of the same time, are equally explicit. The French, as well as Italians, claim the discovery as their own; but whether it were due to either of these nations, or rather learned from their intercourse with the Saracens, is not easily to be ascertained. For some time, perhaps, even this wonderful improvement in the art of navigation might not be universally adopted by vessels sailing within the Mediterranean, and accustomed to their old system of observations. But when it became more established, it naturally inspired a more fearless spirit of adventure. It was not, as has been mentioned, till the beginning of the fourteenth century, that the Genoese and other nations around that inland sea steered into the Atlantic ocean towards England and Flanders. This intercourse with the northern countries enlivened their trade with the Levant by the exchange of productions which Spain and Italy do not supply, and enriched the merchants by means of whose capital the exports of London and of Alexandria were conveyed into each other's harbours.

The usual risks of navigation, and those incident to commercial adventure, produce a variety of questions in every system of jurisprudence, which though always to be determined, so far as possible, by principles of natural justice, must in many cases depend upon established customs. These customs of maritime law

were anciently reduced into a code by the Rhodians, and the Roman emperors preserved or reformed the constitutions of that republic. It would be hard to say, how far the tradition of this early jurisprudence survived the decline of commerce in the darker ages; but after it began to recover itself, necessity suggested, or recollection prompted, a scheme of regulations resembling in some degree, but much more enlarged than those of antiquity. This was formed into a written code, *Il Consolato del Mare*, not much earlier, probably, than the middle of the thirteenth century; and its promulgation seems rather to have proceeded from the citizens of Barcelona, than from those of Pisa or Venice, who have also claimed to be the first legislators of the sea. Besides regulations simply mercantile, this system has defined the mutual rights of neutral and belligerent vessels, and thus laid the basis of the positive law of nations in its most important and disputed cases. The king of France and count of Provence solemnly acceded to this maritime code, which hence acquired a binding force within the Mediterranean sea; and in most respects, the law merchant of Europe is at present conformable to its provisions. A set of regulations, chiefly borrowed from the *Consolato*, was compiled in France under the reign of Louis 9th, and prevailed in our own country. These have been denominated the laws of Oleron, from an idle story that they were enacted by Richard 1st, while his expedition to the Holy Land lay

lay at anchor in that island. Nor was the north without its peculiar code of maritime jurisprudence; namely, the ordinances of Wisbuy, a town in the isle of Gothland, principally compiled from those of Oleron, before the year 1,400, by which the Baltic traders were governed.

There was abundant reason for establishing among maritime nations some theory of mutual rights, and for securing the redress of injuries, as far as possible, by means of acknowledged tribunals. In that state of barbarous anarchy, which so long resisted the coercive authority of civil magistrates, the sea held out even more temptation and more impunity than the land; and when the laws had regained their sovereignty, and neither robbery nor private warfare was any longer tolerated, there remained that great common of mankind, unclaimed by any king, and the liberty of the sea was another name for the security of plunderers. A pirate, in a well-armed, quick-sailing vessel, must feel, I suppose, the enjoyments of his exemption from control more exquisitely than any other freebooter; and darting along the bosom of the ocean, under the impartial radiance of the heavens, may deride the dark concealments and hurried flights of the forest robber. His occupation is indeed extinguished by the civilization of later ages, or confined to distant climates. But in the thirteenth and fourteenth centuries, a rich vessel was never secure from attack; and neither restitution nor punishment of the criminals was to be obtained from

governments, who sometimes feared the plunderer, and sometimes connived at the offence. Mere piracy, however, was not the only danger. The maritime towns of Flanders, France and England, like the free republics of Italy, prosecuted their own quarrels by arms, without asking the leave of their respective sovereigns. This practice, exactly analogous to that of private war in the feudal system, more than once involved the kings of France and England in hostility. But where the quarrel did not proceed to such a length as absolutely to engage two opposite towns, a modification of this ancient right of revenge formed part of the regular law of nations, under the name of reprisals. Whoever was plundered or injured by the inhabitant of another town obtained authority from his own magistrates to seize the property of any other person belonging to it, until his loss should be compensated. This law of reprisal was not confined to maritime places. It prevailed in Lombardy, and probably in the German cities. Thus if a citizen of Modena was robbed by a Bolognese, he complained to the magistrates of the former city, who represented the case to those of Bologna, demanding redress. If this were not immediately granted, letters of reprisals were issued, to plunder the territory of Bologna till the injured party should be reimbursed by sale of the spoil. In the laws of Marseilles it is declared, "If a foreigner take any thing from a citizen of Marseilles, and he who has jurisdiction over the said debtor or unjust

unjust taker does not cause right to be done in the same, the rector or consuls, at the petition of the said citizen, shall grant him reprisals upon all the goods of the said debtor or unjust taker, and also upon the goods of others, who are under the jurisdiction of him who ought to do justice, and would not, to the said citizen of Marseilles." Edward 3rd remonstrates, in an instrument published by Rymer, against letters of marque granted by the king of Aragon to one Berenger de la Tone who had been robbed by an English pirate of 2,000*l.*; alleging, that inasmuch as he had always been ready to give redress to the party, it seemed to his counsellors that there was no just cause for reprisals upon the king's or his subject's property. This passage is so far curious, as it asserts the existence of a customary law of nations, the knowledge of which was already a sort of learning. Sir E. Coke speaks of this right of private reprisals, as if it still existed; and it is certainly preserved in an unrepealed statute.

A practice founded on the same principles as reprisal, though rather less violent, was that of attaching the goods or persons of resident foreigners for the debts of their countrymen. This indeed in England, was not confined to foreigners until the statute of Westminster 1, c. 23, which enacts that "no stranger who is of this realm shall be distrained in any town or market for a debt wherein he is neither principal nor surety." Henry 3rd had previously granted a charter to the burgesses of Lubec, that

they should not be arrested for the debt of any of their countrymen, unless the magistrates of Lubec neglected to compel payment. But by a variety of grants from Edward 2nd, the privileges of English subjects under the statute of Westminster were extended to most foreign nations. This unjust responsibility had not been confined to civil cases. One of a company of Italian merchants, the Spini, having killed a man, the officers of justice seized the bodies and effects of all the rest.

If under all these obstacles, whether created by barbarous manners, by national prejudice, or by the fraudulent and arbitrary measures of princes, the merchants of different countries became so opulent as almost to rival the ancient nobility, it must be ascribed to the greatness of their commercial profits. The trading companies possessed either a positive or a virtual monopoly, and held the keys of those eastern regions, for the luxuries of which the progressive refinement of manners produced an increasing demand. It is not easy to determine the average rate of profit; but we know that the interest of money was exceedingly high throughout the middle ages. At Verona, in 1228, it was fixed by law at twelve and a half per cent; at Modena, in 1270, it seems to have been as high as twenty. The republic of Genoa towards the end of the fourteenth century, when Italy had grown wealthy, paid only from seven to ten per cent to her creditors. But in France and England the rate was far more oppressive.

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An ordinance of Philip the Fair in 1311, allows twenty per cent after the first year of the loan. Under Henry 3rd, according to Matthew Paris, the debtor paid ten per cent every two months, but this is absolutely incredible as a general practice. This was not merely owing to scarcity of money, but to the discouragement which a strange prejudice opposed to one of the most useful and legitimate branches of commerce. Usury, or lending money for profit, was treated as a crime by the theologians of the middle ages; and though the superstition has been eradicated, some part of the prejudice remains in our legislation. This trade in money, and indeed a great part of inland trade in general, had originally fallen to the Jews, who were noted for their usury so early as the sixth century. For several subsequent ages they continued to employ their capital and industry to the same advantage, with little molestation from the clergy, who always tolerated their avowed and national infidelity, and often with some encouragement from princes. In the twelfth century we find them not only possessed of landed property in Languedoc, and cultivating the studies of medicine and Rabbinical literature in their own academy at Montpellier under the protection of the count of Toulouse, but invested with civil offices. Raymond Roger, viscount of Carcassonne, directs a writ "to his bailiffs Christian and Jewish." It was one of the conditions imposed by the church on the count of Toulouse, that he should allow no Jews to pos-

sess magistracy in his dominions. In Spain they were placed by some of the municipal laws on the footing of Christians, with respect to the composition for their lives, and seem in no other European country to have been so numerous or considerable. The diligence and expertness of this people in all pecuniary dealings recommended them to princes who were solicitous about the improvement of their revenue. We find an article in the general charter of privileges granted by Peter 3rd of Arragon, in 1283, that no Jew should hold the office of bayle or judge. And two kings of Castile, Alonso 11, and Peter the Cruel, incurred much odium by employing Jewish ministers in their treasury. But, in other parts of Europe, their condition had, before that time, begun to change for the worse; partly from the fanatical spirit of the crusades, which prompted the populace to massacre, and partly from the jealousy which their opulence excited. Kings, in order to gain money and popularity at once, abolished the debts due to the children of Israel, except a part which they retained as the price of their bounty. One is at a loss to conceive the process of reasoning in an ordinance of St. Louis, where, "for the salvation of his own soul and those of his ancestors, he releases to all Christians a third part of what was owing by them to Jews." Not content with such edicts, the kings of France sometimes banished the whole nation from their dominions, seizing their effects at the same time; and a season of alternate severity and toleration

toleration continued till, under Charles 6th, they were finally expelled from the kingdom, where they never afterwards possessed any legal settlement. In England they were not so harshly treated; but they became less remarkable for riches after the thirteenth century. This decline of the Jews was owing to the transference of their trade in money to other hands. In the early part of the thirteenth century the merchants of Lombardy and of the south of France took up the business of remitting money by bills of exchange, and of making profit upon loans. The utility of this was found so great, especially by the Italian clergy, who thus in an easy manner drew the income of their transalpine benefices, that in spite of much obloquy, the Lombard usurers established themselves in every country; and the general progress of commerce wore off the bigotry that had obstructed their reception. A distinction was made between moderate and exorbitant interest; and though the casuists did not acquiesce in this legal regulation, yet it satisfied, even in superstitious times, the consciences of provident traders. The Italian bankers were frequently allowed to farm the customs in England, as a security, perhaps, for loans which were not very punctually repaid. In 1345 the Bardi at Florence, the greatest company in Italy, became bankrupt, Edward 3rd owing them, in principal and interest, 900,000 gold florins. Another, the Peruzzi, failed at the same time, being creditors to Edward for 600,000 florins. The

king of Sicily owed 100,000 florins to each of these bankers. Their failure involved, of course, a multitude of Florentine citizens, and was a heavy misfortune to the state.

The earliest bank of deposit, instituted for the accommodation of private merchants, is said to have been that of Barcelona, in 1401. The banks of Venice and Genoa were of a different description. Although the former of these two has the advantage of greater antiquity, having been formed, as we are told, in the twelfth century, yet its early history is not so clear as that of Genoa, nor its political importance so remarkable, however similar might be its origin. During the wars of Genoa in the fourteenth century, she had borrowed large sums of private citizens, to whom the revenues were pledged for repayment. The republic of Florence had set a recent, though not a very encouraging, example of a public loan, to defray the expense of her war against Mastino della Scala, in 1336. The chief mercantile firms, as well as individual citizens, furnished money on an assignment of the taxes, receiving fifteen per cent interest; which appears to have been above the rate of private usury. The state was not unreasonably considered a worse debtor than some of her citizens; for in a few years these loans were consolidated into a general fund, or *monte*, with some deduction from the capital, and a great diminution of interest; so that an original debt of one hundred florins sold only for twenty-five. But I have not found that these creditors

creditors formed at Florence a corporate body, or took any part, as such, in the affairs of the republic. The case was different at Genoa. As a security at least for their interest, the subscribers to public loans were permitted to receive the produce of the taxes by their own collectors, paying the excess into the treasury. The number and distinct classes of these subscribers becoming at length inconvenient, they were formed, about the year 1407, into a single corporation, called the bank of St. George, which was from that time the sole national creditor and mortgagee. The government of this was entrusted to eight protectors. It soon became almost independent of the state. Every senator, on his admission, swore to maintain the privileges of the bank, which were confirmed by the pope, and even by the emperor. The bank interposed its advice in every measure of government, and generally, as is admitted, to the public advantage. It equipped armaments at its own expense, one of which subdued the island of Corsica; and this acquisition, like those of our great Indian corporation, was long subject to a company of merchants, without any interference of the mother country.

The increasing wealth of Europe, whether derived from internal improvement, or foreign commerce, displayed itself in more expensive consumption, and greater refinements of domestic life. But these effects were for a long time very gradual, each generation making a few steps in the progress, which

are hardly discernible except by an attentive inquirer. It is not till the latter half of the thirteenth century, that an accelerated impulse appears to be given to society. The just government and suppression of disorder under St. Louis, and the peaceful temper of his brother Alfonso, count of Toulouse and Poitou, gave France leisure to avail herself of her admirable fertility. England, that to a soil not perhaps inferior to that of France, united the inestimable advantage of an insular position, and was invigorated, above all, by her free constitution, and the steady industriousness of her people, rose with a pretty uniform motion from the time of Edward 1. Italy, though the better days of freedom had passed away in most of her republics, made a rapid transition from simplicity to refinement. "In those times," says a writer about the year 1300, speaking of the age of Frederic 2nd, "the manners of the Italians were rude. A man and his wife ate off the same plate. There were no wooden handled knives, nor more than one or two drinking cups, in a house. Candles of wax or tallow were unknown; a servant held a torch during supper. The clothes of men were of leather unlined; scarcely any gold or silver was seen on their dress. The common people ate flesh but three times a week, and kept their cold meat for supper. Many did not drink wine in summer. A small stock of corn seemed riches. The portions of women were small; their dress, even after marriage, was simple. The pride of men was to be well provided

vided with arms and horses; that of the nobility to have lofty towers, of which all the cities in Italy were full. But now frugality has been changed for sumptuousness; every thing exquisite is sought after in dress; gold, silver, pearls, silks, and rich furs. Foreign wines and rich meats are required. Hence usury, rapine, fraud, tyranny, &c." This passage is supported by other testimonies nearly of the same time. The conquest of Naples by Charles of Anjou, in 1266, seems to have been the epoch of increasing luxury throughout Italy. His Provençal knights, with their plumed helmets and golden collars, the chariot of his queen covered with blue velvet, and sprinkled with lilies of gold, astonished the citizens of Naples. Provence had enjoyed a long tranquillity, the natural source of luxurious magnificence; and Italy, now liberated from the yoke of the empire, soon reaped the same fruit of a condition more easy and peaceful than had been her lot for several ages. Dante speaks of the change of manners at Florence, from simplicity and virtue to refinement and dissoluteness, in terms very nearly similar to those quoted above.

Throughout the fourteenth century, there continued to be a rapid but steady progression in England, of what we may denominate elegance, improvement, or luxury; and if this was for a time suspended in France, it must be ascribed to the unusual calamities which befell that country under Philip of Valois and his son. Just before the break-

ing out of the English war, an excessive fondness for dress is said to have distinguished not only the higher ranks, but the burghers, whose foolish emulation at least indicates their easy circumstances. Modes of dress hardly perhaps deserve our notice on their own account; yet so far as their universal prevalence was a symptom of diffused wealth, we should not overlook either the invectives bestowed by the clergy on the fantastic extravagancies of fashion, or the sumptuary laws by which it was endeavoured to restrain them.

The principle of sumptuary laws was partly derived from the small republics of antiquity, which might perhaps require that security for public spirit and equal rights; partly from the austere and injudicious theory of religion disseminated by the clergy. These prejudices united to render all increase of general comforts odious under the name of luxury; and a third motive more powerful than either, the jealousy with which the great regard any thing like imitation in those beneath them, co-operated to produce a sort of restrictive code in the laws of Europe. Some of these regulations are more ancient; but the chief part were enacted, both in France and England, during the fourteenth century; extending to expenses of the table, as well as of apparel. The first statute of this description in our own country was, however, repealed the next year; and subsequent provisions were entirely disregarded by a nation which valued liberty and commerce

merce too much to obey laws conceived in a spirit hostile to both. Laws indeed designed by those governments to restrain the extravagance of their subjects may well justify the severe indignation which Adam Smith has poured upon all such interference with private expenditure. The kings of France and England were undoubtedly more egregious spendthrifts than any others in their dominions; and contributed far more by their love of pageantry to excite a taste for dissipation in their people than by their ordinances to repress it.

Mussus, an historian of Placentia, has left a pretty copious account of the prevailing manners among his countrymen about 1388, and expressly contrasts their more luxurious living with the style of their ancestors seventy years before; when, as we have seen, they had already made considerable steps towards refinement. This passage is highly interesting; because it shows the regular tenor of domestic economy in an Italian city, rather than a mere display of individual magnificence, as in most of the facts collected by our own and the French antiquaries. But it is much too long for insertion in this place. No other country, perhaps, could exhibit so fair a picture of middle life: in France the burghers and even the inferior gentry were for the most part in a state of poverty at this period, which they concealed by an affectation of ornament; while our English yeomanry and tradesmen were more anxious to invigorate their bodies by a generous diet, than to dwell in well-furnished

houses, or to find comfort in cleanliness and elegance. The German cities however had acquired with liberty the spirit of improvement and industry. From the time that Henry 5th admitted their artisans to the privileges of free burghers, they became more and more prosperous; while the steadiness and frugality of the German character compensated for some disadvantages arising out of their inland situation. Spire, Nuremberg, Ratisbon, and Augsburg, were not indeed like the rich markets of London and Bruges, nor could their burghers rival the princely merchants of Italy; but they enjoyed the blessings of competence diffused over a large class of industrious freemen, and, in the fifteenth century, one of the politest Italians could extol their splendid and well-furnished dwellings, their rich apparel, their easy and affluent mode of living, the security of their rights, and just equality of their laws.

No chapter in the history of national manners would illustrate so well, if duly executed, the progress of social life, as that dedicated to domestic architecture. The fashions of dress and of amusements are generally capricious and irreducible to rule; but every change in the dwellings of mankind, from the rudest wooden cabin to the stately mansion, has been dictated by some principle of convenience, neatness, comfort or magnificence. Yet this most interesting field of research has been less beaten by our antiquaries than others comparatively barren. I do not pretend to a complete knowledge of what has

been written by these learned inquirers; but I can only name one book in which the civil architecture of our ancestors has been sketched, loosely indeed, but with a superior hand; and another, in which it is partially noticed. I mean by the first, a chapter in the Appendix to Dr. Whitaker's History of Whalley; and by the second, Mr. King's Essays on Ancient Castles in the *Archæologia*. Of these I shall make free use in the following paragraphs.

The most ancient buildings which we can trace in this island, after the departure of the Romans, were circular towers of no great size, whereof many remain in Scotland; erected either on a natural eminence, or on an artificial mound of earth. Such are Conisborough Castle in Yorkshire, and Castleton in Derbyshire, built perhaps before the conquest. To the lower chambers of those gloomy keeps there was no admission of light or air, except through long narrow loop-holes, and an aperture in the roof. Regular windows were made in the upper apartments. Were it not for the vast thickness of the walls, and some marks of attention both to convenience and decoration in these structures, we might be induced to consider them as rather intended for security during the transient inroad of an enemy, than for a chieftain's usual residence. They bear a close resemblance, except by their circular form, and more insulated situation, to the peels, or square towers of three or four stories, which are still found contiguous to ancient mansion-

houses, themselves far more ancient, in the northern counties, and seem to have been designed for places of refuge.

In course of time, the barons, who owned these castles, began to covet a more comfortable dwelling. The keep was either much enlarged, or altogether relinquished as a place of residence, except in time of siege; while more convenient apartments were sometimes erected in the tower of entrance, over the great gateway, which led to the inner ballium or court-yard. Thus at Tunbridge Castle, this part of which is referred by Mr. King to the beginning of the thirteenth century, there was a room, twenty-eight feet by sixteen, on each side of the gateway; another above, of the same dimensions, with an intermediate room over the entrance; and one large apartment on a second floor occupying the whole space, and intended for state. The windows in this class of castles were still little better than loop-holes on the basement story, but in the upper rooms often large and beautifully ornamented, though always looking inwards to the court. Edward 1st introduced a more splendid and convenient style of castles, containing many habitable towers, with communicating apartments. Conway and Carnarvon will be familiar examples. The next innovation was the castle-palace; of which Windsor, if not quite the earliest, is the most magnificent instance. Alnwick, Naworth, Harewood, Spofforth, Kenilworth, and Warwick, were all built upon this scheme during the fourteenth century.

century, but subsequent enlargements have rendered caution necessary to distinguish their original remains. "The odd mixture," says Mr. King, "of convenience and magnificence with cautious designs for protection and defence, and with the inconveniences of the former confined plan of a close fortress, is very striking." The provisions for defence became now, however, little more than nugatory; large arched windows, like those of cathedrals, were introduced into halls, and this change in architecture manifestly bears witness to the cessation of baronial wars, and the increasing love of splendor in the reign of Edward 3rd.

To these succeeded the castellated houses of the fifteenth century; such as Herstmonceux in Sussex, Haddon Hall in Derbyshire, and the older part of Knowle in Kent. They resembled fortified castles in their strong gate-ways, their turrets and battlements, to erect which a royal licence was necessary, but their defensive strength could only have availed against a sudden affray or attempt at forcible dispossession. They were always built round one or two courtyards, the circumference of the first, when there were two, being occupied by the offices and servants' rooms, that of the second by the state-apartments. Regular quadrangular houses, not castellated, were sometimes built during the same age, and under Henry 7th became universal in the superior style of domestic architecture. The quadrangular form, as well from security and convenience, as from imitation of

conventual houses, which were always constructed upon that model, was generally preferred; even where the dwelling-house, as indeed was usual, only took up one side of the enclosure, and the remaining three contained the offices, stables, and farm-buildings with walls of communication. Several very old parsonages appear to have been built in this manner. It is, however, very difficult to discover any fragments of houses inhabited by the gentry, before the reign, at soonest, of Edward 3rd, or even to trace them by engravings in the older topographical works; not only from the dilapidations of time, but because very few considerable mansions had been erected by that class. A great part of England affords no stone fit for building; and the vast, though unfortunately not inexhaustible, resources of her oak forests were easily applied to less durable and magnificent structures. A frame of massive timber, independent of walls, and resembling the inverted hull of a large ship, formed the skeleton, as it were, of an ancient hall; the principal beams springing from the ground naturally curved, and forming a Gothic arch overhead. The intervals of these were filled up with horizontal planks; but in the earlier buildings, at least in some districts, no part of the walls was of stone. Stone houses however are mentioned as belonging to citizens of London, even in the reign of Henry 2nd; and, though not often perhaps regularly hewn stones, yet those scattered over the soil, or dug from flint quarries, bound together with a very strong and durable

durable cement, were employed in the construction of manerial houses, especially in the western counties, and other parts where that material is easily procured. Gradually even in timber buildings, the intervals of the main beams, which now became perpendicular, not throwing off their curved springers till they reached a considerable height, were occupied by stone walls, or, where stone was expensive, by mortar or plaster, intersected by horizontal or diagonal beams, grooved into the principal piers. This mode of building continued for a long time, and is still familiar to our eyes in the older streets of the metropolis and other towns, and in many parts of the country. Early in the fourteenth century, the art of building with brick, which had been lost since the Roman dominion, was introduced probably from Flanders. Though several edifices of that age are constructed with this material, it did not come into general use till the reign of Henry 6th. Many considerable houses as well as public buildings were erected with bricks during his reign and that of Edward 4th, chiefly in the eastern countries, where the deficiency of stone was most experienced. Few, if any, brick mansion houses of the fifteenth century exist, except in a dilapidated state; but Queen's college and Clare-hall at Cambridge, and part of Eton college, are subsisting witnesses to the durability of the material as it was then employed.

It is an error to suppose, that the English gentry were lodged

in stately or even in well-sized houses. Generally speaking, their dwellings were almost as inferior to those of their descendants in capacity, as they were in convenience. The usual arrangement consisted of an entrance-passage running through the house, with a hall on one side, a parlour beyond, and one or two chambers above, and on the opposite side, a kitchen, pantry and other offices. Such was the ordinary manor-house of the fifteenth and sixteenth centuries, as appears not only from documents and engravings, but, as to the latter period from the buildings themselves, sometimes, though not very frequently, occupied by families of consideration, more often converted into farm-houses, or distinct tenements. Larger structures were erected by men of great estates during the reigns of Henry 6th and Edward 4th; but very few can be traced higher; and such has been the effect of time, still more through the advance or decline of families, and the progress of architectural improvement, than the natural decay of these buildings, that I should conceive it difficult to name a house in England, still inhabited by a gentleman, and not belonging to the order of castles, the principal apartments of which are older than the reign of Henry 7th. The instances at least must be extremely few.

France by no means appears to have made a greater progress than our own country in domestic architecture. Except fortified castles, I do not find in the work of a very miscellaneous, but apparently

parently diligent writer, any considerable dwellings mentioned before the reign of Charles 7th, and very few of so early a date. Jacques Cœur, a famous merchant unjustly persecuted by that prince, had a handsome house at Paris, as well as another at Beaumont-sur-Oise. It is obvious that the long calamities which France endured before the expulsion of the English must have retarded this eminent branch of national improvement.

Even in Italy, where from the size of her cities, and social refinements of her inhabitants, greater elegance and splendor in building were justly to be expected, the domestic architecture of the middle ages did not attain any perfection. In several towns, the houses were covered with thatch, and suffered consequently from destructive fires. Costanzo, a Neapolitan historian near the end of the sixteenth century remarks the change of manners that had occurred since the reign of Joanna 2nd one hundred and fifty years before. The great families under the queen expended all their wealth on their retainers, and placed their chief pride in bringing them into the field. They were ill lodged, not sumptuously clothed, not luxurious in their tables. The house of Caracciolo, high steward of that princess, one of the most powerful subjects that ever existed, having fallen into the hands of persons incomparably below his station, had been enlarged by them, as insufficient for their accommodation. If such were the case in the city of Naples so late as the

beginning of the fifteenth century, we may guess how mean were the habitations in less polished parts of Europe.

The two most essential improvements in architecture during this period, one of which had been missed by the sagacity of Greece and Rome, were chimneys and glass-windows. Nothing apparently can be more simple than the former; yet the wisdom of ancient times had been content to let the smoke escape by an aperture in the centre of the roof; and a discovery, of which Vitruvius had not a glimpse, was made, perhaps in this country, by some forgotten semi-barbarian. About the middle of the fourteenth century, the use of chimneys is distinctly mentioned in England and in Italy; but they are found in several of our castles which bear a much older date. This country seems to have lost very early the art of making glass, which was preserved in France, whence artificers were brought into England to furnish the windows of some new churches in the seventh century. It is said that in the reign of Henry 3rd, a few ecclesiastical buildings had glazed windows. Suger, however, a century before, had adorned his great work, the abbey of St. Denis, with windows, not only glazed, but painted; and I presume that other churches of the same class, both in France and England, especially after the lancet-shaped window had yielded to one of ampler dimensions, were generally decorated in a similar manner. Yet glass is said not to have been employed in the domestic

domestic architecture of France before the fourteenth century; and its introduction into England was probably by no means earlier. Nor indeed did it come into general use during the period of the middle ages. Glazed windows were considered as moveable furniture, and probably bore a high price. When the earls of Northumberland, as late as the reign of Elizabeth, left Alnwick castle, the windows were taken out of their frames, and carefully laid by.

But if the domestic buildings of the fifteenth century would not seem very spacious or convenient at present, far less would this luxurious generation be content with their internal accommodations. A gentleman's house containing three or four beds was extraordinarily well provided; few probably had more than two. The walls were commonly bare, without wainscot or even plaster; except that some great houses were furnished with hangings, and that perhaps hardly so soon as the reign of Edward 4th. It is unnecessary to add, that neither libraries of books nor pictures could have found a place among furniture. Silver plate was very rare, and hardly used for the table. A few inventories of furniture that still remain exhibit a miserable deficiency. And this was incomparably greater in private gentlemen's houses than among citizens, and especially foreign merchants. We have an inventory of the goods belonging to Contarini, a rich Venetian trader, at his house in St. Botolph's lane, A. D. 1481. There appear to have been not less than

ten beds, and glass windows are specially noticed as moveable furniture. No mention however is made of chairs or looking-glasses. If we compare this account, however trifling in our estimation, with a similar inventory of furniture in Skipton-castle, the great honour of the earls of Cumberland, and among the most splendid mansions of the north, not at the same period, for I have not found any inventory of a nobleman's furniture so ancient, but in 1572, after almost a century of continual improvement, we shall be astonished at the inferior provision of the baronial residence. There were not more than seven or eight beds in this great castle; nor had any of the chambers either chairs, glasses, or carpets. It is in this sense, probably, that we must understand Æneas Sylvius, if he meant any thing more than to express a traveller's discontent, when he declares that the kings of Scotland would rejoice to be as well lodged as the second class of citizens at Nuremberg. Few burghers of that town had mansions, I presume, equal to the palaces of Dumferlin or Stirling, but it is not unlikely that they were better furnished.

In the construction of farm-houses and cottages, especially the latter, there have probably been fewer changes; and those it would be more difficult to follow. No building of this class can be supposed to exist of the antiquity to which the present work is confined; and I do not know that we have any document as to the inferior architecture of England, so valuable as one which M. de Paulmy has quoted for

for that of France, though perhaps more strictly applicable to Italy, an illuminated manuscript of the fourteenth century, being a translation of Crescentio's work on agriculture, illustrating the customs, and, among other things, the habitations of the agricultural class. According to Paulmy, there is no other difference between an ancient and a modern farm-house, than arises from the introduction of tiled roofs. In the original work of Crescentio, a native of Bologna, who composed this treatise on rural affairs about the year 1300, an Italian farm-house, when built at least according to his plan, appears to have been commodious both in size and arrangement. Cottages in England seem to have generally consisted of a single room without division of stories. Chimneys were unknown in such dwellings till the early part of Elizabeth's reign, when a very rapid and sensible improvement took place in the comforts of our yeomanry and cottagers.

It must be remembered, that I have introduced this disadvantageous representation of civil architecture, as a proof of general poverty and backwardness in the refinements of life. Considered in its higher departments, that art is the principal boast of the middle ages. The common buildings, especially those of a public kind, were constructed with skill and attention to durability. The castellated style displays these qualities in greater perfection; the means are well adapted to their objects, and its imposing grandeur, though chiefly resulting no doubt from massive-

ness and historical association, sometimes indicates a degree of architectural genius in the conception. But the most remarkable works of this art are the religious edifices erected in the twelfth and three following centuries. These structures, uniting sublimity in general composition with the beauties of variety and form, intricacy of parts, skilful or at least fortunate effects of shadow and light, and in some instances with extraordinary mechanical science, are naturally apt to lead those antiquaries who are most conversant with them into too partial estimates of the times wherein they were founded. They certainly are accustomed to behold the fairest side of the picture. It was the favourite and most honourable employment of ecclesiastical wealth, to erect, to enlarge, to repair, to decorate cathedral and conventual churches. An immense capital must have been expended upon these buildings in England between the Conquest and the Reformation. And it is pleasing to observe how the seeds of genius, hidden as it were under the frost of that dreary winter, began to bud to the first sunshine of encouragement. In the darkest period of the middle age, especially after the Scandinavian incursions into France and England, ecclesiastical architecture, though always far more advanced than any other art, bespoke the rudeness and poverty of the times. It began towards the latter part of the eleventh century, when tranquillity, at least from foreign enemies, was restored, and some degree of learning re-appeared, to assume

assume a more noble appearance. The Anglo-Norman cathedrals were perhaps as much distinguished above other works of man in their own age, as the more splendid edifices of a later period. The science manifested in them is not however very great; and their style, though by no means destitute of lesser beauties, is upon the whole an awkward imitation of Roman architecture, or perhaps more immediately of the Saracenic buildings in Spain, and those of the lower Greek empire. But about the middle of the twelfth century, this manner began to give place to what is improperly denominated the Gothic architecture; of which the pointed arch, formed by the segments of two intersecting semicircles, struck from points equidistant from the centre of a common diameter, has been deemed the essential characteristic. We are not concerned at present to inquire, whether this style originated in France or Germany, Italy or England, since it was certainly almost simultaneous in all these countries; nor from what source it was derived; a question of no small difficulty. I would only venture to remark, that whatever may be thought of the origin of the pointed arch, for which there is more than one mode of accounting, we must perceive a very oriental character in the vast profusion of ornament, especially on the exterior surface, which is as distinguishing a mark of Gothic buildings as their arches, and contributes in an eminent degree both to their beauties and their defects. This indeed is rather applicable

to the later than the earlier stages of architecture, and rather to continental than English churches. Amiens is in a far more florid style than Salisbury, though a contemporary structure. The Gothic species of architecture is thought by some to have reached its perfection, considered as an object of taste, by the middle of the fourteenth century, or at least to have lost something of its excellence by the corresponding part of the next age; an effect of its early and rapid cultivation, since arts appear to have, like individuals, their natural progress and decay. Yet this seems, if true at all, only applicable to England; since the cathedrals of Cologne and Milan, probably the most distinguished monuments of this architecture, are both of the fifteenth century. The mechanical execution, at least, continued to improve, and is so far beyond the apparent intellectual powers of those times, that some have ascribed the principal ecclesiastical structures to the fraternity of freemasons, depositaries of a concealed and traditionary science. There is probably some ground for this opinion; and the earlier archives of that mysterious association, if they existed, might illustrate the progress of Gothic architecture, and perhaps reveal its origin. The remarkable change into this new style, that was almost contemporaneous in every part of Europe, cannot be explained by any local circumstances, or the capricious taste of a single nation.

It would be a pleasing task to trace with satisfactory exactness the

the slow, and almost perhaps insensible progress of agriculture and internal improvement during the latter period of the middle ages. But no diligence could recover the unrecorded history of a single village; though considerable attention has of late been paid to this interesting subject by those antiquaries, who, though sometimes affecting to despise the lights of modern philosophy, are unconsciously guided by their effulgence. I have already adverted to the wretched condition of agriculture during the prevalence of feudal tenures, as well as before their general establishment. Yet even in the least civilized ages, there were not wanting partial encouragements to cultivation, and the ameliorating principle of human industry struggled against destructive revolutions and barbarous disorder. The devastation of war from the fifth to the eleventh century rendered land the least costly of all gifts, though it must ever be the most truly valuable and permanent. Many of the grants to monasteries, which strike us as enormous, were of districts absolutely wasted, which would probably have been reclaimed by no other means. We owe the agricultural restoration of great part of Europe to the monks. They chose, for the sake of retirement, secluded regions which they cultivated with the labour of their hands. Several charters are extant, granted to convents, and sometimes to laymen, of lands which they had recovered from a desert condition, after the ravages of the Saracens. Some districts were allotted to a

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body of Spanish colonists, who emigrated, in the reign of Louis the Debonair, in search of a Christian sovereign. Nor is this the only instance of agricultural colonies. Charlemagne transplanted part of his conquered Saxons into Flanders, a country at that time almost unpeopled; and at a much later period, there was a remarkable reflux from the same country, or rather from Holland, to the coasts of the Baltic sea. In the twelfth century, great numbers of Dutch colonists settled along the whole line between the Ems and the Vistula. They obtained grants of uncultivated land on condition of fixed rents, and were governed by their own laws under magistrates of their election.

There cannot be a more striking proof of the low condition of English agriculture in the eleventh century, than is exhibited by Domesday book. Though almost all England had been partially cultivated, and we find nearly the same manors, except in the north, which exist at present, yet the value and extent of cultivated ground are inconceivably small. With every allowance for the inaccuracies and partialities of those by whom that famous survey was completed, we are lost in amazement at the constant recurrence of two or three carucates in demesne, with folklands occupied by ten or a dozen villeins, valued all together at forty shillings, as the return of a manor, which now would yield a competent income to a gentleman. If Domesday book can be considered as even approaching to accuracy in respect of these estimates,

estimates, agriculture must certainly have made a very material progress in the four succeeding centuries. This however is rendered probable by other documents. Ingulfus, abbot of Croyland under the conqueror, supplies an early and interesting evidence of improvement. Richard de Rules, lord of Deeping, he tells us, being fond of agriculture, obtained permission from the abbey to inclose a large portion of marsh for the purpose of separate pasture, excluding the Weland by a strong dike, upon which he erected a town, and rendering those stagnant fens a garden of Eden. In imitation of this spirited cultivator, the inhabitants of Spalding and some neighbouring villages, by a common resolution divided their marshes amongst them; when some converting them to tillage, some reserving them for meadow, others leaving them in pasture, found a rich soil for every purpose. The abbey of Croyland and villages in that neighbourhood followed this example. This early instance of parochial inclosure is not to be overlooked in the history of social progress. By the statute of Merton, in the 20th of Henry 3rd the lord is permitted to approve, that is to inclose, the waste lands of his manor, provided he leave sufficient common of pasture for the freeholders. Higden, a writer who lived about the time of Richard 2nd, says, in reference to the number of hydes and vills of England at the conquest, that by clearing of woods, and ploughing up wastes, there were many more of each in his age than

formerly. And it might be easily presumed, independently of proof, that woods were cleared, marshes drained, and wastes brought into tillage, during the long period that the house of Plantagenet sat on the throne. From manerial surveys indeed and similar instruments, it appears that in some places there was nearly as much ground cultivated in the reign of Edward 3rd, as at the present day. The condition of different counties however was very far from being alike, and in general, the northern and western parts of England were the most backward.

The culture of arable land was very imperfect. Fleta remarks, in the reign of Edward 1st or 2nd, that unless an acre yielded more than six bushels of corn, the farmer would be a loser and the land yield no rent. And sir John Cullum, from very minute accounts, has calculated that nine or ten bushels were a full average crop on an acre of wheat. An amazing excess of tillage accompanied, and partly, I suppose, produced this imperfect cultivation. In Hawsted for example, under Edward 1st, there were thirteen or fourteen hundred acres of arable, and only forty-five of meadow ground. A similar disproportion occurs almost invariably in every account we possess. This seems inconsistent with the low price of cattle. But we must recollect, that the common pasture, often the most extensive part of a manor, is not included, at least by any specific measurement, in these surveys. The rent of land differed of course materially; sixpence an acre
seems

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seems to have been about the average for arable land in the thirteenth century, though meadow was at double or treble that sum. But the landlords were naturally solicitous to augment a revenue that became more and more inadequate to their luxuries. They grew attentive to agricultural concerns, and perceived that a high rate of produce, against which their less enlightened ancestors had been used to clamour, would bring much more into their coffers than it took away. The exportation of corn had been absolutely prohibited. But the statute of the 15th Henry 6th, c. 2, reciting that "on this account farmers, and others who use husbandry, cannot sell their corn but at a low price, to the great damage of the realm," permits it to be sent any where but to the king's enemies, so long as the quarter of wheat shall not exceed 6s. 8d. in value, or that of barley 3s. The price of wool was fixed in the thirty-second year of the same reign at a minimum, below which no person was suffered to buy it, though he might give more; a provision neither wise nor equitable, but obviously suggested by the same motive. Whether the rents of land were augmented in any degree through these measures, I have not perceived; their great rise took place in the reign of Henry 8th, or rather afterwards. The usual price of land under Edward 4th, seems to have been ten years purchase.

It may easily be presumed that an English writer can furnish very little information as to the state of agriculture in foreign

countries. In such works relating to France as have fallen within my reach, I have found nothing satisfactory, and cannot pretend to determine, whether the natural tendency of mankind to ameliorate their condition had a greater influence in promoting agriculture, or the vices inherent in the actual order of society, and those public misfortunes to which that kingdom was exposed, in retarding it. The state of Italy was far different; the rich Lombard plains, still more fertilized by irrigation, became a garden, and agriculture seems to have reached the excellence which it still retains. The constant warfare indeed of neighbouring cities is not very favourable to industry; and upon this account we might incline to place the greatest territorial improvement of Lombardy at an era rather posterior to that of her republican government; but from this it primarily sprung; and without the subjugation of the feudal aristocracy, and that perpetual demand upon the fertility of the earth which an increasing population of citizens produced, the valley of the Po would not have yielded more to human labour than it had done for several preceding centuries. Though Lombardy was extremely populous in the thirteenth and fourteenth centuries, she exported large quantities of corn. The very curious treatise of Crescentius exhibits the full details of Italian husbandry about 1,300, and might afford an interesting comparison to those who are acquainted with its present state. That state indeed in many parts of Italy displays no symptoms

toms of decline. But whatever mysterious influence of soil or climate has scattered the seeds of death on the western regions of Tuscany had not manifested itself in the middle ages. Among uninhabited plains, the traveller is struck by the ruins of innumerable castles and villages, monuments of a time when pestilence was either unfelt, or had at least not forbad the residence of mankind. Volterra, whose deserted walls look down upon that tainted solitude, was once a small, but free republic; Siena, round whom, though less depopulated, the malignant influence hovers, was once almost the rival of Florence. So melancholy and apparently irresistible a decline of culture and population through physical causes, as seems to have gradually overspread a large portion of Italy, has not perhaps been experienced in any other part of Europe, unless we except Iceland.

The Italians of the fourteenth century seem to have paid some attention to an art, of which, both as related to cultivation and to architecture, our own forefathers were almost entirely ignorant. Crescentius dilates upon horticulture, and gives a pretty long list of herbs both esculent and medicinal. His notions about the ornamental department are rather beyond what we should expect, and I do not know that his scheme of a flower-garden could be much amended. His general arrangements, which are minutely detailed with evident fondness for the subject, would of course appear too formal at present; yet less so than those

of subsequent times; and though acquainted with what is called the topiary art, that of training or cutting trees into regular figures, he does not seem to run into its extravagance. Regular gardens, according to Paulmy, were not made in France till the sixteenth or even seventeenth century; yet one is said to have existed at the Louvre, of much older construction. England, I believe, had nothing of the ornamental kind, unless it were some trees regularly disposed in the orchard of a monastery. Even the common horticultural art for culinary purposes, though not entirely neglected, since the produce of gardens is sometimes mentioned in ancient deeds, had not been cultivated with much attention. The esculent vegetables now most in use were introduced in the reign of Elizabeth, and some sorts a great deal later.

I should leave this slight survey of economical history still more imperfect, were I to make no observation on the relative values of money. Without something like precision in our notions upon this subject, every statistical inquiry becomes a source of confusion and error. But considerable difficulties attend the discussion. These arise principally from two causes; the inaccuracy or partial representations of historical writers, on whom we are accustomed too implicitly to rely, and the change of manners, which renders a certain command over articles of purchase less adequate to our wants than it was in former ages.

The first of these difficulties is capable of being removed by a
circumspect

circumspect use of authorities. When this part of statistical history began to excite attention, which was hardly perhaps before the publication of bishop Fleetwood's *Chronicon Preciosum*, so few authentic documents had been published with respect to prices, that enquirers were glad to have recourse to historians, even when not contemporary, for such facts as they had thought fit to record. But these historians were sometimes too distant from the times concerning which they wrote, and too careless in their general character, to merit much regard; and even when contemporary, were often credulous, remote from the concerns of the world, and, at the best, more apt to register some extraordinary phenomenon of scarcity or cheapness, than the average rate of pecuniary dealings. The one ought, in my opinion, to be absolutely rejected as testimonies, the other to be sparingly and diffidently admitted. For it is no longer necessary to lean upon such uncertain witnesses. During the last century a very laudable industry has been shown by antiquaries in the publication of account-books belonging to private persons, registers of expenses in convents, returns of markets, valuations of goods, tavern-bills, and in short every document, however trifling in itself, by which this important subject can be illustrated. A sufficient number of such authorities, proving the ordinary tenor of prices, rather than any remarkable deviations from it, are the true basis of a table, by which all changes in the value of money

should be measured. I have little doubt, but that such a table might be constructed from the data we possess with tolerable exactness, sufficient at least to supersede one often quoted by political economists, but which appears to be founded upon very superficial and erroneous enquiries.

It is by no means required that I should here offer such a table of values, which, as to every country except England, I have no means of constructing, and which, even as to England, would be subject to many difficulties. But a reader unaccustomed to these investigations, ought to have some assistance in comparing the prices of ancient times with those of his own. I will therefore, without attempting to ascend very high, for we have really no sufficient data as to the period immediately subsequent to the Conquest, much less that which preceded, endeavour at a sort of approximation for the thirteenth and fifteenth centuries. In the reigns of Henry 3rd and Edward 1st, previously to the first debasement of the coin by the latter in 1301, the ordinary price of a quarter of wheat appears to have been about four shillings, and that of barley and oats in proportion. A sheep was rather sold high at a shilling, and an ox might be reckoned at ten or twelve. The value of cattle is of course dependent upon their breed and condition; and we have unluckily no early account of butcher's meat; but we can hardly take a less multiple than about thirty for animal food, and eighteen or twenty for corn, in order

to bring the prices of the thirteenth century to a level with those of the present day. Combining the two, and setting the comparative dearness of cloth against the cheapness of fuel and many other articles, we may perhaps consider any given sum under Henry 3rd and Edward 1st, as equivalent in general command over commodities to about twenty-four or twenty-five times that nominal value at present. Under Henry 6th, the coin had lost one-third of its weight in silver, which caused a proportional increase of money prices; but, so far as I can perceive, there had been no diminution in the value of that metal. We have not much information as to the fertility of the mines which supplied Europe during the middle ages; but it is probable that the drain of silver towards the East, joined to the ostentatious splendor of courts, might fully absorb the usual produce. By the statute of 15 Hen. 6th, c. 2; the price up to which wheat might be exported is fixed at 6s. 8d., a point no doubt above the average; and the private documents of that period, which are sufficiently numerous, lead to a similar result. Sixteen will be a fair multiple, when we would bring the general value of money in this reign to our present standard.

But after ascertaining the proportional values of money at different periods by a comparison of the prices in several of the chief articles of expenditure, which is the only fair process, we shall sometimes be surprised at incidental facts of this class which seem irreducible to any rule.

These difficulties arise not so much from the relative scarcity of particular commodities, which it is for the most part easy to explain, as from the change in manners and in the usual mode of living. We have reached in this age so high a pitch of luxury, that we can hardly believe or comprehend the frugality of ancient times; and have in general formed mistaken notions as to the habits of expenditure which then prevailed. Accustomed to judge of feudal and chivalrous ages by works of fiction, or by historians who embellish their writings with accounts of occasional festivals and tournaments, and sometimes inattentive enough to transfer the manners of the seventeenth to the fourteenth century, we are not at all aware of the usual simplicity with which the gentry lived under Edward 1st, or even Henry 6th. They drank little wine; they had no foreign luxuries; they rarely or never kept male servants, except for husbandry; their horses, as we may guess by the price, were indifferent; they seldom travelled beyond their county. And even their hospitality must have been greatly limited, if the value of manors were really no greater than we find it in many surveys. Twenty-four seems a sufficient multiple when we would raise a sum mentioned by a writer under Edward 1st, to the same real value expressed in our present money, but an income of 10*l.* or 20*l.* was reckoned a competent estate for a gentleman; at least the lord of a single manor would seldom have enjoyed more. A knight who possessed 150*l.* per annum passed for extremely rich. Yet

Yet this was not equal in command over commodities to 4,000*l.* at present. But this income was comparatively free from taxation, and its expenditure lightened by the services of his villeins. Such a person, however, must have been among the most opulent of country gentlemen. Sir John Fortescue speaks of five pounds a year as "a fair living for a yeoman," a class of whom he is not at all inclined to diminish the importance. So when sir William Drury, one of the richest men in Suffolk, bequeaths, in 1493, fifty marks to each of his daughters, we must not imagine that this was of greater value than four or five hundred pounds at this day; but remark the family pride, and want of ready money, which induced country gentlemen to leave their younger children in poverty. Or, if we read that the expense of a scholar at the university in 1514 was but five pounds annually, we should err in supposing that he had the liberal accommodation which the present age deems indispensable, but consider how much could be afforded for about sixty pounds, which will be not far from the proportion. And what would a modern lawyer say to the following entry in the churchwarden's accounts of St. Margaret, Westminster, for 1476?—"Also paid to Roger Fylpott, learned in the law, for his counsel giving, 3*s.* 8*d.* with four-pence for his dinner."—Though fifteen times the fee might not seem altogether inadequate at present, five shillings would hardly furnish the table of a barrister, even if the fastidiousness of our manners would admit

of his accepting such a dole. But this fastidiousness, which considers certain kinds of remuneration degrading to a man of liberal condition, did not prevail in those simple ages. It would seem rather strange, that a young lady should learn needle-work and good-breeding in a family of superior rank, paying for her board; yet such was the laudable custom of the fifteenth and even sixteenth centuries, as we perceive by the Paston Letters, and later authorities.

There is one very displeasing remark which every one who attends to the subject of prices will be induced to make, that the labouring classes, especially those engaged in agriculture, were better provided with the means of subsistence in the reign of Edward 3rd, or of Henry 6th, than they are at present. In the fourteenth century, sir John Cullum observes, a harvest-man had four-pence a day, which enabled him in a week to buy a comb of wheat; but to buy a comb of wheat, a man must now (1784) work ten or twelve days. So, under Henry 6th, if meat was at a farthing and half the pound, which I suppose was about the truth, a labourer earning three-pence a day, or eighteen-pence in the week, could buy a bushel of wheat, at six shillings the quarter, and twenty-four pounds of meat for his family. A labourer at present, earning twelve shillings a week, can only buy half a bushel of wheat, at eighty shillings the quarter, and twelve pounds of meat at seven-pence. Several acts of parliament regulate the wages that might be paid to labourers of different kinds.

Thus

Thus the statute of labourers in 1350, fixes the wages of reapers during harvest at three-pence a day without diet, equal to five shillings at present; that of 23 H. 6th, c. 12, in 1444, fixes the reapers' wages at five-pence, and those of common workmen in building at 3½d. equal to 6s. 8d. and 4s. 8d.; that of 11 H. 7th, c. 22, in 1496, leaves the wages of labourers in harvest as before, but rather increases those of ordinary workmen. The yearly wages of a chief hind or shepherd by the act of 1444 were, 1l. 4s. equivalent to about 20l.; those of a common servant in husbandry, 18s. 4d. with meat and drink; they were somewhat augmented by the statute of 1496. Yet, although these wages are regulated, as a maximum, by acts of parliament, which may naturally be supposed to have had a view rather towards diminishing than enhancing the current rate, I am not fully convinced that they were not rather beyond it; private accounts at least do not always correspond with these statutable prices. And it is necessary to remember, that the uncertainty of employment, natural to so imperfect a state of husbandry, must have diminished the labourer's means of subsistence. Extreme dearth, not more owing to adverse seasons than to improvident consumption, was frequently endured. But after every allowance of this kind, I should find it difficult to resist the conclusion, that however the labourer has derived benefit from the cheapness of manufactured commodities, and from many inventions of common utility, he is much inferior in ability to support

a family, to his ancestors three or four centuries ago. I know not why some have supposed, that meat was a luxury seldom obtained by the labourer. Doubtless he could not have procured as much as he pleased; but from the greater cheapness of cattle, as compared with corn, it seems to follow, that a more considerable portion of his ordinary diet consisted of animal food than at present. It was remarked by sir John Fortescue, that the English lived far more upon an animal diet than their rivals the French; and it was natural to ascribe their superior strength and courage to this cause. I should feel much satisfaction in being convinced, that no deterioration in the state of the labouring classes has really taken place; yet it cannot, I think, appear extraordinary to those who reflect, that the whole population of England, in the year 1577, did not much exceed 2,900,000 souls, about one-fifth of the results upon the last enumeration, an increase with which that of the fruits of the earth cannot be supposed to have kept an even pace.

ORIGIN OF THE PINDARIES.

(By an Officer in the Service of the East-India Company.)

The name of Pindari may be found in Indian history as early as the commencement of the last century; several bands of these freebooters followed the Marhatta armies in their early wars in Hindostan, and they are mentioned by Ferishta as having fought against Zoolfeccar Khan, and

and the other generals of Aurengezebe. One of their first and most distinguished leaders was a person named Ponapah, who ravaged the Carnatic and took Vellore early in the reign of Sahoojee. This chief is said to have been succeeded by Chingody and Hool Sewar, who commanded fifteen thousand horse at the battle of Paniput, and under whom the Pindarie system would seem to have assumed a more regular form. They were divided into durrabs, or tribes, commanded by sirdars or chiefs; people of every country, and of every religion, were indiscriminately enrolled in this heterogeneous community, and a horse and sword were deemed sufficient qualifications for admission. A common interest kept them united; the chiefs acquired wealth and renown in the Mahratta wars, they seized upon lands which they were afterwards tacitly permitted to retain, and transmitted with their estates, the services of their adherents to their descendants.

Heeroo and Burran are subsequently mentioned as leaders of the Pindaries; and in order to distinguish the followers of Tuckojee Holkar from those of Madajee Scindiah, they were henceforward denominated the Scindiah Shahee, and the Holkar Shahee. Dost Mohummud and Ryan Khan, the sons of Heroo are still powerful chiefs; but in an association which is daily augmented by the admittance of strangers, it is natural to suppose that influence will not be confined to hereditary claims, and that men of superior genius and enterprise will ultimately rise to the

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chief command. This is accordingly found to be the case, and Seetoo, who is now the most powerful of all the Pindarie leaders, was a few years ago a person of no consideration. It is only of late, that these banditti have become really formidable, and they may now be looked upon as an independent power, which if properly united, under an able commander, would prove the most dangerous enemy that could arise to disturb the peace and prosperity of India.

The climate and hardy habits of these plunderers render tents or baggage an unnecessary incumbrance; each person carries a few days provisions for himself and for his horse, and they march for weeks together, at the rate of thirty and forty miles a day, over roads and countries impassable for a regular army. They exhibit a striking resemblance to the Cossacks, as well in their customs as in the activity of their movements. Their arms are the same, being a lance and a sword, which they use with admirable dexterity; their horses, like those of the Cossacks, are small, but extremely active; and they pillage, without distinction, friends as well as foes. They move in bodies seldom exceeding two or three thousand men, and hold a direct undeviating course until they reach their destination, when they at once divide into small parties, that they may with more facility plunder the country, and carry off a larger quantity of booty; destroying, at the same time, what they cannot remove. They are frequently guilty of the most inhuman barbarities, and their

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their progress is generally marked by the smoking ruins of villages, the shrieks of women, and the groans of their mutilated husbands. At times they wallow in abundance, while at others they cannot procure the common necessaries of life; and their horses, which are trained to undergo the same privations as their masters, often receive a stimulus of opium when impelled to uncommon exertion. Night and the middle of the day are dedicated to repose; and recent experience has shown us that they may be surprised with effect at such hours. Fighting is not their object, they have seldom been known to resist the attack even of an inferior enemy; if pursued, they make marches of extraordinary length, and if they should happen to be overtaken, they disperse, and re-assemble at an appointed rendezvous; or if followed into their country, they immediately retire to their respective homes. Their wealth and their families are scattered over that mountainous tract of country which borders the Nerbudda to the north. They find protection either in castles belonging to themselves, or from those powers with whom they are either openly or secretly connected. They can scarcely be said to present any point of attack, and the defeat or destruction of any particular chief, would only effect the ruin of an individual, without removing the evil of a system equally inveterate in its nature, and extensive in its influence.

The most powerful of the Pindarie chiefs are Kurreem Khan, Chheetoo (or Seetoo, as he is often

called) and Dost Mohommud. There are however, several subordinate chiefs, who are the commanders of dhurras, or tribes, and acknowledge a tacit obedience to one or other of the three great leaders before mentioned.

Kurreem Khan is descended from an ancient Mahomedan family; his early youth was spent in the service of Holkar, which he subsequently quitted for that of Dowlut Row Scindiah; his character and enterprising spirit soon increased the number of his adherents, he enlarged his possessions, partly by grants from Scindiah, and partly by usurpations from the rajah of Berar and nabob of Bhopaul, whose dominions he alternately invaded and ravaged. He possessed himself of several fortresses, and, at the termination of the Mahratta war, his power was such as to excite the fears and jealousy of Scindiah, who caused him to be treacherously seized and confined at Gwalior. Here he lingered some years in prison; after which, having obtained his release by the payment of a ransom, he resumed his former habits, returned amongst his companions, and, in a short time, became as powerful as he had been before. Scindiah, unable to crush him by open force, had once more recourse to treachery, and taking advantage of a quarrel between Kurreem and Seetoo, assisted the latter, who, having overthrown Kurreem in a pitched battle, compelled him to fly for refuge to Ameer Khan, who made him over to Toolsa Bhye, the widow regent of the Holkar family. Kurreem has since escaped, or rather been liberated,

liberated, and is now at the head of his dhurrah, which amounts to about five thousand horse, and is cantoned near Barseim, in Bhopaul. It is rumoured that he is about to be reconciled to Scindiah; but after what has passed, they can have no confidence in each other.

Cheetoo, who is at present the greatest of all the Pindarie chiefs, enjoys the confidence and favour of Scindiah. He has lately acquired extensive influence; the numbers of his followers daily continue to increase, and, by a late account, he was said to be at the head of twenty thousand horse, a small corps of bad infantry, and a train of twenty ill served guns. He possesses the forts and districts of Sutwass, which run along the northern branch of the Nerbudda to the south of Oujein, and nearly opposite Hindia.

Dost Mohummud, the son of Heeroo, is entitled from his birth to hold the chief place over all the Pindarie tribes. This person is, however, inferior to Cheetoo, and the troops subject to his command may amount to between ten and twelve thousand horse, a small body of infantry, and a few guns. A party of the adherents of Dost Mohummud, commanded by his brother, Wausil Khan, invaded our provinces, and there is every reason to believe, that they were accompanied by some of the troops of Scindiah. Their camp is at Bagrode, a short distance to the north-east of Bilseih, a district in Bhopaul.

The Holkar branch of the Pindaries, is far less formidable than

that of Scindiah. Their chief leader is a person named Kawder Buksh; those of inferior note Tookoo and Sahib Khan; and their united strength may be computed at nearly five thousand horse. They are generally cantoned in the vicinity of Kunool and Sohundra.

The Pindaries may probably amount altogether to between thirty and forty thousand horse; but in a community so subject to constant fluctuations, it is impossible to form any accurate idea of their number, which must vary from day to day according to the caprice of individuals, and the condition of the adjoining countries. Throughout the greater part of the territories of the native powers in central India, the husbandman is seldom permitted to reap the fruits of his labours; his fields are laid waste, his cottage reduced to ashes, and he has no alternative, but that of joining the standard of some lawless chief. Thus the numbers of the Pindaries may be said to increase in the same ratio, as the means of subsistence diminish; hunger goads them on to the work of destruction, and they rejoice in anticipation of the spoils of wealthy countries. Were they permitted to continue their merciless depredations without molestation, the peninsula of India would in time become a desert, and the few inhabitants that survived the general wreck, a band of savage and licentious robbers. The pastoral tribes of Arabia and Turkey, although sufficiently prone to pillage, where an occasion may offer, are not impelled

by such motives of imperious necessity, as the predatory horse of Hindostan; their slender numbers cover extensive countries, and when their flocks have exhausted the pasture of one plain, they move with their families into another. The Pindaries are, on the contrary, confined to a tract of waste land which has become the general rendezvous of every vagabond and outlaw, and whence they issue in desperate bands, in search of the necessaries of life. Some analogy may at first appear to exist between their usages and those of the early Mahrattas under Sevajee, but on reflection we shall discover an essential difference in many important points. The adherents of Sevajee were warmed by a strong patriotic feeling, they were all of the same religion and country, and were in fact the long oppressed inhabitants of an ancient kingdom, recovering their rights by the expulsion of a depraved and declining government of strangers. The Pindaries are a mere collection of vagrants from various countries and of different castes and religion, brought together from an inability of otherwise procuring the means of subsistence, divided amongst themselves, and ready at all times to desert their leaders, and enter the service of any prince or state who may support them.

The dominions of our allies have ever since the year 1811, been subject to their incursions. In 1814 they entered the province of Bahar, and threatened Bengal; and in the two following years invaded the British territories

under Fort St. George. Passing with the rapidity of lightning through the country of the Nizam, they suddenly broke in upon the defenceless district of Guntoor, and in an instant spread themselves over the face of the country, every where committing the most shocking and wanton atrocities. In 1816 they returned with redoubled numbers, and extending themselves from the coast of the Conkan to that of Oriss, threw the whole southern part of the peninsula into a state of alarm. They again passed without difficulty and without opposition, through the dominions of our allies the Peishwah and the Nizam; carried fire and sword almost from one end to the other of the district of Ganjara, and returned home, laden with the spoil, and stained with the blood of our subjects. In this last expedition, however, several parties of them were overtaken, and we have the satisfaction to know that they were unable to contend against the Company's troops. The success of the troops under majors Lushington, Macdowal, and Smith, and of the small detachment of sepoy, under the brave lieutenant Borthwick, in the southern part of India, and the equally brilliant exploits of several officers of the Bengal army, must have a salutary influence in checking the boldness of the Pindaries, give confidence to our own troops, and convince the native powers that we still preserve unsullied, our accustomed superiority in arms.

STATISTICS AND HISTORY. 501

CONDUCT OF THE IMPERIAL GOVERNMENT AT VENICE.

From Rose's Letters from the North of Italy.)

We are told that on Louis 14th expressing, when a child, his admiration at the despotic power possessed by the Turkish sultans, one of his courtiers had the honesty to draw his attention to the number of those who had perished by the bowstring. But it is a vulgar view of the subject to imagine that absolute princes are subjected to no heavier penalty. A miserable end is bad, but a miserable life is yet worse. I call *his* a miserable life, who is deprived of the exercise of free-will, while he is seated beneath the shadow of power. Amongst the strange contradictions which are to be found in despotic governments, the theory and practice of which are generally at variance, this is, I believe, one of the most ordinary. I do not, however, mean to say that there have not existed in different ages and different countries absolute monarchs of extraordinary mind and talents, who have been able to guide or stem opinion, and who have really reigned; but I speak of what I believe to be the case in a great majority of instances. This is easily accounted for, since despotism cannot rest upon its own base. Despotic monarchs, therefore, seek as narrow a one for it as possible, and plant it (where they do not find this done to their hand) upon the prejudices of the people. Hence in such states there is a constant

reciprocation of slavery, through every link of the chain which binds empire together. As a proof; who are more enslaved to established usages than the emperors of China and Morocco? The emperor of China may indeed cane his mandarins, and the emperor of Morocco may behead his people at pleasure; but should either attempt any liberal or useful reform, he would be instantly hurled from his throne. We may say that all monarchy is built upon opinion. Constitutional kings in mixed monarchies, which are rationally constituted, generally speaking have to defer to the enlightened part of the public. Absolute monarchs are more usually the tools of the ignorant and *hypocritical*. To a European instance; the emperor of Austria is sometimes stigmatized in Italy as a wayward tyrant, at once foolish and faithless, professing great religion and morality, and violating, in practice, every precept of God and man. The following notice may serve to show how far these accusations are founded in truth, and how far he is a willing instrument in perpetrating the mischief which is attributed to him. The whole of Italy rung with the gracious professions which he made to his new subjects on visiting his Italian states; of his promise to abolish provincial custom-houses, to diminish the burthens under which his subjects were groaning, &c. &c. &c. Princes, however, too often find a dispensation from these sort of promises in the necessities of the state, and the circumstances of the times. We will



will therefore pass by these and their non-performance, and look to others of a different description, for the violation of which it would be difficult to find other excuse than that which serves as a text to my letter.

When the emperor visited Venice in 1815, he inspected in person all the public institutions, churches, hospitals, and prisons. On visiting the prison of the Riva degli Schiavoni, the keeper informed him of whatever was interesting in the history of those confined in it, or the immediate cause of their imprisonment. Amongst others he pointed out two boys, the eldest of whom was not above fifteen years old, and who, by the French laws, which remained in force, had been sentenced to five years imprisonment for stealing some fruit, observing that two years of that period had already elapsed; and he ventured to suggest, in a case where the punishment was so evidently disproportioned to the offence, his imperial majesty would find a happy occasion for exercising his mercy. He made the reply, which he vouchsafed to every petition which was presented him, of *sarà fatto*; but never redeemed his promise, either in this or in the innumerable other occasions, where he had pledged it, and always in the same form of words. During his six weeks stay at Venice, he was positively besieged by suppliants, and one of those about him has reported, that the number of their petitions amounted to 40,000; all which were received with the invariable an-

swer of *sarà fatto*, yet I have been assured, that no instance is known of a single promise having been fulfilled. This statement, though made by one whose evidence would appear unexceptionable, must, I think, when tried by arithmetic, be considered as exaggerated; for you will observe that, allowing this imperial assurance-machine to have been at work for only twelve hours out of the four-and-twenty, it would have delivered about a lie a second, a power that appears almost incredible. But allowing this statement to be overcharged, it is universally agreed that numerous petitions were graciously received, and compliance promised, but in no one known instance performed.

Are we to attribute this conduct to forgetfulness—to indifference? I have, without affectation, too good an opinion of the emperor's intentions, to accuse him of what may be considered as crimes in a sovereign. All is to be attributed to his not being a free agent; but if a doubt could remain on this subject, the following anecdote will, I think, remove it:

An officer who had, by his services, arrived at the rank of captain in the French navy, but who had only been able to obtain a lieutenant's commission in the Austrian service, on the Imperialists taking possession of Venice, petitioned the emperor to be re-instated in his original rank. His prayer was backed by the commandant of the Austrian marine, who confirmed the statement of his claims, and strongly recom-

recommended him as a meritorious officer. The emperor said that he considered his case as a very hard one, and would himself transmit it to the aulic chamber, to whom he would enjoin his restoration to the rank he had formerly filled. The officer relied upon the word of his sovereign, but, after some weeks, the commandant of the marine received a letter from the Aulic Council, returning the petition in question, and stating that the petitioner was at liberty to quit the imperial service, if he did not think proper to hold such a commission as they had been pleased to assign him; that they were astonished at the general's presuming to support such a document, knowing, as he must have done, their sentiments from the existence of the commission itself. They recommended to him, moreover, not to be guilty of a similar act of indiscretion in future; as, in such case, they could not consider him as longer worthy of the high situation entrusted to his charge.

But this man, *some* will say, was a former servant of France, and was, as such, entitled to no better measure than that which he received. I have a case in point for such as feel or reason in this manner. A Venetian gentleman, governor of the fortress of the Lido, in pursuance of orders, fired upon, and repulsed a French brig, which was attempting to enter the port, a few days before the *revolutionisement* of Venice. Buonaparte insisted on his punishment, and he was moreover excluded from all future command during the new system of things.

This man, reduced to poverty, sought grace at the feet of the emperor, who assured him of his protection and assistance. He died neglected and in misery, and one of his sons is now employed in piecing the tessellated pavement in the church of St. Mark!

It will not be out of its place to remark here, that France, though an aggressor in the beginning, was perhaps, in the last instance, justified in her hostilities to Venice, which that power had provoked by a diversion favourable to Austria.

The treatment of this man, independently of the object in confirmation of which I have told the story, may serve to show the treatment which his Imperial majesty's Italian subjects are destined to receive, whatever be their claims. But I might say, that every day offers fresh proofs of the hopelessness of these, almost every office being now filled with Germans, from the clerk and corporal to the judge and general, all unacquainted with the language, and unexperienced in the habits, of the country.

This must be considered as a perverse system of policy in any country, but it is most peculiarly mischievous to the interests of its authors in this. The Venetian revolution cast adrift an immense number of persons, who lived upon the employments of the state. It was hardly to be expected that the beggarly government of Austria should make an adequate provision for them, but it might at least have given employment to hundreds, were it only in the subaltern departments

of its innumerable petty establishments. But a more dangerous source of discontent has been opened in all the Austro-Italian provinces by this illiberal system of exclusion. There is a host of needy military adventurers, late in the service of the kingdom of Italy who are now either pining in the inferior ranks of the imperial army, or being too proud to descend in the scale of service, are actually without the means of obtaining their daily bread. These men are, of course, all ripe for revolution, and ready for any chance or change that may present itself. But if the fate of those who have been turned adrift is pitiable, that of many who have remained in the vessel is hardly to be envied, these being put on short allowance, and having scarcely wherewithal to support a miserable existence. In the time of the French a subaltern in the Venetian marine had three franks a day: he has now one and a half.

The Venetians received this paternal treatment at the hands of his Imperial majesty immediately on returning under his dominion, and indeed have no legal right "to think themselves ill-used;" but the Milanese have this melancholy resource. Till lately they enjoyed certain privileges, which they imagined they had ensured by a capitulation, under which they subjected themselves to their invaders. I am now, however, told that, by the new organisation lately sent to Milan from Vienna, there are only two Italians left in the higher departments of that government.

The Milanese have hitherto confined their revenge to teaching their magpies and jackdaws to rail upon their ostensible tyrant. But will their rage always find so innocent a vent? God grant it may! for I see nothing that this miserable country could hope from a revolution.

If the Milanese, however, have not reaped the benefits they expected from their capitulation, they have gained something by showing their teeth; for the minor impositions of Milan are at least somewhat milder than at Venice, and, as a simple proof of this, I should state that a letter from Venice to Milan pays much less than one from Milan to Venice, though the road runs nearly on a flat, and no reason can be assigned for the difference.

How much more rational was the system pursued by the French, who, opening the road to all Italians, peculiarly encouraged national talents and worth! I do not believe I exaggerate when I say that, excepting the line of country annexed to France, there was not a Frenchman employed, even as a sub-prefect, in Italy. The only one who held any civil official situation in this city was the director of the post. In military matters it was indeed otherwise; for the commandants in all towns were, I believe, French; but that Buonaparte should deviate in this particular from his general system, and not choose to part with the staff of power, can hardly be objected to him. In my general horror of his system (of which I have by no means divested myself), I could not, at first, understand

stand why he was here preferred to his successor; but I can say, with truth, that on coming to Italy the scales fell from my eyes, and I instantly discerned and acknowledged the justice of the preference shown to his administration by the Italians over that of a race which seems rather Chinese than European.

At least I am not single in these sentiments; for I never yet met with an Englishman, who knew enough of the language of Italy to inform himself of what was passing about him,— I never knew one employed or unemployed,

“whether whig or tory,
Whether he went to meeting or to
church.”

Whistcraft.

who did not feel what I feel, and generally in a much keener degree than myself.

All the misery which I have thus described as heaped upon Italy is, I repeat, in my firm belief, inflicted by an unwilling instrument. The emperor of Austria has the reputation of an amiable 'private character, and the princes of his house have shown talent as well as good intentions, whenever they have been unfettered from the gyves of the Aulic Council.

*Fiscal System of Austria in Italy,
&c.*

I shall attempt in my present letter to give you some idea of Austria's fiscal administration of these provinces, from which you will judge whether Lombardy

has, in this respect, reason to be content with her change of masters. It is but just to state, that the system is not to be exclusively attributed to the head of the sour-croût nations, and that Austria is not to be considered as more weak or tyrannical than her neighbours; who are all, like the emperor, excellent persons in private life, and all scourges of the countries subject to their sway.

But as it would be a useless task to trace this scheme of oppression, through all its variations, I shall give you that of the government of the state from which I write, which is, however, as I have hinted, a little more severe than the other great division of Lombardy, known under the name of the Milanese.

I have already mentioned, incidentally to other matters, the taxes upon flesh, fowl, fish, flour, &c.; but to give a more comprehensive idea of these, I shall state that every eatable and drinkable is not only taxed, &c. but seized and cessed under whatever various form it may present itself. Thus grain, flour, and bread, pay each a separate impost. It is the same with bull and beef, &c.; and mark, that not an article is brought to the place I date from, no not even a cabbage, but what pays its miserable fraction of a farthing. Such revenue, it is obvious, can only be collected at an expense, which must run away with the profit. But these petty taxes, which are almost unproductive to the government, though grievous in the extreme to the subject, are, to speak familiarly,

liarly, mere flea-bites in comparison to the other vampire pulls of the Austrian eagle.

I pass to these more cruel evacuations. The most serious of them, known by the name of *la prediale*, which prevails over Italy, is levied as well on land as on all descriptions of actual and tangible property. These pay 25 per cent upon their annual produce, that produce being calculated by public appraisers, and estimated according to the valuation made by them, under the French administration. This tax is collected in four even and quarterly payments. There are, in addition to this, what are called extra taxes (*sopra-imposte*) which proprietors pay, and which are known by the various denominations of *stradale*, *comunale*, *re-imposta*, &c. The taxes of this latter description have amounted, during the three years of Austrian government, to about 12 per cent a year. The whole amount, therefore, of these *greater taxes* would be 37 per cent—always speaking of annual produce.

It is but justice to declare that this appears to me to have been heavier in the time of the French; since, according to the best official information I can obtain, the aggregate produce of their main taxes amounted from 42 to 44 per cent.

The question, however, whether Italy was more severely taxed under the French or Austrians, is not to be determined by this comparison, because the system of frontier custom-houses, such as at present are established at the interval of every few miles,

as between Padua and Venice, Vicenza and Padua, though all situated within the same state—this monstrous piece of folly, I say, did not exist under the French, who were cruel task-masters, but not ignorant of their own interest, if careless of that of the people whom they had united to them. We must, therefore, in addition to the 37 per cent levied by the Austrians, throw in the innumerable petty duties levied upon different articles *in transitu*.

It ought, however, to be stated that the next most foolish and iniquitous tax still existing, was even of old Venetian origin, and was preserved by the French, I mean that which bears upon all beasts in life, lump, or leavings, from the wholesale bull which enters the city with horns fixed and tail flying, down to the lowest garbage which is extracted from him when he has laid down his life in the slaughter-house.

But questions of taxation are not only to be tried by numbers; and the last species of impost which I have described is a striking illustration of this truth. Taxes are, as any child knows, more or less mischievous, not only in proportion to their extent, but with reference to their nature and their application. Brought to this last test, I should give a decided preference to French economy. Under this, I see the completion of magnificent public works, and the foundation of establishments for the encouragement of art, of fine public roads, and a secure police. On the other side, I see all the sources of wealth cut off from the country
where

where they spring and which they watered, to be diverted into a desert which its inhabitants have not the skill or the activity to fertilize. Thus a striking instance of the mode in which the ancient provinces of Austria are favoured at the expense of her new acquisitions is afforded by her mode of supplying the wants of her armies. These are supplied with all necessaries, where the thing is practicable, out of her hereditary transalpine dominions, though necessarily at a much greater expense; a curious contrast to the conduct of France, who fed and clothed her Gallo-Italian armies entirely with the products of the peninsula.

But to leave all question of the distribution or application of taxes, and to return to that of the amount, under the French and Austrian regimen in Italy; I mean taxes of every kind, whether on land, on articles of consumption, or duties, &c. &c. &c. I am assured by another authority (my own opinion leans a different way), that these are so much more oppressive at present, that where French Italy paid thirty millions of francs, Austrian Italy now pays forty. And you will recollect that the Lombard and Venetian states are at least a third less than was the kingdom of Italy. If this fact, which I have heard confidently averred, be true, the excess of present taxation must arise out of provincial imports and exports: for I cannot be deceived in the statement which I have given you respecting the *prediale*, &c.

Whether the French system of raising a revenue in Italy was

more or less nefarious than that of the Austrians, it must be acknowledged that the mode of collecting it, as well as the formation of the main system of taxation, originated with the former. It is scarcely possible to conceive any thing more monstrous than this mode of collection, which, adopted by the Austrians, remains unmodified and unmitigated to the present hour.

I have already stated that the payment of the *prediale*, &c. is to be made quarterly; the failure of this payment at quarter-day is visited by the mulct of an additional five per cent if the payment be not made good within the four-and-twenty hours of the day of receipt. This penalty "drinks deep;" but that which awaits further default, to pursue my quotation, "drinks cup and all." For if the tax, together with its penalties, is not paid at the conclusion of the term of fifteen days (for so much more law is afforded the debtor), the receiver threatens what is called *un' oppignorazione*, in plain English, a *distress*, and this he may levy upon house, lands, or moveables, as he shall think fit. If, notwithstanding this intimation, the tax and penalties are not paid, the distress is actually levied; and this being done, in addition to the tax itself and its penalties, the expenses of the distress are also to be defrayed by the defaulter. If he does not voluntarily defray all these accumulated charges, a *new* distress is levied upon other lands, other houses, and other moveables. Thus, you see, there is an eternal repetition of the Gallico-Italian scene of Molière,

"che

"*che fare?*—*segnare, purgare, e clysterizare.*" But the matter is not mended, and the old question is renewed of *che fare?*—*re-segnare, re-purgare, et re-clysterizare.*

The distress is now levied according to the mode of the country, that is, the property of the defaulter is put under sequestration, but this *peine forte et dure* does not extort payment. The next step of the receiver, under such circumstances, is to send him a "*diffida.*" After this ominous intimation, he proceeds to sell his distrained property by auction, but if the sale of it more than covers the debt, is supposed to return him the overplus. There is still moreover a last hope held out to him; though his property is sold, he has two months good allowed him to recover it, by the payment of the same price at which it was purchased. This is, however, to be considered as scarcely more than a nominal grace, since the expenses and difficulties attending this transaction are such as to render it usually much more advisable to acquiesce in the loss. I should observe that no legal claim whatever stands in the way of the harpy claws of the imperial eagle. To give you, however, some more precise notion of the habits of this obscene bird, take the following anecdote, respecting which I shall observe, that the circumstances came under my own immediate observation:

A Venetian gentleman, some time absent from Venice, together with other property in houses, was owner of a magazine, which a tenant held by a

livello, or life-lease. This man having been long in arrears of rent, the gentleman began to lose patience, and was recurring to rigorous proceedings, when he was informed, by the supposed tenant, that he was no longer possessor of the magazine, the government having seized upon it for the non-payment of the *prediale*! Every day offers similar instances of ruthless rapine.

While such are the burthens and visitations which vex and break down the landed proprietor, the monied proprietor, whether he put his gold out to interest, or whether he brood over his bags, withholding his wealth from healthful circulation,—the monied proprietor is untouched either by direct or indirect taxation.

But, considering the general system of government, there is another point in which the conduct of the French will appear in a very superior light, if contrasted with that of the Austrians; I mean that of legislation. Under the French, Italy enjoyed all the incalculable advantages of a code, which allowed the cross-examination of witnesses, and gave publicity to all the proceedings of justice. This was indeed so under the ancient government of Venice; but a criminal code was given her by France infinitely superior to what she possessed in the time of her republic. But the system of open pleadings and examinations has given way to one which has abolished the oral examination of witnesses, and to these principles, perhaps yet more precious in Italy than elsewhere, has been substituted that

of

of written depositions and secret applications to the judges.

When I imagined I had done with my fiscal notices and was sliding into other things, a new tax was notified on land, which is supposed to have been imposed in order to make up for the deficiency which will naturally follow in the custom-house revenue, in consequence of the late prohibitive decrees. It is, however, impossible to enumerate all these changes as they arise; this would be to attempt to give the weight and measure of a body which is continually growing.

You will exclaim, How do the proprietors exist under these accumulated burthens? To this I answer, that an immense number of them are ruined, and those who yet keep together a part of their inheritance, remain without heart or hope. Were the dues of the church in like proportion, they must be absolutely crushed, but these are fortunately light in Italy. To begin with Venice, they are very inconsiderable; but perhaps some account of the clerical economy of this place may be acceptable.

Venice is now divided into thirty parishes. The rectors of them have their estates as the Patriarch has; the *minimum* of their respective income being fixed at seven hundred francs, or about thirty pounds sterling; but it is to be understood that more than half of them enjoy a revenue of at least double the amount. The *minimum* of the salary of the vicars and coadjutors of these, as they are called (and there are many such in each parish), is fixed as I understand it, at four hundred

francs. In general, this last body depend on the auxiliary masses which they celebrate, each of which is paid by the person who causes it to be said, at the rate of about fifteen-pence of our money.

The income of bishops, to re-ascend in the scale, in like manner, depends, on fixed property or funds, but, if it falls beneath a given sum, is, as well as the preceding deficits, to be made good out of the *cassa di beni demaniali*, as is also that of the country rectors, whose minimum is about thirty pounds a year, arising, as I before stated, out of tithes: but these have often other sources of revenue, in the lands or funds. The tythes collected, I mean in the Venetian state, except in some few cases, such as I shall specify in a more general view of this subject, often do not exceed the fortieth instead of the tenth allotment of produce as with us. In consequence, the livings of the clergy are moderate in the *Stato Veneto*: From what I can learn there are not above fifty considerable ones. These, however, are rich, there being perhaps as many which amount to three hundred pounds a year, a large sum here, more particularly in the country; for we must allow that men are not only rich or poor in proportion to what they *have* and what *that* will buy, but also in proportion to what they *want*. Now in Italy, not only necessaries are cheaper, but (more particularly out of great cities) fewer things are necessary; so that I should almost rate this sum spent in a parsonage in Italy as much more than equivalent to a thousand pounds

pounds a year spent in a rectory in England, where, from greater commerce, the modes of artificial life are more generally multiplied and diffused.

I should not conclude my account of the Venetian clergy, without giving some little insight into its character, but that this is now melted into that of the Italian clergy, monastical or regular, and is of course no longer animated by the spirit which distinguished it in the days of *Fra' Paolo*.

The Patriarch, however, retains his authority, as a sort of puny pope, and grants divorces as in the time of the Venetian republic.

You will recollect you and I having once discussed the principle of these divorces, which appears such a manifest infringement of the maxims of the Roman Catholic church. What we imagined, I find confirmed upon inquiry: these do not, in any degree, compromise the doctrine of marriage being a sacrament, and therefore indissoluble; since the union, however sanctioned, has always been held to be conditional as to certain points; and these divorces were and are granted on the allegation of circumstances which would have rendered a marriage void *ab initio*, according to the long established maxims of Rome.

MANNERS, CUSTOMS, AND LOCAL DESCRIPTIONS.

DESCRIPTION OF ABANO.

(From *Rose's Letters*.)

Abano, August, 1817.

I AM at last established—

Fra l'Adige e la Brenta a' pie de' colli,
Ch' al Trojano Antenor piacquer tanto,
Con le sulfuree vene, e rivi molli,
Co' lieti solchi, e prati ameni a canto,
Che con l' alta Ida volentier mutolli,
Col sospirato Ascanio e caro Zanto—

or, to speak plain prose, am arrived at Abano.

This village is about three miles from the Euganean Hills; and the houses, occupied by those who resort to the place, for the benefit of its muds and waters, are yet nearer, all situated in an extensive plain: from this rises a sort of natural *tumulus* of a figure nearly circular, of about fifteen feet high, and, I should think, above one hundred in circumference. It appears to be of the same sort of composition as the neighbouring hills, perhaps the wreck of one, consisting of calcareous stone, *tufa*, and other materials, indicative of a volcanic origin.

From this mount burst two or three copious streams of hot water, which are capable of boiling an egg hard, at their source.

A part of these serves to fill the baths, and pits for heating the muds; a part loses itself in cuts and wet ditches, amidst the meadows, and a part turns the wheel of a mill, which whirls amidst volumes of smoke.

The meadows, which are of a surprising richness, extend about two miles without interruption, when they are broken by an insulated hill, entirely covered with trees, brushwood, and vines: from the foot of this issue smoking streams, and a little farther is another single hill, from whose roots issue hot mineral waters. The structure of the hills, and the character and position of their strata, show evidently that they were once links in the Euganean chain.

There are other springs of the same nature, and having all of them more or less of medicinal virtue; which procured this place the ancient name of Aponon, apparently

parently derived (as has been conjectured) from a privative and *πῶς*, pain.

I can describe little more than what I see: but for a more scientific description of the place you may refer to the Philosophical Transactions, where there is a paper on this tract of country, by Mr. Strange, formerly English resident at Venice.

All spots of a similar description are supposed to have been honoured by the visits or residence of demi-gods. This was the case with Abano, though one should have thought a *second-chop* Trojan would have been sufficient for so insignificant a place, for it has to boast of the presence of Hercules himself, who was supposed to have ploughed two long furrows, visible in a marble rock; I suppose for the distribution of the springs.

*Præterea grandes effossi marmore sulci
Saucia longinquo limite saxa secant:
Herculei (sic fama refert) monstratur
aratri*

*Semita, vel casus vomeris egit opus.
Claud. de Apono.*

It is to be remarked, that the same fable was related of Hercules by the Leontines in Sicily, where there were also springs of the same description, and that sulphureous waters were, I believe, generally (for what reason I know not) dedicated to this demi-god.

The place was moreover once hallowed by oracles, probably inspired by the mephitic vapour which issued from fissures in the mountains, and many local deities were worshipped here, who were

supposed to preside over these salutary springs. The fame of these indeed appears to have been widely diffused, and it should seem that this tract in the later ages of the empire once ranked with Baja itself. Many passages might be adduced from classical authors to this effect, and the magnificent remains of baths and building confirm the fact of their having been of ancient celebrity.

But not only have these works of men sunk in ruin, those of nature herself have felt the hand of time, and little resemblance can be found in the landscape before me to that which is presented us by Claudian, who visited these baths in the time of the emperor Honorius. Some traditions moreover are preserved of sudden changes operated here by the action of volcanic fire, and I was myself a witness to one of the wonders which nature is probably continually playing off, having seen the main branch of the streams which break from the *tumulus* before mentioned, change its channel, and suddenly work itself a different vent.

It is not however upon its geological wonders that the modern notoriety of Abano principally rests. It is celebrated for its muds, which are taken out of its hot basins, and applied either generally or partially, as the case of the patient may demand. These are thrown by, after having been used, and, at the conclusion of the season, returned to the hot fountains, where they are left till the ensuing spring, that they may impregnate themselves anew with the mineral virtues which these

these are supposed to contain. The most obvious of these, to an ignorant man, are salt and sulphur. The muds are, on being taken out, intensely hot, and must be kneaded and stirred some time before they can be borne. When applied, an operation which very much resembles the taking a stucco cast, they retain their heat without much sensible diminution for three-quarters of an hour, having the effect of a slight *rubefacient* on the affected part, and producing a profuse perspiration from the whole body; a disposition which continues more particularly in the part to which they have been applied, when unchecked by cold. Hence heat is considered as so essentially seconding their operations, that this watering-place, or rather mudding-place, is usually nearly deserted by the end of August; though there are some who continue to wallow on through the whole of September.

The baths, though sometimes considered as a remedy in themselves, are most generally held to be mere auxiliaries to the muds, and usually but serve as a prologue and interlude to the dirty performance which forms the subject of the preceding paragraph, they being supposed to open the pores and dispose the skin to greater susceptibility.

There is no doubt great fanaticism in this part of Italy respecting the virtues of these muds, which are here considered as applicable to many cases in which it would be ridiculous to suppose they could be efficacious. On the other hand, there seems to be as much perverse incredulity

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amongst medical men on the other side of the Alps, always excepting our own, who, without rejecting the possibility of the thing, seem (at least those I have known) very discreetly to suspend their belief.

I can for myself see nothing improbable in the effects which the muds are supposed in many cases to produce; but to pursue a safer mode of reasoning, I have seen myself cases which might alone fairly establish the reputation of Abano. It is true, however, that the muds act very uncertainly, but this is probably the case with every medicament: and I suppose, with the exception of bark and mercury, it may be said that there is no such thing as a specific. To show, however, that there is no ground for despair even in apparently desperate cases, and where the first effects of the remedy seem to promise least, I shall mention one of late occurrence, of which I was not indeed an eye-witness, but which still forms the subject of conversation amongst the frequenters of the baths; a great proportion of whom were witnesses to the fact.

A gentleman of Feltrè, of about two or three and forty, was brought here last year, labouring under the effects of a recent paralytic stroke, and contrary to the advice of his physicians, who considered him too much reduced to be able to support the severe discipline of the place. His first attempt confirmed their opinions, and he was obliged, through mere debility, to suspend his operations; but he was of that class of invalids who determine to get well and in their own way.

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Having therefore reposed till he had recovered breath, he returned to the charge, and took the muds and baths for a considerable time, without injury indeed at first, but without any sensible benefit. At length, when all considered his perseverance as fruitless, these began to act, and their effect was as rapid as it had at first been slow. He now mounted on crutches, and, after a few days, quitted the place, having arrived at walking with a stick.

He returned this spring, completed his cure in three or four weeks, and danced *quadrilles*; we will charitably hope as a test of his recovery. The circumstances of this case were so extraordinary that I determined to examine the books of the house, where every article is noted down from a bath to a *bouillon*, in order to see what had been his system and how far it might throw light upon his cure. I found, from these, that he had deviated very much from the regimen ordinarily pursued, and instead of taking fourteen or fifteen muds and baths, in as many consecutive days, limiting his stay to a fortnight; he had remained here, on his first visit, between two and three months, taking the remedies of the place (I think thirty muds and as many baths) at very uncertain intervals.

I have very little doubt that this mode of regimen greatly assisted the cure; for we know that when any medicine is administered for a long time together, or only suspended for short and certain intervals, the remedy and the disease soon come to a sort of amicable understanding, and I have observed that these muds

after fifteen or sixteen applications lose their effect as a *rube-facient* upon the skin.

But you will say, is there no one on the spot who has studied their qualities, and who is capable of directing their application? Alas! here is, at present, neither skilful doctor nor apothecary, nor indeed any person or thing that can contribute to the convenience or necessities of an invalid. There is not even a bathing-room with a bell in it, nor is there a thermometer in any of the baths.

You are not however to suppose that the want of all instruments necessary to precision in medical or other research is merely local; for I never saw the pulse felt by a stop-watch in this country, nor did I indeed myself, ever see such an implement in Italy.

But I am getting away from Abano and its miseries. To those I have already enumerated, may be added a damp and heavy air, which blunts the appetite and deadens the spirits of the strong and the rich, while it shows its effect in ague amidst the famished and the weak. It is clear therefore that the air cannot assist the virtues of these baths and muds, but on the contrary, must be considered as detracting from their salutary effects.

The other circumstances of the place, such as the absence of all usual means of diversion, appear as little calculated to come in aid of their virtues.

Every one knows the advantage of keeping the spirits amused under every species of cure. Now there is scarcely ever a newspaper

paper to be had in the coffee-room, or a book to be procured short of Padua; but perhaps the pleasures of the place are more calculated for an Italian than an Englishman. These ordinarily consist in coffee-house prose, or listening to some *improvisatore*, in dancing (that is those who can) to the squeak and squall of a fiddle, tormented by some itinerant blind professor, in billiards by day, or in *faro* by night.

But that which best ensures amusement is the fund of good humour and gaiety which the invalids here bring with them, and which each throws cheerfully into the common stock. Both sexes, when they have finished their mud-mattins and their masses, may be seen lounging in knots, if the heat will admit, under an avenue, which forms the charm of a melancholy garden; and here you have no lamentations from them over personal or local miseries, nor do you ever detect their ill-humour escaping by some secret vent. They fall naturally into society with each other, and no one ever seems to fear, as with us, another's springing an acquaintance upon him, which may blow him up in the eyes of his more fastidious or fashionable friends. All is ease, nature, and gaiety.

This system of sociability is almost universal in Italy. I recollect passing two days in the family of a gentleman who occupied the principal house in a small town in Tuscany, where, to my great astonishment, I perceived, on returning from an evening walk, the ominous pre-

parations of lights and card-tables. Having asked the meaning of this, I was told that it was my host's turn to hold an assembly, solemnized in rotation at the houses of all the *notables* of the place. At this all were present from the *feudatario* to the apothecary.

In some instances indeed even common shop-keepers are admitted (and were so formerly) to these country *conversazioni*. Yet, on returning to the city, all have the good sense to fall back into their proper ranks.

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DESCRIPTION OF THE SETTE
COMMUNI.

(From the same.)

I thought I had exhausted this city and its neighbourhood, and that I might pass the short remainder of the time I had destined to it, in all the luxury of idleness; but I am admonished by the incessant bells of the cows which are descending from the mountains, in order to winter in the plains, that I have omitted to make mention of a migratory race, the masters of these herds, who inhabit a part of the Vicentine; and who have claims upon the attention of the traveller.

I allude to the *Sette Comuni*; the inhabitants of which have, I believe, excited some curiosity at home. The district occupied by these people, contains eighty-six square Italian miles. This area is almost entirely mountainous, and the spot where stands the capital, Asiago, is eight hundred toises above the level of the sea. The whole space, which, in addition to the seven burghs, contains

twenty-four villages, is bounded by rivers, alps, and hills. Its most precise limits are the Brenta, to the east, and the Astico to the west; which rivers were called by the Romans, the greater and lesser Medoacus,

“ Terrarum septem tractus jacet inter utrumque Medoacum: hic major dicitur, ille minor.”

To the north, it has for boundary the Tyrolian Alps, looking towards Valsagna, and to the south, the hills of the line of Marostica as far as Caltrano. These are volcanic, but the tract of the Seven Commons is, itself, calcareous. The population of this, previous to the last dreadful year of pestilence and famine, consisted of thirty thousand souls, but is now diminished to twenty-five thousand.

The moral character of this people, who till lately enjoyed a comparatively free government, is, like that of most free men, and more especially of free mountaineers, simple, frank and good. For the rest, their customs savour of a race long insulated from their neighbours.

Some of these (but such are principally confined to the less civilized villages) remind one of some of the Celtic usages. Thus they *wake* their dead the night before interment, performing certain games about the bier. If a traveller dies by the way, they plant a cross upon the spot, and all who pass by cast a stone upon his cairn. Some go on certain seasons in the year to the high places and woods, where it is supposed they worshipped their divinities;

but the origin of the custom is forgot amongst themselves, they alleging no better reason for the practice than that their fathers did so before them. If a man dies by violence, instead of clothing him, as the dead are usually clothed, they lay him out, with a hat upon his head and shoes upon his feet, seeking to give him the appearance of a way-faring man; perhaps as symbolizing one surprised in the great journey of life. If a woman dies in childbirth, they lay her out, set off with all her bridal ornaments. Such are some of the most remarkable of their customs and observances.

This people, in the simplicity of their modes of life, are sufficient to themselves, cultivating all the productions of agriculture, except the vine, which their mountains are too cold to produce, and manufacturing all necessary articles; in some of which they even drive an export trade to Venice and the circumjacent cities. But the general mode of life is pastoral and migratory. When their mountains are covered with snow (as they have now been for some time), they descend, in search of warmth and herbage, to the plains, and you may see their beasts feeding on the ramparts of Padua, and the masters huddled under the walls. The same may be observed of them in all the odd corners and suburbs of Vicenza, and various other lowland towns.

There is something very remarkable in the physiognomy of this people, who bear about them evident marks of a Teutonic origin. This is a wide word: and.

and, there are those who trace them up to a more certain stem, and will have them to be the remains of the wreck of the Cimbri, defeated by Marius and Catulus. This opinion derives some countenance from Strabo, who, in his fifth book, amongst some other races, whom he plants in this tract of country, specifies the "*Simbri, è quibus nomini Romano hostes extiterunt aliqui.*" But it is always to be remembered that he speaks of different nations occupying the country I am describing, and of the scattered Simbri, or Cimbri, as only one amongst several. But, if the region was occupied at the first, as it should appear, by various tribes, these mongrel mountaineers mixed their blood, in after-times, with several other swarms, issuing out of what has been called the great northern hive. Ancient historians have recorded many such local irruptions, and, above all, *that* in the time of Theodoric; who assigned to a quantity of northern men, habitations and lands amongst these mountains.

Instead therefore of considering these people as legitimate sons of the Cimbri, it is surely more consonant to all the evidence of history, to say that the flux and reflux of Teutonic invaders at different periods, deposited this back-water of barbarians; who have no better title to the denomination they have assumed, than the inhabitants of Kent and Sussex have to a Belgic, or those of Suffolk to a Danish, origin.

There is, in truth, no other foundation for this claim set up

by the inhabitants of the Sette Comuni, than the passage of Strabo, which I have mentioned; and there is no evidence of this claim having been advanced previous to the year 1597, when, in an account of an episcopal visit to Asiago, I find the following observation, "*Cimbros se esse asserunt.*" From that time to this, they have been voted Cimbrians, upon what grounds, you, who are acquainted with the ordinary mode of reasoning in such cases, may easily conjecture. Not being satisfied, I addressed myself on this point to a learned person of the race who had collected much matter touching his tribe, and I subjoin the answer in *totidem verbis*: "*I nostri popoli sono pieni di vivacità, coraggiosi, d'un animo nobile e generoso, industriosi, pieni di talento, gran cacciatori e bravi soldati, caratteri che DIMOSTRANO la loro origine, benchè lontana, da una nazione delle più antiche e leali del mondo.*"

The person who furnished me with this and some other answers to queries which I addressed to him, is about to publish on this subject, and much is here expected at his hands. But if you are curious to see what has already been printed respecting this people and their pretensions, take a few examples, not selected from amongst the most ridiculous. Thus we are told that their language is Teutonic, but not intelligible to their German neighbours, and this is forsooth a test of Cimbrism; for, though not intelligible to Germans, it is to Danes; more, it is the purest Danish; but Danish, forsooth, is Cimbric; therefore, the inhabitants

tants of the Sette Comuni are Cimbri. Q. E. D.

Thus we are told by Busching, that "in this district is preserved the ancient Cimbric language, or (to speak more exactly) the modern Saxon idiom; but in such perfection, that Frederic 4th of Denmark, who satisfied himself, in his own person, of the truth, declared that it was not spoken in *so polished* a manner in his own court"—and this account, though in itself contradictory, we are (heaven help us!) expected to believe. But, not to let the cause be prejudiced by a bad advocate, and supposing his Danish majesty to have said, *not* that he had never heard *Saxon*, but that he had never heard *Danish* spoken in *so genuine* a manner in his court, and supposing the thousand oral traditions, yet preserved here, of this prince and members of the Sette Comuni were true (though one must be a beast to believe them), what is to be deduced from them, other than that this people speak Danish?—which is, after all, a lie. But, not to waste words on this matter, I send you a specimen of Bossuet's Catechism, translated into their tongue, and which will probably convey some preciser notions than those with which we have been hitherto favoured. The learned who have heretofore written on the subject perhaps considered this as too simple and vulgar an expedient.

A subordinate point appeared to me to deserve investigation; to wit, whether they had any national denomination amongst themselves, which, like our highland name of *Gaël*, might be indicative of their origin. But

though I rummaged books and interrogated all who had made a study of this people, I could never find one, dead or living, who had ever made the inquiry. Being however persuaded that this was very essential to the investigation of the question, I sought out these savages in their huts and hired farms, and talked with such as could speak Italian, both in my own person and through an Italian servant. But, as to the point at issue, all assured me they had no name for themselves but that of the Sette Comuni. At last, my servant asserted that he had found one who said they *had* another name in their own language; which this brighter barbarian informed me was *Sieben perghe!*

You will probably, as well as myself, see nothing in this but the translation of the Italian name of the Sette Comuni. But what changes might not be wrung upon it by one who was disposed to chime into the ordinary cant of the hunters of national monuments! "*Sieben perghe*, it is true," they would say, "may signify *seven burghs*. But these words may also signify *seven mountains*, or *seven shepherds*." In the first case, they would therefore probably send us in search of the origin of these people to some city situated upon seven hills, as to Rome or Constantinople; in the second, we should have to hunt out seven leaders of pastoral tribes; and find them perhaps in the Tartarian tales!

One more circumstance appears to me to be interesting in the story of the Sette Comuni.

It should seem, that the fidelity with

with which they served the lords, to whom they became subject, had won from these petty tyrants many privileges at an early period of modern Italian story, and there exist authentic monuments of those accorded them by the Viscontis and the Scaligers. They did not experience less indulgence from the Venetian republic on falling under her dominion; for, though they were subjected, as to many points, to the provincial government of the circle in which they lay, they in many other respects legislated for themselves; and may be said to have had a parliament of their own, whose place of sittings is still to be seen in the town of Asiago. It will, however, be scarcely necessary to add, that the Sette Comuni lost their privileges on being subjected to the yoke of Austria. They are now entirely subjected to the provincial government of Vicenza.

I have now put together all that appeared to me *worthy of notice*, in what has been written, or reported of this people: but if I had extracted one half of what has actually been put in print, on this subject, I might have filled a quarto. Believing, however, that you have, as well as myself, little taste for hunting *possibilities* under the disguise of *probabilities*, I abstained from the task; considering that *should* you be given to this unsubstantial chase, we have sufficient home-brewed trash of the kind without resorting to foreign markets.

The weather, which has driven the inhabitants of the Sette Comuni into the plains, seems to have pursued them; yet, nobody

here, except myself, has lighted a fire, though the fleas are already put down by the cold; a riddance which I consider as counterbalancing the worst that winter can do unto me. People here do not usually light their fires till after St. Martin's day, which falls, I think, about the 10th of November.

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VENETIAN FESTIVALS.

(From the same.)

The Christmas holidays, properly speaking, are just past. The first, beginning with Christmas eve, is a day of great festivity with the Venetians; one of those on which the head of a house usually entertains his family and friends; almost every such person having a day, as St. Martin's or Christmas eve, appropriated to such a purpose. On these occasions the rich and liberal feed many, and feast high, though in the present instance, as it is the vigil of a holiday, and one of those very few meager days which are (generally speaking) observed by the Italian laity, their fare is confined to loaves and fishes. Even I cannot refuse a tribute to the excellence of the table of Christmas eve, though, after feeding two or three months on Catholic and frugal cates in Tuscany, where

— "il cane sen doveva e 'l gatto
Che gli ossi rimanean troppo puliti,"
Pulci.

I had reason to say, with Mercutio, "O flesh; flesh, how art thou fishyified!" and am still almost at odds with ichthiophagy.

This is, however, less dreadful because

because more varied on these solemn days. On these the Italians usually dine late; and on this occasion the lower people of Venice seldom dine at all, working double tides at supper. The practice seems to originate in the notion that it is not right to make superfluous meals on this solemn day, the inconsistency of turning the single one, to which they confine themselves, into a feast, having nothing which is revolting to their ideas. It should, however, be observed, that this practice depends purely upon popular opinion, and on no injunction of the church.

Speaking of these *feasts*, I was invited, I recollect, once, on St. Martin's day, by a hospitable family of Vicenza, but declined the honour, on being informed by an annual guest that the table was laid on that occasion with forty covers. It is difficult, indeed, to conceive any thing more tedious than one of these solemn repasts, on whatever occasion it may be held, at which every dish is carved and circled at intervals. This is, no doubt, a most rational custom in the main, leaving host and guests at liberty; but the time, occupied by the practice, when the society is numerous, is surely more than a counterbalance to the convenience. I remember, for instance, being once present at a dinner, given by the cardinal pro-secretary of state at Rome, where the company consisted of twenty-five persons, and the dinner, in consequence, lasted for three hours. I don't know whether three or four other English, who were present, suffered as much as I did, but, for myself, I

never felt half so fatigued at any after-dinner-sitting in England or in Scotland. For, though both customs are bad enough, it is surely better to drink when one is not dry than to eat when one is not hungry.

For the Venetian holidays I have mentioned there are set dishes, as there are with us, and some of them of as strange composition: witness, one of fruits, preserved with sugar, spices, and mustard, which is the Venetian equivalent for a minced-pie. For the rest, the fare of Christmas eve, though meagre, is, as I have said, magnificent, always being a sort of pye-pottage, called *torta de lasagne*, which might, I suppose, pair off with plum-porridge itself.

There is indeed one circumstance very favorable to the meagre department of the kitchen. The Mediterranean and Adriatic, in addition to most of those of our own coasts, have various delicate fish which are not to be found in the British seas. Of the tunny, sword-fish, and many others of the larger classes, you have of course read. Some others, which are rare with us, as the red mullet, swarm in these latitudes; and some tribes which are known to us, here break into varieties which are infinitely better flavoured than the parent stock. Amongst such may be reckoned a sort of lobster, a crab of gentler kind, and various shell fish, entitled *sea-fruits* in Italy, all which might well merit the eloquence of an Athenian.

But not to pass by the *torta de lasagne*, of which I had nearly lost sight, though its taste is found in

in my recollection: it is composed of oil, onions, paste, parsley, pine-nuts, raisins, currants, and candied orange peel, a dish which, you will recollect, is to serve as a prologue to fish or flesh!

It ought, however, to be stated that the ordinary pottage of this country, and which is, generally speaking, that of all ranks in Venice, requires no prejudices of education or habit to make it go down, but may be considered as a dish to be eat at sight. It consists in rice boiled in beef broth, not sodden, and *rari nantes*, as in England and France, but firm, and in such quantity as to nearly, or quite, absorb the *bouillon* in which they are cooked: to this is added grated Parmesan cheese. And the mess admits other additions, as tomatas, onions, celery, parsley, &c. Rice thus dressed, which have drunk up the broth, are termed *risi destirai*, as capable of being spread, right or left, with the spoon. There is also a vulgar variety of the dish, termed *risi a la bechèra*, or rice dressed butcher fashion. In this the principal auxiliary is marrow, which, if it is entirely incorporated in the grain, makes a pottage that (speaking after a friend) would almost justify the sacrifice of an Esau.

The mode of cooking the rice to a just degree of consistency, seems taken from the Turks, who have a saying that rice, as a proof of being well drest, should be capable of being counted. You will recollect the importance attached to this grain by the Janissaries, whose rice-kettles serve as standards; and, in general, by

the Turkish militia, which is recruited by parading them, and calling for the services of such as eat the rice of the Grand Signior. An almost equal degree of respect is attached to this food by the Venetians, and it is a common thing, on hiring a Venetian maid-servant, for her to stipulate for a certain monthly salary, and her rice.

Another custom, derived from the long intercourse of Venice with Turkey, is the presenting coffee at visits. Neither do the Venetians yield to their masters in the manufacture of this beverage, the flavour of which depends much more on its mode of preparation than its quality; and it is curious enough that England, where the coffee-berry and the cacao-nut are to be had in perfection, should be the only country in Europe where the drink which is composed from them is unsufferable.

To return to a theme on which I have already touch'd, the strange fashions of food which have some how or other passed into use amongst different nations, whilst they are poison to their neighbours, from the *torta de lasagne* of Venice to the partridge and poulitice of England; there seems to be but one general exception to this principle, which is the coupling bread, or some substitute for it, with meat—a practice which is, I believe, common to all nations that have grain, or farinaceous fruit or root, within their reach. But this fact does not prove that there is any natural standard of taste: for this union of bread and meat is not dictated by instinct, though

in what it originates, except in the agreement of different countries in its wholesomeness, I know not. A strong proof of its not being dictated by instinct I have witnessed in Italian as well as English children, who are both trained with difficulty to the practice, and usually enticed into it by bonuses of beef and mutton. A whimsical confirmation, indeed, of my opinion was lately offered, by this place, in an old gentleman, who, not having been in infancy either beat or bribed into bread, never adopted it in after-life, continuing to his death a curious specimen of unsophisticated carrion. If his example makes against the notion of this use originating in instinct, it might also (as far as a single instance can tell) suggest some doubt of its necessity; for the carnivorous person lived long and merrily.

The present anecdote, and some others which I have not given you, and more particularly the having once seen a man eat melon with Spanish snuff (a sight not singular, as I am told, in Italy), have almost forced the conviction upon me, that there is no such thing as a gannut for the palate. If you urge, in opposition, the general analogy of nature, I do not know what battle I can make; but if you attack me with the trite instance of the passion of young children for spirits, I shall observe that they soon grow out of it: and this, therefore, seems to prove nothing more than an early obtuseness of palate, which is gratified by any thing that is stimulating. And something analogous may be re-

marked in the young of other animals, as in puppy-dogs, who eat filth till they come to dog's estate, &c.

Having related the domestic uses of Christmas eve, there yet remain those of two other days to be described. The table of Christmas day is besieged by a much smaller circle than on the vigil of the feast, being, on the present occasion, only surrounded by the family, or those intimately connected with it. Here too there are dishes of prescription, though I never heard that any penalty was attached to the abstaining from them, as is the case in England. But as almost every superstition exists, in its whole or parts, all the world over, so this is also to be found here under the general head of *Moon*, who, as the arbitress of tides, is the great cause of all inexplicable effects. Hence a lower Venetian, who has no money in his pocket, at the appearance of this planet, expects to remain without it till she has repaired her horns.

St. Stephen's day brings with it, I believe, little that is remarkable, except the general rush from all parts of Venice to the theatres, which, having been closed for a short time, re-open on that day. There seems to be as much superstition, indeed, as to being seen at the Opera, at the theatre of the Fenice, on that occasion, as is attached to eating the *torta de lasagne* on Christmas-eve. The only intelligible attraction is, that the Opera is always new; but as such, it must necessarily be deficient in the precision of its machinery. Notwithstanding such an objection, a box, on this night,

night, cannot be had under five or, perhaps, ten guineas, which, three nights afterwards, may be procured for *one*—nay, at the interval of some weeks, at the price of fifteen pence, as I know from personal experience. If it is suspension of rank not to appear at the Phœnix; it is absolute forfeiture of cast not to be able to say that you were at some theatre or other; and, on the evening of St. Stephen, not a lady is to be found at home in Venice.

To take a long leap: the *Epiphany* is called here the *Epifania*, or *Befania*, indifferently; as if it took its name from the *Befana*—an odd sort of she-goblin, who is supposed to preside over Twelfth-day. This is not distinguished by the ceremonies with which it is celebrated by us, though some of these were of Latin origin. The rites are propitiatory of the *Befana*, who seems to fill the same place here which the queen of the fairies formerly did in England. Children usually leave her a part of their supper, or, at least, a brown roll (for she is supposed to prefer brown bread to white), and a tumbler of wine. As a receptacle for the exchange of merchandize, they suspend a stocking in the kitchen, which is found, the next morning, filled with dirt, rubbish, and a few sweatmeats. I need not observe that the bread and wine disappear. At Rome a puppet, representing the *Befana*, is dressed up and hung with Christmas presents.

There is nothing here, that I am aware of, which is interesting in the scenic part of the religious functions of this festival, with the exception of the music of a mass,

called *la Pastorale*, in commemoration of that with which our Saviour is supposed to have been saluted by the shepherds, and usually imitative of the sounds of the pastoral pipes. This, which is various in various churches, is always composed according to the principles of the old school. Its tone, on this solemn occasion, is much relished by the Italians, notwithstanding they are by no means fond of *ancient music*, having (as I should imagine is the general disposition of man) much more sensibility to *melody* than *harmony*, and seldom pretending to a taste which they do not really possess.

You will not, I think, quarrel with me for stringing together the “auld world,” as well as the newer stories of the place; the less so as all recollections of ancient Venice may be considered as things saved from the waters. The customs of the city have changed; her ports and channels are filling up, and her palaces are crumbling into ruins. Yet a little, and Venice will be a Babylon, with the substitution of the gull for the bittern and the porpus for the fox. Should you be (as I believe) desirous of raking for riches amidst her rubbish, read the *Feste Veneziane*, lately published by la Dama Reniel Michièl. This lady has, in her description of the Venetian festivals, put together much that is curious and interesting, and having formed a chaplet out of relics long trampled in the dirt, hung it up on the altars of her country, in a spirit that would not have misseemed the most illustrious of her ancestry.

STATE OF SOCIETY, &c. IN THE UNITED STATES.

[*Hall's Travels in Canada, &c.*]

On the banks of the Schuylkill, about two miles from Philadelphia, there is a wild scene of cliffs, breaking the river into several rushes and falls: the metallic brilliancy of these rocks, whenever their strata are broken up, indicates the ridge of talcous granite, which Volney has traced for nearly 500 miles, from Long Island to the Roanoke, and which probably extends as far as the Savannah. It is observed to limit the tide waters by the cascades it forms on crossing the rivers, and to separate the barren sand-coast from the fertile alluvion districts above it, striking the Delaware at Trenton, the Schuylkill at Philadelphia, the Susquehanna near Octorara Creek, the Gunpowder Creek near Joppa, the Patapsco at Elkridge, the Patowmac at George-town, the Rappahanock near Fredericksburg, the James at Richmond, the Appomatox above Petersburg, and the Roanoke near Halifax. The road to Washington follows the line of this ridge, which naturally modifies the features of the country: its apparent elevation is inconsiderable, just sufficient to undulate the face of the landscape, and occasionally presenting, especially round streams, bolder prominences, called *bluffs* in South Carolina. The creeks and rivers, wearing through a yielding soil, have frequently their banks steep, and let the eye into deep woody glens; the soil in such situations is rendered fertile by a

mixture of clay with the sand which constitutes its basis. As far as Wilmington the stately Delaware enriches the prospect: from thence the scenery is uniform, consisting of plantations, interspersed with oak and pine barrens.

Here the houses, universally shaded with large virandas, seem to give notice of a southern climate; the huts round them, open to the elements, and void of every intention of comfort, tell a less pleasing tale: they inform the traveller he has entered upon a land of masters and slaves, and he beholds the scene marred with wretched dwellings and wretched faces. The eye, which for the first time looks on a slave, feels a painful impression: he is a man for whom the laws of humanity are reversed; who has known nothing of society but its injustice, nothing of his fellow men but their hardened, undisguised, atrocious selfishness. The cowering humility, the expressions of servile respect, with which the negro approaches the white man, strike on the senses, not like the courtesy of the French and Italian peasant, giving a grace to poverty, but with the chilling indication of a crushed spirit: the sound of the lash is in his accents of submission, and the eye which shrinks from mine, caught its fear from that of the task-master. Habit steels us to all things; and it is not to be expected that objects constantly present should continue to excite the same sensations which they cause, when looked upon for the first time (and this perhaps is one reason, why so much cruelty has been tolerated
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in the world); but whoever should look on a slave for the first time in his life, with the same indifferent gaze he would bestow on any casual object, may triumph in the good fortune through which he was born free, but in his heart he is a slave, and, as a moral being, degraded infinitely below the negro, in whose soul the light of freedom has been extinguished, not by his own insensibility, but by the tyranny of others. Did the miserable condition of the negro leave him mind for reflection, he might laugh in his chains to see how slavery has stricken the land with ugliness. The smiling villages, and happy population of the eastern and central states, give place to the splendid equipages of a few planters, and a wretched negro population, crawling among filthy hovels—for villages (after crossing the Susquehanna) there are scarcely any; there are only *plantations*—the very name speaks volumes.

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BALTIMORE.

While I was in Baltimore, I saw a sketch of the city, taken in 1750; it then consisted of about half a dozen houses, built round the landing-place: it now contains 50,000 inhabitants, and is growing rapidly. Here are reckoned to be some of the largest fortunes in the Union, that is, of from 500,000 to 1,000,000 dollars. To strangers, the polished hospitality of its inhabitants renders it a pleasanter residence than Philadelphia: for my own part, though very slightly introduced, I received more civilities

in proportion, during the week I spent in this city, than in the whole course of my travels besides. Perhaps this courteous disposition is in a certain degree an inheritance: during the colonial regime, Annapolis was the center of fashion to all America: the governors of Maryland were commonly men of rank and family, who brought with them a taste for social elegance, which seems to have become the appanage of the old families, who, since Annapolis has fallen into decay, have become residents of Baltimore.

The city is built round the head of a bay, or inlet of the Patuxent, about eight miles above its junction with Chesapeake Bay. The entrance of the harbour at Gosport Point is 150 yards across, and defended by a fort, which our fleet ineffectually bombarded during the war. A sand-bank, about fifty feet in height, evidently the ancient boundary of the bay, forms a natural glacis round the town, and terminates at its southern extremity, in the hill of the signal post, from which there is a beautiful panoramic view of the city, fort, and harbour. It was on this natural *terre-plein* the lines were constructed against our threatened attack.

The public buildings of Baltimore being all of brick, have little architectural beauty; they evince the prosperity and good polity, rather than the taste of the city. There is, however, a monument erecting to the memory of Washington, in a kind of park, adjoining the town; it consists of a marble column, adorned with

with trophies in bronze: the design, like the man whose fame it records, is nobly simple. This is the first token of public gratitude America has consecrated to her first citizen; and, strange to tell, the design was set on foot not by an American citizen, but by an Irish exile.

Annapolis continues to be the seat of government for Maryland. Most states choose some secondary town for this purpose, to preserve their legislators, either from the seductions or the mobs of a great city; though there seems to be little cause for alarm on either head.

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WASHINGTON.

The traveller having passed through Bladensburg, on the east branch of the Patuxent, where the action was fought, which the Americans have nick-named the "Bladensburg races," crosses a sandy tract, interspersed with oak barrens and pine woods, until suddenly mounting a little rise, close to a poor cottage with its Indian corn patch, he finds himself opposite to the capitol of the federal city. It stands on an ancient bank of the Patowmac, about eighty feet above the present level of the river, the course of which it commands, as well as the adjacent country, as far as the Allegany ridges. The edifice consists of two wings, intended to be connected by a centre, surmounted by a dome or cupola. The design is pure and elegant, but the whole building wants grandeur: each wing would not be a large private mansion: the interior has

consequently a contracted appearance, a kind of economy of space disagreeably contrasting with the gigantic scale of nature without, as well as with our ideas of the growing magnitude of the American nation. The staircase, which is a kind of vestibule to the impression to be produced by the whole building, is scarcely wide enough for three persons to pass conveniently. The chambers of the senate and representatives are of very moderate dimensions, and the judgment-hall, with its low-browed roof and short columns, seems modelled after the prison of Constance in Marmion. Some of the decorations too are of very dubious taste. Mr. Latrobe has modelled a set of figures for the chamber of representatives, to personify the several states of the Union; but as it is not easy to discover an attribute, to say nothing of a poetical characteristic, by which Connecticut may be distinguished from Massachusetts, North Carolina from South Carolina, or Kentucky from Ohio, recourse must be had to the ungraceful expedient of a superscription to point out his own tutelary saint to each representative: Mr. Latrobe has indeed hit upon one device for Massachusetts; she is leading by the hand an ugly cub of a boy, representing Maine, which boy becomes a girl when Maine assumes her proper state: — a puerile conceit. One cannot help regretting the Americans should have neglected to give their new Capitol a character of grandeur worthy of their territory and ambition. Private edifices rise, decay, and are replaced by others

others of superior magnificence, as the taste or growing opulence of the nation require; but public buildings should have a character answerable to their purpose; they bear upon them the seal of the genius of the age, and sometimes prophetically reveal the political destinies of the nations by which they are raised. The Romans communicated to their erections the durability of their empire. The Americans, in "their aspirations to be great," seem sometimes to look towards Roman models, but the imitation must be of things, not names; or instead of a noble parallel, they are in danger of producing a ludicrous contrast.

From the foot of the Capitol hill, there runs a straight road (intended to be a street), planted with poplars for about two miles, to the president's house, a handsome stone mansion, forming a conspicuous object from the Capitol hill; near it are the public offices, and some streets nearly filled up; about half a mile farther is a pleasant row of houses, in one of which the president at present resides: there are a few tolerable houses still farther on the road to George-town, and this is nearly the sum total of the city for 1816. It used to be a joke against Washington, that next door neighbours must go through a wood to make their visits; but the jest and forest have vanished together: there is now scarcely a tree betwixt George-town and the Navy-yard, two miles beyond the Capitol, except the poplars I have mentioned, which may be considered as the *locum tenentes* of future houses. I doubt the policy of such tho-

rough clearing; clumps of trees are preferable objects to vacant spaces, and the city in its present state, being commenced from the extremities instead of the centre, has a disjointed and naked appearance. The fiery ordeal has, however, fixed its destiny. Land and houses are rising in value, new buildings are erecting, and with the aid of the intended university, there is little doubt that Washington will attain as great an extent as can be expected for a city possessed of no commercial advantages, and created, not by the natural course of events, but by a political speculation. The plan indeed supposes an immense growth; but even if this were attainable, it seems doubtful how far an overgrown luxurious capital would be the fittest seat for learning, or even legislation. Perhaps the true interest of the Union would rather hold Washington sacred to science, philosophy, and the arts; a spot in some degree kept holy from commercial avarice, to which the members of different states may repair to breathe an atmosphere untainted by local prejudices, and find golden leisure for pursuits and speculations of public utility. Such fancies would be day-dreams elsewhere, and are so perhaps here; but America is young in the career of political life; she has the light of former ages, and the sufferings of the present to guide her; she has not crushed the spirits of the many, to build up the tyranny of the few, and therefore the prophetic eye of imagination may dwell upon her smilingly.

I fell into very pleasant society at Washington. Strangers who

who intend staying some days in a town, usually take lodgings at a boarding-house, in preference to a tavern: in this way they obtain the best society the place affords; for there are always gentlemen, and frequently ladies, either visitors or temporary residents, who live in this manner to avoid the trouble of house-keeping. At Washington, during the sittings of congress, the boarding-houses are divided into *messes*, according to the political principles of the inmates; nor is a stranger admitted without some introduction, and the consent of the whole company. I chanced to join a democratic mess, and name a few of its members with gratitude, for the pleasure their society gave me:—Commodore Decatur and his lady, the abbé Correa, the great botanist and plenipotentiary of Portugal, the secretary of the navy, the secretary of the navy board, known as the author of a humorous publication, entitled, “John Bull and Brother Jonathan,” with eight or ten members of congress, principally from the Western states, which are generally considered as most decidedly hostile to England, but whom I did not on this account find less good-humoured and courteous. It is from thus living in daily intercourse with the leading characters of the country, that one is enabled to judge with some degree of certainty of the practices of its government; for to know the paper theory is nothing, unless it be compared with the instruments employed to carry it into effect. A political constitution may be nothing but a ca-

balistic form, to extract money and power from the people; but then the jugglers must be in the dark, and “no admittance behind the curtain.” This way of living affords too the best insight into the best part of society; for if in a free nation the depositaries of the public confidence be ignorant or vulgar, it is a very fruitless search to look for the opposite qualities in those they represent; whereas, if these be well informed in mind and manners, it proves at the least an inclination towards knowledge and refinement, in the general mass of citizens by whom they are selected. My own experience obliges me to a favourable verdict in this particular. I found the little circle into which I had happily fallen, full of good sense and good humour, and never quitted it without feeling myself a gainer on the score, either of useful information or of social enjoyment.

The president, or rather his lady, holds a drawing-room weekly, during the sitting of congress. He takes by the hand those who are presented to him; shaking hands being discovered in America to be more rational and manly than kissing them. For the rest, it is much as such things are every where, chatting and tea, compliments and ices, a little music (some scandal, I suppose, among the ladies), and to bed. Nothing in these assemblies more attracted my notice, than the extraordinary stature of most of the Western members; the room seemed filled with giants, among whom moderately-sized men crept like pigmies. I know not well

well to what the difference may be attributed; but the surprising growth of the inhabitants of the Western states is matter of astonishment to those of the Eastern, and of the coast line generally. This phenomenon, which is certainly a considerable stumbling-block to the abbé Raynal's theory, may probably be resolved into the operation of three positive causes, and one negative; namely, plentiful but simple food, a healthy climate, constant exercise in the open air, and the absence of mental irritation. In a more advanced stage of society, luxurious and sedentary habits produce in the rich that enfeeblement of vitality, which scanty food and laborious or unwholesome occupations bring upon the poor. The only persons to be compared with these Goliaths of the West were, six Indian chiefs from Georgia, Chactaws or Chickasaws, who having come to Washington on public business, were presented at Mrs. Madison's drawing-room. They had a still greater appearance of muscular power than the Americans; and while looking on them I comprehended the prowess of those ancient knights, whose single might held an army in check,

“ — and made all Troy retire.”

The sittings of congress are held in a temporary building, during the repair of the Capitol: I attended them frequently, and was fortunate enough to be present at one interesting debate on a change in the mode of presidential elections: most of the principal speakers took a part in it: Messrs. Gaston, Calhoun, and

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Western in support of it; Randolph and Grosvenor against it. The merits of the question were not immediately to be comprehended by a stranger, but their style of speaking was, in the highest degree, correct and logical, particularly that of Mr. Western, of New Hampshire, whose argumentative acuteness extorted a compliment from Mr. Randolph himself, “albeit unused to the complimenting mood.” Mr. Grosvenor, both in action and language, might be considered a finished orator, as far as our present notions of practical oratory extend. Mr. Randolph, whose political talents, or rather political success, is said to be marred by an eccentric turn of thought, which chimes in with no party, seems rather a brilliant than a convincing speaker; his elocution is distinct and clear to shrillness, his command of language and illustration seems unlimited; but he gave me the idea of a man dealing huge blows against a shadow, and wasting his dexterity in splitting hairs: his political sentiments are singular; he considers the government of the United States as an elective monarchy: “Torture the constitution as you will,” said he, in the course of the debate, “the president will elect his successor, and that will be his son, whenever he has one old enough to succeed him.” No expressions are used, either of approbation or the contrary; whatever may be the opinion of the house, the most perfect attention is given to each member; nor, however long he may speak, is he ever interrupted by those

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indications of impatience so common in our House of Commons. This may reasonably be accounted for by supposing, that their average speeches are in themselves better; or more agreeably, by conjecturing that the American idea of excellence is put at a lower standard than our own. Both the talents, however, and behaviour of the members, seem worthy of the government, and of what America is, and may be. Their forms of business and debate nearly resemble those of our parliament; always excepting wigs and gowns, a piece of grave absurdity well omitted: for it is surely an odd conceit, to fancy the dignity of the first officers of states attached to, or supported by, large conglomerations of artificial hair.

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MOUNT VERNON.

Crossing the Patowmac by a wooden bridge, a mile and a quarter in length, the toll of which is a dollar, I proceeded through Alexandria to Mount Vernon. Whatever is worth describing in the house or situation, has been many times described: having walked through the gardens, I requested the old German gardener, who acted as a Cicerone, to conduct me to the tomb of Washington: "Dere, go by dat path, and you will come to it," said he: I followed the path across the lawn, to the brow that overlooks the Patowmac, and passing a kind of cellar in the bank, which seemed to be an ice-house, continued my search, but to no effect:—I had already found it: this cellar-like hole in the bank, closed by an old wooden

door, which had never been even painted, was the tomb of Washington, with not a rail, a stone, or even a laurel, "to flourish o'er his grave."

I stood for a moment overpowered with astonishment and indignation:—Behold, says prejudice, the gratitude of republics! Behold, says reason, the gratitude of mankind! Had Washington served a czar of Russia, he might have shared, with Suwaroff, a Siberian exile; he lived and died honoured by the country he had saved; he is forgotten in the grave, because man is feebly excited by any but selfish motives; the enlightened selfishness of republicanism honoured its defender; but what form of polity has been discovered, in which gratitude survives the hope of future benefits? Party zeal raises monuments over its victims, to stimulate the survivors: vanity has not unfrequently urged the living to unite by such means, their perishable names with those of the immortal dead; but the mausoleum rises slowly to which neither interest nor vanity contributes. It is said that the federal city will finally receive the remains of its designer; but the dead can wait, and in the interim the matter was nearly cut short, by an attempt to steal the bones from their present receptacle, to carry them about for a show. The old door has since been kept padlocked.

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CHARLESTON.

Streets unpaved and narrow; small wooden houses, from among which rise, in every quarter of the town.

town, stately mansions, surrounded from top to bottom with broad verandas, and standing within little gardens full of orange-trees, palmettoes, and magnolias, are features which give Charleston an expression belonging rather to the South of Europe than to the Teutonic cities of the North. Perhaps taking into view its large black population and glowing temperature in January, it is not very unlike some of the cities on the Mediterranean coast of Africa. In other respects it is a noble monument of what human avarice can effect: its soil is a barren burning sand, with a river on either side overflowing into pestilential marshes, which exhale a contagion so pernicious as to render sleeping a single night within its influence, during the summer months, an experiment of the utmost hazard. Even the town is no place of refuge during the hottest part of the season: all the inhabitants who can afford it, then fly to a barren sand-bank in the harbour, called Sullivan's Island, containing one well and a few Palmettoes: here they dwell in miserable wooden tenements, trembling in every storm, lest (as very frequently happens) their hiding-places should be blown from over their heads, or deluged by an inundation of the sea. But what will not men do, and bear, for money? These pestilential marshes are found to produce good rice, and the adjacent alluvions cotton; true it is, no European frame could support the labour of cultivation, but Africa can furnish slaves, and thus, amid

contagion and suffering, both of oppressors and oppressed, has Charleston become a wealthy city—nay, a religious one too; to judge by the number of churches built, building, and to be built.

I inquired the cause of what seemed to me an anomaly in the history of planters, and was informed, that this devotional access came on about the period of the French Revolution, in consequence of very severe alarm at the danger to which religion and social order were exposed. The Carolinians proceeded in consequence to amend their lives, not as a mere moralist might have imagined, by amending their slave code, by providing for the instruction, and paving the way for the total emancipation of the many thousands of their fellow-creatures, whom they held in stripes and bondage: this indeed would have been, to a certain extent, imitating the revolutionists themselves; they therefore took, not only an easier course, but one they had reason to think much more acceptable, because a more personal compliment, to the Deity whom they professed to serve; they built and frequented many churches, heard and read many sermons, and bought and sold their brethren as before.

Charleston has a great reputation for hospitality, a virtue very generally conceded to the Americans, even by those who are willing to deny them every other: in my judgment, their fame, in this respect, as much exceeds their deserving, as in most other cases it falls below it. Hospitality, in the true sense of the word,

means that liberal entertainment which spreads a couch and table for the stranger, merely because he is a stranger: this was the hospitality of the ancients, and is still that of the Arabs, Tartars, and uncorrupted Indian tribes; it was also that of the Americans themselves in a less advanced state of society: Mr. Jefferson told me, that in his father's time it was no uncommon thing for gentlemen to post their servants on the main road, for the purpose of amicably waylaying and bringing to their houses any travellers who might chance to pass: of such violence, not a particle is now to be apprehended, at least in the old States. While I was in the North, I was constantly told of the hospitality of the South: at Philadelphia I found it ice-bound; at Baltimore there was indeed a thaw, but at Washington the frost, probably from the congealing influence of politics, was harder than ever; the thermometer rose but little at Richmond, and, when I arrived at Charleston, I was entertained, not with its own hospitality, but with an eulogium upon that of Boston.—I did not retrace my steps to put the matter to proof.—The experience of an individual would not be very conclusive, were hospitality a discriminating virtue; but its essence is prodigality, and the name of *stranger* the only requisite passport to its favour. Of such hospitality the traveller will find nothing, except indeed his rank or character should be such as to give an *eclat* to his entertainers. The ordinary pilgrim must be content, if his letters of

introduction procure him, as they certainly will, a courteous reception and a dinner: he will also find a ready and polite admission into general society; and this ought to satisfy him: as long as there are taverns open he has no claim, and every civility is a matter of grace. The human mind is, however, slow to discard an opinion it has once cherished: hospitality is still talked of, both by Americans and strangers, as if it were still alive. The free reciprocation of civilities betwixt citizens of different states, when connected by commercial or other ties, fosters the delusion: the New York merchant is liberally entertained at Charleston, and he of Charleston receives an adequate return of civilities at New York. This is not hospitality, but a mutual exchange, founded on mutual convenience. Let not, however, a change of customs be considered a reproach. Society has, in all countries, moved through the same gradations, and each stage of its progress has been marked by its appropriate virtues, crimes, and follies. Hospitality belongs to that period, which, in a certain point of view, is to be styled barbarous; and would become a super-human virtue, were it to survive the moment when it ceases to be as pleasing to the entertainer as necessary to his guest. It probably still lingers on the banks of the Mississippi; it will accompany the advanced guard of settlers down the shores of the Missouri; be driven from thence to the neighbourhood of the Columbia, and finally drowned in the Pacific.

PERSIAN AMBASSADOR IN LONDON.

(Morier's Persia.)

As the Persian ambassador attracted much interest in England, it may be gratifying to his friends, and not unacceptable to others, to receive some account of his residence in this country.

His first surprise on reaching England, was at the caravanserais, for so, though no contrast can be greater, he called our hotels. We were lodged in a gay apartment at Plymouth, richly ornamented with looking-glasses, which are so esteemed in Persia, that they are held to be fitting for royal apartments only: and our dinners were served up with such quantities of plate, and of glass ware, as brought forth repeated expressions of surprise every time he was told that they were the common appendages of our caravanserais. The good folks of the inn, who like most people in England, look upon it as a matter of course that nothing can be too hot for Asiatics, so loaded the ambassador's bed with warm covering, that he had scarcely been in bed an hour, before he was obliged to get out of it; for having during all his life slept on nothing but a mattrass on the bare ground, he found the heat insupportable, and in this state he walked about the greatest part of the night, with all the people of the inn following him in procession, and unable to divine what could be his wishes.

One of the public coaches was hired to convey his servants to London; and when four of them

had got inside, having seated themselves cross-legged, they would not allow that there could be room for more, although the coach was calculated to take six. They armed themselves from head to foot with pistols, swords, and each a musket in his hand, as if they were about to make a journey in their own country; and thus encumbered, notwithstanding every assurance that nothing could happen to them, they got into the coach. His excellency himself greatly enjoyed the novelty of a carriage, and was delighted at the speed with which we travelled, particularly at night, when he perceived no diminution of it, although he was surprised that all this was done without a guide. We were met at two posts from London by two gentlemen of the foreign office, who greeted him on his arrival; but he grew very anxious as we proceeded, and seemed to be looking out for an Istakball, or a deputation headed by some man of distinction, which, after the manner of his own country, he expected would be sent to meet him. In vain we assured him that no disrespect was intended, and that our modes of doing honour to ambassadors were different from those of Persia: our excuses seemed only to grieve him the more; and although to a foreigner the interest of the road greatly increased as we approached the city, yet he requested to have both the glasses of the carriage drawn up, for he said that he did not understand the nature of such an entry, which appeared to him more like smuggling a bale of goods into a town,

town, than the reception of a public envoy. As for three of his servants who followed us in a chaise behind, they had nearly suffocated themselves; for, by way of experiment, they had put up all the glasses, and then when they wished it could not put them down, so that they were quite exhausted for want of fresh air.

He who had witnessed the manner in which our ambassadors had been received in Persia, particularly the *levée en masse* of the inhabitants who were sent out to meet him at every place where he stopt, was surprised to see the little notice that he himself in the same situation in England had attracted, and the total independence of all ranks of people.

Although he found a fine house and a splendid establishment, ready to receive him in London, and although a fine collation was laid out upon the morning of his arrival, nothing could revive his spirits; so much had he been disappointed at the mode of his reception.

His first-object was to deliver his credentials to the king as soon as possible, because in Persia it is esteemed a slight if that ceremony be delayed. In this also he was disappointed, for on the first Wednesday, the usual levee day, his Majesty happened to be unwell, and consequently there was a delay of more than ten days before he could be presented. He bitterly lamented his fate, and daily affirmed, that for this he should lose his head on his return to Persia. When the day came, he was naturally anxious about the reception which he was to find: he had formed

his ideas of our court from what he recollected of his own, where the king's person is held so sacred, that few have the privilege of approaching it. He had a private audience at the queen's house, and from the manner in which he expressed himself after it was over, it appeared that the respect which he had hitherto felt towards our monarch was diminished. There are many ceremonies exacted upon approaching the Shah of Persia. He is first seen at a great distance, he is approached with great caution, and with many profound inclinations of the body. In his immediate vicinity, the shoes are taken off, and none enters the room in which he himself is seated, without a special command from him. Here the Persian entered at once into the same room where his Majesty was standing. He made no inclination of the body, he did not even take his shoes off; and, what is more, he put his credentials into his majesty's own hands. He said, that he had expected to have seen our king seated on a throne at a distance, and that he could not have approached within many paces of him: his surprise then may be conceived, when, on entering a small room, he was taken to a person whom he took to be a *capijee* or porter, and was informed that this was the king of England. He said, that if any blame was imputed to him for not having delivered his credentials immediately on arrival, that all would be pardoned him, when he should assure the shah, that he was not desired to take off his shoes as he approached

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our monarch. These circumstances will perhaps show, of what importance it is, upon the introduction of an Oriental minister to the king, that care should be taken to show him the court in its greatest splendor.

He arrived in London in the month of November, and the gloom of the weather had a visible effect upon his health and spirits. For two months he never saw the sun, and it was fully believed by his suite, that they had got into regions beyonds its influence; when one day several of them rushed into him with great joy to announce that they had just seen it, and that if he made haste he might perhaps see it also.

It was surprising to observe with what ease he acquired our habits of life, how soon he used himself to our furniture, our modes of eating, our hours, our forms and ceremonies, and even our language, though, perhaps, with respect to the latter acquirement, it might rather be observed, that he soon learnt sufficient just to misunderstand every thing that was said. He who had sat upon his heels on the ground all his life, here was quite at his ease on chairs and sofas; he who before never eat but with his fingers, now used knives and forks without inconvenience.

Of some things, it would be impossible from mere description to give any just idea. Such was an opera or a play to a Persian. The first night he went to the opera, evidently the impression of surprise which he received on entering his box was very strong, although his pride made him conceal it. His servants had been

sent to the gallery, and upon going up to hear what was their conversation, they were found wrangling amongst themselves, whether or no the figures that they saw upon the stage were real men and women or automations. He was taken to see King Lear, and the story, which is likely to affect one whose natural respect for majesty is so profound, brought tears from him in great plenty, although he did not understand the language in which it was acted. No people would have a greater taste for scenic representations than the Persians; if we may judge from the effects which they produced on these individuals.

When it is known that a Persian mejlis or assembly is composed of people seated in a formal row on the ground, with their backs against the wall, some idea may be had of the Persian ambassador's surprise upon entering an English rout. The perfect ease of his manners and unembarrassed conduct on such occasions, will be as surprising to us, as the great crowd of men and women hotly pressed together for no one apparent purpose, was to him. He gave an entertainment of a similar description at his own house, to the astonishment of his domestics, whose greatest surprise was how little noise was made by such a crowd, for said they, "What a different scene would such a number of people have made of it in Persia!"

On his being taken to hear a debate at the house of commons, he immediately sided with a young orator, who gained him over by his earnest manner and the

the vehemence of his action ; and at the house of lords, the great object of his remark was, the lord chancellor, whose enormous wig, which he compared to a sheep-skin, awoke all his curiosity. There was considerable pleasure in observing his emotion when he was taken to St. Paul's cathedral, on the anniversary of the charity children, where he acquired more real esteem for the institutions and the national character of England than he did from any other sight, for he frequently after referred to his feelings on that occasion.

He was one day waited upon by a deputation from the Society for promoting Christian knowledge, composed of three reverend gentlemen, who in their robes presented him with a Bible and prayer-book superbly bound, and addressed him with a speech written on parchment. As they spoke the address he was requested to stand up, which he willingly did ; but when they had departed, his servants were all unanimous that he had been made an Isauvi, that is, a Christian.

He frequently walked in Kensington-gardens by himself. As he was one day seated on a bench, an old gentleman and an old lady, taking him for one of his own attendants, accosted him. They asked him many questions :— How does your master like this, and how does he like that ? and so on. Tired with being questioned, he said, " He like all very well ; but one thing he not like—old man ask too many questions." Upon this he got up laughing, leaving the old gentleman to find out that he had been

speaking to the ambassador in person.

If the whole history of his residence in England were worth the narrative, it is evident that this note might be greatly lengthened ; but perhaps that which would afford the most amusement would be, the publication of his own journal, which he regularly kept, during his absence from Persia ; and which, on his return there, was read with great avidity by his own countrymen.

DESCRIPTION OF MODERN AGRA.

By a Correspondent of the Calcutta Monthly Journal, May 1818.

It is now about twenty years since I first visited Agra ; it was then in the possession of the Mahrattas, the most barbarous, sordid, avaricious race of men India ever produced. On my arrival lately I was highly gratified by observing the alterations which have taken place since it changed masters, and of which a slight description may not be unacceptable.

On entering the fort of Agra by the Delhy gateway, you pass through the Tripolia, a kind of outwork which connects the fort with the town. It is surrounded by bomb-proof apartments, with arcades in front, supported by stone pillars. Under the Mahrattas this place was filled with a bazar, in a most disorderly and filthy state, through which a passage could be effected. The arcades around were falling in, and the bomb-proofs going fast to ruin.

How

How agreeably surprised was I to find this bazar removed to a convenient situation adjoining the town, on the north face of the fort; the bomb-proofs repaired, and the arcades which had fallen in rebuilt, and the whole in as perfect a state of repair as when first finished. In short, the Tripolia is now a clean neat place, and very convenient for the tents of gentlemen passing and repassing.

At the entrance of the Delhy gateway I found a small draw-bridge, and the ascent to the body of the place, which is considerable, paved with the military neatness of Europe. Passing on through the great street, called by the natives the Meena-bazar, what an improvement did I contemplate; the bomb-proof buildings on each side of this street, which were formerly falling fast to ruins, and inhabited by a number of wretched natives, are now cleared out and rebuilt, and the apartments fitted up with large folding doors for the reception of guns and gun-carriages. These apartments are carrying on in front of the Delhy gate, so as to enlarge and support the west face of the grand parade, the most elevated part of the fort, and which is on a level with the roofs of these buildings. This is a very great improvement to the fort, and affords excellent protection against the hot winds to the gun-carriages, waggons, &c. lodged in these bomb-proofs.

The great square I did not find so much improved as I expected. Tiled sheds have been carried round three sides of it, for the accommodation of the main guard

and of the pioneers; but I lamented to observe, that the fine row of mango-trees by which it was formerly surrounded, and even the large banyan-tree, under which an old fakeer used to sit, had been absolutely rooted out, and not a vestige remaining. The higher parts of the fort cannot be less than fifty-three or sixty feet above the level of the river; and as it is filled with marble, stone, and pukka buildings, the heat in the hot season is excessive; I was therefore a good deal surprised to find, that instead of endeavouring to alleviate this heat by planting trees, the few that were in the fort should have been rooted out; and I am well persuaded the increased unhealthiness of the place is chiefly to be attributed to this cause. In passing near the artillery barracks, I stopped and entered into conversation with some of the men. I asked them respecting the heat. They said that from April to September it was intolerable; that even the Sepoys, who were only one week on duty, sent one-fourth of their numbers to the hospital each week in those months. "Would you like to have trees planted round your barracks?"—"Good Lord, Sir, like it? it would be the greatest comfort to us."

The Mootee Musjud, which next to the Tauj is the most beautiful building at Agra, is built of white marble; under the Mah-rattas it was totally neglected, and would have soon gone to ruin. The seeds of the peapul-tree had found their way into the crevices of the marble turrets, and were pulling them fast to pieces; these have been lately taken

taken down and rebuilt, and the repairs nearly completed, at the expense of the British government.

The Birket, where the ordnance carriages, waggons, and tumbrils are kept, was so crowded with guns, from a six to sixty-four pounder, that it is with much difficulty such as are wanted can be got at. No magazine can be better supplied with implements of war and warlike stores than the fort of Agra; an inventory of ammunition would fill a moderate volume. The Dewani Aum, or public hall of audience, in the great square, has been converted into an armoury. The outer verandah has been built up and handsomely glazed, and the inside fitted up for all descriptions of arms in a very neat military style. The floor appears to have been lately laid with flag stones. This work is executed in a masterly manner; the stone masons at Agra are remarkably good workmen. In one end of the armoury I was surprised to find the clergyman's reading desk, and a number of forms for the congregation; and on inquiry I find, that this is the only Protestant church at Agra: there is, however, a Roman Catholic chapel in the town.

The palace and Dewani Khas are unoccupied and neglected, and the Ayena Khana and the baths in the same state as when I formerly saw them. The Dewani Khas was formerly the private hall of audience. It is white marble inside and out, and now consists of two fine rooms, of 60 feet by 24, or thereabouts, and very lofty; but on account of the

heat, no one will now remain in the fort, even in a marble palace, who can get a hovel at Nomalla.

Omer Sing's gateway has been opened since my former visit to Agra; it is on the south side of the fort, facing the Tauj. It has a small drawbridge, and the descent to it is neatly paved, the same as at the Delhy gate. Many of the old buildings, and a great deal of the rubbish in the interior of the fort, has been removed; there is still, however, a good deal remaining. The walls of the fort, inside and out, have been completely repaired, and have now a smart military appearance; people are now employed in clearing out the ditch, which is pukka, and in which a great quantity of mud and filth has accumulated; this will no doubt tend materially to improve the healthiness of the place. The ditch, which formerly terminated at the Bengally Boorje (*i. e.* the south-east angle of the fort), is now carrying on along the waterface, and is to join the river at the watergate, where a sluice is to be constructed for filling and emptying the ditch at pleasure: this will be a very great improvement.

From Omer Sing's gateway to the Tauj an excellent road has been cut through the ravines, parallel to the river, and several substantial pukka bridges built on it, so that it is now a safe and pleasant drive at all seasons of the year; whereas formerly it was only passable in the dry weather for horse and foot passengers.

The great gun, of which you have heard so much, has changed its position since my first visit to Agra: by a great exertion of all the

the science of the most scientific part of the army, it was moved from the fort down to the ghauts, close under the Shah Boorje, in progress to Calcutta, but the science failing, here it rests, and is likely to remain, until the river cuts away the bank from under it.

Of the Tauj it is unnecessary to say any thing, so many plans and descriptions have been circulated. Suffice it then to say, that upwards of a lack of rupees has been expended in putting it into a perfect state of repair, and that it looks now as beautiful as when first erected.

DISCOVERIES IN NEW SOUTH WALES.

Sydney—Civil Department—General Orders by the Governor—Government House, Parramatta, 5th December, 1818.

The sanguine hope which his excellency the governor was induced to entertain, that by pursuing the course of the Macquarie river, which had been discovered running in a north-west direction, by John Oxley, esq. on his return last year from tracing the course of the Lachlan to the south-west, would have amply compensated for the disappointment sustained on the occasion; and his excellency having in consequence accepted the further services of Mr. Oxley, on a second expedition, the party, consisting of John Oxley, esq. surveyor-general; John Harris, esq. late surgeon of the 102nd regiment (who most liberally volunteered to accompany the expe-

dition); Mr. Evans, deputy surveyor-general; and Mr. Charles Frazier, colonial botanist; together with twelve men, having eighteen horses and two boats, and provisions for twenty-four weeks, took their final departure, on the 4th of June last, from a depot prepared for the occasion in the Wellington Valley, at about ninety miles west of Bathurst. And those gentlemen, and the entire party, having a few days since arrived at Port Jackson, by sea, from the northward, his excellency is happy in offering his most cordial congratulations to John Oxley, esq. the conductor of this expedition, and to James Harris, esq. Mr. Evans, and Mr. Frazier, on their safe return from this arduous undertaking.

The zeal, talent, and attention manifested by Mr. Oxley, considering the perils and privations to which he and his party were exposed, in exploring a tract of country so singularly circumstanced in its various bearings, are no less honourable to Mr. Oxley, than conducive to the public interest; and although the result from the principal object, namely, that of tracing the Macquarie river to its embouchure, has not been so favourable as was anticipated, yet the failure is in a great degree counterbalanced by other important discoveries made in the course of this tour, which promise, at no very remote period, to prove of material advantage to this rising colony.

Whilst his excellency thus offers this public tribute of congratulation, he desires to accompany it with expressions of high
 sense

sense and approbation of Mr. Oxley's meritorious services on this occasion; which his excellency will not fail to represent to his majesty's ministers by the earliest opportunity.

The personal assistance and support so cheerfully and beneficially afforded to Mr. Oxley by the gentlemen associated with him on this expedition, demand his excellency's best acknowledgments, which he is happy thus publicly to request them to accept.

The following letter received from Mr. Oxley on his arrival at Port Stephens, on the 1st November last, is now published for general information on the interesting subject of this tour.—By his Excellency the Governor's command.

J. T. CAMPBELL, Sec.

Port Stephen, Nov. 1818.—Sir;—I have the honour to inform your excellency that I arrived at this port to-day; and circumstances rendering it necessary that Mr. Evans should proceed to Newcastle, I embrace the opportunity to make to your excellency a brief report of the route pursued by the western expedition entrusted to my direction.

My letter, dated the 22nd June last, will have made your excellency acquainted with the sanguine hopes I entertained from the appearance of the river, that its termination would be either in interior waters, or coast ways. When I wrote that letter to your excellency, I certainly did not anticipate the possibility that a very few days further travelling would lead us to its termination as an accessible river.

On the 29th of June, having traced its course, without the smallest diminution or addition, about seventy miles further to the N.N.W., there being a slight fresh in the river, it overflowed its banks; and although we were at the distance of near three miles from it, the country was so perfectly level, that the waters soon spread over the ground on which we were. We had been for some days before travelling over such very low ground, that the people in the boats finding the country flooded, proceeded slowly, a circumstance which enabled me to send them directions to return to the station we had quitted in the morning, where the ground was a little more elevated. This spot being by no means secure, it was arranged that the horses with provisions should return to the last high land we had quitted, a distance of sixteen miles; and as it appeared to me that the body of water in the river was too important to be much affected by the mere overflowing of its waters, I determined to take the large boat, and in her to endeavour to discover their point of discharge.

On the 2nd of July I proceeded in the boat down the river, and in the course of the day went near thirty miles on a N.N.W. course, for ten of which there had been, strictly speaking, no land, as the flood made the surrounding country a perfect sea; the banks of the river were heavily timbered, and many large spaces within our views, covered with the common reed, were also encircled by large trees. On the 3rd, the main channel of the river

river was much contracted but very deep, the banks being under water from a foot to eighteen inches. The stream continued for about twenty miles on the same course as yesterday, when we lost sight of land and trees, the channel of the river winding through reeds, among which the water was about three feet deep, the current having the same direction as the river. It continued in this manner for near four miles more, when without any previous change in the breadth, depth, and rapidity of the stream, and when I was sanguine in my expectations of soon entering the long sought for lake, it all at once eluded our further pursuit, by spreading on all points from N. W. to N. E. over the plain of reeds which surrounded us, the river decreasing in depth from upwards of twenty feet to less than five feet, and flowing over a bottom of tenacious blue mud, and the current still running with nearly the same rapidity as when the water was confined within the banks of the river. This point of junction with interior waters, or where the Macquarie ceased to have the form of a river, is in latitude $30^{\circ} 45'$ S. and longitude $147^{\circ} 10'$ E.

To assert positively that we were on the margin of the lake or sea, into which this great body of water is discharged, might reasonably be deemed a conclusion that has nothing but conjecture for its basis; but if an opinion may be hazarded from actual appearances, which our subsequent route tended more strongly to confirm, I feel confident we were in the immediate vicinity of an inland sea, most probably a shoal

one, and gradually decreasing, or being filled up by the immense depositions from waters flowing into it from the higher lands; which on this singular continent, seem not to extend a few hundred miles from the sea coast, as westward of these bounding ranges (which, from the observations I have been enabled to make, appear to me to run parallel to the direction of the coast) there is not a single hill, or other eminence, discoverable on this apparently boundless space, those isolated points excepted, on which we remained until the 28th July, the rocks and stones composing which are a distinct species from those found on the above ranges.

I trust your excellency will believe that, fully impressed with the great importance of the questions as to the interior formation of this great country, I was anxiously solicitous to remove all ground for further conjecture, by the most careful observation on the nature of the country; which, though it was to me a proof that the interior was covered with water, yet I felt it my duty to leave no measure untried which could in any way tend to a direct elucidation of the fact.

It was physically impracticable to gain the edge of these waters by making a detour round the flooded portion of the country on the S.W. side of the river, as we proved it to be a barren wet marsh, overrun with the species of polygonum, and not offering a single dry spot to which our course might be directed; and that there was no probability of finding any in that direction I had

had a certain knowledge, from the observations made during the former expedition.

To circle the flooded country to the N.E. yet remained to be tried; and when, on the 7th July, I returned to the tents, which I found pitched on the high land before-mentioned, and whence we could see mountains at the distance of eighty miles to the eastward, the country between being a perfect level, Mr. Evans was sent forward to explore the country to the N.E., that being the point on which I purposed to set forward.

On the 18th July Mr. Evans returned, having been prevented from continuing on a N.E. course beyond two days' journey, by waters running north-easterly through high reeds, and which were most probably those of the Macquarie river, as, during his absence, it had swelled so considerably, as entirely to surround us, coming within a few yards of the tent.—Mr. Evans afterwards proceeded more easterly, and at distance of fifty miles from the Macquarie river, crossed another much wider, but not so deep, running to the north. Advancing still more easterly, he went nearly to the base of the mountains seen from the tent, and returning by a more southerly route, found the country somewhat drier, but not in the least more elevated.

The discretionary instructions with which your excellency was pleased to furnish me, leaving me at liberty as to the course to be pursued by the expedition on its return to Port Jackson, I determined to attempt making the sea-coast on an easterly course, first

proceeding along the base of the high range before-mentioned, which I still indulged hopes might lead me to the margin of these, or any other interior waters which this portion of New South Wales might contain, and embracing a low line of coast, on which many small openings remained unexamined, at the same time that the knowledge obtained of the country we might encircle might materially tend to the advantage of the colony, in the event of any communication with the interior being discovered.

We quitted this station on the 30th July, being in latitude $31^{\circ} 18' S.$, and longitude $147^{\circ} 31'$ on our route for the coast, and on the 8th August arrived at the lofty range of mountains to which our course had been directed. From the highest point of this range we had the most extended prospect: from south by the west to the north, it was one vast level, resembling the ocean in extent, but yet without water being discerned, the range of high land extending to the N.E. by N., elevated points of which were distinguished upwards of one hundred and twenty miles.

From this point, in conformity to the resolution I had made on quitting the Macquarie river, I pursued a N.E. course, but after encountering numerous difficulties, from the country being an entire marsh, interspersed with quicksands, until the 20th August, when finding I was surrounded by bogs, I was reluctantly compelled to take a more easterly course, having practically proved that the country could not be traversed on any point

point deviating from the main range of hills which bound the interior, although partial dry portions of level alluvial land extend from their base westerly to a distance which I estimate to exceed one hundred and fifty miles, before it is gradually lost in the waters which I am clearly convinced cover the interior.

The alteration in our course more easterly soon brought us into a very different description of country, forming a remarkable contrast to that which had so long occupied us. Numerous fine streams, running northerly, watered a rich and beautiful country, through which we passed, until the 7th September, when we crossed the meridian of Sydney, as also the most elevated known land in New South Wales, being then in latitude $31^{\circ} 03' S$. We were afterwards considerably embarrassed and impeded by very lofty mountains. On the 20th September we gained the summit of the most elevated mountain in this extensive range, and from it we were gratified with a view of the ocean, at a distance of fifty miles, the country beneath us being formed into an immense triangular valley, the base of which extended along the coast, from the Three Brothers on the south, to high land north of Smoky Cape. We had the further gratification to find, that we were near the source of a large stream running to the sea. On descending the mountain, we followed the course of this river, increased by many accessions, until the 8th October, when we arrived on the beach near the entrance of the port which received it, having passed

over, since the 18th July, a tract of country near five hundred miles in extent from west to east.

This inlet is situated in latitude $31^{\circ} 23' 30'' S$., and longitude $152^{\circ} 50' 18'' E$., and had been previously noticed by capt. Flinders; but from the distance at which he was necessarily obliged to keep from the coast, he did not discover that it had a navigable entrance. Of course, our most anxious attention was directed to this important point; and although the want of a boat rendered the examination as to the depth of water in the channel, incomplete, yet there appeared to be at low water at least three fathoms, with a safe though narrow entrance between the sand rollers on either hand. Having ascertained thus far, and that by its means the fine country on the banks, and in the neighbourhood of the river might be of future service to the colony, I took the liberty to name it Port Macquarie, in honour of your excellency, as the original promoter of the expedition.

On the 12th October we quitted Port Macquarie on our course for Sydney, and although no charts can be more accurate in their outline and principal points, than those of captain Flinders, we soon experienced how little the best marine charts can be depended upon, to show all the inlets and openings upon an extensive line of coast. The distance his ship was generally at from that portion of the coast we had to travel over, did not allow him to perceive openings, which, though doubtless of little consequence to shipping, yet presented the most serious difficulties to travellers

travellers by land, and of which, if they had been laid down in the chart, I should have hesitated to have attempted the passage, without assistance to the sea-ward. As it is, we are indebted for our preservation, and that of the horses, to the providential discovery of a small boat on the beach, which the men with the most cheerful alacrity carried upwards of ninety miles on their shoulders, thereby enabling us to overcome obstacles otherwise insurmountable.

Until within these few days, I hoped to have had the satisfaction to report the return of the expedition without accident to any individual composing it; but such is the ferocious treachery of the natives along the coast to the northward, that our utmost circumspection could not save us from having one man (W. Blake) severely wounded by them; but by the skilful care bestowed upon him by Dr. Harris (who accompanied the expedition as a volunteer, and to whom, upon this occasion and throughout the whole course of it, we are indebted for much valuable assistance), I trust his recovery is no longer doubtful.

The general merits of Mr. Evans are so well known to your excellency, that it will here be sufficient to observe, that by his zealous attention to every point that could facilitate the progress of the expedition, he has endeavoured to deserve a continuance of your excellency's approbation.

Mr. Charles Frazier, the colonial botanist, has added near 700 new specimens to the already extended catalogue of Australian

plants, besides many seeds, &c. and in the collection and preservation he has indefatigably endeavoured to obtain your excellency's approval of his services.

I confidently hope that the journal of the expedition will amply evince to your excellency the exemplary and praiseworthy conduct of the men employed on it, and I feel the sincerest pleasure in earnestly soliciting for them your excellency's favourable consideration.

Respectfully hoping, that on a perusal and inspection of the journals and charts of the expedition that the course I have pursued in the execution of your excellency's instruction will be honoured by your approbation, I beg leave to subscribe myself, with the greatest respect, Sir, your excellency's most obedient and humble servant,

(Signed)

J. OXLEY, Surveyor-Gen.
To his Exc. Governor Macquarie,
&c. &c.

Extract of a General Order by the Governor.

“Government-House, Sydney, May 31, 1819.—His excellency the governor having received and perused the journal of a tour lately made by Charles Throsby, esq. by the way of the Cow Pastures to Bathurst, in the new discovered country westward of the Blue Mountains, takes this early opportunity publicly to announce the happy result of an enterprise which promises to conduce, in a very eminent degree, to the future interest and prosperity of the colony.—The communication with the western country having been heretofore

heretofore over a long and difficult range of mountains, alike ungenial to man and cattle, from their parched and barren state, it became an object of great importance to discover another route, whereby those almost insurmountable barriers would be avoided, and a more practicable, and consequently less hazardous access effected to the rich and extensive plains of Bathurst.—His excellency adverts with pleasure to Mr. Throsby's general report of the capabilities, qualities, and features of the country intervening between the Cow Pastures and Bathurst; which he represents to be, with few exceptions, rich, fertile, and luxuriant, abounding with fine runs of water, and all the happy varieties of soil, hill, and valley, to render it not only

delightful to the view, but highly suitable to all the purposes of pasturage and agriculture.—The importance of these discoveries is enhanced by the consideration that a continuous range of valuable country, extending from the Cow Pastures to the remote plains of Bathurst, is now fully ascertained, connecting those countries with present settlements on this side the Nepean.—His excellency the governor, highly appreciating Mr. Throsby's services on this occasion, offers him this public tribute of acknowledgment, for the zeal and perseverance by which he was actuated throughout this arduous undertaking; and desires his acceptance of one thousand acres of land in any part of the country discovered by himself that he may choose to select.

MISCELLANIES.

MONASTIC SCHOOLS IN RUSSIA.

[*Asiatic Journal, October.*]

THE emperor of Russia has advanced 180,000 roubles, out of 300,000, the sum destined for the establishment and support of conventional schools, or seminaries, attached to the monasteries in Russia. In the ukase published upon the subject, his majesty expresses himself in the following terms:—"It is my personal wish to see schools of truth flourish. Minds are not truly enlightened, except by that divine light which shines in darkness, and which darkness cannot extinguish. Jesus Christ is the way, the truth, and the life. Education ought to be founded on practical Christianity.

where he employed himself in new researches at the Temple of Karnack. Here, several feet under-ground, he found, surrounded by a wall, a range of sphinxes, about forty in number, with heads of lions on busts of women, of black granite, and for the greater part beautifully executed. While absent, on his second visit to Ybsambul, Mrs. Belzoni succeeded in digging up at the same place a statue of Jupiter Ammon, holding a ram's head on his knees. And on his second journey to Thebes in 1817, M. Belzoni discovered a colossal head of Orus, of fine granite, larger than the Memnon, measuring ten feet from the neck to the top of the mitre, with which it is crowned, exquisitely finished, and in fine preservation. He carried with him to Cairo one of the arms belonging to this statue. As he succeeded so well in removing the Memnon, may we not hope that he will be encouraged also to attempt the removal of this head, and that we may ere long see it placed beside its colossal brother in the British Museum.

DISCOVERY OF ANTIQUITIES IN EGYPT.

[*Philosophical Magazine, March.*]

From Thebes M. Belzoni proceeded to Nubia to examine the great Temple of Ybsambul [Ibsambul, Ebsambul, or Absimbul], which lies buried more than twice its height in the sands near the second cataract. On this occasion, however, he was unable to effect any thing, and therefore returned to Thebes,

After this, M. Belzoni proceeded again to Nubia, and, in spite of many hindrances and much inhospitality which he experienced, succeeded in opening the celebrated temple of Ybsambul,

bul, which no European had ever before entered. In this temple (the largest and most wonderful excavation in Egypt or in Nubia), he found fourteen chambers and a great hall; and in the latter, standing, eight colossal figures, each thirty feet high. The walls and pilasters are covered with hieroglyphics beautifully cut, and groups of large figures in fine preservation. At the end of the sanctuary he found four sitting figures about twelve feet high, cut out of the natural rock and well preserved. Belzoni's labour may be conceived when we state, that on commencing his operations, the bed of loose sand which he had to clear away was upwards of fifty feet deep. He carried hence two lions with the heads of vultures, and a small statue of Jupiter Ammon. From the superior style of sculpture found in this temple to any thing yet met with in Egypt, Mr. Salt infers that the arts descended hither from Ethiopia.

M. Belzoni, by a kind of tact which seems to be peculiarly his own, discovered, on his return to Thebes, six tombs in the valley of Biban El Moluck, or the tombs [or rather gates] of the kings (in a part of the mountains where ordinary observers would hardly have sought for such excavations), all in a perfect state, not having been viewed by previous intruders, and giving a wonderful display of Egyptian magnificence and posthumous splendor. From the front entrance to the innermost chamber in one of them, the length of passage, cut through the solid rock, is 309 feet: the chambers, which are numerous,

are covered with paintings *al fresco*, well executed, and with hieroglyphics quite perfect, and the colours as fresh as if newly laid on. In one of these chambers he found an exquisitely-beautiful sarcophagus of alabaster nine feet five inches long, three feet nine inches high, and two feet one inch wide, covered within and without with hieroglyphics in *intaglio*, sounding like a bell, and as transparent as glass—supposed, by M. Belzoni, to have been the depository of the remains of Apis. In the innermost room he found the carcase of a bull, embalmed with asphaltum, which seems to give some confirmation to his idea. We are happy to learn that this matchless production is now on its way to England, to be placed by the side of the sarcophagus supposed to have contained the remains of Alexander. Mr. Salt, assisted by Mr. Beechey (son of the well-known artist of the same name), has, with much labour and care, copied several of the paintings within this tomb, which will by-and-by be given to the public. These paintings are quite fresh and perfect. The colours employed are “vermilion, ochres, and indigo;” and yet they are not gaudy, owing to the judicious balance of colours, and the artful management of the blacks. It is quite obvious (says Mr. Salt) that they worked on a regular system, which had for its basis, as Mr. West would say, the colours of the rainbow; as there is not an ornament throughout their dresses where the red, yellow, and blue, are not alternately mingled,

gled, which produces a harmony that in some of the designs is really delicious.

It is a curious fact, that in one of the Theban tombs two statues of wood, a little larger than life, were found as perfect as if newly carved, excepting in the sockets of the eyes, which had been of metal, probably copper.

ON LARCH TIMBER, BY THE DUKE OF ATHOL.

[*Philosophical Magazine, June.*]

The introduction of this most valuable tree into Scotland, at least into the county of Perth, took place in the year 1738; when a Highland gentleman, Mr. Menzies, of Glenlyon, Perthshire, brought a few small plants from London; his servant carrying them on horseback on the top of his portmanteau. Some of these plants he left at Monzie, near Crieff; some at Dunkeld, and the remainder he carried home, where some have been cut, within these few years, of a great size. The four left at Monzie are in full vigour (1807); the largest nearly twelve feet in circumference, at three feet and a half above the ground. Those left at Dunkeld are also in full vigour (1807); some were placed in a green-house, but not thriving, were turned out. The largest is about twelve feet in girth, at three feet and a half above the ground, and is computed to contain four load of solid timber, or two hundred feet. Some years elapsed before any more larch were planted at Dunkeld. A few, however, were planted at Blair in that interval; but the larch plant-

ed between the years 1740 and 1750 were inconsiderable in point of number. For the planting of the rocky mountains round Dunkeld, with a view to their growing wood, which has since been done, would at that time have been treated as a chimerical idea. The plantations on the lower grounds were necessarily small in extent.

Trials of Larch.

1777.—It is now thirty years since I have cut and used larch for different purposes; and as yet I have met with no instance to induce me to depart from my opinion, that larch is the most valuable acquisition, in point of useful timber, that has ever been introduced into Scotland; and I speak from having used and cut larch of from fifty to sixty years' growth.

The small larch I have used were thinned out of plantations for upright paling, rails, and hurdles. Those fit for sawing were sawn through the middle; the smaller used round, with the bark on. I have found young larch, so used, more durable than oak copse-wood of twenty-four years' growth.

1795.—The larger and older larch which I have cut, have been used for a variety of purposes; boats built of it have been found sound, when the ribs, made of oak forty years old, were decayed. I have for years built all my ferry and fishing-boats of larch.

In mill-work, and especially in mill-axes (where oak only used formerly to be employed), larch has been substituted with the best effect.

1806.—Last winter, in cutting up an old decayed mill-wheel, those parts of the water-cogs, &c. which had been repaired with larch about twenty years before, though black on the surface, on the hatchet being applied, were found as sound and fresh as when put up.

There is not a sufficient quantity of larch of fit growth, to bring that wood into general use for country purposes; but such as has been cut and sold, has brought two shillings per foot, in some instances more. About the year 1800, I received twelve guineas for a single larch-tree of fifty years' growth. I was at the same time offered twenty pounds for another larch, which I declined cutting. The tree sold had eighty-nine solid square feet of wood; and the purchaser cut two if not three axles for mills out of it.

1806.—Last year I cut out twenty larch-trees from a clump where they stood too thick. I left the finest trees standing, and received one hundred guineas for the twenty trees taken out, being at the rate of two shillings per foot. The largest of the twenty trees measured one hundred and five feet in length, five feet eleven inches in girth at four feet from the ground, and contained ninety-four square feet of timber. One tree measured one hundred and six feet; two, one hundred and seven; and one, one hundred and nine feet in length; but, being drawn up by standing too close, did not contain so much solid wood as the first.

It is not in the quality only of

the wood that I consider the larch a great acquisition; but in the nature of the ground, where it will not only grow luxuriantly, but I am persuaded will arrive at a size fit for any purpose to which wood can be applied.

The lower range of the Gramian Hills, which extend to Dunkeld, are in altitude from one thousand to seventeen hundred feet above the level of the sea; a range of mountains to the height of twelve hundred is now in the course of being planted. They are in general barren and rocky, composed of mountain schist slate and iron stone. Up to the height of twelve hundred feet, larch are planted, and grow luxuriantly, where the Scotch fir, formerly considered the hardiest tree of the north, cannot rear its head. In considerable tracts, where fragments of shivered rocks are strewed so thick, that vegetation scarcely meets the eye, the larch puts out as strong and vigorous shoots as are to be found in the valleys below, or in the most sheltered situations.

I have been employed for the last five years in forming a very extensive plantation of larch, on mountains similar to what I have described. The plantation embraces a tract of nearly eighteen hundred Scotch acres, nearly one thousand of which I have already planted (1807), mostly with larch, placing Scotch fir only in the wet grounds where larch will not grow, and mixing spruce on the highest points, finding from experience that that tree is next in value to the larch, and thrives in Alpine situations almost equally well.

In

In all the larch which I have cut, I have never met with one instance of decay. But I have seen larch cut in wet situations and tilly soil on low moors some miles below Dunkeld, which at forty years of age were decaying at the heart. The larch is certainly an Alpine tree, and does not thrive in wet situations.

In 1795 a species of blight appeared on the larch, which in low situations destroyed numbers. The season in which this was observed to any extent, the frosts were very severe late in the spring, and the clouds of frost fog, which rested on the larch, in calm mornings, when just coming into leaf, produced the blight. I did not find trees above twenty-five or thirty feet in height affected by it, neither did it appear at all on the higher grounds, where a slight breeze of air could shake the trees. For eight or ten years past, severe frosts at the end of spring and beginning of summer, have partially brought a somewhat similar blight, which, though not essentially injuring the growth of the wood, except in a few instances, nearly destroyed the flower of the larch,

which has prevented my having been able to obtain larch seed in the quantity I wished, in order to carry my intention into effect; to cover all the mountainous tract near Dunkeld belonging in property to me, with larch; which I am persuaded, at the distance of sixty or seventy years from planting, will be fit for most naval purposes.

The comparative value of larch and Scotch fir will not bear calculation. In the year 1800 I sold a larch of fifty years old for twelve guineas; while a fir, of the same age, and in the same soil, brought fifteen shillings.— A fall of snow will destroy in one night, and break and tear down sometimes more than one-third of a fir plantation. This I have often experienced at all ages. High winds also destroy firs in numbers.

The larch are never broken by snow, and very seldom torn up by winds, and then only in single trees. Scotch firs are bad and shabby growers (with me at least), at about eight hundred feet of altitude. Larch grow luxuriantly some hundred feet higher.

NATURAL HISTORY.

EARTHQUAKE IN THE CARACCAS.

(*Humboldt's Travels.*)

THE shock felt at Caraccas, in the month of December, 1811, was the only one, that preceded the horrible catastrophe of the 26th of March, 1812. The inhabitants of Terra Firma were ignorant of the agitations of the volcano in the island of St. Vincent on one side, and on the other, of those that were felt in the basin of the Mississippi, where, on the 7th and 8th of February, 1812, the earth was day and night in perpetual oscillation. A great drought prevailed at this period in the province of Venezuela. Not a single drop of rain had fallen at Caraccas, or in the country ninety leagues round, during the five months which preceded the destruction of the capital. The 26th of March was a remarkably hot day. The air was calm, and the sky unclouded. It was Holy Thursday, and a great part of the population was assembled in the churches. Nothing seemed to preface the calamities of the day. At seven minutes after four in the afternoon the first shock was felt; it was sufficiently

powerful, to make the bells of the churches toll; it lasted five or six seconds, during which time, the ground was in a continual undulating movement, and seemed to heave up like a boiling liquid. The danger was thought to be past, when a tremendous subterraneous noise was heard, resembling the rolling of thunder, but louder, and of longer continuance, than that heard within the tropics in time of storms. This noise preceded a perpendicular motion of three or four seconds, followed by an undulatory movement somewhat longer. The shocks were in opposite directions, from north to south, and from east to west. Nothing could resist the movement from beneath upward, and undulations crossing each other. The town of Caraccas was entirely overthrown. Thousands of the inhabitants (between nine and ten thousand) were buried under the ruins of the houses and churches. The procession had not yet set out; but the crowd was so great in the churches, that nearly three or four thousand persons were crushed by the fall of their vaulted roofs. The explosion was stronger toward the north, in that

that part of the town situate nearest the mountain of Avila, and the Silla. The churches of la Trinidad and Alta Gracia, which were more than one hundred and fifty feet high, and the naves of which were supported by pillars of twelve or fifteen feet diameter, left a mass of ruins scarcely exceeding five or six feet in elevation. The sinking of the ruins has been so considerable, that there now scarcely remain any vestiges of pillars or columns. The barracks, called *El Quartel de San Carlos*, situate farther north of the church of the Trinity, on the road from the Custom-house de la Pastora, almost entirely disappeared. A regiment of troops of the line, that was assembled under arms, ready to join the procession, was, with the exception of a few men, buried under the ruins of this great edifice. Nine tenths of the fine town of Caraccas were entirely destroyed. The walls of the houses that were not thrown down, as those of the street San Juan, near the Capuchin hospital, were cracked in such a manner, that it was impossible to run the risk of inhabiting them. The effects of the earthquake were somewhat less violent in the western and southern parts of the city, between the principal square and the ravin of Caraguata. There, the cathedral, supported by enormous buttresses, remains standing.

Estimating at nine or ten thousand the number of the dead in the city of Caraccas, we do not include those unhappy persons, who, dangerously wounded, perished several months after, for

want of food and proper care. The night of Holy Thursday presented the most distressing scene of desolation and sorrow. That thick cloud of dust, which, rising above the ruins, darkened the sky like a fog, had settled on the ground. No shock was felt, and never was a night more calm, or more serene. The moon, nearly full, illumined the rounded domes of the Silla, and the aspect of the sky formed a perfect contrast to that of the earth, covered with the dead, and heaped with ruins. Mothers were seen bearing in their arms their children, whom they hoped to recall to life. Desolate families wandered through the city, seeking a brother, a husband, a friend, of whose fate they were ignorant, and whom they believed to be lost in the crowd. The people pressed along the streets, which could no more be recognized but by long lines of ruins.

All the calamities experienced in the great catastrophes of Lisbon, Messina, Lima, and Riobamba were renewed on the fatal day of the 26th of March, 1812. "The wounded, buried under the ruins, implored by their cries the help of the passers by, and nearly two thousand were dug out. Never was pity displayed in a more affecting manner; never had it been seen more ingeniously active, than in the efforts employed to save the miserable victims, whose groans reached the ear. Implements for digging, and clearing away the ruins were entirely wanting; and the people were obliged to use their bare hands, to disinter the living. The wounded, as well as the sick who had

had escaped from the hospitals, were laid on the banks of the small river Guayra. They found no shelter but the foliage of trees. Beds, linen to dress the wounds, instruments of surgery, medicines, and objects of the most urgent necessity, were buried under the ruins. Every thing, even food, was wanting during the first days. Water became alike scarce in the interior of the city. The commotion had rent the pipes of the fountains; the falling in of the earth had choaked up the springs that supplied them; and it became necessary, in order to have water, to go down to the river Guayra, which was considerably swelled; and then vessels to convey the water were wanting.

There remained a duty to be fulfilled toward the dead, enjoined at once by piety, and the dread of infection. It being impossible to inter so many thousand corpses, half-buried under the ruins, commissaries were appointed to burn the bodies: and for this purpose funeral piles were erected between the heaps of ruins. This ceremony lasted several days. Amid so many public calamities, the people devoted themselves to those religious duties, which they thought were the most fitted to appease the wrath of heaven. Some, assembling in processions, sung funeral hymns; others, in a state of distraction, confessed themselves aloud in the streets. In this town was now repeated what had been remarked in the province of Quito, after the tremendous earthquake of 1797; a number of marriages were con-

tracted between persons, who had neglected for many years to sanction their union by the sacerdotal benediction. Children found parents, by whom they had never till then been acknowledged; restitutions were promised by persons, who had never been accused of fraud; and families, who had long been enemies, were drawn together by the tie of common calamity." If this feeling seemed to calm the passions of some, and open the heart to pity, it had a contrary effect on others, rendering them more rigid and inhuman. In great calamities vulgar minds preserve still less goodness than strength: misfortune acts in the same manner, as the pursuits of literature and the study of nature; their happy influence is felt only by a few, giving more ardour to sentiment, more elevation to the thoughts, and more benevolence to the disposition.

SCENERY ON THE RIO APURE.

[From the same.]

During the whole of my voyage from San Fernando to San Carlos del Rio Negro, and thence to the town of Angostura, I confined myself to writing day by day, either in the boat, or where we disembarked at night, what appeared to me worthy of observation. Violent rains, and the prodigious quantity of moschetoes with which the air is filled on the banks of the Oroonoko and the Cassiquiare, necessarily occasioned some breaks in this labour; which I supplied by notes taken a few days after. The following pages are extracts from my

my journal. Whatever is written while the objects we describe are before our eyes bears a character of truth, I had almost said of individuality, which gives attraction to things the least important.

In order to avoid useless repetitions, I have sometimes added to this journal the notions I afterward acquired respecting the objects I had described. The more nature appears great and awful in forests traversed by immense rivers, the more we should preserve in our pictures of the scenery that character of simplicity, which constitutes the principal and often the sole merit of a first sketch.

March the 31st. A contrary wind obliged us to remain on shore till noon. We saw a part of some cane-fields laid waste by the effect of a conflagration, which had spread from a neighbouring forest. The wandering Indians every where set fire to the forest where they have encamped at night; and during the season of drought, vast provinces would be the prey of these conflagrations, if the extreme hardness of the wood did not prevent the trees from being entirely consumed. We found trunks of *desmanthus*, and mahogany (*cahoba*), that were scarcely charred two inches deep.

Having passed the Diamante, we entered a land inhabited only by tigers, crocodiles, and *chigates*, a large species of the genus *cavia* of Linneus. We saw flocks of birds, crowded so close together, as to appear against the sky like a dark cloud, that every instant changed it's form. The

river widens by degrees. One of it's banks is generally barren and sandy from the effect of inundations: the other is higher, and covered with lofty trees. Sometimes the river is bordered by forests on each side, and forms a straight canal a hundred and fifty toises broad. The manner in which the trees are disposed is very remarkable. We first find bushes of *sauzo*, forming a kind of hedge four feet high; and appearing as if they had been clipped by the hand of man. A copse of cedars, brazilletoes, and *lignum vitæ*, rises behind this hedge. Palm-trees are rare; we saw only a few scattered trunks of the thorny piritu and *corozo*. The large quadrupeds of those regions, the tigers, tapirs, and peccaris, have made openings in the hedge of *sauzos* which we have just described. Through these the wild animals pass, when they come to drink at the river. As they fear but little the approach of a boat, we had the pleasure of viewing them pace slowly along the shore, till they disappeared in the forest, which they entered by one of the narrow passes left here and there between the bushes. I confess that these scenes, which were often repeated, had ever for me a peculiar attraction. The pleasure they excite, is not owing solely to the interest, which the naturalist takes in the objects of his study; it is connected with a feeling common to all men, who have been brought up in the habits of civilization. You find yourself in a new world, in the midst of untamed and savage nature. Now it is the jaguar, the

the beautiful panther of America, that appears upon the shore; and now the hocco with its black plumage and its tufted head, that moves slowly along the saucos. Animals of the most different classes succeed each other. "*Esse como en el Paraiso*," said our pilot, an old Indian of the missions. Every thing indeed here recalls to mind that state of the primitive world, the innocence and felicity of which ancient and venerable traditions have transmitted to all nations: but, in carefully observing the manners of animals between themselves, we see that they mutually avoid and fear each other. The golden age has ceased; and in this Paradise of the American forests, as well as every where else, sad and long experience has taught all beings, that benignity is seldom found in alliance with strength.

When the shore is of considerable breadth, the hedge of *saucos* remains at a distance from the river. In this intermediate ground we see crocodiles, sometimes to the number of eight or ten, stretched on the sand. Motionless, the jaws opened at right angles, they repose by each other without displaying any of those marks of affection, observed in other animals that live in society. The troop separates as soon as they quit the shore. It is, however, probably composed of one male only, and many females; for, as Mr. Descourtils, who has so much studied the crocodiles of Saint Domingo, observed before me, the males are rare, because they kill one another in fighting

during the season of their loves. These monstrous reptiles are so numerous, that throughout the whole course of the river we had almost at every instant five or six in view.

The crocodiles of the Apure find abundant nourishment in the *chiguire*s (the thick-nosed tapir of naturalists), which live fifty or sixty together in troops on the banks of the river. These unfortunate animals, as large as our pigs, have no weapons of defence; they swim somewhat better than they run: yet they become the prey of the crocodiles in the water, as of the tigers on land. It is difficult to conceive, how, persecuted by two powerful enemies, they can become so numerous; but they breed with the same rapidity as the *cobayas*, or little guinea-pigs, which come to us from Brazil.

Near the *Joval* nature assumes an awful and savage aspect. We there saw the largest tiger we had ever met with. The natives themselves were astonished at its prodigious length, which surpassed that of all the tigers of India I had seen in the collections of Europe. The animal lay stretched beneath the shade of a large *zamang*. It had just killed a *chiguire*, but had not yet touched its prey, on which it kept one of its paws. The *zamuroes*, a species of vulture which we have compared above to the *percnopterus* of Lower-Egypt, were assembled in flocks to devour the remains of the jaguar's repast. They afforded the most curious spectacle, by a singular mixture of boldness and timidity. They

They advanced within the distance of two feet from the jaguar, but at the least movement the beast made they drew back. In order to observe more nearly the manners of these animals, we went into the little boat, that accompanied our canoe. Tigers very rarely attack boats by swimming to them; and never but when their ferocity is heightened by a long privation of food. The noise of our oars led the animal to rise slowly, and hide itself behind the *sauzo* bushes, that bordered the shore. The vultures tried to profit by this moment of absence to devour the chiguire: but the tiger, notwithstanding the proximity of our boat, leaped into the midst of them; and in a fit of rage, expressed by his gait and the movement of his tail, carried off his prey to the forest. The Indians regretted, that they were not provided with their lances, in order to go on shore, and attack the tiger. They are accustomed to this weapon, and were right in not trusting to our musquets, which, in an air so excessively humid, often miss fire.

Continuing to descend the river, we met with the great herd of

chiguire, which the tiger had put to flight, and from which he had selected his prey. These animals saw us land with great tranquillity; some of them were seated, and gazed upon us, moving the upper lip like rabbits. They seem not to be afraid of men, but the sight of our great dog put them to flight. Their hind legs being longer than their fore legs, their pace is a slight gallop, but with so little swiftness, that we succeeded in catching two of them. The chiguire, which swims with the greatest agility, utters a short moan in running, as if its respiration were impeded. It is the largest of the family of gnawing animals. It defends itself only at the last extremity, when it is surrounded and wounded. Having great strength in its grinding teeth, particularly the hinder ones, which are pretty long, it can tear the paw of a tiger, or the leg of a horse, with its bite. Its flesh has a smell of musk somewhat disagreeable; yet hams are made of it in this country, which almost justifies the name of *water hog*, given to the chiguire by some of the older naturalists.

P O E T R Y.

TO BRITAIN.

[*Montgomery's Greenland.*]

I LOVE Thee, O my native Isle !
 Dear as my mother's earliest smile ;
 Sweet as my father's voice to me
 Is all I hear, and all I see,
 When, glancing o'er thy beauteous land,
 In view thy *Public Virtues* stand,
 The guardian angels of thy coast,
 Who watch the dear *domestic Host*,
 The *Heart's Affections*, pleased to roam
 Around the quiet haven of home.

I love Thee,—when I mark thy soil
 Flourish beneath the peasant's toil,
 And from its lap of verdure throw
 Treasures, which neither *Indies* know.

I love Thee,—when I hear around
 Thy looms, and wheels, and anvils sound,
 Thine engines heaving all their force,
 Thy waters labouring on their course,
 And arts, and industry, and wealth
 Exulting in the joys of health.

I love Thee,—when I trace thy tale
 To the dim point where records fail ;
 Thy deeds of old renown inspire
 My bosom with our fathers' fire ;
 A proud inheritance I claim
 In all their sufferings, all their fame ;
 Nor less delighted when I stray
 Down history's lengthening, widening way,
 And hail Thee in thy present hour,
 From the meridian arch of power,
 Shedding the lustre of thy reign,
 Like sunshine, over land and main.

I love

I love Thee,—when I read the lays,
Of British bards in elder days,
Till, rapt on visionary wings,
High o'er thy cliffs my spirit sings ;
For I, among thy living choir,
I, too, can touch the sacred lyre.

I love Thee,—when I contemplate
The full-orb'd grandeur of thy state ;
Thy laws and liberties, that rise,
Man's noblest works beneath the skies,
To which the pyramids were tame,
And Grecian temples bow their fame :
These, thine immortal sages wrought
Out of the deepest mines of thought :
These, on the scaffold, in the field,
Thy warriors won, thy patriots seal'd ;
These, at the parricidal pyre,
Thy martyrs sanctified in fire,
And, with the generous blood they spilt,
Wash'd from thy soil their murderers' guilt,
Cancell'd the curse which vengeance sped,
And left a blessing in its stead.
—Can words, can numbers count the price,
Paid for this little paradise ?
Never, oh ! never be it lost ;
The land is *worth* the price it cost.

I love Thee,—when thy sabbath dawns
O'er woods and mountains, dales and lawns,
And streams, that sparkle while they run,
As if their fountain were the sun :
When, hand in hand, thy tribes repair,
Each to their chosen house of prayer,
And all in peace and freedom call
On Him, who is the Lord of all.

I love Thee,—when my soul can feel
The seraph-ardours of thy zeal :
Thy charities, to none confin'd,
Bless, like the sun, the rain, the wind ;
Thy schools the human brute shall raise,
Guide erring youth in wisdom's ways,
And leave, when we are turn'd to dust,
A generation of the just.

I love Thee,—when I see Thee stand
The hope of every other land ;
A sea-mark in the tide of time,
Rearing to heaven thy brow sublime ;
Whence beams of gospel-splendor shed
A sacred halo round thine head ;

And

And gentiles from afar behold,
 (Not as on Sinai's rocks of old),
 GOD,—from eternity conceal'd,—
 In his own light, on Thee reveal'd.

I love Thee,—when I hear thy voice
 Bid a despairing world rejoice,
 And loud from shore to shore proclaim,
 In every tongue, Messiah's name ;
 That name, at which, from sea to sea,
 All nations *yet* shall bow the knee.

I love Thee :—next to heaven above,
 Land of my fathers ! Thee I love ;
 And, rail thy slanderers as they will,
 “ Will all thy faults I love Thee ” still :
 For faults Thou hast, of heinous size ;
 Repent, renounce them, ere they rise
 In judgment ; lest thine ocean-wall
 With boundless ruin round Thee fall,
 And that, which was thy mightiest stay,
 Sweep all thy rocks like sand away.

[From *Crabb's Tales.*]

“ Let me not have this gloomy view,
 “ ‘ About my room, around my bed ;
 “ ‘ But morning roses, wet with dew,
 “ ‘ To cool my burning brows instead.
 “ ‘ As flow'rs that once in Eden grew,
 “ ‘ Let them their fragrant spirits shed,
 “ ‘ And every day the sweets renew,
 “ ‘ Till I, a fading flower, am dead.

“ Oh ! let the herbs I loved to rear
 “ ‘ Give to my sense their perfumed breath ;
 “ ‘ Let them be placed about my bier,
 “ ‘ And grace the gloomy house of death.
 “ ‘ I'll have my grave beneath an hill,
 “ ‘ Where, only Lucy's self shall know
 “ ‘ Where runs the pure pellucid rill
 “ ‘ Upon its gravelly bed below ;
 “ ‘ There violets on the borders blow,
 “ ‘ And insects their soft light display,
 “ ‘ Till as the morning sun-beams glow,
 “ ‘ The cold phosphoric fires decay.

“ ‘ That

That is the grave to Lucy shown,
 The soil a pure and silver sand,
 The green cold moss above it grown,
 " ' Unpluck'd of all but maiden hand :
 " ' In virgin earth, till then unturn'd,
 " ' There let my maiden form be laid,
 " ' Nor let my changed clay be spurn'd,
 " ' Nor for new guest that bed be made.

" ' There will the lark,—the lamb, in sport,
 " ' In air,—on earth,—securely play,
 " ' And Lucy to my grave resort,
 " ' As innocent, but not so gay.
 " ' I will not have the churchyard ground,
 " ' With bones all black and ugly grown,
 " ' To press my shivering body round,
 " ' Or on my wasted limbs be thrown.

" ' With ribs and skulls I will not sleep,
 " ' In clammy beds of cold blue clay,
 " ' Through which the ringed earth-worms creep,
 " ' And on the shrouded bosom prey ;
 " ' I will not have the bell proclaim
 " ' When those sad marriage rites begin,
 " ' And boys, without regard or shame,
 " ' Press the vile mouldering masses in.

" ' Say not, it is beneath my care ;
 " ' I cannot these cold truths allow ;
 " ' These thoughts may not afflict me there,
 " ' But, O ! they vex and tease me now.
 " ' Raise not a turf, nor set a stone,
 " ' That man a maiden's grave may trace,
 " ' But thou, my Lucy, come alone,
 " ' And let affection find the place.

" ' O ! take me from a world I hate,
 " ' Men cruel, selfish, sensual, cold ;
 " ' And, in some pure and blessed state,
 " ' Let me my sister minds behold :
 " ' From gross and sordid views refin'd,
 " ' Our heaven of spotless love to share,
 " ' For only generous souls design'd,
 " ' And not a man to meet us there.' ”

THE END.







