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THE  
ANNUAL REGISTER,  
OR A VIEW OF THE  
HISTORY,  
POLITICS,  
AND  
LITERATURE,  
For the YEAR 1818.



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1819.

ANNUAL REGISTER

OR A VIEW OF THE

HISTORY OF THE

POLITICAL

STATE OF GREAT BRITAIN

FOR THE YEAR 1819



LONDON:

Printed by T. C. Hansard, Peterborough-court, Fleet-street, London.



## PREFACE.

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**T**HE most important circumstance of the present year was, the entire liberation of the territory of France from the chains under which it had been hitherto held by the occupation of a large part of its domains by the great Powers who had taken possession of it. In November 1818, these sovereigns, having now completed the three years during which France had been considered as in a foreign possession, entered into a resolution of withdrawing their respective forces from the common territory, and leaving it entirely and absolutely free. This state of affairs was fully made known to France, by the change which in the ensuing month took place, announcing an entire alteration of the ministry, in consequence of a royal nomination.

The state of Spain appears to have undergone a process of deterioration, in which the financial system has been gradually more and more involved, so that it has at length sunk into almost total ruin. Among other projects, that of establishing ports of deposit, as a means of commercial encouragement, has been thought of; in the mean time the fluctuation of ministers has kept pace with the other plans of misgovernment.

In the kingdom of Portugal, the territory of Montevideo still remains attached to the national dominion. The king, who is at present at Rio Janeiro, whence there is no prospect of his return to Portugal, has published a royal alvara, or law

law, to enforce the articles of the late convention with the British government for the abolition of the Slave trade north of the Equator.

The opening of the session of the *Stâtes-General* which took place at Brussels on the 19th of October, gave, upon the whole, a satisfactory view of the state of that united government, as declared in a speech delivered by his Majesty.

The kingdom of Sweden, which was deprived of its sovereign on the 5th of February 1818, to whom a new dynasty succeeded under the name of Charles John, recognized both by its own people, and by the kings of Europe, was addressed on the 31st of July, at the Castle of Stockholm, by a speech in which the new king expressed himself as well pleased with the general state of affairs.

The affairs of Germany, considered in the mass, appear to have undergone but little change during the last year. The prime movers have seemed to keep back from any direct alteration; and future events are still to be looked up to for the decision of matters of importance. We have been told that a very severe ordinance has lately been issued at Milan by the Austrian government, which has directed that no book shall appear without the permission of the Censure, who must even appoint a special commission to reprint books already published in the Austrian monarchy. We are also informed that in Germany itself considerable dissensions are taking place between the students of several universities, and those who consider themselves as their directors; and that in several places the number of students has been reduced to a small proportion. What will be the final result of these quarrels, time alone must determine.

Two of the most remarkable documents will be found relating to North America, and to the English governments in the East Indies. The first gives a particular account of the war with the Seminole Indians, and of the discussions in which the American government was engaged with respect to Spain. The President, Mr. Monroe, informs the Senate and House of Representatives, of all that has occurred since the American General Jackson entered Florida in pursuit of the Seminoles; and he takes into his consideration the civil war, in which the Government of Buenos-Ayres has long been conflicting with the court of Spain; which, on its part, has never yet agreed to a pacific arrangement. Many other subjects have been touched upon in this paper, which, upon the whole, will be found to be well worthy of a perusal.

The East Indian governments, which began with a severe attack, on the part of the native powers, upon the English territories, were at length completely overmatched by a number of able commanders, who drove them from post to post, and finished with their entire subjugation. The mode by which this was effected, has afforded a series of narrative which, it is presumed, will be thought peculiarly interesting.

Her Majesty, the Queen of England, after a long and severe illness, which she underwent with great resignation, was finally removed from this world on the 17th of November, 1818.

CHAPTER 1

The first part of the book is devoted to a general introduction of the subject. It discusses the historical background and the current state of the field. The author also outlines the objectives of the book and the structure of the chapters. This section is essential for understanding the context and scope of the work.

The second part of the book deals with the theoretical foundations of the subject. It covers the basic principles and concepts that underpin the field. This section is crucial for building a solid understanding of the subject matter and for identifying the key areas of research.

The final part of the book is devoted to practical applications of the subject. It discusses the various ways in which the theoretical concepts can be applied in real-world situations. This section is particularly important for students and researchers who are interested in the practical implications of the subject.

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THE  
ANNUAL REGISTER,

For the Year 1818.

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GENERAL HISTORY.

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CHAPTER I.

*The Prince Regent's Speech, passed by Commission.—Bill proposed by the earl of Liverpool, and Lord Holland's remarks.—Address to the Prince Regent from the House of Commons.—Speeches.—Sir S. Romilly's remarks on particular Trials.—The Solicitor-General's observations.—Bill presented by Viscount Sidmouth.—Lord Holland's remarks, and Lord Sidmouth's reply.*

ON January 27, the Prince Regent's Speech was made public to both Houses by commission, the persons entrusted with the office being the Lord Chancellor, the Archbishop of Canterbury, the earl of Harrowby, the earl of Westmorland, and the duke of Montrose. The Speech was read by the Lord Chancellor, and was to the following effect :

“ My Lords and Gentlemen;

“ We are commanded by his royal highness the Prince Regent to inform you, that it is with great concern that he is obliged

to announce to you the continuance of his Majesty's lamented indisposition.

“ The Prince Regent is persuaded that you will deeply participate in the affliction with which his Royal Highness has been visited, by the calamitous and untimely death of his beloved and only child the Princess Charlotte.

“ Under this awful dispensation of Providence, it has been a soothing consolation to the Prince Regent's heart, to receive from all descriptions of his majesty's subjects the most cordial assurances both of their just sense of

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the loss which they have sustained, and of their sympathy with his parental sorrow; and, amidst his own sufferings, his Royal Highness has not been unmindful of the effect which this sad event must have on the interests and future prospects of the kingdom.

“We are commanded to acquaint you, that the Prince Regent continues to receive from foreign powers the strongest assurances of their friendly disposition towards this country, and of their desire to maintain the general tranquillity.

“His Royal Highness has the satisfaction of being able to assure you, that the confidence which he has invariably felt in the stability of the great sources of our national prosperity has not been disappointed.

“The improvement which has taken place in the course of the last year, in almost every branch of our domestic industry, and the present state of public credit, afford abundant proof that the difficulties under which the country was labouring were chiefly to be ascribed to temporary causes.

“So important a change could not fail to withdraw from the disaffected the principal means of which they had availed themselves for the purpose of fomenting a spirit of discontent, which unhappily led to acts of insurrection and treason; and his Royal Highness entertains the most confident expectation, that the state of peace and tranquillity to which the country is now restored, will be maintained against all attempts to disturb it, by the persevering vigilance of magistracy, and by

the loyalty and good sense of the people.

“Gentlemen of the House of Commons;

“The Prince Regent has directed the estimates for the current year to be laid before you.

“His Royal Highness recommends to your continued attention the state of the public income and expenditure; and he is most happy in being able to acquaint you, that since you were last assembled in parliament, the revenue has been in a state of progressive improvement in its most important branches.

“My Lords and Gentlemen;

“We are commanded by the Prince Regent to inform you, that he has concluded treaties with the courts of Spain and Portugal, on the important subject of the abolition of the slave trade.

“His Royal Highness has directed that a copy of the former treaty should be immediately laid before you; and he will order a similar communication to be made of the latter treaty, as soon as the ratification of it shall have been exchanged.

“In these negotiations it has been his Royal Highness's endeavour, as far as circumstances would permit, to give effect to the recommendations contained in the joint addresses of the two Houses of Parliament: and his Royal Highness has a full reliance on your readiness to adopt such measures as may be necessary for fulfilling the engagements into which he has entered for that purpose.

“The Prince Regent has commanded us to direct your particular attention to the deficiency which



which has so long existed in the number of places of public worship belonging to the established church, when compared with the increased and increasing population of the country.

“His Royal Highness most earnestly recommends this important subject to your early consideration, deeply impressed, as he has no doubt you are, with a just sense of the many blessings which this country, by the favour of divine Providence has enjoyed; and with the conviction, that the religious and moral habits of the people are the most sure and firm foundation of national prosperity.”

The House was then adjourned till five o'clock.

When the House of Lords was resumed, the *Earl of Liverpool* presented a bill for the better regulation of Select Vestries, and moved, that it should be read a first time.

*Lord Holland* said, that he intended to save the noble earl the trouble of introducing this bill, by himself presenting a bill of the utmost importance, for the purpose of restoring the liberties of the people, which had been outraged by the passing of a bill for the suspension of the Habeas Corpus act. His lordship was decidedly of opinion, that no time ought to be lost in bringing forward the act to which he had alluded; and he now wished to ask whether it was the intention of any lord on the opposite side to bring in a bill for the repeal of the Habeas Corpus Suspension act; and whether, in such a case, it was intended to move the suspension of the standing orders,

that such a bill might pass with more rapidity than usual?

The *Earl of Liverpool* observed, that if his lordship had waited till the discussion of the Address was over, he would have found that a noble friend of his, to whose department this business especially referred, would rise to present a bill for the repeal of the Habeas Corpus Suspension act, and also to move to take the standing orders into consideration to-morrow, that the repeal bill might pass without any delay.

After the address had passed the House of Lords without a dissentient voice, lord Sidmouth gave notice, that he meant, on the following day, to move a bill for the repeal of the Habeas Corpus Suspension act, and also for the suspension of the standing orders, which required a certain interval between the different stages of bills.

In the House of Commons, on the same day, some other public business having been first gone through, an address in correspondence to the speech of the Prince Regent was moved by Mr. Wodehouse, seconded by Mr. Wyndham Quin. It was first replied to by lord Althorp, who particularly took notice of the conduct of the Attorney General in his prosecution of Hone for the crime of libelling. The Attorney-general made a reply in his own justification, which called up Sir Samuel Romilly. As this member occupied the House for a considerable time, we shall advert to his speech somewhat at large.

*Sir Samuel Romilly*, after a general introduction, began with considering the proceedings at

Manchester, at Derby, and in Scotland. With respect to Manchester, it might be remembered that a large portion of the last report of the secret committee went to establish the opinion that a treasonable conspiracy of the most atrocious kind had existed in that town. It was stated in the reports, that some of the culprits were in custody; but these persons, for the intent that they should not be brought up for trial, were removed by certiorari to the court of King's-bench; and at the next assizes in Lancaster, Mr. Topping, who acted for the Attorney-general, stated that no evidence was to be produced against them. It was then declared, that the prosecutions were discontinued, because every thing was tranquil, and the ministers were willing to show their clemency. But if there had been any truth in the statements of the atrocious crimes which these men meditated, were they persons to whom clemency ought to be shown? Were men conspiring to burn factories, to attack barracks, and create a revolution, to be discharged without a trial and without punishment? But though the country was so tranquil at this time that it was deemed unnecessary to resort to the ordinary modes of legal trial, and the alleged offenders were discharged; yet the persons against whom there had never been supposed to be evidence sufficient to put them upon their trials, those who had been arrested under the suspension of the Habeas Corpus, were kept in prison; so that while those against whom the strongest case was made out, were dis-

charged, those against whom the case was the weakest, were kept in confinement.

With respect to the proceedings in Scotland, he would not now enter upon them, as they would be made the subject of a noble lord behind him; but he should beg the House to bear in mind how much the effect produced on the House had been occasioned by an oath which the lord advocate had read in his place. The person who had been said to have administered it had been threetimes proceeded against on three different indictments, yet at last he had been acquitted.

The hon. member next alluded to the transactions at Derby. There could be no doubt, he said, that the persons who suffered, whether guilty of treason or not, were guilty of a capital crime; but the proceedings on that trial, more than any other, pronounced a full condemnation on the suspension of the Habeas Corpus. No evidence of any proceeding prior to the 8th of June was suffered to transpire; although the Attorney-general, in his opening speech, had said that he could prove that Brandreth had meetings with the conspirators previous to that day, and it was his duty to have given evidence respecting them. From this circumstance there was a strong presumption that the whole of that insurrection was the work of the persons sent by government; not indeed for the specific purpose of fomenting disaffection, but as emissaries of sedition from clubs that had never existed. The crown lawyers, in making out their case, took care that it should not

not be ascertained how far this information was correct. The Attorney-general having promised that he would prove that Brandreth was present at several meetings anterior to the 8th of June, was called on by the counsel for the prisoners to produce that evidence on the first, second, and third trials, yet he persevered in the course he had first adopted, of leaving all the former proceedings in obscurity. The ministers had previous information of Brandreth's designs, yet they did not seize him. He was suffered to go on till he had effected all the mischief in his power; and the only use proposed to be made of the suspension, was not made of it.

The conclusion of his speech related to the prosecution of Hone. If (said Sir Samuel) the prosecutions were not vindictive, why were they undertaken? The publications themselves were stopped before the Attorney-general attempted to suppress them; but this injudicious attempt brought them again into public notice, and gave them infinitely greater currency than they would have obtained in their original state, with a great mass of concealed, forgotten, and unknown parodies attached to them. The least criminal of the parodies was the last prosecuted, and the prosecution was persevered in after a double failure, because, according to the explanation of a learned friend, the Attorney-general thought it would have manifested weakness in himself to have relinquished it. He could not forget that they were the same government who had endeavoured to

excuse their own acts in requiring prisoners to confess they had done wrong, by giving security for the peace.

The *Solicitor General* began his remarks by observing, that the statement of the proceedings which had taken place at Manchester was not fair with respect to the hon. and learned gentleman. He had confounded those persons who were brought up to be tried for misdemeanors, with those who were accused of high treason. He must know that the persons who had been arraigned, and against whom no evidence had been offered, were only those who had been called "the Blanketeers." These men, though a bill had been found against them by the grand jury, had been dismissed, as the restored tranquillity of the country made it unnecessary to punish them, it appearing that they were weak instruments in the hands of others, and had besides suffered enough for their past conduct.

With respect to the trials at Derby, he said it was with surprise he had listened to any attempt to cavil at those proceedings. From the part he had taken in those prosecutions, it was with reluctance that he alluded to them; but thus far he could assert with confidence, that no man who had attended to those trials but was convinced that a more satisfactory judicial investigation never took place. He denied that the Attorney-general had stated, in the first trial, that he was in possession of proofs of meetings having taken place at which Brandreth was present, anterior to the 8th of June. The  
Attorney-

Attorney-general had argued in his opening, that from the situation in which Brandreth was found on the 8th of June, it was evident that prior meetings must have taken place. If such meetings could have been shown to have happened at which the agents of government were present, exciting the conspirators to rebellion, why had not this been noticed by the prisoners and their learned counsel? Was it to be contended, because sufficient evidence was procured to satisfy a jury that high treason had been committed, that the prosecutor was bound to prove in evidence all that had passed among the parties before the crime was committed?

The learned gentleman next remarked upon the case of Hone's trial; but this having been first taken up by lord Althorp, and only improved upon by Sir S. Romilly, we shall say nothing further on the subject, especially as the Attorney-general appears to have come off rather lamely upon the business.

Several other gentlemen joined in the debate, but little passed beyond slight skirmishing between the members on both sides.

On January 28 *Viscount Sidmouth* presented to the House of Lords a bill for repealing an act passed in the last session of parliament to empower his Majesty to secure and detain persons suspected of conspiring against his Majesty's person and government. The title of the bill being read, his lordship moved that it be now read a first time; which was accordingly done. After which, on the noble lord's motion, the standing order relative to the

progress of public bills was suspended.

*Lord Holland* said, that though he certainly did not arise to oppose the motion, yet he could not avoid saying a few words on the circumstances which had led to it. The king's ministers had dwelt upon the difficulties they had experienced from the dangerous situation of the country; but whatever might have been the difficulties of the times, the bill now about to be repealed had been, he would assert, one of the greatest calamities the country had experienced. Believing, as he did, that the whole of their lordships' proceedings, in passing the act for suspending the Habeas Corpus, had rested upon garbled and unfair evidence, he could not be satisfied with the mere repeal of that act, but thought that an inquiry into the grounds on which it had passed ought to have been instituted. The right which had been suspended, he wished to remind their lordships, was not one which had been granted by any act of parliament whatever. The personal liberty of the people was no concession: it was a right antecedent to any statute, and equal to that of their lordships to vote in that House, or to the right of the king to sit on the throne. The invasion of this right of the people could only be justified by the clearest evidence of the most overwhelming necessity. It was their lordships duty to show that a law which deprived the people of their most important right was not to be inflicted without proof, or without some subsequent proceeding which would demonstrate to the latest posterity that they considered

considered themselves pledged to guard against such unjust encroachments in future. The evidence on such an inquiry must not be of the *ex-parte* and suspicious nature which their lordships were induced to accept of last year. Nothing would satisfy the country but a full and impartial investigation. He trusted it was unnecessary for him to urge the importance of this right on their lordships minds, but he could not help dwelling upon it. It was the most ancient of all the rights of the people of this country. It rested neither on Magna Charta, the act of Habeas Corpus, nor the Bill of Rights, though it was re-asserted in them. The act of 1672, in the reign of Charles II, by which it was legislatively enacted, did not constitute the right. The ancestor of the noble lord, the earl of Shaftesbury, then stood up honourably and manfully for this best right of the people, and contributed greatly to the measure by which it was confirmed. And at what time was that important act passed? At the moment when the Houses of Lords and Commons were in the state of the greatest alarm from the apprehension of plots and conspiracies. Even in those convulsed times no plot had been thought sufficient to warrant the legislature in depriving the subject of personal liberty.

Returning to the act of last session, his lordship again asserted that no ground for it had been laid at the time when it was passed, and that nothing had since occurred to show that there was any thing in the state of the country which called for it. But the noble earl opposite had declared, that he

was ready to prove, not only that the measure was justified by the state of the country at that time, but that it had been productive of the greatest advantages. That the country was in better circumstances now than last year he was happy to believe; but whatever improvement had taken place, certainly was not owing to the suspension of the Habeas Corpus act; for were the truth of this assertion of ministers to be admitted by their lordships, there would be no longer any security for personal liberty. If they could persuade parliament to suspend the Habeas Corpus act on *ex-parte* evidence, they would have nothing more to do than to come forward the next year, and say, "You see what advantages have been derived from following our recommendation."

After touching upon the case of Hone, and affirming that these prosecutions bore about them such marks of hypocrisy as he had never before witnessed, he returned to the suspension of the Habeas Corpus. It was, he said, an act of the most pernicious tendency to suspend the personal liberty of the subject in a time of profound peace, and formed a precedent of the most lamentable effect. Such acts left rents in the constitution which could not afterwards be closed. He trusted, however, that a strict inquiry would be made as to the manner in which this act had been executed.

*Lord Sidmouth*, in paying particular attention to the speech of the noble lord, began with his lordship's statement that there was no necessity for the act of the last session. He affirmed on his

his own part, that the report made by the committee appointed by their lordships, and on the authority of which the act was passed, afforded its complete refutation. He further said, that the noble lord had also asserted, that the evidence produced by ministers was garbled, and that information which ought to have been communicated to the committee was withheld. He could, on the contrary, assure their lordships, that every kind of information which could with propriety be laid before the committee, had been produced to them, and that nothing had been withheld which was necessary to enable them to arrive at a fair and proper conclusion on the question. In the Prince Regent's speech, only the other causes which had contributed to the returning prosperity of the country were mentioned; but it did not follow that great benefit had not been derived from the suspension of the Habeas Corpus act.

His lordship then alluded to the effects of the same measure with respect to the trials at Derby; in which case, he said, that these men, besides making a confession of their guilt, gave certain information that an insurrection of a much more formidable nature than that in which they had been engaged, was in contemplation, and would infallibly have taken place had not the Habeas Corpus bill been suspended. Thus it was proved by *incontrovertible evidence*, that the measure for which the noble lord had contended that there was no necessity, had preserved the peace and tranquillity of the country.

After various other consid-

rations upon different subjects, his lordship recurred to his own responsibility for the due execution of that act which of course rested chiefly with himself. He had only in view, he said, to prevent the threatening danger, and had not been the means of depriving individuals of their liberty any farther than the necessity of the case required. The act at present under consideration did not expire till the first of March; and there was no record on the Journals of the House that an act of that description had ever been repealed, or not suffered to run out to its utmost limit. But his majesty's ministers admitted that nothing could justify the continuance of such an act but the necessity which originated it; and when that necessity ceased, it was due to the legislature and to the people of the country to repeal it forthwith.

He should not detain their lordships any longer. It was the intention of the Prince Regent to lay before their lordships papers touching the internal state of the country. It would be for their lordships to decide how they should be disposed of. Many opportunities would arise in the course of the session of discussing the measures lately resorted to by the government, and on the propriety of those measures he was ready to state his unshaken conviction.

The bill was then read a second time, the commitment negatived, and the bill ordered to be engrossed. The engrossed bill was brought into the House almost immediately. It was then read a third time, passed, and ordered to be sent to the Commons.



## CHAPTER II.

*Bill in the House of Lords repealing an Act of the last Session of Parliament ; read for the first time.—Lord Sidmouth presents papers from the Prince Regent.—Lord Castlereagh moves the appointment of the Finance Committee in the House of Commons.—He presents papers from the Prince Regent.—Debates.*

ON January 29 the House of Lords transmitted to the House of Commons a bill repealing an act made in the last session of parliament, empowering his majesty to detain and secure such persons as are suspected of conspiring against his person and government.

On the motion of the Chancellor of the Exchequer, the bill was then read through for the first time. The sequel began to exhibit a considerable difference of opinion, especially with regard to the gentlemen of the law, several of whom doubted how they were to understand that the parties taking the recognizances had a legal right to do so. A clause was introduced by lord Folkestone, proposing that all persons bound by recognizances under the Suspension act be henceforth completely discharged from them, but that this clause should not apply to any other recognizances. Objections being made to this proposal, his lordship withdrew the clause, and the bill was on the same day read a third time, and passed.

On February 2nd, *Lord Sidmouth* said, that in compliance

with the commands of the Prince Regent he had to lay before their lordships certain papers relative to the state of the country. It was his intention to have moved that those papers should be referred to a secret committee ; but as two noble lords, the marquis of Lansdowne and lord Holland, who wished to be present, were prevented by a melancholy occurrence (the death of the earl of Upper Ossory), he would move on the following day for the appointment of a committee.

Accordingly, on February 3rd, the noble lord moved that the papers which he had yesterday laid on the table, should be referred to a secret committee to be chosen by ballot.

After some discussion on the subject, the motion was agreed to.

On the same day, Feb. 3rd, *Lord Castlereagh* moved the appointment of the Finance Committee in the House of Commons. The last committee, he said, had drawn up six extensive and laborious reports respecting the official establishments, the reductions and modifications of which might be advantageous to the public

public service. It had also made inquiries on the great subject of the general revenue and expenditure of the country, and how far they were likely to square and meet. Other objects still remained for the consideration of the committee, and he should therefore move that it be revived. He should not think it necessary to give a detail of the measures which the king's ministers had adopted in consequence of that report, but it would be their duty, immediately on the reappointment of that committee, to give a full account of what they had done, on its recommendation. When he had first proposed the formation of this committee, he had observed, that a committee to inquire into so large a subject as the income and expenditure of the country after so long a war, would probably go on to a second or perhaps a third year before it would conclude its inquiries. His honourable friend, the member for Bramber (Mr. Wilberforce), had taken up this admission, and concluded, that because the inquiries were to be so long continued, nothing was to be done in the mean time. It would be seen that this inference was erroneous, and that the country had received substantial relief in point of sound economy.

He should now move to re-appoint the committee of last year, and should propose the same names, as well on account of their respectability, as on account of the great addition to their experience. His motion was to the following purpose: "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 1818; and also to consider and state the probable income and expenditure, so far as the same can now be estimated, for the years ending the 5th of January 1819, and the 5th of January 1820 respectively, and to report the same, together with their observations thereupon, to the House; and also to consider what farther measures may be adopted for the relief of the country from any part of the said expenditure, without detriment to the public interests."

The motion was agreed to, and 22 members were appointed from the number.

Lord Castlereagh on the same day presented, by command of the Prince Regent, a green bag, containing information respecting the internal state of the country, to be kept in the custody of the clerk of the House.

On the 5th of February, *Lord Castlereagh* rose to move, that the secret papers respecting the internal state of the country which he had brought down from the Prince Regent, be referred to a committee. Whatever views gentlemen might have as to the late transactions, they would come to the discussion much better able to enter into it, when the substance of the information contained in the papers was presented to them by a committee. It had been supposed that the committee had been appointed, not to convey to the House an account of the state of the country, but to lay the foundation of some particular measure. This was not the case. He would frankly state that

that he thought a bill of indemnity necessary; but not as growing out of the report of the secret committee. He was ready to put the necessity of an indemnity act to the House as being naturally and necessarily connected with the former law. Much of the information on which the government had acted was necessarily such as could not be disclosed consistently with the safety of individuals, and with good faith towards them. He should distinctly avow, that a bill of indemnity was necessary after such powers had been entrusted to a government; and this claim might be strengthened by, though not founded on, the report of a committee. The committee would also show what the state of the country was; for though the prosperity of our commerce, and the vigilancy of the magistracy, had put an end to the great mass of danger, it would be a false view to suppose that the danger was at an end.

The noble lord then moved, "That the secret papers presented to the House by command of the Prince Regent on the 3rd instant, be referred to a committee."

*Mr. Tierney*, after passing some jocular strictures on lord Castlereagh and his bag, said, that the truth of the matter is this: the ministers know, that by their proceedings in the last year, they have, during the last months, been making out a *prima facie* case against themselves in the mind of every man in the country; and now they want to have a case made out for them, and that, under the sanction of a

committee of secrecy. The noble lord, with the candour of which he gives such frequent examples, says, he should have no objection to a bill of indemnity. No one will doubt, without this candour, that he wishes for a bill of indemnity if he can get it; and to this end he proposes a committee, chosen by ballot, to sit on the papers in this bag. Why, this was one of the coarsest juggles which had ever been played off upon mankind. How had the secretary of state acted? He had not taken up a few persons, who, by their influence, or by the ramifications of extensive connections might be dangerous, but he had gone, as it were, with a drag net through particular counties, taking up whole classes of men. He believed the secretary had acted hastily, and in a manner which he would not have done, if it had not been a cabinet system to take measures of vigour. Alarm had been the daily bread of the administration, and nothing was to be done but to keep alive the idea that danger was imminent, and that insurrections hung over our heads, but for measures which had been extorted from the parliament. They had now better information than they had last session. They had not to proceed upon hints in the dark, or on the impression which might be produced on any respectable gentleman in the committee, but on the result of long judicial proceedings.

After some observations on particular trials, in one of the most noted of which, he said, there was not a tittle of evidence that any danger existed which could

could not have been met by the ordinary operation of law, he turned again to the noble lord, and asked, whether he could suppose that such a proceeding could be satisfactory either with a view to the vindication of the conduct of ministers, or the maintenance of the character of that House? Yet, if not to vindicate the conduct of ministers, for what purpose was the proposed committee to be appointed? The noble lord's committee would probably recommend an act of indemnity. This committee would first praise the ministers for their wisdom and humanity, and next propose an act to shelter them from any legal responsibility—thus asserting at once that ministers were right, and that they ought to be sheltered from the consequences of being wrong. They had, in fact, filed a bill of indictment against themselves, probably with a view to prevent others from doing the same against them; and then they came forward, in a tone of defiance, exclaiming, "This is our green bag—who dare touch our green bag?" But notwithstanding this tone, they appeared resolved that their green bag should not be touched by any but particular friends.

*Mr. Bathurst* observed, that the right hon. gentleman appeared to think the course proposed on this occasion, quite a new mode of proceeding; forgetting, perhaps, that it was precisely the same as that adopted in 1801, with the support of the right hon. gentleman himself, and in opposition to arguments similar to those which he had just advanced. The manner was then quite agree-

able to precedent. Parliament in that case felt as it must always feel; that government acting for the public safety should not be compelled to give up the sources of that secret information which had urged them temporarily to deprive individuals of their liberty. If, indeed, parliament declined thus to shield government, what government or ministers would be found to execute the powers granted by the suspension of the Habeas Corpus act? *Mr. Bathurst* then followed the right hon. gentleman through several of his other positions. One of these referred to *Oliver*, of whom *Mr. B.* asserted that he had become acquainted with the conspiracy by accident, when he communicated his information to government, by whom he was employed to continue his connexion with the persons through whom he obtained his information. But he afterwards observed, in explanation, that what he had stated was, that *Oliver* went down in company with one of the principal conspirators, and by this means became acquainted with the designs that were in agitation among them. Certainly this statement appears somewhat at variance with *Oliver's* declaration "that he had become acquainted with the conspiracy by accident."

*Sir S. Romilly* perfectly concurred in opinion with the noble lord, that an inquiry was necessary, but totally differed from him with regard to the nature of it. The present was, he maintained, quite a new course of proceeding; for there was no instance upon record of the reference

rence of papers to a committee but with a view to some legislative measure. The noble lord, however, had stated, that no such measure was in contemplation. What then was the object of this committee? On the first day of the session, immediately after the lords commissioners, representing the crown, had stated that tranquillity was restored, and that nothing more was wanting to maintain it than the vigilance of the magistrates, it was declared by the ministers, that they meant to remove the suspension of the Habeas Corpus act. No danger, therefore, could be apprehended by the ministers. And what then was the purpose of this committee? Why, solely to procure a report in defence of ministers, with the recommendation of an act of indemnity, which it was felt must necessarily be preceded by at least the appearance of inquiry into the present state of public opinion. It now appeared that ministers sought the shield of an act of indemnity; and when the administration of the trust was considered, the House was informed that a bill of that nature always followed a suspension of the constitution. He hoped the House would see the necessity of an ample investigation, and not suffer themselves to be deluded. The House, he trusted, would recollect, that though, according to the admission of the government, tranquillity was restored in September last, and though, acting upon the confidence of that tranquillity, they had restored persons to their liberty who had been six months in confinement, still they neglected to call par-

liament together, and it was not until January that they thought proper to adopt that measure.

The transactions of last session were of such importance as called loudly for inquiry. He could not believe that the House would discharge its duty, or satisfy the expectations of the country, if it did not, by the fullest disclosure of all these transactions, make some atonement for the dangerous precedent which they had been induced in the last session to establish. Even the mass of individual suffering that was experienced under this act was far outweighed by the incalculable disadvantages entailed upon the general system of our government. What would have been the case if ministers had a precedent in the subject he was considering. The parliament might look forward to some future minister, anxious to increase the power of the crown, long after the grave had closed upon the present generation. They might suppose some future sovereign of the House of Brunswick, but feeling in his breast the principles of a Stuart, willing to avail himself of such a minister, and preferring rather to imitate the despots of Europe, than to reign in the hearts of a free people. It had been truly said by an honourable baronet on a former occasion, that the Habeas Corpus act might as well have no existence, as be liable to such interruptions. For when was the act of any use? Was it not in times when his majesty's government was complained of; in times of disaffection to ministers, which they were always willing to re-  
present

present as disaffection to their master. Yet in such times, that act, which gave them, he might say, a privilege above all other nations, might in future be taken away by the precedent established in the reign of George 3rd, or rather in the regency of the Prince by whom he was represented. The only excuse by which the appointment of committees by ballot could be defended was, the existence of such danger as rendered secrecy imperative. Could such a ground be now advanced; or was there, in

fact, any other reason for resorting to it, than the necessity which was felt of obtaining a bill of indemnity?

Several Speakers on both sides appeared in succession. The question was at length put and agreed to; as were the questions, that it should be a committee of secrecy, and should consist of 21 members.

On the question "That the committee be chosen by way of balloting," the House divided; Ayes 102, Noes 29.

## CHAPTER III.

*Mr. Grenfell's questions to the Chancellor of the Exchequer.—The same topic in the House of Lords.—Treaty between England and Spain relative to the Slave trade.—Its discussion in the House of Commons.*

ON the 29th of January, *Mr. Grenfell* rose for the purpose of obtaining from the Chancellor of the Exchequer, some information respecting two important questions intimately connected with the financial and commercial interests of the country, which ought to be given without delay. These, in the first place, alluded to the resumption of cash payments by the Bank of England, which, as at present fixed by law, would take place on the 5th of July next. After the promises so often renewed by the government and the Bank, it was natural to suppose that no uncertainty would prevail in any quarter as to the probability when the period of cash payment would actually arrive; yet considerable doubt did exist in the public mind upon this subject, especially among the class described as the money interest. It was desirable that this doubt should not continue a moment after his majesty's ministers had it in their power to remove it. No one who had a practical knowledge of what was passing in the city, could be ignorant of the very large transactions of a speculating nature which depended on this contin-

gency; and it was obvious that those who had the means of becoming acquainted with the intention of the ministers, must possess a material advantage over those who were not in the secret. For these different reasons, he hoped it would not be considered as making an extraordinary request in behalf of the public, if he desired to know whether any event had occurred, or was expected to occur, which in its consequences would prevent the resumption of cash payments on the 5th of July next.

There was another question upon which he was desirous that some information should be afforded, as it equally related to the subject of the connexion between the government and the Bank. The public stood in the situation of debtor to the Bank, one sum of three millions advanced without interest, the other of six millions at an interest of 4 per cent, which would soon become payable. Until those loans should be repaid, the Bank had secured to themselves the undisturbed possession of a balance upon the public money deposited in their hands, which, for the last twelve years, had never fallen short, upon an average,

age, of eleven millions, or two millions more than the sum which they claimed due from the public. He was convinced that it would be highly advantageous to the public interests that the government should be unfettered by these obligations; and what he wished on this occasion was, to know, whether any arrangement was in progress, or had been concluded, either for discharging the loans in question, or placing them on a better footing; and if any, what arrangement?

The *Chancellor of the Exchequer* expressed his wish to give a distinct answer to the important question which the hon. gentleman had thought proper to put; namely, whether it was the intention of his majesty's ministers to propose any farther restriction upon cash payments by the Bank. He was enabled to say, that the Bank had made ample preparation for resuming its payments in cash at the time fixed by parliament, and that he knew of nothing in the internal state of the country, or of its political relations with foreign powers, which would render it expedient to continue the restriction; but that there was reason to believe that pecuniary arrangements with foreign powers were going on of such a nature and extent, as might probably make it necessary for parliament to continue the restriction, so long as the immediate effects of those arrangements were in operation. As to the loan of six millions from the bank at 4 per cent interest, he should, ere long, have to submit a proposition to the House for the payment of that debt; but with

respect to the three millions without interest, which, for obvious reasons, was rather to be regarded as a gift than a loan, he rather thought that neither the House nor the hon. gentleman himself, would be reconciled to any proposition for depriving the public of such an important accommodation.

In the House of Lords the topic of the Bank restriction was opened on February 3rd. The *Earl of Lauderdale* said, he would trouble their lordships with some motions connected with a question of the greatest moment. The time was fast approaching when the subject of the resumption of cash-payments by the Bank must come before their lordships. He trusted that parliament would not consent to continue the restrictions without a full inquiry into the circumstances of this question, upon which, more than any other, the welfare of the country depended. He concluded by moving for accounts of the weekly amount of Bank-notes in circulation in the years 1815, 16, and 17; the average amount, the highest and lowest amount in each year, distinguishing the notes of different sums, the rates of exchange, the number of licences granted for the issue of notes, &c; all which were ordered.

*Lord King* felt himself called upon to advert to the subject of the Bank, in consequence of its being asserted, from official authority in another place, that doubts existed whether payments in cash could be resumed at the Bank at the period appointed for that purpose. The reason assigned



signed for this delay, was that the negotiation of foreign loans might tend to prevent the resumption of cash payments by the Bank of England, which must be considered only as the ostensible reason, and not the real one. What would be said of the minister of France if he were to tell the legislative body of that country, that he could not pay in cash, because there was a loan negotiating for England, or any other country. Would not such an assertion be laughed at as a mere subterfuge; and was it not to be expected that such an assertion here would be considered in the same light. If, indeed, the negotiation of loans here for foreign countries was to be a cause of preventing the Bank of England from paying in cash, then he could conceive no time in which that return to a healthy circulation could take place.

The *Earl of Liverpool* said, that with regard to the particular measure to which the noble lord's inquiry was directed, he had uniformly held, and still did hold, that it was the interest of this country and of the Bank that cash-payments should be resumed as soon as possible. He must also remark, that he was equally convinced that the particular moment when the Bank ought to resume the regular course of payment, was a consideration of the greatest delicacy and importance. Having said thus much, he should only add, that he had ground for believing, and indeed knowing, that the Bank had made every necessary preparation for answering the demands which

might arise by the expiration of the restriction bill. His lordship then went into the same explanation which had been given by the chancellor of the exchequer in the other House.

The *Earl of Lauderdale* affirmed that he should consider himself as wanting in duty, were he to allow what had fallen from the noble secretary of state to pass unnoticed. He had stated that the particular period for the resumption of cash-payments was a question of expediency, which required great consideration. Now, only two years ago, he had treated with great derision all those who ventured to doubt that the Bank would pay in cash within two years from that time. The noble secretary had declared, that notwithstanding the intended delay, there was nothing in the situation of the country to prevent the Restriction act from being allowed to expire, and that the Bank was perfectly prepared to pay its notes in cash at the time fixed by the act of parliament. He knew not on what information this opinion had been founded; but though the Bank had made ample preparation, the noble secretary hinted that there still might be something in the relations subsisting among foreign powers which ought to retard the resumption of cash-payments. What that something was, he had not chosen to explain; but this much appeared—that this most important of all measures no longer depended upon the decision of the British parliament, but on what might be done by the government of France or of any other foreign country. In

fact, the cause of delay assigned by the noble earl was of so extraordinary a nature, that it called for the most serious consideration their lordships could give it. The proper course would be to examine the Bank directors; and indeed he thought that nothing short of an inquiry of that kind could satisfy parliament and the country.

A copy of the treaty between England and Spain being presented by command of the Prince Regent to both Houses of parliament on the 28th of January, the same was laid before the House of Commons on February 9th, with the title of a treaty for preventing their respective subjects from engaging in any illicit traffic in slaves. *Lord Castle-reagh*, who laid it before the House, called to their recollection their own recommendation to the throne at the end of the last session, in strict conformity to which these treaties were framed. In looking at this subject as it now presented itself, he thought he could do nothing better than lay before the House the state of the abolition at the close of the last session, and then show what had been done since that period. There were two distinct questions involved in this subject: first, what was the actual state of the abolition as a great international law: secondly, what was its state with a view to giving effect to the whole principle on which it was founded.

He would first show the state of the law on this subject. Great improvements were made in the law from year to year; but in none was the improvement greater

than in the last year. In that, all the crowned heads of Europe, except Portugal, so far as the south of the line was concerned, had either abolished the slave trade, or had entered into stipulations for its abolition at some future period. The House would agree with him, that our own abolition of the trade, and all our enactments against it, were as nothing, unless we exerted all our power and influence to put an end to the trade among other nations. There was, however, no other power whose continuance or discontinuance of the trade was of more importance than that with whom the present treaty had been formed. Spain, infinitely the most important of all the European powers in this view, both for local authority, and extent of colonies, was stipulating for the final abolition of the trade. While she carried on and protected this traffic both on the northern and southern coasts of Africa, all that the other powers of Europe could do for the abolition was nugatory. There was now no slave trade to the north of the line; and it could be only carried on by possibility to the south of the line from May 1820. After that period there could be no slave trade to the north of the line, or to the West-Indies. Till this treaty was effected, the legal and illicit trade were so mixed up that the one gave ample protection to the other; but there was now a broad line of demarcation.

There was a wide practical distinction between the abolition by treaty, or by the act of any particular state, and the giving effect

effect to the principle of abolition. The congress of Vienna was entitled to the gratitude of mankind on this subject; for there all the great powers of Europe made a declaration which stamped the slave trade as disgraceful, and made every state anxious to get out of it as soon as circumstances could conveniently admit of its doing so. But though much had been done at this congress, yet still it was painful to state, that from the encouragement which such a traffic held out to the sordid passions of desperate men, neither international conventions, nor municipal law, could have extirpated the evil, so long as a contraband traffic might be carried on under the cover of the flag of any of the nations of Europe. In this state of the trade more disgraceful and painful circumstances occurred than before. The illicit traffic arose out of the partial abolition, and out of the facilities that the cessation of belligerent rights, in consequence of the peace, created. It was infinitely more practicable in peace than during war. In the time of war this country had extensive possessions in several parts of the world. No man would say that we ought to retain these in our hands for the purpose of excluding slave traders. We had now, however, by the conclusion of the present treaty, arrived at the last stage of our difficulties and exertions. One great portion of the world was rescued from the horrors of this traffic. For the first time, he believed, in diplomatic history, the states of Europe bound themselves by a

mutual stipulation to exercise the right of search over their merchantmen, with a view of giving complete effect to the same laudable object. The power with whom the present treaty was contracted, afforded by its flag more protection to illicit traders than any other nation: this resource was now taken from that baneful evil. It was due to Portugal, and to the exertions of its representative in this country, to state that after a long negotiation that power was the first to concede the right of search, under certain arrangements and regulations to other nations. A sum of money had been paid to that power by virtue of a treaty similar in principle to the present. The Portuguese government had been, at that time, called upon to determine at what period it would be prepared to adopt measures for the final suppression of the slave trade; and a treaty had been at length signed, by which such a period had been fixed, though the ratifications had not yet been exchanged.

The prudential inference from this admission of a reciprocal right was, that it must be for the interest of both parties to place the exercise of it under such regulations as should provide against vexatious disputes, and be so plain and intelligible that it must be difficult for questionable points to arise in the ordinary course of executing the laws on this subject. By the present treaty of regulation, no detention under the stipulated right of search was to take place, except in the case of slaves being found actually on board. It was necessary

sary that all nations should have an equal right of discovering the illicit practices carried on by the subjects of each other; and he could assure the House that it would be a great error to believe that the reproach of carrying on the slave trade illegally belonged only to other countries. In numberless instances, he was sorry to say, it had come to his knowledge, that British subjects were indirectly and largely engaged in the traffic.

In return for the advantages and concessions at length obtained, the House must of course have expected that some claim of compensation would be advanced by Spain. It would appear that the compensation which by one of these treaties Spain was to receive, amounted to 400,000*l.* So far was this from being the only motive on her part for acceding to the treaty, that the Spanish merchants at the Havana had offered five times the amount for the privilege of still continuing it. On one occasion, which the House must well remember, when his majesty's ministers were pressed to disclose the state and course of the pending negotiations with Spain, he had stated that an offer had been made on the part of the British to the Spanish government, of the sum of 850,000*l.*, together with a loan of 10,000,000*l.* of dollars, in consideration of an immediate abolition; and that this offer had been refused. Not a voice was then raised in parliament to disapprove of this offer as excessive or impolitic. It was undoubtedly true that his majesty's ministers felt not a

little embarrassed in their recent negotiations with the Spanish government by the magnitude of the offer which the British government had formerly made to Spain; but these ministers had been obliged to represent to the court of Spain, that since the offer above mentioned, England had fought in the cause of the world, and that having achieved its safety, it had been rendered unable, by its efforts, to expend the sum originally proposed, and therefore that Spain must confine her claims within narrower limits. In the course of the protracted negotiation that ensued, the reduction had been made which the treaty exhibited; and if the whole of the discussion was before the House, it would appear that ministers had obtained the best terms they could.

The noble lord concluded with moving, "That provision be made for carrying into execution the treaty between his Britanic Majesty and his Catholic Majesty, signed at Madrid the 23rd day of September 1817." And if the House should be of opinion that his motion was such as ought to be entertained, he should move for a bill or bills to be brought in pursuant to that motion; and on the House going into the committee of supply, he should move a resolution for a sum of 400,000*l.* in consequence of the provisions of those bills.

*Sir Gilbert Heathcote* could not help regretting that a vote for so considerable a sum of money should be proposed by the noble lord at such a period. He was of opinion that the 400,000*l.* might be much more advantageously

advantageously disposed of in this country. It would furnish the means of giving to 8,000 individuals the sum of 50*l.* each. He regarded it as false humanity to be thus seeking for foreign channels for the disposal of our money, however benevolent our intention.

*Mr. Wilberforce* confessed his surprise at the observations of the hon. baronet; and was persuaded that the House would think that the sum of 400,000*l.* could not be better expended than in the way proposed. As to the proposal for granting 50*l.* each to 8,000 individuals in this country, the hon. baronet forgot that if the sum were not voted for the purpose under discussion, it would not be voted at all. One thing was perfectly clear, that the treaty, and with it all hope of the extinction of the slave trade, must be wholly rejected, or that it must be accepted with the pecuniary stipulation under consideration. As one most seriously interested in the abolition of the slave trade, he thought the noble lord entitled to his warmest gratitude for the efforts he had made during a long course of diplomatic attention to the subject, and for the successful issue to which he had finally brought them.

*Sir James Mackintosh* said, that he approved the present treaty in the highest degree, because it gave the right of mutual search, the only possible security for the execution of laws of abolition, and because parliament had already pledged itself to approve and support such measures by those successive addresses in which they had intreated the

Prince Regent to employ all the influence and resources of this country to procure universal abolition.

*Mr. Bennet* spoke warmly upon the conduct of France on the subject of the slave trade. He begged the House to recollect, that in about a month after the battle by which the Bourbons were placed on the throne, it was signified by the French minister to our own, that as far as France was concerned, the traffic had ceased every where, and for ever. It being discovered in this country, that it was still carried on by France with great vigour, another application was made by Sir Charles Stewart, requiring to know what steps had been taken to carry the abolition into effect. The answer was, that some colonial regulation had taken place; but it had subsequently come out in court, that no such order or regulation had ever been issued. An active trade in slaves was well known to have been carried on, to a very recent period, by French subjects. Since the delivery of Senegal to France, the trade had revived in that part of Africa, and had given rise to all those evils with which it was formerly attended. He would ask the noble lord if we were still to allow ourselves to be deluded by the French government. Was a treaty to be no security? Was there always to be some stroke of policy played off? Was there always to be some trick and subterfuge to avoid carrying the stipulations of a treaty into execution? He knew the faithlessness of the race we had put on the throne. He knew at the same time

time that the person to whom they succeeded was still more faithless, and he was glad to see him where he was. Under all these circumstances, he thought some explanation was due from the noble lord as to what he trusted to, and he hoped that he would be able to give them some satisfactory answer on the subject.

*Lord Castlereagh* could not help thinking that the language of the hon. gentleman, if a sincere well-wisher to the cause of the abolition, was not calculated to promote that object; for if any thing was more likely than another to discourage the French government from making exertions in the cause of the abolition, it was precisely such language as he had held. This he (the noble lord) could say; that no engagement could have recorded in more explicit and comprehensive terms the abolition of the slave trade on the part of France. To his certain knowledge, the French government had immediately acted on the treaty, and sent dispatches to the different ports for the purpose of securing its execution. He could state also, that he knew the governor of the island of Bourbon had actually been displaced by the French government for allowing the crime of slave-dealing in that colony. And he could also say, that whenever any information had been received by him respecting any traffic in slaves on the part of French subjects, he had transmitted it regularly to the French government, and that they had never received it otherwise than with every appearance of the most anxious desire to act upon it.

After some other members had spoken on the subject, the committee divided: Ayes 56; Noes 4.

On the 11th of February, the House having resolved itself into a Committee of Supply, *Lord Castlereagh* said, that after the full discussion which this subject had undergone, he felt it quite unnecessary to make any further observations, now that he moved, in the terms of the treaty, that a sum not exceeding 400,000*l.* be granted to his majesty, for the purpose of carrying into execution the treaty with the Spanish government for the abolition of the slave trade.

*Mr. Lyttelton* said, that it was with regret he rose to offer any observations calculated to disturb the unanimity which the object of the treaty so justly obtained; but he took the opportunity, from instructions that he had received, to ask the noble lord a few questions materially connected with our commercial intercourse with Spain. And he must say, from what he was taught to believe, that this country was, as to those relations, in a state rather remote from a cordial amity with that power. The British merchants were not merely treated with severity, but with a caprice the most destructive to the continuance of a commercial intercourse. In the export of cotton goods we were met by a total prohibition. Woollens and linens, which were staples of this country, were also prohibited. The duties on iron were 110 per cent upon their actual value. If he was rightly instructed, we were not only treated with rigour, but that rigour was exercised without

without due notice. Formerly six months notice had been given of any prohibitions; now, these were suddenly made, so that it was impossible to give notice to the merchant in London so as to prevent shipments and very serious losses. That orders upon matters of commercial regulation should be explicit and clear was essential to the very existence of commerce. Let taxation be carried to any extent, but let timely notice be given of such taxation! He hoped the noble lord would feel it his duty to effect, if possible, a treaty to remove the excessive impositions on our trade, or at least to ensure due notice to our merchants. He particularly wished to know what remonstrances had been made by our government, and what answer had been returned.

*Lord Castlereagh*, in reply to the question of the hon. gentleman, said that he lamented as much as any one, that the commercial principles which regulated the conduct of the Spanish government were of a nature which had now been quite exploded in the politics of this country, and which he hoped would not long maintain their ground in any European cabinet. At the same time we ought to show some indulgence towards that government even on this score, considering that we ourselves, not long since, had acted upon the very same mistaken principles in many of our commercial regulations. For the purpose of effecting a general improvement in our relations with Spain, two proposals had been

made by the British cabinet; but he was sorry to say that nothing decisive had been done with respect to them, nor could he state that any measures were in progress relative to this point. With respect to the particular branches of trade mentioned by the hon. gentleman, no man could regret more than he did, that Spain had placed such restrictions on the cotton trade; but this restriction was not a recent one. In the treaty of 1792 the admission of cottons to the Spanish market was entirely prohibited; and if since that time it had been at all permitted, it was only by an act of special indulgence, suspending the operation of that treaty. After all, Spain was not the only country that acted on the system of commercial restriction and prohibition: we ourselves were a good deal embarrassed by the restrictions of our own regulations in that matter. With respect to the system of the Spanish government, it had produced such effects in so many cases, that the strongest remonstrances had been found necessary. These in many cases had been effectual; in other instances the evil had been diminished, though not entirely remedied; and in several instances they had been hitherto quite unsuccessful. It was to be hoped, however, that as those mistaken notions of commercial regulations were gradually abandoned by other nations, the time was near at hand when they would cease to be prevalent in Spain.

Some other gentlemen joined in the debate, but at length the resolution was agreed to.



## CHAPTER IV.

*Proceedings in the House of Lords respecting the Indemnity Bill.—  
The same in the House of Commons.*

ON the 23rd of February the duke of Montrose presented to the House of Lords a report of the Secret Committee of the Lords appointed to examine into the matter of the several papers, sealed up, presented to the House by command of the Prince Regent.

The Committee were ordered to report that they had proceeded to examine the papers so referred to them.

“In execution of this duty they proceeded, in the first place, to consider such of the said papers as contained information as to the state of those parts of England in which the circumstances detailed in the two reports of the former committees appear to have arisen.

In the last of those reports, presented to the House on the 12th of June last, it was represented that the period of a general rising, of which the intention and object were stated in the reports, appeared to have been fixed for as early a day as possible after the discussion of an expected motion for reform in parliament; that Nottingham appeared to have been intended as the head quarters, upon which a part of the insurgents were to march in the first instance; and that they expected to be joined

there, and on their march towards London, by other bodies with such arms as they might have already provided, or might procure by force from private houses, or from the different depôts or barracks, of which the attack was proposed. That concurrent information, from many quarters, confirmed the expectation of a general rising about the time above-mentioned, but that it was subsequently postponed to the 9th or 10th of June, for which various reasons had been assigned. The report added, that the latest intelligence from those quarters had made it highly probable that the same causes which had to that time thwarted the execution of those desperate designs, viz. the vigilance of the government, the great activity and intelligence of the magistrates, the ready assistance afforded under their orders by the regular troops and yeomanry, the prompt and efficient arrangements of the officers intrusted with that service, the knowledge which had from time to time been obtained of the plans of the disaffected, and the consequent arrest and confinement of the leading agitators, would occasion a still farther postponement of their atrocious plans.

It now appears that in the night



night of the 9th of June last, a rising took place in Derbyshire, headed by a person who went for that purpose from Nottingham, and was therefore called "The Nottingham Captain." The insurgents were not formidable for their numbers, but they were actuated by an atrocious spirit. Several of them had fire arms; others had pikes previously prepared for that purpose: and as they advanced towards Nottingham they plundered several houses of arms, and in one instance a murder was committed. They compelled some persons to join them, and endeavoured to compel others by threats and violence, and particularly by the terror of the murder which had been committed; and they proposed to reach Nottingham early in the morning of the 10th of June, and to surprise the military in their barracks: hoping thus to become masters of the town, and to be joined by considerable numbers there, and by a party which they expected would be assembled in Nottingham Forest, and which actually did assemble at that place, as after stated. The disposition to plunder, the resistance they met with, and other circumstances, so delayed their march, that they had not arrived near their place of destination at a late hour in the morning: and the country being alarmed, a military force was assembled to oppose them.

The language used by many persons engaged in this enterprise, and particularly by their leaders, leaves no room to doubt that their objects were the overthrow of the established government and

laws; extravagant as those objects were, when compared with the inadequate means which they possessed. In the course of their march, many of their body felt alarmed at the atrocious projects in which they had engaged, which had actually led to a cruel and deliberate murder; they found that their confederates had not arrived to their support, as they had been led to expect; and in the villages through which they passed, a strong indisposition being manifested towards their cause and projects, some of them threw away their pikes and retired, before the military force appeared; and on the first show of that force the rest dispersed, their leaders attempting in vain to rally them; many were taken prisoners, and many guns and pikes were seized.

This insurrection, of small importance in itself, is a subject of material consideration, as it was manifestly in consequence of measures detailed in the two reports above-mentioned, and appears to have been a part of the general rising proposed to take effect on the 9th or 10th of June, as stated in the last of those reports.

At the assizes at Derby, in the month of July following, the grand jury found bills of indictment for high treason against forty-six of the persons charged with having been engaged in this insurrection; and several of those persons having been taken were arraigned upon the indictment before a special commission issued for that purpose, which sat at Derby in the month of October following. Four of the principal offenders

offenders were separately tried and convicted; three of them were executed; and the capital punishment of the fourth was remitted, on condition of transportation. The conviction of these four induced nineteen of the other persons indicted, whose conduct had been deemed in the next degree most criminal, to withdraw their pleas of not guilty, and to plead guilty to the indictment, in hopes of thus avoiding a capital punishment; and the sentence of death on these persons was afterwards remitted, on different conditions. Against all the other persons indicted, who were in custody, the law officers of the crown declined producing any evidence, and they were accordingly acquitted. The rest of the persons included in the indictment, had fled from justice, and have not yet been taken.

The fact of this actual insurrection first proved to the satisfaction of a most respectable grand jury of the county of Derby, who found the bill of indictment, and afterwards proved in open court, to the satisfaction of the several juries, sworn on the four several trials of the persons convicted; proved also, by the acknowledgment of the same guilt by those who withdrew their pleas of not guilty, and pleaded guilty to the same indictment, and thus submitted themselves to the mercy of the Crown; appear to the committee to have established beyond the possibility of a doubt, the credit due to the information mentioned in the last report, respecting the plans of more extended insurrection, which had previously been concerted, and

respecting the postponement of these plans to the 9th or 10th of June.

But this insurrection in Derbyshire was not the only circumstance occurring since the period described in the last of the two reports before-mentioned, which demonstrates the correctness of the information on which the committee who made that report proceeded, in representing such a general rising to have been intended, and to have been postponed; and that Nottingham was the head quarters upon which a part of the insurgents were to march in the first instance; and that they were expected to be joined there by insurgents from different quarters.

Early in the same night on which the Derbyshire insurgents began their operations, the town of Nottingham was in a state of considerable agitation. It appears from the evidence given upon the trials at Derby, that during the march of the Derbyshire insurgents towards Nottingham, one of their leaders, afterwards convicted of high treason, was sent forwards on horseback, to obtain intelligence. On his return to the main body of the Derbyshire insurgents, it was pretended that the state of Nottingham was favourable to their designs; the actual state of Nottingham and its neighbourhood, appears from the evidence given on the trials at Derby. In the night of the 9th of June, some persons, stated to be in number about one hundred, had assembled on the race course, in Nottingham Forest, where the Derbyshire insurgents, according to their

their original plan, were to have arrived at an early hour on the morning of the 10th, and expected to be joined by such a party. This party was seen about twelve at night; they were drawn up in line, two deep, and a part of them were armed with pikes or poles. They remained assembled on the race ground until past two o'clock in the morning, about which time they dispersed. Some appearances of disturbance in the town of Nottingham early in the night of the 9th, induced the magistrates to send for a military force from the barracks; and order being quickly restored, the military returned to their barracks, and were not again called out, until the morning of the 10th, when they were required to assist in dispersing the Derbyshire insurgents, who were then on their march.

Connected with these disturbances in Derbyshire and Nottinghamshire, a disposition to similar conduct was manifested in a part of the West Riding of Yorkshire. On the 6th of June a meeting of delegates was assembled at a place called Thornhill Lees, near Huddersfield; and at this meeting it was understood, that the time to be fixed for a general rising would be announced. The persons assembled at that meeting were surprised by the magistrates, assisted by a military force, and some were taken into custody. This arrest deranged the plans of the disaffected; and the greater part of the districts in that part of Yorkshire, in which a general rising had been proposed, remained quiet. But in the neighbourhood of Hudders-

field, in the night of the 8th of June, a considerable body assembled, some with fire arms, and others with scythes fixed on poles, and proceeded to various outrages, plundering houses for arms, and firing on the head constable of Huddersfield, and upon a person of the Yeomanry cavalry, who went out of the town to learn their objects. Indictments were preferred both for the felonies and the burglaries at the assizes at York in the month of July. The facts of the outrages there committed appears to have been established by the finding of the bills by the grand jury; but sufficient evidence was not produced on the trial to bring the crimes home to any individuals.

From the evidence given at the trials at Derby, it appeared that the Derbyshire insurgents had expected a considerable reinforcement from this part of Yorkshire, believing that a general rising would take place at the time to be fixed for that purpose; and it appears likewise, that in Yorkshire, as well as in all the other districts where these designs were carrying on, great reliance has uniformly been placed upon the hope of powerful support and cooperation from London, however erroneous such an expectation may have been, with respect to the extent to which it was supposed to have existed.

The committee have the satisfaction of delivering it as their decided opinion, that not only in the country in general, but in those districts where the designs of the disaffected were most actively and unremittingly pursued, the great body of the people have remained

remained untainted, even during the periods of the greatest internal difficulty and distress.

The arrests and trials which have taken place, and the development of the designs of the leaders of the disaffected, together with the continued activity and vigilance of the magistrates and of the government, must have had the salutary effect of checking the progress of disaffection, where it existed; and the improved state of the country, and the increased employment now afforded to the labouring classes, have contributed to render those who were most open to seduction, less disposed to embrace the desperate measures which the pressure of distress might have led them to hazard.

Some of the persons engaged in these projects, particularly in London, are still active, and appear determined to persevere, though with decreasing numbers and resources. It appears, therefore, to the committee, that the continued vigilance of government, and of the magistrates in the several districts which have been most disturbed, will be necessary.

Having thus taken a view of the state of the country in the disturbed districts, from the period described in the report made to the House towards the close of the last session of parliament, the committee have proceeded to examine such of the papers referred to them, as relate to the arrests of several persons under warrants issued by one of his majesty's principal secretaries of state, and the detention of several of the persons so arrested under

the authority of two acts passed in the last session of parliament, to empower his majesty to secure and detain such persons as his majesty shall suspect are conspiring against his person and government.

With respect to those against whom bills of indictment were found by different grand juries, and those who have been brought to trial or have fled from justice, the committee conceive that it is unnecessary for them to make any particular statement. Warrants were issued by the secretary of state against ten persons, who have not been taken. Forty-four persons appear to have been arrested under warrants of the secretary of state, on suspicion of high treason, who have not been brought to trial: of these, seven were discharged on examination, without any subsequent warrant of detention. Against thirty-seven, warrants of detention, on suspicion of high treason, were issued by the secretary of state: but one, who was finally committed, was soon after released: another was soon discharged on account of illness; and a third died in prison. The grounds upon which those warrants were issued, have been severally examined by the committee; on that examination it has appeared to the committee, that all these arrests and detentions have been fully justified by the various circumstances under which they have taken place; and in no case does any warrant of detention appear to have been issued, except in consequence of information upon oath.

It appears to the committee, that

that all the persons who were so arrested and detained, and who were not prosecuted, have been at different times discharged, as the state of the country, and the circumstances attending the several trials which had taken place, were judged to permit.

The committee understand that, up to a certain period, expectations were entertained of being able to bring to trial a large proportion of the persons so arrested and detained; but that these expectations have from time to time been unavoidably relinquished.

On the whole, therefore, it has appeared to the committee, that the government, in the execution of the powers vested in it, by the two acts before mentioned, has acted with due discretion and moderation; and as far as appears to the committee, the magistrates in the several disturbed districts have, by their activity and vigilance, contributed materially to the preservation of the public peace."

The report was ordered to be printed.

The *Duke of Montrose*, on February 25th, presented to their lordships a bill founded upon the Report of the Secret Committee, and intitled a "bill for indemnifying persons who, since the 26th of January 1817, have acted in apprehending, imprisoning, or detaining in custody, persons suspected of high treason, or treasonable practices, and in the suppression of tumultuous and unlawful assemblies." It was not necessary for him to say any thing in its support in this stage. He should merely propose that the bill be now read a first time.

The *Earl of Lauderdale* would not have troubled their lordships with any observations on the noble duke's proposition at the present moment, if he did not conceive that it involved a question of considerable constitutional difficulty and importance. From the title of the bill it appeared to be for the purpose of indemnifying his majesty's ministers for every act they had done under the suspension of the Habeas Corpus. Now what was the situation in which their lordships were placed? They knew by the Journals of the other House of parliament, that papers had also been sent to that House, and referred to a committee. That committee had not yet reported; and their report might be such as to render any proceedings of the kind now proposed, very improper to be adopted by their lordships. He reminded the House that on a former occasion they had decided, in agreement with the opinion of a noble and learned lord, that they would not entertain a certain measure because it might come before them in a judicial capacity. On the same ground this bill was not fit to be entertained; for if any principle of their proceedings was more to be regarded than another, it was this—that the House ought never to give an extrajudicial opinion.

The *Earl of Liverpool* saw no possible ground for delay in the objection stated by the noble lord. If it was good for any thing, it would be equally good against the appointment of a committee to inquire into the conduct of ministers on the papers which had been submitted to their

their consideration. The committee had, by the order of the House, examined these papers inquisitorially, and had come to an opinion which was now on their lordships table. In pursuance of that opinion, his noble friend considered himself bound to introduce the bill he had presented. Whether the bill was warranted by the report was the question to be argued on the second reading. Their lordships were not bound to regulate their proceedings on a measure of which they could know nothing, except through the medium of the votes of the House of Commons.

*Lord Holland* expected that the noble duke would have stated more at length what was the nature of the bill he had presented. He would not, however, occupy their lordships time with any observations of that kind, but rose merely to answer an objection made to his noble friend by the secretary of state, which appeared to him to have been in some measure misunderstood. His lordship finally moved, that instead of the word "now" for the first reading, the words "this day se'might" be inserted.

The question, that the word "now" stand part of the original question was put, and carried in the affirmative. The bill was then read a first time, and ordered to be printed.

On the 27th of February, the order of the day standing for the second reading of the Indemnity bill, the *Duke of Montrose* began by saying, that it appeared to him necessary, as a justification of the measure, to refer to the

circumstances which had caused it to be brought forward. This, in fact, was nothing but a short recapitulation of all the arguments made use of by the most strenuous defenders of the suspension of the Habeas Corpus act, and may therefore be laid aside. His grace concluded his speech by moving that the bill be now read a second time.

A considerable number of speakers on each side succeeded to the duke; but the tenor of each approached so nearly to their former discussions on the same subject, that it would be a waste of room to enter into particulars. With respect to the Indemnity bill, the lord Chancellor sufficiently delivered his reasons for supporting it, by saying "that the Indemnity bill arose necessarily from the Suspension act; and the Suspension act went to the preservation of our laws and constitution." This appeared to be the general opinion of their lordships, at least as far as voting could declare it.

The question being at length put, that the word "now" stand as a part of it, the House divided: Contents, 56; Proxies, 44—100: NonContents, 15; Proxies, 18—33: Majority, 67.

The bill was then read a second time.

The order of the day for going into a committee on the Indemnity bill, being read on March 3rd, *Lord Holland* rose for the purpose of asking two or three questions, the answers to which might perhaps enable their lordships to proceed with more precision and dispatch when in a committee, than they otherwise could

could do. The first of these was, that all former acts of indemnity in this country had acknowledged or implied that certain illegal acts had been committed, on the ground of which the indemnity was granted; but the present bill, according to the assertions of those who supported it, and its own preamble, came before their lordships with the allegation that no illegal act had been done. The report which had been made by their lordships' committee stated, that the persons taken into custody had been arrested on oath. According to all the assertions and allegations there had been no illegality; and if there was none, there could be no need of indemnity. But it was said, that if ministers should be called upon to justify themselves in courts of law, they would be obliged to produce evidence, which it would be improper to disclose. He could not say that it might not be possible that a bill on this subject was requisite; but the object of such a bill could not be *indemnity*.

There was another point which also appeared to him worthy of their lordships' consideration. It had been asked, how their lordships could suppose that the Habeas Corpus could be suspended, without this bill becoming necessary? He must confess, that he had not seen this natural consequence; but if it really existed, ought it not to be their lordships business to make out that connexion in the committee? The bill, as it stood, contained no reference to the Suspension act from which it was said to

spring. The preamble declared that a traitorous conspiracy had existed, that numerous persons had tumultuously assembled, &c. and stated acts to have been done, which, under the supposition of all the proceedings being legal, were proper to be resorted to.

Another difficulty arose in considering the bill, which, instead of being founded on precedent, differed in one material respect not only from all the old bills of indemnity in this country, but from that of 1801, inasmuch as it granted indemnity not only for arresting and detaining prisoners, but for discharging them. Have prisoners then been illegally discharged? It would become their lordships well to consider what might be the effect of the introduction of this word into the bill, not merely with respect to the protection of ministers, but to the future security of the persons to whom it applied.

The *Lord Chancellor* remarked, that with respect to what had been said to this bill being founded on precedent in all its provisions, he certainly had never so argued it. He had, on the contrary, observed, that when the Habeas Corpus was suspended in the reign of king William, it was distinctly acknowledged in the bill of indemnity that illegal acts had been committed; but it was at the same time declared, that these acts were so necessary for the safety of the country, and the preservation of the constitution, that it was fit no persons should be put to the expense of defending themselves in suits which might be brought against them. The principle of the act  
of



of 1801, though different, was a just principle also. It was, that the names of persons who had given information should not be disclosed. What their lordships' decision on this point ought to be, it would be for them to consider in the committee; but if that principle was one which ought to be acted upon, there was another which possessed a claim not less urgent on their lordships' attention, namely, the protection of the magistrates who had executed the laws. To leave these individuals who had caused such arrests, to contend with the multitude of actions which would be brought against them, would be to allow them to be overwhelmed and crushed with an incalculable expense.

As to the chief point in the noble lord's question, he would state his opinion, for which such allowances should be made as his practice, confined to courts of equity, required. It certainly appeared to him a point of great importance; and speaking what occurred to his mind on the subject, he could only say, that he did not think a man discharged in the way described by the noble lord, would be discharged according to law. But this formed precisely a case in which the magistrate ought to be protected. If, when a rising against the government was apprehended, a magistrate arrested on information a number of persons suspected of engaging in a treasonable design, was he to be punished for discharging those persons when the danger was over, and when he conceived he had no longer any right to detain them? Surely

no clearer case for granting indemnity could be suggested.

The House having then gone into the committee, the *Lord Chancellor* proposed that they should consider the preamble first, instead of postponing it as usual; his reason being because it was closely connected with the enacting part of the bill. His lordship was supported by Lord Redesdale, but was opposed by the Earl of Lauderdale, the Earl of Carnarvon, and Lord Grenville; and in fine, the two former peers gave up the point.

The *Earl of Lauderdale* moved as an amendment, that the 4th of March should be substituted to the 1st of January, as the period to which the operation of the Indemnity act should be extended. What he wanted to understand was, whether the Indemnity bill was a consequence of the Suspension of the Habeas Corpus; for if it was, the indemnity should extend only to the period at which the suspension had commenced, and not, as the present bill was drawn, to a period long before it.

The *Earl of Liverpool* said, that abandoning the particular case (on which he had made some remarks) he should make his stand upon the general principle, that government might, upon its own responsibility, take steps for the general security of the kingdom, before parliament had passed the bills which it would afterwards be bound in strict justice to recognize. However, as he was not aware that any acts of this nature had been done antecedent to the meeting of parliament, he should have no objection



objection to limit the operation of the bill to the 26th of January, the day before parliament met.

The Earl of Lauderdale acceded to this proposal, and the amendment, substituting the 26th of January, was then agreed to.

*Lord Holland* said, it was his intention to move that the word "discharged" should be left out of the bill; but in consequence of what had fallen from the noble and learned lord, he was induced not to press that motion. But if it was right that the magistrate who had irregularly discharged persons from confinement, should be indemnified by parliament, it was also right that the person so discharged should have the advantage of a full discharge according to law. He therefore hoped that if it was thought necessary that the word should be retained for the protection of magistrates, a proviso should be admitted into another part of the bill securing persons of a different description.

The *Earl of Liverpool* answered, that two principles were applicable to the bill: one to prevent the disclosure of testimony on which the magistrates had acted; the other, to indemnify them for certain steps which they had taken when the country was in a state of insurrection. Now no person could say that it was not the duty of the magistrates, under that act, to prevent such a purpose, and to detain individuals, and afterwards to release as many as they could, without danger to the public tranquillity. The question therefore was, whether under such circumstances they could properly discharge such as

had been arrested without farther proceedings, though, perhaps, such discharge might not be strictly legal? If any question was more clear than another, he thought it was the propriety of arresting these persons in a moment of considerable danger, and the release of them as soon as was consistent with the public safety. He thought this must appear on all sides the least exceptionable part of the bill.

*Lord Holland* agreed that this was the least exceptionable part of the bill; but the House had now heard it avowed for the first time, that this bill was not passed for the sole purpose of preventing unpleasant disclosures of evidence, but to cover acts in themselves strictly illegal. This was no answer to the question he had put respecting the situation of persons so illegally discharged. These persons could not bring any action for damages without averring on the record that they had been duly discharged, so that they were at present deprived of the very right of seeking for redress.

The *Lord Chancellor* adhered to his argument, that if magistrates discharged persons illegally, they would require to be indemnified.

The *Marquis of Lansdowne* moved for the omission of those words in the bill which went to extend indemnity to magistrates for arresting persons in tumultuous assemblies. The principle of the bill was to indemnify for acts dangerous in themselves, but justifiable for reasons of state which could not be disclosed in evidence. Could any of the

arguments that rested upon this necessity of secrecy be applicable to the case of persons taken in tumultuous and disorderly meetings? Why should a magistrate be prevented from proving his own justification in this case?

The lord Chancellor and the earl of Liverpool defended this clause, while lord Holland and the earl of Carnarvon attacked it. In conclusion, the amendment was negatived.

*Lord Erskine* said, he would now move the amendment he had before mentioned; which was only to place all magistrates and others as, but for this bill, they would stand by the general law of the land. It was never heard of in England that any magistrate or other person whatsoever, could act with malice to the injury of another, without a most severe and exemplary visitation. He wished, therefore, after the clause expressing free acquittal and indemnification in favour of every person who shall have done, or commanded to be done, an act against any person or persons committed or imprisoned &c., the following proviso should be introduced:—"Provided always, that nothing herein contained shall extend, or be construed to extend, to any act, matter, or thing, done to any person whatever, if committed maliciously, or without reasonable or probable cause." As the bill stood at present, putting aside every case where necessary secrecy of information could have any possible application, no magistrate or other person could be impleaded or questioned, though he had acted with the most palpable

malice in the presence of a thousand witnesses ready to come forward to prove it. This error, so affronting to common sense, was all he desired to rectify.

The *Lord Chancellor* said, that the answer he had to make to his noble and learned friend was very short—it was simply this, that the clause proposed by him would nullify the bill. After dwelling for some time upon this idea, he added, that for which their lordships should feel the deepest interest was the public safety. The public safety ought to be secured with as little injury towards individuals as possible; but without being afraid of adopting even *harsh* measures towards individuals, if such measures were rendered necessary for the preservation of the state and the constitution.

After some observations by the earl of Rosslyn, who warmly defended lord Erskine, the proposed amendment was negatived.

The *Marquis of Lansdowne* next proposed, as an amendment, to leave Ireland out of the bill, and to retain only the words "in that part of the United Kingdom, called Great Britain." The provisions of the act, he said, did not extend to Ireland, and that country should therefore be excepted from those of the indemnity bill.

*Lord Sidmouth* stated that the indemnity had no reference generally to Ireland, but the name of that part of the united kingdom was necessary to be retained to meet a special case.

The *Earl of Liverpool* would have no objection to an amendment, on the third reading, that should

should limit the operation of the act as it regarded Ireland, to the special case contemplated. The magistrate who had executed the warrant in Ireland was liable to an action in the courts of that country. It was necessary, therefore, for his protection, that Ireland should be introduced into the provisions of the present bill. The clause, however, extended no indemnity to magistrates in Ireland, where the suspension did not operate.

The amendment leaving out Ireland was at length agreed to, on the understanding that, on the bringing up of the report, a special clause should be inserted embracing the case alluded to.

The *Earl of Carnarvon* protested against the payment of double costs by the plaintiffs in such actions as might have been already commenced, without any anticipation of this act.

*Lord King* was desirous that the infliction of double costs should be entirely withdrawn from the bill; and moved to omit the word "double."

The *Lord Chancellor* observed, that the next provision of the clause enacted that those who had commenced actions, but who staid proceedings, would not be liable to any costs. The double costs were only to be imposed upon those who, notwithstanding parliament had taken from them the ground of action, still proceeded.

*Lord King's* amendment was negatived.

The *Lord Chancellor* then proposed his amendment, to exempt those from the payment of any costs who commenced their ac-

tions before the 27th of February; which was agreed to.

The *Earl of Carnarvon* proposed a clause for the purpose of limiting the operation of the bill to those cases in which the interference of the legislature was indispensably necessary. The object of his intended clause was, to deprive any person of a right of action, whenever the secretary of state should make an affidavit before a judge, that the action could not be defended without danger to individuals, and injury to the public service.

The *Earl of Liverpool* said, that the effect of the noble earl's clause, if passed into a law, would be to subject all the magistrates in the country, and all persons who had acted under them, to the discretion of the secretary of state to determine whether or not actions might be brought against them.

The *Earl of Carnarvon* affirmed, that unless his clause was acceded to, the evils growing out of this act of indemnity would be much greater than the benefits resulting from it. He would not at present trouble the committee by pressing his clause, but he gave notice that he would re-introduce it in the ultimate stage of the bill.

The clause was negatived.

The *Earl of Lauderdale* having in a kind of ludicrous style selected a passage from the Report, which he begged leave to substitute for the first clauses of the present preamble, it was read, and an amendment was grafted upon it, which was negatived.

The House was then resumed, and the report was received.

The order of the day for the  
[D 2] third

third reading of the indemnity bill occurred on March 5th.

*Lord Auckland* said, that notwithstanding the amendments which this bill had received in its passage through the House, he was of opinion that it ought not to pass, at least in its present shape. His intention was not to oppose the bill altogether, but to move its recommitment, with a view to its being divided into two bills. Only one ground of defence had been moved for the measure when brought forward; namely, that ministers or magistrates who, under the suspension of the Habeas Corpus act, might have arrested persons improperly accused of treasonable designs, should be protected from the consequences of such arrest, and the persons should of course be discharged. But how far did the indemnity extend? It was not merely to the secretary of state, and to magistrates, but to every petty officer of police, to every creature who, to use the language of a former report, had instigated the treason he was employed to detect. What was this but to shield the infamy of wretches by preventing the possibility of their being confronted with those they had accused. To this alone did the plea, that the names of those giving information which ought to be concealed tend. Upon what ground so sweeping a bill of indemnity was proposed, it was difficult to understand. After several explanations, the argument seemed to resolve itself into this: that if ministers had acted under the suspension of the Habeas Corpus so as to render an indemnity necessary—then an indemnity

was necessary. It was to the real circumstances of the case their lordships had to look, in considering whether ministers had established any ground for passing this bill. Now what were the circumstances? A committee of secrecy had been appointed under the pretence of inquiring into the state of the country and the conduct of ministers, but in fact, with the sole view of stifling all effectual inquiry. It was most unjust that this protection should be given to conceal evidence. The sanction offered to secret information was deeply to be deplored; and he almost equally regretted that their lordships had in the committee given their sanction to the preamble of this bill, which was so inconsistent with all the grounds on which it was pretended to be introduced, and the purposes to which it was proposed that it should be applied. For all the reasons which he had stated, he should move, that the bill be recommitted.

*Lord King* thought it necessary to say a few words on the motion made by his noble friend for recommitting the bill. In the shape in which the measure came before their lordships it obviously extended the protection too far, and much farther than the grounds of the bill warranted. It not only indemnified the magistrate who had acted in good faith under the Suspension act, but also the spy who had provoked disorders which afforded the pretext of that law. With respect to the report of the committee which preceded the bill, it was notorious that the evidence on which that report was founded was altogether *ex parte*;

*parie*; for their lordships had refused to refer to the committee any of the numerous petitions from persons who stated themselves to have been aggrieved by the Suspension of the Habeas Corpus. The report of a former committee admitted that spies employed to discover treasonable designs had instigated to acts which they were employed only to detect. Did not this warrant the suspicion that many of the persons who complained of the operation of the Habeas Corpus suspension had suffered innocently? When the bill was in the committee their lordships had been told that it was necessary to protect persons who gave information of illegal designs. Here he could not help asking himself whether he was living in a country governed by law. Was it meant to be said, that if a man performed his duty by giving evidence tending to the punishment of crimes, he was liable to assassination? In what part of the world were witnesses so secure as in England? Their security rested on a solid foundation; on the publicity of all legal proceedings, and on the excellent practice of confronting the accuser and the accused. Witnesses were safe, because there were no secret tribunals to excite the jealousy and indignation of the people. If bills of Indemnity of this sort were to become the consequence of the suspension of the Habeas Corpus act, a most fatal encouragement to the abuse of power would be afforded. He should therefore oppose the bill, unless the indemnification were confined to magistrates, and spies were

altogether excluded from its operation.

*Earl Bathurst* recalled the attention of their lordships to the nature of the motion before the House. It was not to reject but to recommit the bill, for the purpose of dividing it into three parts, so that the king's ministers, and the magistrates, acting under them, might be protected, and informers exposed to punishment, or at least be excepted from the proposed indemnity. No ground whatever had been laid for dividing the bill in the manner proposed by the noble lords, nor had they any argument to prove its necessity or expediency. The House was aware that all cases of suspension of the Habeas Corpus had been followed by bills of Indemnity, which bills had been granted without an inquiry, or without any appointment of a committee. The only exception to this practice was in 1801; and the circumstances of that period were very different from those of the present. On the present occasion the conduct of ministers had been referred to the inquiry of a committee; which had found not merely that no abuses had been committed, but that no warrant had been made out except on information on oath. With respect to the secretary of state, he did not conceive him bound to abide by such a rule, but that, abiding by it, he had succeeded in saving the state from all the horrors of anarchy. This it was which afforded the strongest presumption that the powers confided to him had been well and properly exercised.

His lordship, in the progress of  
debate,

debate, used the following argument: Another objection had been made by the noble lords opposite, to the practice of a bill of indemnity following a suspension of the Habeas Corpus. Their objection was this—"that a suspension was first proposed, and in order to smooth the way for it, it was held out that persons in the execution of extraordinary powers were to be restrained from exercising them in an improper manner by the responsibility they were subject to; but this was all nugatory, if a bill of Indemnity was to follow every suspension." To whom, then, were the persons entrusted with such powers responsible? To parliament, that gave them the power, and would not have given it unless it had been necessary, but which would certainly protect those to whom a proof of that necessity had been entrusted. Their lordships knew that they had given their sanction to such measures over and over again, but their doing so had never injured the prosperity or liberties of the country. The practice of passing bills of indemnity showed the necessity there was for so doing, and that necessity showed the responsibility of those for whom they were passed.

As he did not perceive any argument against the bill in all that had been urged, he could not possibly accede to the motion made by the noble lord.

Several lords appeared both for and against the motion of the former speaker, but with little addition to the weight of argument. The amendment was then put, and was negatived without a division. The earl of Carnarvon

then moved, that the bill be read a third time on that day three months; upon which a division took place, presenting Contents 12; Proxies 15;—27: Not Contents 45; Proxies 48—93: Majority 66. The bill was then read a third time and passed.

A Protest was entered on the Journals, signed by ten lords.

In the House of Commons, the *Attorney General*, on March 9th, moved the order of the day for the first reading of the Indemnity bill. He began with giving a view of the origin and progress of bills for the suspension of the Habeas Corpus act, and the bills for an Indemnity which were their successors; and his principal purpose was, to show that all the late acts, down to that at present under consideration, were fully justifiable. Having gone through the well known stories of the riots at Manchester, the trials at Derby, and the attempts at Nottingham, he submitted, that from every consideration of necessity, propriety, and justice, the House was bound to pass the bill proposed, and in consequence moved, that the bill be now read a first time.

*Mr. Lambton* said, that it was not then his intention to enter into any discussion respecting the principles or details of the measure before the House, as other opportunities would offer for that discussion. But he would apply himself to the broad principle which had been little adverted to by the hon. and learned gentleman who spoke last, namely the conduct of those ministers who had brought forward this measure of Indemnity. The hon. gentleman then began a severe attack upon

upon the ministers, especially upon lord Sidmouth, which concluded with an amendment that the bill be read a first time that day six months.

Several gentlemen on both sides took part in the subsequent debate, which, however, made little addition to the fund of argument. The question being at length put, "That the bill be now read a first time," there appeared Ayes, 190; Noes, 64: Majority, 126.

The Attorney General having moved that the bill be read a second time to-morrow, *Mr. Brougham* indignantly exclaimed, that surely ministers would not so far lay aside all regard to appearances as to force on the second reading of this important bill to-morrow. After some farther observations from the hon. member, *Lord Castlereagh* rose and adverted to his attack on the ministers, because they had not spoken on the question. His lordship was supported by *Mr. Canning*; who was replied to by *Sir J. Newport*. At length *Sir S. Romilly*, who had risen to move an amendment, withdrew it, on the understanding, that if the second reading of the bill could not come on to-morrow before a late hour, it should be postponed.

On March 10th the *Attorney General* moved the order of the day for the second reading of the Indemnity bill. Several members on each side spoke on the subject, when the House divided, the Ayes being 89; and the Noes, 24. The second reading accordingly took place.

The *Attorney General* moved, on March 11th, the order of the

day for going into a Committee on the Indemnity bill, when a speech, the summary of which will be given in the following extract, was delivered on the occasion by *Sir Samuel Romilly*.

He said, that as the objections which he had to the bill were rather those to its principles, he ought properly to have stated them on the second reading, and it was his intention so to have done. It was through deference to the opinion of others, and not from his own judgment, that he had deferred his object to the present stage of the bill. Whether considered by itself, or as a precedent to be acted upon in future times, it appeared to him a most objectionable and dangerous measure. It was improperly called a bill of Indemnity: the object of indemnity was only to protect individuals from public prosecutions, without interfering with the rights of private men; but this object was to annihilate such rights. Its true description was a bill to take away all legal remedies from those who had suffered from an illegal and arbitrary exercise of authority, and to punish those who presumed to have recourse to such remedies by subjecting them to the payment of double costs.

There were only three objects which the bill had in view: first, to protect the ministers in the acts of authority they had exercised: secondly, to indemnify magistrates for the acts they had done for suppressing insurrections, or guarding against imminent danger to the state: and thirdly to protect private individuals who have given information to govern-  
ment,



ment; from the danger which it is supposed may attend the disclosure of their names and evidence. As far as the bill related to the first of these objects it had been considered by several persons in a very erroneous point of view. For the exercise of the powers given by parliament, the ministers wanted no indemnity: the act that gave the powers, indemnified them in their exercise. An indemnity had been thought necessary when ministers, in times of scarcity, had taken upon themselves to lay an embargo on the shipping which there was no law to authorize; but when an act of parliament had previously passed to sanction such an embargo, who ever heard of an indemnity for the ministers who had commanded it? If ministers are to be indemnified, it must be for conduct which the Suspension act did not authorize; not for detaining men in custody under that law, but for committing them to prison against all law. It has been said, indeed, that the ministers have not in a single instance committed any man but upon informations taken upon oath. If this be so, what occasion have they for an indemnity? The evidence upon which magistrates are authorized to commit men, is that evidence upon which they are afterwards to be brought to trial. It is to answer that charge that they are committed, and not upon the chance that some other charge may be brought against them.

Ministers, it was said, had not in any instance abused any of the extraordinary powers they had exercised. This might be so; but the House had no reason to

say that it was so; they had no information on the subject but what ministers had themselves thought proper to afford. The House had refused all examination; it had rejected all proof; and it was now about peremptorily to decide. It was about to declare that there should be no investigation even in the ordinary course of justice, and to exercise the powers of the legislature by closing up the avenues to our tribunals. But there had been an inquiry, it was pretended, by the committee, — a committee named by the ministers, and upon which they had not blushed to nominate themselves. It had been declared by a right hon. gentleman (Mr. Canning) that his majesty's ministers had taken no part in the debate, because it was a subject on which it became them rather to submit to the opinion of others, than to take any prominent part themselves; and yet those ministers, who pretended to be so modest in public, had no objection to name their own committee, to become themselves the most active members of it, to supply all the evidence, to bring forward and to keep back what they thought proper, and thereupon to draw up their exculpatory report. It was alleged, indeed, that the secret committee was of the choice of the House, and not of the nomination of ministers; and it had been gravely said, that a nomination by ballot excluded the influence of ministers, and gave the fair result of the opinion of the House. Such might be the effect of a fair ballot, but not of a ballot where the minister sent round to his adherents lists of the persons



persons who should compose the committee. No lists had, ever since he had been in parliament, been made out by the opposition; nor did the ministers send their lists to all the members, but only to those on whom they could securely rely. It was a committee thus named, it was themselves and their nominees, whom the ministers had satisfied that their conduct had been free from all reproach.

But suspensions of the Habeas Corpus had always, it was said, been followed by acts of indemnity; and in proof of this, precedents had been resorted to. Of those precedents there was not one, except that of 1801, which could be said to be in point. This, however, was a precedent to be avoided rather than followed. So great was the injustice done by it, that taking away all remedies by a sweeping provision for wrongs that might have been done in the course of the eight preceding years, it reversed judgments recovered, and punished the injured party by making them pay double costs for having brought actions when it was perfectly legal to bring them, which had been brought months, or even years, before any such retrospective measure was in contemplation.

It was, indeed, with a view to the second object of the bill, the protection of the magistrates for illegal acts of power committed by them, that those precedents could alone be resorted to. It would not, however, with any semblance of truth, be pretended that the country had in the course of the last year been in any such

state as could call for the exercise by the magistrates of any thing more than the legal power with which they were invested. The acts of Indemnity relied upon had been justified by the state of the country, which had been matter of public notoriety. It was not then necessary to have secret committees, and sealed bags, and a mysterious concealment of evidence, to apprise the House that it had been necessary for the public safety that ministers should act with promptitude and decision, and without regard to the strict rules of law. What he complained of principally was, that the House was kept in the dark: they knew nothing of the nature of the acts for which an indemnity was to be given. The operation of the bill was carried back to the 26th of January; but for what reason, the House had never been told. Some dark and mysterious purpose must be in view which was kept profoundly secret. Surely the House would not vote with so blind a confidence as to extend this denial of justice to a period beyond that which was mentioned in any of the reports on which this proceeding was founded, merely because ministers had chosen so to frame this bill. It was of most dangerous consequence by such a bill to inform magistrates that whenever the Habeas Corpus was suspended, they might exercise what acts of authority they thought would be most agreeable to ministers, and that every thing would be covered by an indemnity. The petitions upon the table furnished evidence how grossly the law might be violated where there seemed some invitation

invitation to it by ministers. This complicated violation of all law, in seizing papers, in punishing before any guilt was established, in treating suspected libellers like convicted felons, was to be traced to lord Sidmouth's Circular Letter; and a stronger instance could hardly exist of the mischief of government's interfering with magistrates, and prompting them as to the mode in which they were desirous that their judicial functions should be exercised. An hon. friend of his (Mr. Lambton) had called this bill the winding up of that system of injustice which the ministers had been acting upon. He wished it could be so considered. To himself it rather appeared as a prelude to farther exertions of power, and to future denials of justice. The reports of the committee of both Houses declared, that it would be necessary for the magistrates to persevere in the same exertions as they had hitherto made. It has been therefore necessary to violate the law; fresh violations of it by the magistrates will be necessary, and a better ground is thus laid for a bill of Indemnity in the next session for those illegal acts of authority which the magistrates seem thus encouraged to commit. Let it be recollected that all this has taken place under the mild government of king George 3rd, exercised by a viceroy in his name, and by his authority.

It remained for him to speak of the third object of the bill; the protecting those who had given information to government, from supposed danger. In England this was a policy quite

new and unheard of. It was true, that in the bill of 1801, an act in which a similar recital was found, as in this; but the circumstances of those times were quite different from the present. The traitorous designs then spoken of, were an alleged correspondence with a foreign enemy, and the information received was said to be from persons then in the power of that enemy. But the danger that it is pretended now exists is from popular outrage or private revenge, against those who may have dared to give evidence against offenders. But what symptom has ever yet discovered itself of any such feeling in this country? No complaint of the kind has ever been made: no alarm respecting it has ever been expressed: none of the reports of the Secret Committees make any mention of, or have any allusion to it. At Derby, in London, at York, there appeared no unwillingness in any witness to give his evidence; and nothing had happened to impede, in any way, the due administration of justice. It was plain, then, that this was an unfounded pretext. It was not that the government supposed there was any danger, but they were desirous of concealing the unworthy means which had been used to obtain information, and of sanctioning the future recourse to this new system of employing spies and informers.

Sir S. Romilly then took notice of Mr. Canning and Mr. Bragge Bathurst, and digressed to the humble agents of ministerial vengeance, Castles, Oliver, and their accomplices. He concluded

cluded with the following animated apostrophe: "That this example may appear in the greater force to future times, our Journals will preserve that long detail of multiplied sufferings which are enumerated in the various petitions that have been presented to us, and with them the record of our having twice refused to institute any inquiry into the truth of them. When those who are to come after us shall suffer under the evils we are now inflicting upon them; when their liberties shall be violated after the example which we are establishing, and they shall reflect with bitterness on the memories of those who have been the authors of all their wrongs; it is at least some consolation to us to reflect that it will be remembered that there was a small number of members of this House who endeavoured to avert this evil, who, though overpowered by numbers, and discouraged by the triumph of a confident majority, yet made the best stand they could in defence of the constitution, the laws, and the liberties, which had been transmitted to them by their ancestors, and who feel more satisfaction in having thus discharged their duty, though without success, than their opponents can derive from the victory they have gained."

The *Solicitor General*, who rose next, exerted himself with all his powers to confute his adversary. He seriously called upon the House to consider what had taken place in the last year; and urged that it would be dealing unfairly both by ministers and magistrates, to refuse them the

protection required. The state of the country was such as to induce parliament to suspend a part of the liberties of the people. The papers laid before the committee last year, clearly proved that there existed a treasonable conspiracy in the country, and the report of that committee recommended to parliament to arm ministers with a power sufficient for the preservation of the public tranquillity. Ministers applied for such power, and obtained it. When this power was about to expire, another committee was appointed, in consequence of the report of which, ministers were allowed to retain the power vested in them for a further period. As soon as the public disturbances were quelled, and that such power was no longer necessary, ministers voluntarily resigned it, although the period for which it had been entrusted to them had not expired.

Another question which presented itself was, whether an indemnity ought to be granted as an act of justice to those to whom the execution of the trust contemplated by the acts of suspension had been confided. Here he must at the outset deny the proposition of the hon. and learned gentleman, that no indemnity could be desired, except for the purpose of guarding his majesty's ministers against the consequences of their unjust or illegal acts. He denied that the present measure had ever been introduced or supported on the presumption that ministers had been guilty of the least irregularity. The reports of committees appointed by the House had led to the two acts of Suspension, and, together with the

the report recently received from a third secret committee, could never be laid aside in the consideration of this measure. Although the bill of Indemnity was not their necessary consequence, its merits could not be fairly understood without a constant reference to them. It was an important part of them, that the authority of the last committee directly sanctioned the belief, that although a traitorous conspiracy no longer existed, yet that the disposition out of which it had before grown, remained unaltered and unabated, as far as could be judged from the conduct and declarations of those who had already been the principal objects of suspicion.

The hon. and learned gentleman had asked, why, if the law had not been exceeded by ministers, was a bill of Indemnity called for? To this he would answer, that ministers were not anxious to have the bill passed on their own account, as they could easily justify themselves for what they had done; but they were desirous that the sources from which they had obtained information, should not at present be disclosed. Besides, it was found, that though there no longer existed a necessity for the suspension of the Habeas Corpus act, yet such was the state of the country, that the utmost vigilance was necessary, as there still existed in the minds of many persons a disposition to disturb the public peace. This being the case, it would be highly improper to point out those persons whose information enabled government to check in time those evils

which threatened to over-run the country.

The hon. and learned gentleman had dwelt with particular emphasis on the enormity of authorizing, by virtue of this bill, the proceedings of those magistrates who had searched the houses of individuals for papers, under the authority of lord Sidmouth's circular letter on the subject of libels. Surely he had not read the recital of this bill, when he ascribed such an interpretation or meaning to it, and dwelt with so much pathos and effect upon the evil of such a construction. He had, however, presumed that such was the nature of the bill, for he maintained that it could not possibly apply to the apprehension or seizing of papers of any except persons suspected of treasonable practices. If in such cases magistrates had overstepped the strict legal limits of their authority in search of evidence so material to the discovery of the treason, would the House not say that their meritorious exertions did not entitle them to legal protection? (Here Sir S. Romilly said, across the table, that in such cases the magistrates would have acted according to law).

The *Solicitor General* in continuation remarked, that all then which could be alleged against the bill was, that it was unnecessary. He then touched upon the case of Swindells, Oliver, and some other dangerous offenders; and in answer to the question, whether those persons who had suffered by imprisonment on suspicion of treason were to be denied all redress, he made the following reply:

reply: that private interest must in extraordinary cases give way to the public welfare; and that it were better some private injury should be sustained, than that the constitution should be endangered, which would be the case, if those persons were allowed to act with impunity. He further added, as a reply to the objection of his antagonist to the bill, because it was not merely co-extensive with the Suspension, but went as far back as January; that if ministers or magistrates found it necessary to arrest disaffected persons before the Suspension of the Habeas Corpus act, they were as much entitled to protection for having so done, as they were for their acts during the Suspension.

Such were, for the most part, the observations made by the Solicitor-general in relation to the

keen attacks with which Sir Samuel Romilly supported his own cause. As we have already dwelt, perhaps too largely, upon the proceedings which the Indemnity bill excited in the House of Lords, we shall cut short all the remaining argument in the House of Commons, and only mention the result of the whole debate.

The question being put, that the Speaker do now leave the chair, the House divided, Ayes, 238: Noes, 65. Majority, 173.

On March 13, the Attorney General having moved, That the Indemnity bill be now read a third time, the question was put on the third reading, which was carried by 82 against 23. After several amendments were negatived by the majority, the bill passed without farther discussion.

## CHAPTER V.

*Lord Arch. Hamilton's motion relative to the burgh of Montrose.—The Navy estimates moved by Sir G. Warrender.—Army estimates introduced by Lord Palmerston.*

ON February 13th *Lord Archibald Hamilton* rose to make his promised motion relative to the late transactions in the burgh of Montrose. He said that he should commence by declaring what his intended motion was not; and then proceed to state what it was. It was not any disguised motion for parliamentary reform, nor had it any necessary connexion with that unwelcome topic. His motion would be for the production to this House of those proceedings of the privy council which were technically called the Act or Warrant, by which a new election of magistrates had been granted by government to the burgh of Montrose, and a radical and important alteration had been made in the old constitution of that burgh. The learned lord advocate had declared in the last session, when he (*lord A. H.*) had supported the prayer of some Scotch petitions for parliamentary reform, that the people of Scotland were satisfied with things as they were. They who had observed what had passed in that country for the last six months—who had noticed how many public meetings had been held for the sole purpose of considering the abuses, and mismanagement in

their burghs—had seen how all the newspapers had teemed with resolutions from the different burghs stating their grievances—would find some difficulty in believing the learned lord's assertion of the former year. He need state one fact only to show the state of things in those burghs. The inhabitants of a burgh, who had no voice in the appointment of their magistrates, and no control over their conduct, were nevertheless informed that they were liable for whatever debts they might, in their magisterial capacity, contract. This abuse was founded on another still greater; namely, self-election in the magistrates; an abuse of such a nature, when applied to a body which had duties to perform, that the wit of man could not contrive a mode better calculated to produce the most domineering arrogance in these municipal governors, and the most abject state of subjection and servility in the helpless governed.

He would now proceed to detail the particulars which had occasioned his motion. In the course of the last year, an irregular election of the magistrates took place at Montrose. It was deemed, indeed, wholly void; and thus the burgh in its corporate

porate capacity had lapsed and become dormant. Application was made through the lord advocate, to the king in council, to re-establish the functions of the burgh, by granting what is called a poll-election; that is, an election of the magistrates and council by a general vote or poll of the burgesses; but besides this poll election, the act of the king in council had taken to itself the privilege of also granting a change in the set or constitution of the burgh; and this, he contended, was an usurpation of an illegal power. And although he was ready to admit that the alteration was an improvement and a benefit to the burgh, yet he must object even to a benefit, if conferred through the medium of an usurped and unconstitutional power; in the crown. The crown was right in reviving the dormant power of election; but if any change was to be made in the burgh itself, it ought to be made by parliament, and not by the mere will of the crown, that is, by ministers. He had endeavoured to avail himself of legal authority in Scotland by every means in his power; and he could find no authority, dead or living, which would sanction this extraordinary power in the crown. What had been done, amounted to nothing more or less than this; that the crown took upon itself to alter the constitution of a burgh in such a way, as materially to affect the representation in that House. It constituted new offices to which the right of voting for a member of parliament was attached. It was no argument in favour of the proceedings to say, that the new set

granted to Montrose was superior to the old one. If the Crown, on its own specific authority, could give a constitution better and more enlarged than that which originally existed, it might, under the same power, or assumption of power, give one worse and more contracted. Thus the form, if not the existence, of all the Scotch burghs, were dependent upon the mere will of the crown, or rather upon the will or caprice of its ministers. What he called in question was, the power of the crown to alter the constitution of these burghs, and not the power of reviving their lapsed or dormant existence. Supposing that parliament should take into consideration the mismanagement and decayed state of the Scotch burghs, and should effect an amelioration of their condition, what cause would Scotland have to rejoice in such a just and beneficial measure, if a moment afterwards his majesty's ministers might abrogate all that had been done, by granting a new set, and making what alterations in it they pleased. There was another point to which he wished to advert. The learned lord knew very well that there was a society in Scotland called the Convention of Burghs, which claimed its power by law, and certainly had in fact exercised the power of altering the constitution of several burghs. Now, if this convention had such right, and if his majesty's government had also the same right, he begged to know to which of these authorities the burghs must submit? Many of the burghs of Scotland were so overwhelmed with debt at this moment, that



that little or no revenue remained for their current expenses; and the burghesses felt considerable alarm for their own individual and private property. It had already happened in one case, that no person could be persuaded to undertake the office of magistrate. If no political interests were concerned, he was sure that the state of long-continued abuse they had suffered, and of degradation into which they were fallen, would excite the sympathy of all parties in the House. The noble lord concluded with moving, That there be laid before this House a copy of the Act or Warrant of his Majesty in Council, dated in the month of September 1817, authorizing the guild brethren and inhabitant burghesses in the burgh of Montrose, to elect [fit persons to be magistrates and town councillors of the same, and authorizing and ordering an alteration in the former set or constitution of the said burgh in all time coming.

*Lord Castlereagh* said, that the reform which the noble lord wished, would lead to an extensive change in the burgh elections of Scotland, and would therefore carry reform into the representation of that part of the country. There might be defects in that part of the administration, as there were defects in every institution; but in so far as his majesty's ministers were acquainted with the state of the country, there was no part where the population was in a sounder condition than in the burghs of Scotland. There seemed, however, a defect in the law of Scotland with respect to the burghs,

who had no power at present to take cognizance of the pecuniary concerns, and to enter into the subject of the administration of the funds of these burghs; but this evil would be obviated by the bill of which notice had been given by his learned friend, the lord advocate. It was vain to think of separating the question of reform, from giving to the burghesses the faculty of electing their magistrates: and the noble lord could not state any practical utility in the projected change, except with a view to a reform in parliament. As to the question of the legality of what had been done, it was rather for the decision of a court of law, than for that of the House. Now, there was no individual of Montrose affected by the change who had not his legal remedy, and who might not question the legality of the election of magistrates under the new charter. The noble lord had argued, that though the present arrangement for the burgh of Montrose was good in itself, ministers might afterwards make other arrangements of a very different character to favour particular political views. But here the act had grown out of the circumstance of the suspension of all the powers of the burgh. The relief was generally solicited; there was not one complaining party; and therefore it was unfair to consider an act called for under such circumstances, the beginning of an arbitrary system of interference with the constitutions of the burghs.

After some farther observations, his lordship said, that upon these grounds he considered it



it as his duty to dissent from the motion.

*Mr. Abercromby* affirmed that the subject brought forward by his noble friend had no connexion with that of parliamentary reform. It was said, that it was only when the rights of the burgh were suspended, that the crown interfered to reanimate them; but in the case alluded to, it went farther; it altered the set altogether. If this was wrong, it was an usurpation on the part of the Crown; and though in the present instance it might have been exerted beneficially, yet it went to establish a precedent which, in the hands of bad ministers, might be made use of to justify the worst encroachments. No subject appeared to him more suitable for parliamentary inquiry. He thought that copies of the old and new set should be produced, that they might be able by the comparison to see whether the Crown had improperly interfered, or in such a manner as demanded parliamentary inquiry. If its interference was improper, and no notice was taken of it, the measure would be acquiesced in, and be established as a precedent. Finding that in the course of this year five or six other burghs were likely to be placed in a similar situation to that in which Montrose lately stood, he thought it of very great importance that the subject should be fully discussed.

The *Lord Advocate* said, that the noble mover had given it as his opinion that the magistrates and counsel of the burghs possessed an unlimited power of taxing the property of persons

residing in the burgh; but he had forgotten that in the Declaration of Grievances at the Revolution, to levy money without the consent of parliament was declared contrary to law. He knew that opinions had been given by counsel that the inhabitants were liable for the debts of the burgh; but though these opinions had been given years ago, no suit had ever been commenced on them. The magistrates of some burghs, Aberdeen for instance, had attempted to levy petty customs for the defrayment of the public debt; but the question was ultimately decided on appeal to the House of Lords that the magistrates of burghs had no such power to levy customs. There was hardly a year in which applications were not made to the legislature by burghs, for a power of levying money to pay debts: surely, if an act of the town council was a sufficient authority, they would not have been so ill advised as to apply to parliament. The noble lord would find the power exercised by the crown in the case of the burgh of Montrose, was virtually recognized in the Declaration of Grievances. The complaint in that declaration against king James was, not for altering the constitution of burghs, but for having done so of his own authority, "without judgment, surrender, or consent." In 1789 or 1790, there was a motion respecting the state of the Scots burghs, and in the report of a committee the modes were discussed by which alterations could be legally made by course of time, by the burghs themselves, and by the act of the crown. The

case of Stirling was referred to, and the right of altering the set, as was done in 1781 or 1782, was not questioned. The alteration in Stirling was precisely the same as that in the burgh of Montrose; there was therefore no ground for the allegation that this exertion of the prerogative of the crown was illegal. He had been asked by the noble lord, whether he intended to propose the same alteration in every burgh which, by neglect, might become disfranchised. He should answer No. Every case must stand upon its own merits. The same constitution could not possibly be applied to all the burghs, because electors with the same qualifications could not be had in all of them, unless all the exclusive privileges which had existed for ages should be abolished. It was said that the question did not touch upon political reform. This was true, if the question was confined to the consideration of the particular case; but if, in defiance of the act of Union, it was intended to introduce a new system of election in all the burghs, it would have the same effect as a sweeping measure of parliamentary reform. He was convinced that there would be a general feeling of alarm if a general change were apprehended, and should therefore oppose the motion.

*Sir R. Fergusson* supported the motion. No one who looked at the deplorable state of the representation in Scotland could agree in the eulogies which had been pronounced on it. He then read the parting address of the late magistrates of Aberdeen,

who declared their decided opinion that a new constitution was necessary for the sake both of the magistrates and people. This address was written by gentlemen who had been in the uniform habit of supporting his majesty's ministers. The hope of a change in the constitution of the burghs had been fostered by the commissioners at Montrose; one of whom, the sheriff of Perthshire, praised the liberal constitution which the paternal government of the country had given them, and adduced it as a proof that the ministers were willing to effect reform, when reform was necessary.

*Lord Archibald Hamilton*, rising to reply, said, that the question still returned, whether the Crown had legally the power to alter by its own authority the constitution of a burgh, how it pleased, when it pleased, and as often as it pleased. The question was certainly worthy of being settled; and if the Crown had any such legal power, even in circumstances similar to those of Montrose, he meant when an alteration was requested by the burgh itself, the consequence must be fatal to the stability of the burghs, even under any improvement they might receive; for the influence of the Crown throughout Scotland was so great, that it might easily procure an application to be made for alteration in almost every one of the Scotch burghs, at such times as its ministers conceived to be convenient. The learned lord had maintained very positively that the burgesses were not liable for the debts contracted by the magistrates.

magistrates. He had heard the opposite opinion affirmed by legal authority quite as good as that of the lord advocate. He apprehended, however, that the declaration of the learned lord's opinion this night would alarm the creditors of some burghs, and bring these claims and their other municipal concerns to a speedy crisis. One thing, however, he must pointedly remark—that although the learned lord had denied that the burghesses at large were liable for the debts of the burghs, he had taken care to avoid stating who were liable. The learned lord, too, had disputed the fact of the dilapidation and ruin of the burgh funds. Here his lordship read a statement of the condition of Aberdeen, which, from being one of the richest corporations in Scotland, was now obliged to borrow a large sum to pay the interest of their debt. Similar facts, his lordship said, to a greater or less extent, might be adduced in the case of all the royal burghs in Scotland, as he could prove before a committee of the House. The general subject, however, was not now before the House; and though he plainly foresaw that his present motion was to be negatived, he promised to bring it on again before the House after Easter.

The motion was negatived without a division.

The Navy Estimates were first moved in a Committee of Supply, in the House of Commons, by *Sir George Warrender*, on February 4th.

He said there would be found in this year a small increase in the

supply for this branch of the public service. The addition was 1000 sailors, and 1000 marines; and it was occasioned by the necessity of keeping up an establishment at St. Helena, and the state of South America. The rate of pay was somewhat higher in peace than in war, because the proportion of able seamen to landmen was greater in peace, in order that the fleet might the more speedily be put on a good footing in case of emergency. The charge of ordnance was somewhat increased. A ship which in time of war had a complement of 480 men, had in peace only 300, the number of guns remaining the same: whence the charge for ordnance was increased in the proportion of from 4 to 7 shillings per man per month. He then moved, 1. "That 20,000 men be employed for the sea service for 13 months from the 1st of January 1818, including 6000 royal marines. 2. That 611,000*l.* be granted for wages of the said 20,000 men, at the rate of 2*l.* 7*s.* per man per month. 3. That 520,000*l.* be granted for victuals for the said 20,000 men, at the rate of 2*l.* per man per month. 4. That 559,000*l.* be granted for the wear and tear of the ships in which the said 20,000 men are to serve, at the rate of 2*l.* 3*s.* per man per month. 5. That 91,000*l.* be granted for ordnance for sea service on board the ships in which the said 20,000 men are to serve, at the rate of 7*s.* per man per month."

The above motions were agreed to.

On March 16th the House of Commons having resolved itself

into a Committee of Supply to which the Navy Estimates were referred,

*Sir George Warrender* remarked that the observations he had to offer might be compressed within a very narrow space. For the last twenty years the navy estimates had been printed in such a manner that every item could be taken into consideration; and in the last two years the subject had been so ably treated by the committees of finance, that he did not know that he could do his duty better, than by referring the House to their reports for the fullest and clearest information. It was known, that during the war the expense of the civil department of the navy had considerably increased; and much of this must remain a permanent charge, since arrangements had been made for bringing the whole of the work that was formerly done in the merchants' yards, into the king's yards. Another large branch in the expenditure of the navy was that connected with the public works in the naval yards. These would be found detailed in the report, together with a statement by that able engineer, Mr. Rennie. The committee were aware, from the nature of all works carried on near the sea, that it was most desirable to complete them as soon as possible. That consideration had contributed to produce the increase in the amount in this branch of the present estimate to which he had before alluded. Every practical reduction had been attended to. The works at Sheerness and Chatham had done away the expenditure to a much

larger amount in the establishments on the river.

There remained one point on which he wished to offer a few observations. In the course of the present session, some remarks had escaped gentlemen which seemed to indicate an opinion that the navy had been neglected by the government. He could not believe that such an idea was seriously entertained. The navy was felt by government to be the bulwark of the nation, and every thing had been attended to that promised to give it strength and efficiency. Pensions had been given of late years, not merely to disabled seamen, but to those who might one day be called upon to serve their country again. The arrangements which had been made were such, that an expedition could be fitted out sooner than at any former period. He might be allowed to remind the House how rapidly, in one recent instance, an expedition had been got ready for sea; an expedition as unexampled, as was its efficiency when complete. A state of peace did not afford those opportunities for brilliant enterprise and daring achievement which grew out of a state of war; but even in the former, the spirit which distinguished the British sailor might be usefully displayed. An expedition was now about to be dispatched to the Arctic regions, which would attempt to solve a problem most interesting to maritime science.

The hon. baronet concluded with moving, "That a sum not exceeding 2,480,680*l.* 17*s.* 3*d.* be granted to his majesty, for defraying the ordinary establishment

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ment of the navy for the year 1818."

*Sir M. W. Ridley* said, that he did not mean to oppose the vote proposed, in any of its items, except that which referred to the puisne lords of the Admiralty, in which he thought some alteration was absolutely necessary. He should therefore move, as an amendment, that the proposed grant should be reduced in the sum of 2,000*l.* which was now applied as the salaries of two of the lords of the Admiralty, who, in his firm opinion, could be dispensed with without any detriment to the public service. On a former occasion, when he made a motion for the reduction of two out of six lords of the Admiralty, it was urged as an objection, that these places were necessary, as they gave an opportunity to ministers to assist their friends, and also, that they were necessary as affording a fit school for the education of young statesmen. This was, in effect, the defence then set up for the continuance of places which were wholly unnecessary; and if he had not heard such arguments gravely stated in their favour, he should not have felt it his duty to be so strong in opposition to them. It was said on that occasion, that if these situations were abolished, the Crown would be deprived of a portion of its fair patronage. For himself, he conceived that no place which was in itself useless ought to be kept merely to strengthen the patronage of the Crown, which was already so great. But with respect to the ground of educating young statesmen, he thought that the com-

mittee would agree with him that the young statesman ought to pay for his own education. Why a nursery should be established at the Admiralty for politicians in particular, he was at a loss to guess. He had been favoured with the sight of a work which had been not long ago published by a gentleman connected with the Admiralty-board (*Mr. Croker*) which was, perhaps, to form part of the plan of education. It was intitled "Stories for Young Children," and he had no doubt was intended for the improvement of some of these sucking statesmen. He could not, however, but disapprove of the work being put into such inexperienced hands; for in one part of it a great deal was said in favour of *Charles I.*, and of his being an excellent man and a good king. He did not think such doctrine was likely to improve the constitutional education of the young lords of the Admiralty. But this was not the only literary production which emanated from the Admiralty-board, for there were several, no doubt, very valuable articles which appeared in the *Quarterly Review*, originating from the same source, and all for the instruction and improvement of the young statesmen.

The hon. baronet concluded by moving, as an amendment, the defalcation of two thousand pounds of the sum proposed by *Sir G. Warrender*.

*Lord Castlereagh* said, he did not rise for the purpose of arguing the question which had before been decided, respecting the propriety of keeping up the present

sent number of the lords of the Admiralty, on which all the suggestions of the committee of finance had been attended to. Nor would he attempt to follow in the same vein the statement which the hon. baronet had so pleasantly employed in his former debate on the Admiralty lords.

A division then took place on Sir M. W. Ridley's motion, when there appeared, For the Amendment, 58; Against it, 85: Majority, 27.

*Sir G. Warrender* next moved, "That 1,787,181*l.* be granted for defraying the charge of what may be necessary for the building, rebuilding, and repairs of ships of war in his majesty's and the merchants' yards, and other extra works over and above what is proposed to be done upon the heads of wear, tear, and ordinary, for the year 1818."

*Sir M. W. Ridley* regretted that, notwithstanding the notice which had been taken on a former occasion of a very meritorious class of individuals who had served as pursers in the navy, nothing had been done for their relief.

*Mr. Croker* said, that the persons who had been named were not pursers, but clerks who had acted as such. The Admiralty-board had found it impossible to do any thing for them without opening a door to many claims with which it would be impossible to comply.

The resolution was then agreed to.

On March 2d the House of Commons having resolved itself into a committee of supply to which the army estimates were

referred, *Lord Palmerston* rose to propose the Army Estimates for the year. He began with saying, that the Appendix to the Seventh Report of the Finance Committee having fully explained all that related to the details of the military expenditure, it was not necessary for him to enter more at length into the subject than to give a statement of the reduction of expense under this head of the national service. This reduction, comparing the present with the last year, would amount to 188,027*l.* 19*s.* 3*d.*; while the total reduction of charge in all the departments connected with our military establishment was no less than 418,000*l.* Upon the score of numbers, the diminution of the army in the present year compared with the last, would at home amount to 1,995 effective men; while throughout the empire, including France, it would exceed 20,000, so that the total numbers might be stated at 22,000 men. In Ireland the reduction of our forces was not so great as it appeared, for it being impossible to equalize the effective force of regiments with nominal strength, the force in that country within the last year did not amount to the number actually voted. The amount of the land forces for the present year may be stated at 25,000 for England, Guernsey, and Jersey; 20,000 for Ireland 33,000 for our old and new colonies; 17,360 for the territories of the East India company, exclusive of recruiting troops and companies; and 20,000 for our contingent in France. The land forces may therefore be stated at a reduction of 74,000. The staff is

is considerably decreased, the sum being about 3,754*l.* In the West Indies, a diminution will be found of 16,557*l.* in the item of public departments. In the office of commander in chief a diminution had taken place of 1,300*l.*; and in the war office, of 6,436*l.*; but in this year a smaller sum was required on account of the cessation of some of their expenses. A most important change was the muster-master-general's office having been abolished, and the duties transferred to other offices. The reduction by that was 2,918*l.*; and the whole of the reductions in the other offices amounted to upwards of 16,550*l.* There was an increase in the charge of medicines amounting to 11,265*l.*; but this, it may be observed, was not an increase in the supply of medicines, but an additional quantity bought and paid for beyond the service of the year. In the item of volunteer corps would be found an increase of 16,876*l.*; and the recruiting of the East India troops produces an addition of 3,451*l.* The Royal Military College establishment has a diminution of 2,640*l.* After various other reductions and additions (of which the particulars have been stated) it appears that there is a saving in the total charge of troops &c. in 1818, of the sum of 188,027*l.* 19*s.* 3*d.*; that the whole charge, including the troops in France, India, &c. is diminished by 418,000*l.*; and the whole number in the estimate, compared with the estimate of last year, was less by upwards of 21,000 men. The noble lord concluded by moving his first resolution :

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forces, not exceeding 113,640 men (including the forces stationed in France) and also 4,200 men proposed to be disbanded in 1818, but exclusive of the men belonging to the regiments now employed in the territorial possessions of the East India Company, or ordered from thence to Great Britain, commissioned and non-commissioned officers included, be maintained for the service of the United Kingdom of Great Britain and Ireland, from 25th December 1817 to 24th December 1818.”

*Mr. Calcraft* expressed his conviction, that a still greater diminution might take place in our military establishment, than the noble lord's statement. He brought several instances in proof of this assertion; but finally said, that he would not then enter into the discussion of all the topics which were naturally connected with this subject; but upon the bringing up of the report, he would move for a further reduction of the proposed establishment to the extent of 8 or 9,000 men.

*Sir W. M. Ridley* was much surprised at the continuance of the Royal Waggon Train, for which there could be no occasion in a time of peace. He also spoke to the expense in the recruiting service; to the granting of pensions to the Military Colleges; and to the apparent unnecessary grant for a retired barrack-master.

*Lord Palmerston* stated, that with respect to the Royal Waggon Train, a part was stationed at Croydon, whence detachments were sent to the army in France; a part



a part was employed on the Military Canal; and another part was at Hilsa. There was no greater number than was required for the public service. For the recruiting staff, it consisted of inspecting field officers, who superintended the various duties of the district staffs; a paymaster, who attended to the accounts; a surgeon to inspect the recruits; and serjeants to escort them to their respective depots. With respect to the grant of a pension to the Military College, it arose from the warrant to a retired officer, after 15 years service, by which these appointments were made. An hon. gentleman had stated, that on a future occasion he should feel it his duty to move a farther reduction in the present estimates. As, however, he did not go into the reasons for this reduction, he would abstain from any premature discussion. But he must be allowed to say, that the 26,000 men taken in the estimates could not be considered as wholly applicable to the home service: a portion of it must be applied to the relief of the foreign garrisons, which it would be neither humane nor constitutional to condemn to perpetual banishment. Of this necessity the noble lord gave an exemplification.

*Mr. Warre* remarked, that the noble lord, in his statements as to the necessity of our home force, seemed wholly to throw out of his contemplation our large army in France.

*Mr. Peel* desired the hon. gentleman to recollect that the present estimates were only required for a year, in which the country was bound by treaty to keep up,

for a time specified, an army in France. The right hon. gentleman then digressed to the army in Ireland, and attempted to show that a proposed reduction for that country would hitherto have been impolitic. He had, however, to congratulate the House on the improved state of the internal circumstances of Ireland, in consequence of which, government were enabled to make a reduction both in the regular and yeomanry force of the country, and measures were in operation to reduce still farther the latter description of force.

After some other gentlemen had delivered their opinions, the several resolutions founded upon the Army Estimates were put, and agreed to.

March 3rd. On the order of the day being read, for bringing up the report of the committee of supply to which the Army Estimates were referred,

*Mr. Lyttleton* took occasion to call the attention of the House to a subject which, in the course of the last session, he had thought it his duty to bring into discussion, and against which the secretary at war appeared to him to adduce very inadequate grounds of objection. This related to the affidavit which a half-pay officer was compelled to make, to entitle him to receive his half-pay; namely, that he had no other emolument from, or employment under, the Crown. This he could not help considering as a restriction equally inconsistent with liberality and justice. He thought all officers were entitled to their half-pay as a matter of right in remuneration for their services;



services; and he deemed it peculiarly ungenerous that an officer should be deprived of it, unless he swore that he had no civil employment whatever under the Crown from which he could derive any additional means of subsistence. On this principle he objected to the affidavit, and the extraordinary restriction to which it referred. He appealed, therefore, to the liberality of the House, and to that of the government itself, in favour of a body of gallant men who had served their country amidst so much danger, and with so little profit. He appealed with the more confidence of success, because the removal of the restriction to which he objected would be attended with no additional expense to the country, while the government would still have the discretion of appointing any military man to a civil office.

There was another point to which he also felt it his duty to call the attention of the House. He understood that a circular was issued, or about to be issued, from the War-office; stating that no widow of any officer who had died since December last should be entitled to the pension of an officer's widow, if it appeared that, from any source whatever, she derived an annuity equal to double the amount of such pension. This arrangement he thought peculiarly unjust, because it might happen that the annuity which was thus to deprive a widow of her pension, might be the effect of an insurance upon her husband's life, which insurance was paid for, perhaps, by a material sacrifice of the means of subsist-

ence by both husband and wife. Would that House then consent, upon the ground of such an annuity, to exclude an officer's widow from her pension? Yet the circular alluded to would have that effect.

*Lord Palmerston* observed, that as the affidavit alluded to was provided for by a section in the Appropriation act, the case did not apply on the present occasion. He denied the justice of the hon. gentleman's statement, that the half-pay belonged to an officer as a matter of right; as it was in fact granted merely for the subsistence of officers during the cessation of their services, and as a retaining fee for future services. But if officers were allowed to accept civil appointments, it was justly felt that it would be difficult to recall them to military duties when occasion should require it. This affidavit was nothing more than persons connected with other establishments of the public service were called upon to make; for those who enjoyed superannuation or retired pensions were obliged to make the same affidavits. As to the circular letter alluded to by the hon. gentleman, the regulation to which it referred did not originate with government, but was recommended by the finance committee, which was of opinion, that the same rule which prevailed in the other departments of the public service should be applied to the army.

The report of the committee was then brought up. Upon the putting of the first resolution,

*Sir W. Burroughs* rose, and urged with additional force the objections

objections which he had previously produced against the peace establishment. The arguments, indeed, were chiefly of the same kind as those already employed; and it will be sufficient to notice the motion with which the hon. baronet concluded, which was, the leaving out of 113,640 men, and inserting in their stead 103,640 men.

*Lord Palmerston* remarked, that if what had passed that night in the House was calculated to show the necessity of a reform in parliament, he presumed it was the very scanty attendance which the opposite benches displayed on the discussion of so important a subject. He should think himself fully justified were he to abstain from making any reply to the so often repeated arguments of the hon. baronet, whose speech was entirely made up of threadbare references to the establishments of 1792. He could recognize no one point by which any identity could be established between the circumstances of the two periods. The additional charge upon the revenue was created by the increased pay and allowances: and he had not understood that any hon. member was prepared to recommend a reduction in those branches of expenditure.

*Mr. Calcraft* regretted as much as the noble lord the thin attendance given on all sides to a question of so much interest as the army estimates. He must contend that no satisfactory answer had been made to the objections to the amount of the estimates for the service of England and Ireland, and he had no hesitation in

declaring his belief that the reduction of 10,000 men was practicable. When measuring the extent of an establishment, how could they proceed without adopting some basis, and what better one could they select than the peace establishment of 1792? But to this the noble lord replied in a declamatory way, that the year 1792 was not the year 1818, and that therefore there could be no similitude or point of comparison between the two periods—extraordinary logic for the representative of the university of Cambridge! He observed that the security we derived from the army of occupation in France had never been adverted to, and yet he supposed it would gradually return, and could not be disbanded immediately upon that event. The situation of Ireland was now one of complete tranquillity; but in 1792 a large body of United Irishmen were in correspondence with the French government. He had himself proposed reductions in a former year, which had not been assented to. In one instance he had recommended a diminution of 3,000 men on a foreign station, for which he was described as an ignorant prejudiced person, who entirely misconceived the matter; but a short time after, his counsel was adopted, and the reduction took place. He trusted, therefore, that similar recommendations of retrenchment, though opposed in the House, would be attended to out of it.

*Mr. Peel* accused the hon. gentleman of misrepresenting what he had said last night respecting the state of Ireland. For although he had stated it to be a source of satisfaction

satisfaction to the House that the internal condition of that country was much improved, yet he had given it as his decided opinion that no force of a less amount than that proposed was compatible with the safety of Ireland.

Some other gentlemen spoke on the subject ; and the question being put, that 113,640 men stand part of the question, the House divided : Ayes, 51 ; Noes, 21 : Majority, 30.

In the House of Lords, on

March 13th, when the order of the day stood for the third reading of the Mutiny Bill, *Earl Grosvenor* rose to move, in pursuance of notice given, for an alteration in the preamble of the bill. It was to this effect ; that instead of the words " 113,640 men," there should be substituted " 100,000 men."

He was replied to by *Earl Bathurst* ; and the Amendment being negatived, the bill was read a third time, and passed.

## CHAPTER VI.

*Sir S. Romilly's Motion on the Repeal of an Act of King William respecting Privately Stealing from Shops, &c.—Lord A. Hamilton's Motion respecting the resumption of Cash Payments by the Bank of England.—Mr. Tierney's Motion for the continuation of the Account of Bank Notes and Bills.—Chancellor of the Exchequer's two Bills,—Debates.—The same in the House of Lords.*

ON February 25th, *Sir Samuel Romilly* moved for leave to bring in a bill to repeal so much of an act of William III as took away the benefit of clergy from persons convicted of privately stealing goods, wares, or merchandize, to the value of 5s. in any coach-house, shop, warehouse, or stable. He said it would not be necessary for him to trouble the House at any great length on the subject, since their opinion had already been strongly expressed. The identical bill for which he was about to move had passed the House of Commons four times, in the last, he might say, unanimously; it had, however, always been stopped in the other House. It was not his intention to detain the House with many observations, but he must be permitted to call their attention to the returns which for some days had been upon the table, in order to show the state of the law on that subject. From 1805 to 1817, 655 persons had been indicted for the above offence, of which only 113 had been capitally convicted, of whom not one had been executed. 365 had been found guilty by the

juries before whom they were tried, of simple larceny, by which the capital part of the charge was taken away. It was evident, therefore, that these persons had been improperly charged with a capital offence, or that the juries had violated their oaths. The latter, he should always contend, was a practice of a most immoral tendency, and the temptations to it were such as it was the duty of the legislature to remove.

The hon. and learned gentleman then carried the attention of his hearers to various other crimes; such as stealing within a dwelling house, fraudulent bankruptcy, and forgery, of which last offence the examples were of late years become extremely multiplied. He concluded with moving the bill first mentioned.

*Sir J. Newport* strongly urged his hon. friend to persevere in his efforts to remedy the defects of the law in this respect, trusting that eventually he would be successful.

Leave was given to bring in the bill.

*Sir Samuel Romilly* having on April 14th, moved that this bill  
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be read a third time, the *Attorney General* said that he wished the terms of the preamble were changed. It asserted, that the bill was founded on the principle that extreme severity was calculated to obtain impunity for crimes. The consequences of such a declaration might mislead men into a supposition, that punishment ought to be proportioned to the precise degree of moral turpitude. Severity, however, ought to regard not only the moral turpitude of the offender, but the pernicious consequence of his offence. The second proposition on which he founded his opposition to the preamble, that by declaring the change in the value of money to be a reason for altering the law, it pledged the House to alter every other law that was connected with such a variable commodity. He in consequence proposed certain alterations which would rectify these defects.

*Sir Samuel Romilly* could not accede to the amendment, because it would expunge the very principle which made the bill both necessary and proper. There was an indolence of legislation in modern times which suffered acts to be passed founded on no distinct principle at all. He was anxious to conform to a more reasonable standard by stating in the preamble the precise character of the bill. It was a truth of universal notoriety that the fear of the punishment of death following conviction, had often prevented prosecutions for privately stealing, and had thus afforded entire impunity to the crime. As to the second ground of objec-

tion, could any one pretend that five shillings was now the same sum as in the reign of king William? This was undeniably the standard assumed in the act; and hence a change in the act was necessary. On these grounds he would press the preamble as it now stood.

*Mr. Wilberforce* gave his full and cordial support to the measure proposed by his honourable and learned friend. He thought that if himself or any other member had any thing with which to reproach themselves, it was their not having exerted themselves in endeavouring to render the penal code of this country less bloody than it was at present. He was of opinion that the entire penal code ought to be revised, that punishment ought to be proportioned to the crime, and their united effects ought to tend to the grand object of free and just legislation—that of adopting all possible means of preventing crime, and of checking it in its early stages. He hoped the Statute book would be looked over, and that such alterations would be made in the penal code as were suited to the present times, and to a liberal and enlightened policy.

The amendment was then put and negatived; after which the bill was passed.

On June 3rd *Lord Holland* in the House of Lords moved the second reading of this bill.

The *Lord Chancellor* said, that the bill, together with its principle and object, had indeed been frequently and amply discussed in that House, as well as in another place. The opinions which he

he had entertained of it he had more than once communicated to their lordships, and he had then only farther to say, that his opinions had not since undergone any change. He was nevertheless open to conviction, and whenever the question for reconsideration might be proposed in that House at the period of a session when there would be time for discussing it effectually, he would willingly enter into such discussion.

The motion for a second reading was then negatived.

On March 4th *Lord A. Hamilton* rose for the purpose of bringing forward his promised motion on the subject of the Bank. With a view to understand the conduct of the Bank he felt it necessary to move for copies of the notices issued by it for the payment of certain of its notes in cash within the last year. A pretty general impression prevailed, that those notices were issued merely for the purpose of delusion, and to induce a belief that the Bank was in possession of the means, and was in the progress of preparing to resume its payments in cash. It was therefore due to the character of the Bank, as well as to the satisfaction of the country, to explain the motive and end of those notices. It was now clear that there was no intention of resuming cash payments. A plea was advanced for postponing that measure, arising out of certain negotiations for foreign loans; but this he believed to be a mere pretence. The country, he thought, had not much reason to rely upon the professions or promises of either the directors of

the Bank, or the chancellor of the exchequer, as to the probability of the removal of the restriction upon cash payments; but it was for the Bank to show whether any, and what beneficial effect had arisen from the steps it was reported to have taken for the resumption of its payments. This was the object of his motion; and that motion could not be resisted on any such grounds as were advanced by the chancellor of the exchequer towards the close of the last session. The noble lord concluded with moving, "That there be laid before this House a copy of any notice given by the Directors of the Bank to the Public in the year 1817, respecting any payment of their notes in specie; together with an account of the amount of specie which in consequence of such notice the company of the Bank became liable to pay, and the amount actually paid, to the latest period the same can be made out."

The *Chancellor of the Exchequer* said, that the noble lord might anticipate his objections to this motion if he recollected the grounds on which he resisted a similar motion last year. These were, that nothing would be so unadvisable on the part of that House as to interfere with the conduct of the Bank in a case of this nature; that such interference was of all things the most likely to derange the proceedings of that body, and to impede those preparations so necessary for that final resumption of cash payments which it was the wish of that House and the country to witness. Yet the noble lord would deem

it safe and convenient to bring those preparations under the view of that House. The best plan to pursue was, to allow the Bank to proceed silently and cautiously in the progress of its preparations. Into the circumstances which had since occurred, or were likely to occur, to postpone that resumption, he was not then disposed to enter; but he would maintain that the Bank was entitled to confidence for the rectitude of its conduct, and its disposition to comply with the wishes of parliament and the public, as soon as it should be deemed advisable to remove the restriction. He could not, therefore, sanction any measure which implied doubt as to this institution; and he felt it his duty to oppose the noble lord's motion.

*Mr. Grenfell* remarked, that the motion was more interesting to the cause of the Bank than to that of the public; and therefore he was surprised to find that no director rose to speak upon it, especially as he had lately seen no less than four directors in the House. The chancellor of the exchequer was always ready to step forward as the champion of the Bank, without the aid of a single speech from any of the Directors of that institution; of the votes of all of whom, however, he was of course fully assured, especially upon any question connected with their own interest. As to the motion of his noble friend, the chancellor of the exchequer's objections were the same, he perceived, as those which he had advanced to a similar motion in July last. The case of the country, as well as

that of the Bank, were, however, rather different at the present time. In July the chancellor of the exchequer observed, that to accede to his noble friend's motion would only serve to gratify an idle curiosity, as the Bank had virtually resumed its payments in cash. But this was a statement which the right hon. gentleman would hardly venture to make on the present occasion. The motion of his noble friend, against which the right hon. gentleman had advanced neither fact nor argument, was such, in his opinion, as the House ought to adopt, especially with a view to obtain such information as was peculiarly necessary to guide its judgment upon the discussion of the bill, which was soon to be expected for the farther continuance of the restriction upon the payment of cash by the Bank.

The House divided: Ayes, 11; Noes, 34.

*Mr. Tierney* then rose to declare his purpose of moving for the production of certain papers connected with the issues of the Bank of England, to which, he understood, no objection was intended. The motion went to the farther continuation of the weekly accounts of issues of the Bank from the third of February to the third of the present month (March). It was necessary for him to advert to some circumstances in order to put the House in possession of what was his object in moving for the production of the accounts of the weekly issues, and of the course which it might be his duty to take respecting the engagements of the Bank with the country as to the re-  
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sumption of cash payments. In the first place, he begged to deny that he had ever expressed any doubt as to the fact of the Bank's having accumulated a large amount of specie in their vaults; but what availed that accumulation with respect to the return of payments in cash, if there was such a progressive increase in the amount of the outstanding notes, as tended to counteract the specie accumulated. At the end of the last session the chancellor of the exchequer had declared, that there was no doubt of the resumption of cash payments by the Bank at the expiration of the time specified by law. Now all must agree, that whenever that resumption should take place, it would be attended with a considerable diminution of their issues, and probably with great and natural alarm. It was by no means his desire that such a measure should be brought about by any sudden stoppage of the issues, but rather that the Bank would gradually withdraw its outstanding notes. But what inference did the conduct of the Bank, since the last meeting of parliament, afford on this head? There were on the table of the House the amounts of issues for 18 months, from July, 1816, to December, 1817, from which it appeared that the issues in the first six months of that period amounted to 26,300,000*l.*; in the second to 27,400,000*l.*; and in the last to 29,000,256*l.* Thus it was evident, that if the Bank, in place of preparing for the resumption of their payments in cash at the time specified by law, had determined to multiply impediments

to such a result, they could not have more dexterously managed to effect the latter object than by the conduct they were pursuing. If these preparations tended to multiply difficulties, rather than to facilitate the return to payments in cash, he must say, that there was a juggle going on, disgraceful to the Bank, and discreditable to the government. In that case the Bank had turned its back upon its duty, either to amass property for itself, or to show its subserviency to the Treasury. If in the accounts he now moved for, and those for which in April he intended to move, he should see progressive reduction, he would then feel that the Bank were in earnest in their preparation. The right hon. gentleman concluded with moving for "The total weekly amount of Bank notes, and Bank post bills in circulation from the third of February to the third of March, 1818; distinguishing the Bank post bills, the amount of notes under the value of 5*l.* and stating the aggregate amount of the whole."

The *Chancellor of the Exchequer* said, that he did not intend to oppose the production of this account, nor did he think the present a fit period for entering into a consideration of the general question. He agreed for the most part with the principle maintained by the right hon. gentleman, that the reduction of the issues of the Bank was a necessary means and preparation for enabling them to resume their cash payments. He had, however some limitations to suggest to the broad proposition, that it was the only means.

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The motion was agreed to.

On April 9th the House of Commons having, on the motion of the Chancellor of the Exchequer, resolved itself into a committee on two acts, namely, the Bank Restriction act, and the act for the regulation of Private Bank Notes, the *Chancellor of the Exchequer* submitted to the committee the propositions of which he had given notice.

In order to render what he had to say as intelligible as possible, he desired the committee to revert to the state of things under which the Restriction act had been originally passed, and at various periods had been renewed; which, at the last renewal of that act for two years in 1816, took place with the understanding that the Bank should employ that interval in providing for the resumption of cash payments at its expiration. It would also be indispensable to advert to the course of exchange during a considerable portion of the period to which he had alluded. Prior to the retreat of the French army from Russia, at the close of the year 1812, the price of gold bullion was 5*l.* 12*s.* an ounce, and of silver dollars 6*s.* 6*d.* an ounce. At that time, therefore, any attempt to restore the metallic currency of the country would be utterly unavailing, as the coin would have been collected and melted as fast as it issued from the coffers of the Bank. But when the French army retired into Germany, and when a prospect arose of a successful termination of the war, gold fell to 5*l.* an ounce; and subsequently, when the allies got possession of Paris, to 4*l.* 6*s.* 6*d.*, and there was

every indication of its speedily falling so low as to enable the Bank to resume their payments in cash. The unfortunate events, however, which took place in the Spring of 1815, and which again involved Europe in the calamities of war, prevented the pleasing prospect from being realized. After the return of Buonaparte to France gold rose from 4*l.* 6*s.* 6*d.* to 5*l.* 7*s.* per ounce. From the period, however, at which hostilities ceased, it was but justice to the Bank to state, that they had adopted every measure of precaution which might enable them to resume cash payments with safety. Their collection of specie had been very rapid, and to a large amount; and in January 1817 they tried an experiment by giving notice that they were ready to make payments in cash of outstanding notes of a certain description. The payment for which cash might have been demanded was about one million sterling; but so little anxiety was manifested by the public to avail themselves of the offered payment, that a very inconsiderable sum was required of the Bank for that purpose. At that time gold bullion, which had been continually falling in price during the preceding year, was reduced to 3*l.* 18*s.* 6*d.*; and silver to 4*s.* 10*d.* the ounce.

In October last the Bank of England, having experienced no inconvenience from their former experiment, were induced to try another on a more extensive scale. A regular notice was issued, in pursuance of the directions of the act of the 37th of the present king and its amendments, that on

and after October 1st the Bank would be ready to pay cash for their notes of every description, dated prior to January 1st, 1817. But the result of this experiment was considerably different from that of the former. Payment in cash was demanded to a large amount; not for the purpose of internal circulation, but for that of being remitted to foreign countries. It appeared from a return made to the other House of Parliament, that the Bank issued under their last notice a sum not less than 2,600,000*l.*, of which hardly any part remained in circulation in this country.

He would now call the attention of the committee to the circumstances which had occasioned the difference in the result of the two experiments made by the Bank, in order to show how unadvisable it would be, under the present circumstances, that the Bank should resume cash payments. Of these circumstances the first he would instance, was the deficient harvest of 1816, which was followed by an ordinary one in 1817, the consequence of which was, that the quantity of corn which it became necessary to import had taken a great deal of specie from the country. The second was, the sums drawn out of the country by emigrants from it. He held in his hand an account of the number of persons who had embarked at Dover for the continent, and who had returned from the continent to that port, and it is to be observed that Dover is so much the most considerable port for embarking to the continent, that all the emigration from other ports may be

considered as unimportant. It appears then, that the whole number of persons who, from the year 1814 to the 24th of February last, had embarked at Dover for the continent amounted to 90,230, exclusive of aliens, whose number amounted to somewhat above 11,000. The number of English who, during the same period, had returned to Dover, amounted to 77,530. He did not mean to deny that many persons might be included twice in the return, but that did not affect the conclusion that might be drawn from it. The difference between the two numbers he had stated was 12,700; so that it might safely be affirmed that the number of English abroad did not exceed 13,000. If it were assumed that these individuals expended on an average 200*l.* a year each, the account of their annual expenditure would be somewhat above two millions and a half. But in addition to that, the committee must take into their account the large sum expended by our army abroad; for although the French government provided for the support of the troops, still it was notorious that great private expense was incurred by the officers.

There was another circumstance of a very extraordinary nature which materially contributed to the change in the state of things; he alluded to transactions which had taken place in the course of the last two years, namely, the negotiation in this country of large loans for foreign powers. In June 1816 the French government raised here six millions of francs of *rentes*, the sum borrowed for which amounted to about

about five millions sterling. - In the budget of 1817 they made a provision of thirty millions of *rentes*, amounting to about 15 millions of money at the then price of the French funds. This sum was raised in three several loans, and left about three millions of *rentes* short of the proposed loan. If the committee would compare the dates of these loans with the periods at which the rate of exchange began to be unfavourable towards this country, it would be found to fall soon after the conclusion of the first French loan. He was far from wishing to throw any blame on the contractors for these loans; at the same time it ought to be remembered that these were subjects with which government ought not to interfere. There were, moreover, political advantages of great importance connected with these loans; for they had contributed to support the French government, and to enable it to make good its engagements with foreign powers. The effect, however, of these transactions were such as he had described. The two millions and a half of cash issued by the Bank in payment of their notes had immediately gone out of this country, and had enabled the contractors for the French loans to make good their engagements. But there was at present a negotiation on foot which might probably end in the raising of a much larger sum.

The committee were aware that by the treaty of Paris the allied army might either leave France in the course of the present year, or remain there two years longer.

If it should leave that country in the present year, and the French should fulfil their pecuniary engagements during the same year, in addition to the sum of twelve millions, for which a loan had been concluded, the French government would probably want a farther sum of twenty millions sterling to enable it to liquidate all the claims upon it. He had already stated, that as far as regarded our internal situation, there could be no danger in the resumption of cash payments by the Bank. But when so large a drain might be made from this country as would be occasioned by the French loan in contemplation, he would put it to the committee, whether the danger of resuming cash payments at an undue time would not overbalance any disadvantage which might arise from the temporary prolongation of the restriction. He then drew a comparison between the original stoppage of cash payments from the Bank, and the period which the committee were now led to contemplate; and endeavoured to show the similarity of circumstances in the two periods.

Should he, he proceeded, be asked whether the nature of our currency was to depend upon the operations of foreign powers, he would reply, certainly not. If we could really return to a state of permanent and secure circulation with safety, we ought to resume that state of things without delay; but the moment would be ill-chosen for making the attempt when we were under the influence of circumstances very like those when the suspension

was first proposed. He should perhaps be told that the restriction was first proposed in a time of war and danger, and that the measure was rendered necessary in consequence of the advances made to a foreign power, under the guarantee of government. This was true, but still it did not counterbalance the greater extent of the operations at the present time. The imperial loan amounted only to four millions and a half; but besides the loan of last year to France, thirty millions might be necessary for that country in the present year, and five millions had, besides, been raised for Prussia. Even if all those loans were to be negotiated abroad, there was no reason to suppose that capital was so abundant on the continent, as that a large proportion of the money would not come from this country.

He wished it to be distinctly understood, that he did not propose to continue the restrictions in consequence of any circumstances in the internal state of the Bank, which he believed was fully prepared to make good its payments; but on account of those external circumstances which would render such an operation extremely dangerous at the present moment. He hoped, however, that another measure which he should have the honour to propose might have the effect of considerably alleviating the evil of the restriction, and place a great part of our paper currency on a more secure footing than ever. This part of the subject he would now endeavour to explain as shortly as possible. It was his intention to propose that

the Restriction act should be continued for another year, namely, to July 1819, and that in one year from that period the operation of this new plan should commence. There could be no doubt that the most perfect and desirable currency was a mixed one of specie and paper. Many plans had at different times been in contemplation respecting the best means of security from the abuse of paper currency. It had been proposed that paper should be issued on the security of various deposits, as of landed and other property. The great objection against issuing paper on the deposit of property was, that whatever value the property deposited might possess at the time the deposit was made, it could be converted into money only under favourable circumstances, and that when attempts were made to convert it into money under other circumstances, it often fell so much in value, as not to realize the sum advanced on the security of it. All land banks were particularly liable to this inconvenience; and from the many difficulties attendant on the conveyance of landed property, had generally been unsuccessful. This sort of uncertainty, however, did not exist with regard to another description of property which existed in this country to a great extent, namely funded property. It was not, indeed, free from fluctuation, but it might always be considered available to a certain extent. If on the deposit of a certain amount of stock, a certain amount of paper had been issued, such paper would have been free from the insecurity of the

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the paper currency that we have hitherto possessed. At present our paper currency was not of equal security in different parts of the kingdom. Scotland, from the nature of its currency, and the extent of the capital of the persons engaged in banking, had had no considerable failures, and enjoyed great advantages in the security of her paper circulation. In England however, and still more in Ireland, that was not the case; but all the inconveniences arising out of the insecurity of the paper of private bankers, might be prevented by the adoption of the plan that he was about to propose. In that plan he wished to keep in view the difference between that part of the paper currency which might be considered as the immediate representative of cash, and notes of larger value, which in some respect answered a different purpose. It was when the metallic currency was first suspended by the act prohibiting cash payments by the Bank of England, that permission was given to circulate notes under five pounds, and of not less than twenty shillings value. This permission had been renewed from time to time; and the period now fixed for the circulation of these notes was one year after the expiration of the term at which the suspension of cash payments should terminate. The Suspension act would expire on the 5th of July 1818; but as he should also propose the continuance of the suspension for another year, it was his intention also to propose that the alteration with respect to the circulation of private bankers, should not take

place before the 5th of July 1820. After this date, he meant to propose that no private banker in England or Ireland should issue notes for any sum under five pounds, without having made a sufficient deposit of government securities, consisting either of stock or of exchequer bills. He therefore proposed that it should be enacted, that every private banker should transfer into the names of the commissioners for the reduction of the national debt, an amount of stock double to that of the nominal value of the notes of that description issued by them, or deposit in the hands of the commissioners exchequer bills of equal value to that issue. The cause of the difference which he recommended in this respect was, that from the frequent fluctuation in the price of stock, the nominal value of the notes in stock might turn out to be a very inadequate security.

This was the general outline of his plan, the details would of course be a matter of much deliberation. He, however, took the occasion to answer at some length two objections which might be made to the plan; one, that the measure proposed would tend to produce a great and unlimited paper circulation; the other, that the circulation of paper under the value of five pounds was not so profitable to the banker as to induce him to continue it under the circumstances of a deposit. The chancellor of the exchequer concluded with moving, "That leave be given to bring in a bill for farther continuing an act of the 44th year of his present majesty to continue the restrictions

restrictions contained in several acts of his present majesty on payments of cash by the Bank of England."

*Mr. Tierney* rose to make a number of remarks upon the speech of the right hon. gentleman; but as they were chiefly of a digressive character, we shall not, for the present, take them into consideration. He concluded with saying, that without some inquiry, the right hon. gentleman could not with decency require the assent of the House to his plan; nor would *Mr. Pitt*, with all his confidence in himself, have ventured to demand it under such circumstances.

*Mr. Grenfell* shortly considered the many pretexts by which the chancellor of the exchequer had been induced to prolong the Restriction act; and particularly noticed the three reasons which he brought for the measure, all which he treated as futile.

The motion of the chancellor of the exchequer was at length agreed to; after which the House resumed, and leave was also given to bring in two bills; the first, "For farther continuing an act of the 44th of the king, to continue the Restrictions contained in several acts of his present majesty on Payments of Cash by the Bank of England;" the second, "To authorize Bankers in England and Ireland, to issue and circulate Promissory Notes secured upon a Deposit of Public Funds, or other government securities."

On April 10th the *Chancellor of the Exchequer* brought in the Bank Restriction Continuance bill. On the motion that it be

read a first time, *Sir C. Monck* wished to be informed whether the sums paid into the Bank of England by the different saving banks, and amounting in all to 657,000*l.*, and on which exchequer bills had been issued, were included in the sum of 1,800,000*l.* The chancellor of the exchequer assured him that the money which came from the saving banks was not at all connected with that sum, but was quite a separate account.

The bill was then read a first time.

*Mr. Grenfell* said, that as he considered this as a measure for establishing a permanent paper currency in time of peace, he wished to know whether it was in the contemplation of the chancellor of the exchequer to take any steps for securing to the public any share of the vast profits which the Bank of England received from this system.

The *Chancellor of the Exchequer* said, he was of opinion, as he had always been, that it would not be consistent with the honour and welfare of the country, to make itself a partner in any profits which the Bank of England happened to derive from the restriction.

The *Chancellor of the Exchequer* brought in a bill "to authorize Bankers in England and Ireland to issue and circulate Promissory Notes, secured upon a Deposit of Public Funds, or other Government Securities." The bill was read a first time. On the question that it be read a second time,

*Sir J. Newport* said, he was confident that no notes would be issued



issued by country bankers on the conditions prescribed by the bill, and that the consequence would be to drive them out of circulation, to the benefit of the Bank of England. He wished to know whether it was proposed that the notes issued should pay any duty?

The *Chancellor of the Exchequer* replied, that they would pay the same duty as was now paid, though the form would be different.

*Sir J. Newport*, alluding to what had fallen from the right hon. gentleman the other day, respecting the total disappearance of the 2,500,000*l.* issued in coin by the Bank, informed him that it had not been all transmitted to foreign countries, as he seemed to imagine. The fact was, that at that period some bankers, having placed full confidence in the assurance given by the right hon. gentleman respecting the resumption of cash payments, had made preparations for that purpose. With that end in view, a particular banker had drawn a large sum from the Bank in Ireland as a preparation against that period.

*Mr. Grenfell* observed that 100*l.* five per cents was of more value than 100*l.* exchequer bills; and that 100*l.* four per cents was also of more value; but in a less proportion. He wished to know whether the chancellor of the exchequer intended to propose any clause in the bill which would regulate the difference, as this was a matter of some importance?

The *Chancellor of the Exchequer* said, that the subject mentioned by the hon. gentleman would be proper for the commit-

tee. Great difficulty had been found in making any distinction between the different public stocks; and he should be happy to receive any communication on the subject.

On April 30th the Chancellor of the Exchequer informed the House that the next Monday was fixed for the discussion of the Bank Restriction bill, and on the same night the first reading of the Country Bank Notes bill was to take place. He thought it his duty now to mention, that in consequence of a meeting of the principal country bankers yesterday, in which certain modifications had been proposed in the measure, which would render it impossible to be carried through during the present session, he should move that the order of the day for the second reading of the bill be discharged.

This, after some observations on the bill, was accordingly effected.

On May 18, the order of the day for taking into consideration the report of the committee on the Bank Restriction bill being read,

*Mr. Frankland Lewis* addressed the House. He said that nothing was now left to the House but to amend the bill as best they might, for in a little more than one month the Bank must resume cash payments should it not pass. He rose therefore to propose an amendment which would steer between those two evils, to the effect of engaging the Bank to resume cash payments at a definite period. The bill therefore ought to contain, not a special enactment, but a distinct expression

sion of expectation that cash payments would not be again postponed. The preamble should comprehend a direct declaration that the restriction was continued, in order that the Bank might be enabled to reduce its issues, so as to resume cash payments at the time fixed by the bill. He presumed that no one would object to his proposed amendment from any attachment to the present preamble. That only stated, that unforeseen circumstances had arisen which rendered it expedient to continue the restrictions. Although he had closely attended all the discussions on the bill, he could not state what those circumstances were. The right hon. gentleman had indeed, on a former night, mentioned four arguments as justificatory of the bill, of which the loans to be negotiated for France afforded the only grounds on which the measure rested, though most extravagantly overcharged. It was notorious that we had witnessed of late a large subduction of gold from the continent for the purpose of supplying the coffers of the Bank, and yet that subduction did not enhance the price of gold among the continental nations. Why then should any effect of that kind, likely to arise from the loans alluded to, be supposed to be calculated to produce any enhancement of the price of gold in this country? He was astonished to find gentlemen so much frightened at the bugbear that loans to France; or to any other country, would serve to withdraw our bullion, and that we should be reconciled to a system which gave the Bank the power of in-

fluencing the distribution of all the property in the country. One argument frequently urged by the Bank directors was, that parliament ought not to interfere with the affairs of the Bank; and in this opinion he entirely concurred. But the bill before the House was a most lamentable and fatal interference with them. Parliament had enacted the restriction, and that restriction rendered farther interference absolutely necessary. The Bank might, if they should think proper, discount bills payable at three years, as well as at two months, and thus throw into circulation a quantity of paper that would never return to them. While it possessed a discretion of this kind, parliament must interfere in its concerns, or abandon altogether the most important interests of the country.

There was one other consideration of a general nature which appeared to him to deserve attention, which was, the opinion which the continuance of this system must inculcate in Europe with respect to our financial resources; for while our present state of currency continued, we must be regarded by the continent as helpless and exhausted. It was impossible to suppose that a nation able to relieve itself from its difficulties would remain in such an unsound state. It was vain to hope that the next year would be more favourable than the present for entering upon the subject; and it was for these reasons that he was anxious to call upon the House to adopt the amendment with which he intended to conclude. It was, to  
leave



leave out all the words in the preamble from "whereas," in order to add the words,

"It is expedient that the provisions of the said act should be farther continued, in order to afford the directors of the Bank the opportunity of making such gradual reduction of the amount of their notes in circulation as may be necessary, in order to enable them, with safety to the Bank and to the public, to resume cash payments at the earliest period, and that another time should be fixed at which the said restrictions should cease."

*Mr. Canning*, in opposing the amendment, dwelt upon the declaration of the first preamble, which assigned as the motive of the continuance of the restriction, that "unforeseen circumstances" had rendered it expedient that the restriction should proceed; and this, he assured the House, was the only reason which at present could induce him to support the bill. In various other respects he adhered to his former opinions relative to the subject.

*Mr. J. P. Grant*, after various observations in favour of *Mr. Lewis's* motion, said, that when he recollected that the advances to government led to the Bank stoppage in 1797, and when he saw that the chancellor of the exchequer founded his system of finance on farther advances from the Bank on exchequer bills in the present year, he could not help thinking that the cause still continued, and would continue to operate to prevent the resumption of cash payments, just so long as this system between the Bank and the government was suffered to continue in full and

active operation. The hon. gentleman concluded with giving notice of his intention, in a future stage of the bill, to move that the restriction do continue no longer than six weeks after the next meeting of parliament.

Several other members on each side spoke on this topic; at length the question being put, "That the words of the Amendment made by the committee, proposed to be left out, stand part of the question, the House divided: Ayes, 88; Noes, 21: Majority, 67.

*Mr. Tierney* (whose motion took place of that of *Mr. J. P. Grant*) then proposed the 25th of March next, as the proper time for the Bank to resume cash payments. The question being put "That the words of the Amendment made by the committee, proposed to be left out, stand part thereof, the House divided: Ayes, 88; Noes, 27: Majority for 5th of July, 61.

The order of the day for the third reading of the Bank Restriction bill took place on May 19th, when *Mr. Finlay* rose, and alluding to a speech of *Mr. Gurney* the preceding night, said that he could not suffer this bill to pass without taking some notice of the unfortunate prejudice to which that hon. member had lent his sanction, namely, that it was impossible to place our currency on its former footing. From this course nothing but the most serious evils were to be apprehended; and the hon. gentleman instanced in several continental countries the evils which had actually happened from the necessity of employing paper money instead of cash. It was absurd

absurd (he said) to think that the Bank would next year, or in any future year, be more able, or more willing, to return to cash payments. Now or never was the time for the House to return to a wholesome currency. They must meet the evil, and they ought to meet it in a manly way at once, and not allow themselves to be abused longer with the farce which had been playing off upon them.

*Mr. Tierney*, seeing a secretary of the Treasury in his place, hoped that in the absence of the chancellor of the exchequer he would be able to inform him whether any and what steps were taken for paying the nine millions due by the public to the Bank of England. In an early part of the session provision was made for six millions of that sum; but with respect to the remaining three millions, he did not know of any provision for it.

*Mr. Lushington* assured the right hon. gentleman that he could give an answer which, he trusted, would prove satisfactory. Preparations were making for the payment to the Bank, not only of the six millions, but also of the three millions; but the particular sums, and the periods when they were to be paid, were yet matters for consideration.

*Mr. S. Thornton* farther answered the right hon. gentleman's question, whether the Bank directors had given the notices required by parliament for the repayment of the sums of six millions and three millions, by saying that such notice had been given; and he could add, that it was understood on the part of the Bank that the sums in ques-

tion would be paid off in the course of the present year.

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

In the House of Lords the Bank Restriction Continuance bill was introduced on May 26th by the nobleman considered as at the head of the ministry, the *Earl of Liverpool*. His lordship followed in some measure the steps of the chancellor of the exchequer, particularly in declaring that he considered the Bank fully prepared to pay in cash; but whereas the chancellor had split into several heads the arguments by which he endeavoured to prove the necessity of the restriction, the earl was content with taking a single ground, and laid the whole of the necessity to the stipulations of the French government which promised to pay, within a short period, more than 30,000,000*l.* sterling. He concluded a speech of no great length with saying, that he could not, consistently with the responsibility which attached to his station, consent to the return of cash payments at the present period by the Bank; and he had therefore felt it an imperative public duty to propose the present bill.

*Lord Grenville*, after expressing the greatest disappointment at the statement he had just heard from the noble earl, said, that if he felt or stated fewer objections at the time when the continuation of the restrictions for two years was proposed, it was because he confidently believed that parliament had given the country a sacred pledge, which nothing but the most urgent necessity could tempt them to forego; and he fondly

fondly clung to the hope that the day was at length positively fixed when the nation would return to that system of circulation under which its credit was untainted. That hope had now unhappily fled, destroyed as it was by the introduction of the present bill. Not only on account of the public, but on account of the Bank itself, it was high time that the truth should be known. It was not fitting to go on with what was called restriction and restraint, if that restraint was in truth no other than a boon and indulgence granted to the Bank of England, by which they were enabled to pay their creditors in a depreciated currency. Whether that body looked upon it as a restraint to which they were willing to submit, or, as was sometimes insinuated, in which they were unwillingly but singularly acquiescent, in either case the great interest to which parliament was bound to look was that of the country; and looking to that, he never could be induced to consent to such a measure, even for the shortest period, upon a ground so problematical and inconsiderable as had been urged by the noble earl.

Lord G. continued to speak at considerable length on the dangers of perseverance in the system of paper currency, and on the mischief and ultimate destruction that it threatened to the finances of the country. The evils, he said were so many that he could not enumerate them, and so great that his majesty's ministers did not dare to look them in the face.

The *Earl of Harrowby* defended the bill by calling in question

several of the positions advanced by the last speaker, whom he charged with taking for granted many of the unavoidable evils with which the nation had been threatened. He thought that the dangers of recurring to cash-payments at the present critical moment were much greater than the persisting in a system under which the country had flourished so long.

Of the noble lords who afterwards joined in the debate, it would be superfluous to give an analysis of their speeches, as they would necessarily fall into the track already anticipated by the speakers in the other House. The question being put, the House resolved itself into a committee on the bill, when the earl of Lauderdale proposed as an amendment, that instead of fixing the 5th of July 1819 as the term of the restriction, it should expire in six weeks after the commencement of the next session of parliament. Upon this the House divided; Contents, 9; Not Contents, 22. The bill then went through the committee.

On May 27th on the third reading of the Bank Restriction bill, the earl of Lauderdale moved a change in the preamble, which was negatived.

The same was the fate of a proviso moved by lord Holland, to put an end to the operation of the act in the event of the price of gold falling to *3l. 17s. 6d.* per ounce.

The Earl of Lauderdale then moved a proviso relative to the gold and silver coin of the kingdom, which was also negatived.

The bill was then passed.

## CHAPTER VII.

*Chancellor of the Exchequer's Motion respecting the Building of Churches.—Dr. Phillimore's Motion relative to the Spanish ships engaged in the Slave Trade.*

ON March 16, the Chancellor of the Exchequer having moved the order of the day for taking into consideration that part of the Lords Commissioners speech which related to the building of Churches, Mr. Tierney gave notice that soon after the holidays he intended to move, that the sum granted by parliament for the erection of a monument to commemorate our victories by sea and land, be laid out in the erection of a parish church or churches.

The Chancellor of the Exchequer said, that the subject to which he was about to call the attention of the House was not connected with that alluded to by the right hon. gentleman; at the same time he was far from being disinclined to coincide with the view of the right hon. gentleman on this subject; for he thought that if they should communicate with each other, it would be found that they did not disagree.

Mr. Tierney expressed much satisfaction at what had fallen from the right hon. gentleman, especially as this idea had been adopted in the quarter where it could be most advantageously carried into execution.

The House having resolved itself into a committee, that part

of the speech of the Lords Commissioners which related to the want of accommodation for public worship, was read by the Chairman to the following effect:

“The Prince Regent has commanded us to direct your particular attention to the deficiency which has so long existed in the number of places of public worship belonging to the established church, when compared with the increasing and increased population of the country. His Royal Highness most earnestly recommends this important subject to your early consideration; deeply impressed, as he has no doubt you are, with a just sense of the many blessings which this country, by the favour of Divine Providence, has enjoyed, and with the conviction that the religious and moral habits of the people are the most sure and firm foundation of national prosperity.”

The Chancellor of the Exchequer began by expressing in the warmest terms his satisfaction, together with that of the public, respecting the communication from the throne which the Lords Commissioners had been instructed to deliver by command of the Prince Regent at the opening of the present session. He went on to say, that in support of a fact

so generally known as the great deficiency existing in the places of public worship belonging to the established church, he might rest on the ground of public notoriety; but for the sake of a clear illustration of the subject, he would take the liberty of referring to the accounts laid upon the table of the House. The parliamentary account No. 1 gives a relation of those parishes, containing at least 2,000 persons, in which the places of worship are insufficient to accommodate one half of the inhabitants. They show that in the diocese of London there were eighty parishes of that description, containing 930,337 souls, and giving an average of 11,629 to a parish; in that of Winchester the average was 8,789 to a parish; and in that of Chester 8,195. He had himself extracted a list of 27 parishes in which the deficiency was most enormous, the excess of the means of accommodation in the churches exceeding 20,000 in each. It was not necessary, in his opinion, that the church should be sufficiently large absolutely to contain the whole of the inhabitants of a parish at the same time: a large deduction must be made for infants, and for those who were incapacitated by age, sickness, and other avocations. He should therefore conceive, that a parish might be considered as not inadequately supplied if the church could contain one third of the inhabitants at the same time; and it would be obviously desirable to provide in the bill for the performance of three services on every Sunday and the more important festivals.

From the returns on the table it appeared that the deficiency was greatest in the district of London, lying in the diocese of London and Winchester, and in those of Chester and York; and the Chancellor of the Exchequer undertook to make a comparison of the defective accommodation of the churches in these districts. He then proceeded to state the outline of the remedial measure which he had it in his contemplation to submit to parliament. He intended to propose a grant to the extent of one million sterling, to be raised by an issue of exchequer bills, and applied as occasion might require, under the direction of commissioners appointed by the Crown, in a manner analogous to the operations of the parliamentary commission established last year to give encouragement to public works. The distribution of this grant would require, at least, four or five years; and the sums raised in each might either, if parliament should think fit, be made good in the succeeding years respectively, or in one total sum at the close of the period when the whole should have been issued. The public bounty ought only to be given in aid of a fair exertion on the part of the district: where the commissioners were convinced of the inability of the district to complete the undertaking of itself, they would interfere, but rather with a view to assist, than to support the whole charge. In many parishes, not only the population was too numerous, but the extent too great for the pastoral care of one incumbent. On both these accounts it might be thought desirable

sirable that a power should be given to the king in council, with the consent of the patron, to divide the parish, with respect to all ecclesiastical rights, as well as spiritual duties, but without interfering with the management of the poor, or other arrangements of a civil nature.

The modes by which the commissioners would effect the purposes of the act were threefold: first, by the complete ecclesiastical division of parishes; secondly, by the distinct division of parishes, not affecting the endowments of the present benefice; and thirdly, by the building of parochial chapels. In one or other of these modes he hoped the requisite relief would be gradually obtained; but it would be obvious to any one who examined the returns on the table, that the greatest exertions of parochial funds, and of private liberality, co-operating with the munificence of parliament, would be necessary to attain the object. It was true that in these estimates he had made no allowance for those members of the community who did not belong to the established church; for, without meaning the least disparagement to the dissenters, he thought that the church, which existed for the benefit of all, and derived support from all, was bound to afford accommodation to all: and he believed that a very large proportion of those who did not now attend the worship of the established church, had not voluntarily forsaken the church, but that the church had shut her doors upon them.

It would naturally be asked,

from what fund the ministers serving these new churches and chapels were to derive their support? For this purpose, and also to assist in the repairs of the buildings, it was proposed that a moderate rent should be required from those persons who had the accommodation; and it was sufficiently proved by the example of the proprietary chapels in various parts of the kingdom, that from this source a very considerable income might be derived. It was, however, by no means intended that the parliamentary churches should be allotted principally with a view to the profit of pew rents; on the contrary, a large proportion of the space in each of them should be reserved as free seats, for the accommodation of the poorer inhabitants. With respect to another part of the subject, the patronage of the intended churches, the same principle of respect to private rights which guided the other parts of the arrangement was intended to be applied to this. Whether, therefore, a parish should be divided wholly or partially, the presentation of the new parish, or of the district church, would be vested in the patron of the original church. In the case of parochial chapels, the appointment would rest (as it now does by law) in the incumbent of the parish, who is spiritually answerable for the conduct of the whole.

He desired just to touch upon a subject, distinct indeed from the present, but naturally suggested by it,—the situation of the church of Scotland. This church had, in proportion to its wants, equal claims to national support; and he

he believed parliament would feel equal readiness to come to its assistance. But the forms of church government in Scotland were so different from those of England, that an attempt to embody in the same act of parliament the provisions applicable to each, would tend only to embarrassment and confusion. The case of Scotland, however, had not been overlooked, and he hoped shortly to bring before the House a proposition upon this subject.

The right hon. gentleman concluded by moving "That his majesty be enabled to direct exchequer bills, to an amount not exceeding one million, to be issued to commissioners, to be by them advanced, under certain regulations and restrictions, towards building, and promoting the building, of additional Churches and Chapels in England."

Some remarks were made by several gentlemen, after which the resolution was agreed to.

On March 17th, the report of the committee on that part of the Prince Regent's speech which related to the building of New Churches in different parts of the kingdom, was brought up, and a motion made for reading it. A remark being made by *General Thornton* respecting the division of parishes, the *Chancellor of the Exchequer* assured him that it was not intended to propose a division of parishes for civil purposes. He then distinctly stated what were the objects of the present bill. In the first place, it would empower the king, in council, upon a representation to that effect, to direct the division of a

parish for ecclesiastical purposes, into two or more parochial districts. Secondly, to such divided districts would be assigned its church and minister. The third provision would extend to the erection of chapels of ease in parishes, the ministers of such chapels to be nominated by the incumbents of the said parishes, subject to the approbation of the diocesan, and without at all deranging the civil or secular rule of such parishes.

The Resolution was agreed to, and a bill was ordered to be brought in thereupon.

On March 18, *Dr. Phillimore* made a motion in the House of Commons relative to the Spanish ships engaged in the Slave Trade. He began by observing, that by a treaty lately concluded, the sum of 400,000*l.* was to be paid by the British government to Spain as a compensation for the losses which the latter power might sustain by consenting to the abolition of the slave trade. By a petition formerly presented to the House from Mr. Page, described as an agent for the persons residing at the Havannah concerned in the slave trade, it appeared, that the Spanish property employed in this trade might be divided into three classes; the cases of vessels condemned in the colonial courts where the appeal was interposed too late; the cases of appeals in progress; and the cases where the decrees of the courts of this country had ordered restitution to the full value of the property. With the two first classes he had nothing to do; and his cases exclusively referred to that of those claimants



claimants who were in possession of sentences of restitution from British courts in this country. The parties who had sought for restitution of their property, had appealed to the British courts in the fullest reliance on their acknowledged character for good faith and justice; and on referring to the cases in which restitution had been made, he found that it had been ordered in two instances as far back as January 1817, in another in May of the same year, and in a fourth in December, though the treaty with Spain was not ratified till the end of that month. Yet by that treaty, a decree of the law of nations putting these parties in possession of their property, or the value of their property, was rendered, to all useful purposes in this country, but as so much waste paper. Before the execution of the recent treaty, no merchant in England would have refused the most liberal advances to these claimants on the security of those sentences of restitution: at present they were wholly valueless.

But the case of these claimants stood on stronger grounds than the mere sentence of restitution: they were protected by an act of parliament, the 55th of the present reign, by which, not only a restitution in value was enacted, but it was ordered that payment should be made on the production of the sentences by the treasurer of the navy. Application had been made by these claimants to the courts, in order to accelerate the payment, and the answer was, that a treaty was pending. Of the treasurer of the navy the

value of the property had been demanded, but the claim was from time to time evaded; although, under the provisions of the very act of parliament, a sum of 48,000*l.* was paying to French claimants similarly situated.

There remained one point on which, from what he had heard since he entered the House, he was anxious to be fully understood. No man more sincerely wished for the total abolition of the slave trade; no man was more sensible of the embarrassments this country had to contend with in achieving that important concession by which the African continent to the northward of the equinoctial line was at length placed within the pale of civilized society. The question he had the honour to submit stood wholly independent of the slave trade.

The hon. and learned gentleman concluded with moving, "That an humble address be presented to his royal highness the Prince Regent, to represent to his Royal Highness; that it appears to this House, that several Spanish subjects have obtained sentences of restitution of vessels engaged in the African slave trade, which had been detained by his majesty's cruizers, and brought to adjudication in the courts of admiralty in this country, but have not yet been put into possession of the same: and that they commenced and prosecuted their suits at considerable expense, under the implicit confidence which they have reposed in the justice and integrity of the British tribunals, and upon the faith of an act passed in the



55th year of his majesty's reign, intituled, "An Act to provide for the support of captured slaves during the period of adjudication." — That being deeply interested in upholding and maintaining the decisions of the tribunals of this country, most earnestly do entreat his Royal Highness, that he will be graciously pleased to take effectual measures to provide that the Spanish subjects, who are actually in possession of sentences of restitution, may receive the full amount of the property decreed to be restored to them.

*Lord Castlereagh* said, that he had no doubt but that he should be able to present the subject in such a light as would give satisfaction to the House, and to the hon. and learned gentleman himself. He would first make a few observations as to the general grounds of the right upon which the arrangement was entered into. There could be no doubt that it was perfectly competent for one sovereign to contract with another as to the claims of their subjects with a view to adjustment. If any other principle were admitted, all claims of subjects might individually become an object of negotiation which could never be brought to a close. All writers upon the law of nations were agreed as to that point. It could be proved by two practical cases exactly in point which had obtained the sanction of parliament. One was, the treaty negotiated at Vienna in 1815, by which 300,000*l.* was stipulated to be paid to the king of Portugal in compensation for the same kind of injury as that to which the motion referred.

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Some of the cases respecting Portuguese vessels captured by British cruizers were then actually in progress before the courts. In the treaty with America in 1783, the subjects of this realm were to bring their complaints for unjustifiable capture of ships before the American tribunals. In some cases they obtained justice; in others it was denied; for which reason the sovereign entered into a stipulation for their adjustment, and the American government itself undertook to satisfy the claimant in cases where justice could not be obtained from the tribunals.

The hon. and learned gentleman had represented the great hardship and injustice of stepping in between individuals and the tribunals which had given judgment in their favour. This he wished to be kept particularly in view by the House, for he could show them that the claimants were deprived of no right they had possessed either in equity, or by statute. Now in equity the claimants were entitled to nothing. The statute of July 1815 was passed for purposes of humanity, that slaves found in captured vessels might be immediately relieved from their unhappy situation, and not obliged to wait the issue of a long litigation. With this view it was enacted, that if the capture should be afterwards declared illegal, an equivalent should be given for the slaves by the treasurer of the navy. As this act could only operate prospectively, not one case of those in question could be brought within its operation. There were altogether 21 cases in different

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stages,

stages, in sixteen of which the captures had taken place before July 1815. The act of parliament of that date could therefore apply only to five of them; and four of these were still in a course of litigation, on which no judgment had been given. Only one case, then, could be attempted to be included in the provisions of the act, and this was that of the *Rosa*. This had not been captured by our cruizers, but had been driven by stress of weather on the coast of one of the Bahama islands, and had been taken because some slaves were on board. There were only five judgments, and those were against the captors; and surely the claimants, as to the remedy now afforded to them, compared to their prospect of recovering from the captors, had no right to complain of this country for turning them over to the justice of their own. Upon the whole, he trusted that he had satisfied the House that no doubt had hitherto existed with regard to the sovereign power of a state, upon all the principles of international law, to conclude a treaty with another foreign power, of the nature of that under consideration. He had shown that it had been recognized on two solemn occasions, and that there was no ground of charge against the navy board, as having placed itself between a judgment on a statute law, and its execution. He had only to remind them, that the Spanish flag had been made use of by the subjects of other states as a cloak to their violation of the law, and that the Spanish courts must necessarily be the fittest place for determin-

ing any question which might arise out of that practice.

*Mr. Wynn* said, he would not dispute the abstract proposition, that a sovereign had a right to adjust with another potentate the claims of any of his subjects; a power vested, and necessarily so, in the head of any state, whether republican or monarchical. He also admitted, with the noble lord, that the question here was, whether the power so vested had been properly applied in the particular case. But when the legislature, by a special act, prescribed the mode of pursuing a legal inquiry to correct a wrong, and where the sufferers had followed the course laid down, and obtained an adjudication after making out their demands to the satisfaction of the court, then both equity and justice required that they should be protected in their rights. He thought that the interest of the claimants should in the present instance, be defended by the courts in which the proceedings relative to them had been instituted, and not transferred to another jurisdiction producing additional expense and delay.

After the remarks of some other gentlemen, *Dr. Phillimore* spoke in reply.

He said, the question upon which he went was, whether those claimants who were in possession of the verdict of a British court of justice in their favour, ought not to be indemnified for their losses in the first instance, and the subsequent heavy expenses incurred in the prosecution of their claims; and whether there was not a difference between the cases

cases of such persons, and those whose claims were in progress? He did not deny the right of the sovereign to bind the subject by any treaty entered into with a foreign power; but he thought the honour of the country ought to be maintained; that the purity and integrity of British courts of justice ought not to be lessened in the minds of other nations, which would be the case if the persons whose cause he advocated were to be deprived of redress. He admitted that three out of the four cases which he had mentioned did not come within the act. The fourth did. The noble lord had stated that it was the captor, and not the public, who would be liable if no treaty had been entered into. He would appeal to the House, whether it would be fair that the captor of a slave ship should be ruined in his fortune by being obliged to pay all the damages attending on the restoration of

his prize. What was the result of the treaty? The decisions of the British courts, to which those cases had been referred were left at the mercy of the Spanish government, than which no government in Europe ranked lower in point of credit. It had been said by an hon. member, that much fraud had been carried on by some of the claimants, which was the reason why they were so anxious to apply to England rather than to Spain. To that, he would only observe, that he did not personally know the gentlemen whose cause he advocated; but from what he had heard of them, he had no reason whatever to doubt their respectability, or the validity of their claims. He had not heard any thing from the other side of the House from which he was not the more convinced of the necessity that his motion should be carried.

The motion was negatived without a division.

## CHAPTER VIII.

*The Prince Regent's Message to both Houses of Parliament respecting the Royal Marriages.*

ON April 13th the Prince Regent sent a message to both Houses of Parliament, of which the following was communicated to the House of Commons by Lord Castlereagh.

“GEORGE P. R.

“The Prince Regent, acting in the name and on the behalf of his Majesty, thinks it right to inform the House of Commons, that treaties of marriage are in negotiation between his royal highness the duke of Clarence and the princess of Saxe Meiningen, eldest daughter of the late reigning duke of Saxe Meiningen; and also between his royal highness the duke of Cambridge and the princess of Hesse, youngest daughter of the landgrave Frederick, and niece of the elector of Hesse.

“After the afflicting calamity which the Prince Regent and the nation have sustained in the loss of his Royal Highness's beloved and only child, the princess Charlotte, his Royal Highness is fully persuaded that the House of Commons will feel how essential it is to the best interests of the country that his Royal Highness should be enabled to make a suitable provision for such of his royal brothers as shall have contracted marriage with the consent of the Crown: and his Royal

Highness has received so many proofs of the affectionate attachment of this House to his Majesty's person and family, as leave him no room to doubt of the concurrence and assistance of this House in enabling him to make the necessary arrangements for this important purpose.”

The message having been read from the chair, *Lord Castlereagh* said, that conformably to precedent in former cases, he should move that the message be referred for consideration to a committee of the House to-morrow. He should abstain from any proceeding which might have the appearance of pledging the House to an express line of conduct, and should merely move, “That an humble address be presented, &c. [Here follows an address to the Prince Regent, exactly copied from his message to the House.]

*Mr. Tierney* remarked that he could have no objection to agree to the proposition of the noble lord. Not having been one of those favoured members who had the advantage of hearing the noble lord's views with respect to the sums which ought to be asked from the House, of course he could at present form no opinion on the subject. He could not help thinking it was not very respectful to the House to summon

mon certain members out of the ministerial side of the House, who had in confidence communicated to them what it was not fitting should be made known to the House till to-morrow. These meetings it would seem, were always called when any new measure was to be submitted; for ministers were convinced that unless their measures had such a previous rehearsal, they could not carry them.

*Mr. Protheroe* said, that if the reports which were in circulation were true, he thought an opportunity ought to be given to the people of England to see how every individual representative acted on such an occasion at the present; and he should therefore probably feel it his duty to move a call of the House.

*Lord Castlereagh* affirmed that if a call of the House was moved for, he should give it no opposition.

*Mr. Brougham* said, that under the present circumstances of the country it was necessary for the House, if it valued its own character, the peace of the nation, and the security of the throne, to take every step in all it did to carry the voice of the country along with them.

*Mr. Methuen* was decidedly of opinion that an account should be laid before the House of the income of the royal dukes from naval and military appointments, from the civil list, and from the droits of the Admiralty.

*Lord Lascelles* said, that he was one of those who had attended the meeting alluded to during the early part of the discussion; and thought that he should not

take too much upon himself if he stated that what had transpired there, had not met with the satisfaction of several others besides himself.

*Mr. Brougham* observed, that there was an omission in the address, which, if not supplied, would prevent him from concurring in it. He thought that the House should declare its regard to the state of the people, and its sense of the burdens under which they labour, and the privations they undergo. He would therefore move to add, after the word "House," these words, "and to the burthened state of the people of this country."

*Lord Castlereagh* declared his intention of opposing the amendment.

After some long discussions, the question was put upon the amendment, when there appeared Ayes, 93; Noes, 144: Majority, 51.

The address was then agreed to in its original form.

*Mr. Methuen* then moved, "That there be laid before this House, a return of all Incomes received by their Royal Highnesses the Dukes of Clarence, Kent, Cumberland, Sussex, and Cambridge, arising from Military, Naval or Civil Appointments, Pensions, or other emoluments, as well as all grants out of the Admiralty Droits, made to them since the year 1800."

This motion, after some discussion relative to the income from Hanover, was agreed to.

*Mr. Protheroe* then intimated his intention to give notice for a call of the House, which was fixed for the 24th of April.

On April 14th the order of the day for going into a committee on the Message having been read, *Lord Castlereagh* moved that the committee be deferred till to-morrow.

Mr. Brougham, Mr. Tierney, and Lord Folkestone, spoke with great disparagement of the ministers; but in the end, Lord Castlereagh's motion was agreed to without a division.

On the 15th the Speaker having left the chair, and the House forming itself into a committee, *Lord Castlereagh* rose for the purpose of drawing the attention of the members to the message of the Prince Regent. He began by stating to the House the great change that had taken place in the early part of the present reign, by which all those branches of revenue which had formerly been at the uncontrolled disposal of the crown, were surrendered into the hands of that House to be administered for the public benefit. This circumstance necessarily threw the reigning family into a state of dependance upon the House of Commons for such assistance as their wants required; at the same time the House were to consider themselves as only discharging that duty to the crown which a just view of the interests of the country prescribed to them. His lordship, coming down to the duke of York's marriage with the princess of Prussia in 1792, affirmed that on no principle of reasoning it could be maintained that the duke was then as near the crown as the duke of Clarence must be considered to be at present. The duke of York having no descend-

ants, and the Prince Regent having lost his only child, the duke of Clarence, according to all the calculations of probabilities, was at present nearer to the succession to the throne, than the duke of York was in 1792. Taking this into consideration, ministers, in proposing that the duke of Clarence should receive what parliament had given to the duke of York twenty-six years ago, when the value of money was much greater than at present, had treated the question as one purely British, and had been actuated by no motive that they need hesitate to avow.

With respect to the junior branches of the royal family, ministers had no precise rule to go by, as in the case of the duke of Clarence, but it was their wish to keep the expense within the narrowest limits. They had thought it would be right to add 12,000*l.* to the existing income of such of their royal highnesses as should marry with the royal consent, by which their income would be raised from 18 to 30,000*l.* per annum. Out of the 12,000*l.* proposed to be granted, it was intended that, as in the case of the duchess of York, 4,000*l.* should be deducted and settled as pin money on the royal brides. He would ask if ministers were guilty of an improvident act in proposing an addition of 8,000*l.* to the income of the royal dukes on their marriage, and if, without such an augmentation, their means would be sufficient to carry them and their families on without the reproach of being in debt. Such were the reasons which had influenced the Prince Regent's

Regent's ministers in their view of the subject; but this being the scale of allowance which they intended to propose for all the married sons of his majesty, it was thought not to be just or proper to make an exception in the case of the duke of Cumberland. It was therefore resolved to bring the subject again before the House, which, indeed, was a necessary course, unless they meant to act on the principle of perpetual exclusion. The same provisions were therefore intended for him, as for the junior branches of the royal family. The whole expense of the proposed arrangement, supposing that the duke of Kent should marry, would amount annually to 55,500*l.* An outfit to a corresponding amount was also to be proposed; as it was only by means of a liberal outfit that any chance was afforded to the royal pair of being enabled to avoid getting into debt. This provision in the first year would have been 110,500*l.*, and the permanent annual charge 55,500*l.*

He had now to state the outline of the plan which, under all the circumstances, it was the intention of ministers to submit to the House, and the sources from which the charges of it were to be supplied. He must first, however, observe that in his own opinion nothing ought to be deducted from the regular incomes of their royal highnesses in consideration of what they might receive professionally; nor should their incomes, in either their single or married state, be regulated by the sums which they might derive from other quarters. With re-

spect to the duke of Clarence, he had no revenue except that granted him by parliament, and his pay as an admiral, which amounted only to 1,100*l.* a year. The proposal in his case was, that the amount of his income, added to his present revenue, should reach to 28,000*l.* instead of 40,000*l.* as first proposed; and as to the other royal dukes, it should amount to 24,000*l.* a year, instead of 30,000*l.* He concluded by moving the following resolution: "That his Majesty be enabled to grant an additional yearly sum of money out of the consolidated fund of the United Kingdom of Great Britain and Ireland, not exceeding the sum of 10,000*l.* to make a suitable provision for his royal highness the duke of Clarence, upon his marriage."

This proposition was warmly encountered by the House in general, and was the cause of many speeches. At length *Mr. Holme Sumner* said that he could not consent that the House should provide for the duke of Clarence on the ground of his being presumptive heir to the throne, a situation in which he did not stand. He therefore must disagree to the present demand for the duke, but was disposed to go to the extent of 6,000*l.* He would first ask, however, was the House in possession of the necessary information to assure it that such an increase would be applied to uphold the splendor and dignity of that illustrious personage? Before any increase was granted, the whole of the circumstances ought to come before parliament, and it ought to be ascertained that the sum granted would be available



available to the purpose. The noble lord who had introduced the proposition had stated that a liberal outfit was the best antidote against incurring debt, but if the debts were already incurred, the antidote would be inoperative. With respect to the junior members of the royal family, he would have no objection to a regulated grant on their marriage; but with regard to the duke of Cumberland, the question had been long ago settled; and he thought that parliament was not fairly treated by *hooking-in* that duke into the proposed grants for the other royal dukes.

*Lord Castlereagh* rose to set the hon. gentleman right as to the debts of the duke of Clarence, assuring the House that a provision was made for paying them off, so that they would soon be completely discharged, provided the present vote of 25,000*l.* a year was agreed to.

The committee divided on the amendment proposed by Mr. Holme Sumner for reducing the allowance of the duke of Clarence from 10,000*l.* to 6,000*l.* a year:

For the Amendment 193

Against it ..... 184

Majority —9

On April 16th *Lord Castlereagh* moved in the House of Commons for a committee to take into consideration the message of the Prince Regent respecting the intended marriages of some of his royal brothers. The House having accordingly resolved itself into the committee, his lordship said, that the part of the message to which he desired to call the attention of the committee was that which related to the marriage of his

royal highness the duke of Cambridge: and he moved, "That it is the opinion of this committee that his Majesty be enabled to grant an additional yearly sum of money out of the consolidated fund of the United Kingdom of Great Britain and Ireland, not exceeding the sum of 6,000*l.* to make a suitable provision for his royal highness the duke of Cambridge, upon his marriage."

Several speakers arose to give their sentiments both for and against the present motion, but upon the whole it was carried by a considerable majority. There appeared,

For the Resolution... 177

Against it ..... 95

Majority —82

*Lord Castlereagh* then moved, "That a sum of 6,000*l.* per annum be settled upon her highness the princess of Hesse, when she shall become duchess of Cambridge, in case her highness should survive his royal highness the duke of Cambridge, to be issued and payable out of the consolidated fund of the United Kingdom of Great Britain and Ireland." This motion was agreed to.

*Lord Castlereagh* next rose to do (as he said) an act of justice towards an illustrious individual; and he trusted the House, in its wisdom and liberality, would concur in the motion he was about to bring forward. Whatever prejudice might be entertained against the illustrious individual to whom he alluded, he could conscientiously say, that he never knew a reasonable or fair man who denied to him the praise which was due to his honourable character. After some farther attempts



attempts to restore this illustrious person to the favour of the House, he ventured to move, "That his Majesty be enabled to grant an additional sum of money out of the consolidated fund of Great Britain and Ireland, not exceeding 6,000*l.* to commence from the 5th of April last, towards providing for the establishment of the duke and duchess of Cumberland."

*Lord Folkestone* expressed his hope that parliament would assign dower to the duchess of Cumberland, with regard to whose character he could say of his own knowledge, many of the prevailing prejudices were groundless.

*Lord Castlereagh* said, that he held in his hand a motion for that purpose, and when the resolution then before the House was disposed of, should propose it.

After some warm discussions, the committee divided :

For the Grant..... 136

Against it ..... 143

Majority ---7

*Lord Castlereagh* then moved, "That a sum of 6,000*l.* per annum be settled upon her royal highness the duchess of Cumberland, in case her royal highness should survive his royal highness the duke of Cumberland, to be issued and payable out of the consolidated fund of the United Kingdom of Great Britain and Ireland."

The resolution was agreed to.

On the bringing up of the report of the grant to the duke of Clarence, *Lord Castlereagh* observed, that as his royal highness had declined accepting the sum which had been voted to him, it would be better to withdraw it

altogether. *Mr. Tierney* wished that the reasons for it should at least be entered upon the Journals, otherwise it would not be dealing fairly with the House or the royal duke. *Lord Castlereagh* suggested that all inconvenience would be avoided by agreeing to the resolution, upon an understanding that no bill should be brought in upon it.

This suggestion was adopted.

On the 20th of April there was presented to the House of Commons a Return of all Income received by their royal highnesses the dukes of Clarence, Kent, Cumberland, Sussex and Cambridge, arising from Military, Naval, or Civil Appointments, Pensions, or other Emoluments, as well as all grants out of the Admiralty Droits made to them since the year 1800.

On May 13th *Lord Castlereagh* presented to the House of Commons the following message from the Prince Regent:

"GEORGE P. R.

"The Prince Regent, acting in the name and on the behalf of his Majesty, thinks it right to acquaint the House of Commons, that he has given the royal consent to a marriage between his royal highness the duke of Kent, and her serene highness Mary Louisa Victoria, widow of the late prince of Leiningen, and sister of the reigning duke of Saxe Cobourg of Saalfeld, and of his royal highness Leopold George Frederick, prince of Cobourg of Saalfeld. His Royal Highness is persuaded that this alliance cannot but be acceptable to his majesty's faithful subjects ; and he has the fullest reliance on the

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the concurrence and assistance of the House of Commons in enabling him to make a suitable and proper provision with a view to the said marriage."

The House agreed to return the thanks of this House for his most gracious communication of the intended marriage, &c. &c.; to express our entire satisfaction at the prospect of this alliance with a Protestant princess of illustrious family; and to assure his Royal Highness that the House will immediately proceed to the consideration of his Royal Highness's gracious message, &c.

On May 15th *Lord Castlereagh* called the attention of the House to his Royal Highness's message. He proposed, in the present instance, strictly to follow the course adopted by the House in the case of the duke of Cambridge; which was, to make the same provision for the duke of Kent, and the same dower to his intended duchess, in the event of her surviving him. He did not propose any outfit, as he understood from his royal highness that under all the circumstances of the case he did not wish for it. He then took into consideration the character of the illustrious female with whom his royal highness was about to ally himself, and showed that the provision of a dower for her was but an act of bare justice. Turning to his royal highness, he observed that for some years he had been under streightened circumstances, which he had met in the most manly and honourable way. Until he was thirty-two years of age, he had only an allowance of 5,000*l.* from his royal

father, together with about the same sum as commander-in-chief of the British possessions in North America. Under these circumstances he would move, "That his majesty be enabled to grant a yearly sum of money out of the consolidated fund of the United Kingdom of Great Britain and Ireland, not exceeding in the whole the sum of 6,000*l.*, to make a suitable provision for his royal highness the duke of Kent, upon his marriage."

*Mr. Curwen* said, that however painful to his feelings it might be, he felt it his duty to oppose the present motion. He rested his opposition on two points. In the first place, he did not know that he had ever acceded to any pledge which bound him, in all cases, to make provision for any branch of the royal family when a marriage was about to take place. Secondly, he had observed that it was expected that they were not to take into consideration any emolument enjoyed from military or other situations by the royal family. He never had conceded any such principle; and had it not been for the late hour at which the question was brought forward on a former occasion, he would have opposed it. He considered the situation in which the country was placed, and he could not consent that 6,000*l.* per annum should be added to the existing burthens.

*Lord Castlereagh* appealed to the House, whether it would be grateful to their feelings that the sum necessary to enable his royal highness to support himself in a married state abroad, should be derived from any other source than the bounty of parliament.

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The committee having divided, there appeared, Ayes (for lord Castlereagh's motion), 205; Noes, 51; Majority, 154.

*Lord Castlereagh* next moved "That the sum of 6,000*l.* per annum be settled upon her serene highness Mary Louisa Victoria, princess of Leiningen, when she shall become duchess of Kent, in case her highness should survive his royal highness the duke of Kent, to be issuing and payable out of the consolidated fund of the united kingdom of Great Britain and Ireland."

This was agreed to.

In the House of Lords, on April 14th, the *Earl of Liverpool* stated that he wished, from peculiar circumstances, to postpone the consideration of the message of the Prince Regent on the subject of the marriages of the dukes of Clarence and Cambridge till to-morrow; and in the meantime he moved, That the said order be discharged.

The *Marquis of Lansdowne* felt that it was impossible not to be sensible of the singular situation which the House was placed in by the message which the noble earl had brought down, and the very extraordinary conduct which had been adopted upon it. He hoped that whatever might appear disrespectful to the Crown on the occasion, would not be imputed to the House, but that the blame would fall upon the advisers.

The *Earl of Liverpool* was willing to take the blame on himself. But he thought it improper to move an address until their lordships were in possession of the measure which was to be

recommended; and felt that he should not be doing his duty if he called upon them to give an opinion before they were made fully acquainted with the sentiments of the Prince Regent's government on the subject.

*Lord Holland* followed up the observations of the marquis of Lansdowne, and moved an address to the Prince Regent, in lieu of the discharge of the order proposed by the earl of Liverpool.

Other remarks were made on the occasion, when the Address was negatived.

The question was then put, That the order be discharged; upon which the House divided; Contents, 51: Not Contents, 12: Majority, 39.

On the 15th of April, the order of the day for taking the Prince Regent's message into consideration being moved, it was again read, when the *Earl of Liverpool* rose for the purpose of proposing an answer of the House to the Prince Regent. The circumstances of this reply being exactly similar to that introduced to the House of Commons by lord Castlereagh; it cannot be necessary to repeat it in this place. It was answered by *Lord King*, who proposed the introduction of the following sentence: "But this House must at the same time express its confident hope, that such provisions as are necessary may be made without creating the necessity of laying any additional burthens upon the people."

Several members spoke on this occasion, and at length the amendment was negatived without a division. The original motion

motion for the Address was then agreed to.

On May 7th the *Earl of Liverpool* moved the third reading of the bill for granting an annuity to the duke of Cambridge.

The *Earl of Lauderdale* having moved that the message from the crown relative to the marriage of the royal dukes be read, he said, after his request had been complied with, that his purpose was, to bring to their lordships recollection that a principle had been implied in the proceedings which had taken place on this subject. The declared principle was, that provision was to be made for certain members of the royal family in consequence of their nuptials. It was not, that provision should be made for one in preference to another, but for all such members of the royal family as married with the consent of the crown. If that was an improper law, it ought to be altered; but while it existed, it should be fairly acted upon. On the contrary, it was a desertion of duty in parliament to make it a matter of favour whether or not a provision should be voted after a marriage had been regularly contracted according to the law. In looking at the bills on the table, their lordships would find that there was one member of the royal family who had married with the consent of the crown, and for whom no provision had yet been made. Now, if the question was viewed in the light in which he had endeavoured to place it, their lordships would be of opinion that an abstract right of provision existed in consequence of the marriage. It ap-

peared, however, from what had been done in this case, that some other principle must guide the decisions of another place. To him, he must own, this proceeding appeared in the utmost degree unfair and improper. His lordship hinted at the same thing respecting the case of the duke of Cumberland, though he was glad to see, from one of the bills on the table, that this prejudice was removed.

*Lord Holland* said, he did not object to this grant on account of its amount, but on account of the manner in which it was given. When he considered the sums of money which had, at different periods during the present reign, been voted by parliament to the crown, he must regard them as fully adequate to the purpose for which they were destined; and he thought that the splendor of the crown would be much better consulted, if the provisions necessary on the marriage of members of the royal family were advanced out of these sums, than by applying to parliament for additional grants, with the chance of having to experience a refusal. It was most unjust to charge the consolidated fund with this provision.

The *Earl of Liverpool* made some remarks on the positions of the two lords, though he seemed most inclined to hold with the former. With respect to the latter, he said he was ready to enter into a detailed view of the subject whenever the noble baron might think proper to bring it forward.

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

On May 14th the Prince Regent's

gent's message concerning the marriage of the duke of Kent with the princess of Leiningen was taken into consideration by the House of Lords, when the Earl of Liverpool said that it was the intention of his majesty's

ministers to propose to parliament the same arrangement as had been sanctioned in the case of the duke of Cambridge. This was agreed to, and an address on the occasion was voted to the Prince Regent.

## CHAPTER IX.

*The Budget.*

**T**HE House having resolved itself into a Committee of Ways and Means,

The *Chancellor of the Exchequer* expressed his regret, that what he had to state that evening should cause the slightest delay in any other proceeding before the House; but he wished to press upon the attention of the committee a subject of peculiar importance, and hon. gentlemen must be aware, that whenever pecuniary transactions had taken place between the government and individuals it had always been deemed proper, in order to avoid all risk, and to prevent all misapprehension, to submit a statement of them to parliament as soon as possible. It was, therefore, the practice to allow the consideration of a loan to take precedence of all other business. Under these circumstances he should claim the indulgence of the committee while he made a statement to them of the highly favourable terms on which a bargain had been arranged for a very large sum of money; and which, although not completely carried into effect, was so within the comparatively small sum of seven or eight hundred thousand pounds. But even this slight deficiency was in such progress of fulfilment, that he should be

wanting in justice to the subscribers and to the public if he did not take this early opportunity of calling for the approbation of the committee, and for their sanction to the terms on which the transaction had been arranged. Before, however, he proceeded to detail those terms, it might be expected from him that he should enter into that general statement of the financial operations for the year with which it was usual to accompany the communication of the most important financial measure for the session. It was his intention briefly to do this; although he was sensible that he should address the committee to some disadvantage, because the papers containing the annual accounts of the year had not been presented, and therefore gentlemen would not be able immediately to verify his statements, or to obtain that full information which they would have possessed had the subject been brought forward at a later period of the session. But as those accounts would soon be laid on the table of the House, any hon. gentleman, in the future stages of the proceeding that might arise out of the propositions of that evening, would enjoy an ample opportunity of supplying any deficiency that might appear in his (the chancellor

cellor of the exchequer's) communications, and of making any farther observations that the importance of the subject might seem to require. Notwithstanding therefore, the absence of the accounts to which he had alluded, he thought it proper to make a general statement of the financial situation of the country.—It must be recollected that the sums for nearly all the operations of the year had already been voted, so that he could now state the amount of the supply and the ways and means of the year, with but few exceptions. The committee were aware that they had already voted the navy estimates, the army estimates (with the exception of the barracks, the commissariat, and the extraordinaries) and the ordnance estimates; and a considerable progress had been made in the miscellaneous estimates, although some items still remained to be granted. By referring to the votes, the committee would find the sums that had already been granted. The sum intended for the army extraordinaries was 1,400,000*l.*; the particulars of which would on a future day be submitted to the committee. The votes which had already passed for the army, added to this sum which it was proposed to vote for the extraordinaries, would make a total for the army in the present year (exclusively of the troops in France) of 8,970,000*l.* Last year the vote for the army had been 9,412,373*l.* In both cases were included the expenses of the disembodied militia, which had not been voted last year until a late period of the session,

but in this had been added to the general vote for army services in the committee. The sum voted for the navy last year was 7,596,022*l.* In the present year it was 6,456,800*l.* The expense of ordnance in the present year, including the naval ordnance, which had formerly been voted under the head of navy, but which he thought best to refer to the general head of ordnance, was 1,245,600*l.* Last year it was 1,270,690*l.* The miscellaneous estimates in the present year were 1,720,000*l.*; in which however he of course did not include the sum of 1,000,000*l.* granted for the building of new churches and chapels. He had thought it best not to include that sum in the accounts of the year, as exchequer bills were to be issued for the specific purpose of providing for it. In the miscellaneous estimates, however, was included the vote of 100,000*l.* for the augmentation of small livings. Last year the miscellaneous estimates amounted to 1,795,000*l.*—The total of the supply, therefore, under the various heads which he had enumerated was 18,392,400*l.* Last year it had been 20,074,091*l.*—To this sum of 18,392,400*l.* were to be added 2,000,000*l.* for the interest of exchequer bills, and a sinking fund on them of 560,000*l.*; making the grand total of supply 20,952,400*l.* That for the last year was 22,304,091*l.*—He thought it very probable that in consequence of the arrangement that had been made for funding a large proportion of the outstanding exchequer bills, there might be a saving upon the interest; but it must be recollected

recollected that, whether that should turn out so or not, provision had already been made for them. In addition however to the regular services which he had mentioned, there were some few items of expenditure, already voted by parliament, that remained to be provided for. The first was the grant of 725,681*l.* 12*s.* 3*d.* for fortifications in the Netherlands, in pursuance of the treaty of 1815; but it was not intended to propose any addition to the burthens of the country on that account, as the expense was to be defrayed out of the French contributions in the hands of the commissioners. The second item was the sum of 400,000*l.*, which had been voted for carrying into execution the treaty with Spain for the abolition of the Slave trade. Another extraordinary item was 259,686*l.*, to supply the deficiency of the ways and means of last year—not arising out of any failure of the ways and means themselves, but from the circumstance of the vote for the charge of disembodied militia, to the amount of 300,000*l.*, which took place last session after the other supplies had been voted, and the ways and means provided. This charge had formerly been paid out of the land tax, in the nature of an anticipation of the payments into the exchequer; but it had been thought that it would be more regular to vote it in the committee of supply, that in common with the other expenses of the country, it might be brought more distinctly before parliament. The deficiency which was now to be voted, was the difference between the sum of 300,000*l.*

voted for the purpose he had already described, and the small excess of the ways and means of last year above their estimated amount. These two extraordinary payments which were this year to be provided for, amounted to 659,686*l.*, which added to the regular supplies for the service of the year, made 21,011,000*l.*—He should now briefly state the manner in which he proposed to provide for this sum. In the first place there was the vote of 3,000,000*l.* on the annual taxes, which it was unnecessary to explain, as the same vote was proposed yearly. The next sum was 3,500,000*l.* on those excise duties which by law were continued till 1821. It would be found, by reference to the accounts, that in the year ending the 5th of April 1818, those duties produced only 3,184,950. But from the state of progressive improvement in which they now were, there was a fair prospect that within the year 1818 they would produce three millions and a half. The next item was the usual sum of 250,000*l.* by way of lottery. The sale of old naval stores it was estimated would produce a similar sum. In 1817 it would be seen that they produce 400,000*l.*; but it was obvious that the sum produced from that source, must diminish with the duration of peace. In the present year the commissioners of the navy have calculated the produce at 250,000*l.* This sum was of course but a conjectural estimate, though there was reason to believe that it had not been taken too highly. The next item arose from some considerable arrears  
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to be received on the property tax. In the last year 1,522,648*l.* had been received from that source. Still 350,000*l.* remained to be collected, of which it was calculated that about 250,000*l.* would probably be received in the present year. There was also a sum of 21,448*l.*, arising from the profits resulting from the loan of 1,000,000*l.* of exchequer bills granted last year, to promote public works, and for the general employment of the poor; which profits the commissioners for managing that loan had already paid into the exchequer; and much more was expected to be returned in the course of the current year. The total amount, therefore, of what might be called the ready money of the ways and means, was 7,271,448*l.* He did not this year mean to take credit for any surplus on the consolidated fund; for although he had no doubt that there would be a considerable surplus, yet he did not believe it would be more than sufficient to replace the deficiencies of the income of that fund in former years. Those arrears however would this year be discharged, and in the next year he hoped a very considerable sum would be at the disposal of parliament, from the surplus of that fund.—Comparing the sum of 7,271,448*l.*, which he had already described as the ready money of the ways and means, with the sum of 21,011,000*l.*, which he had stated to be the total amount of the supplies, it would appear that there was a sum of about 14,000,000*l.* to be provided for, for the service of the year. With a view to provide for this sum of

14,000,000*l.*, and also to effect a considerable reduction of our unfunded debt, ministers had resolved to enter into the arrangements which it was now his duty to explain to the committee. In the first place it would be necessary that he should state the objects which government had in view in these arrangements; the principal of which was, by funding a certain portion of exchequer bills, to effect a considerable reduction in the unfunded debt. The committee must be aware that it was always usual to take the earliest opportunity after a peace, of funding a great part of the floating debt, which never failed to accumulate in time of war. There was no doubt, an unusual amount of this debt at present, which government had been naturally anxious to reduce as soon as circumstances might favour the operation, but respecting which, it had not until that time been deemed advisable to take any step. It might be recollected, although perhaps it was not a matter of any great consequence, that in 1816 he had given a sort of notice of his intention after the expiration of two years of peace, to propose the funding of a certain amount of exchequer bills. If the state of our finances had not been so favourable as to warrant the execution of his intended plan, he should certainly not have considered himself bound to act according to the notice he had alluded to; but he had the satisfaction to say, not only that the expectations which he entertained in 1816 were realized, but that he was enabled to do much more than

than he had at that time led the House to expect, or to hope. It was a fact, that although the unfunded debt had increased to a great degree since the peace, that accumulation was not productive of any detriment or inconvenience to the country; but still it was not deemed consistent with sound policy, or with the financial principles which had always regulated the conduct of the British government, to allow such an accumulation to continue, much less to increase. The considerable addition to our unfunded debt within the last two years—amounting to no less a sum than 18,000,000*l.*, was notoriously the inevitable result of the decision of that House, to put an end to the tax on property. But although (as he had already said) no public inconvenience was occasioned by the amount of our unfunded debt, still it was thought inexpedient farther to prolong the existence of such a debt as fifty or sixty millions; because, in the event of any public alarm or danger, of which, however, he had no apprehension, the existence of such a debt might be productive of serious mischief. Prudent ministers, finding the state of the funds, with the general circumstances of the country favourable for the purpose—finding also, that there was a great overflow of money in the market, would certainly consider the present as an advantageous moment at which to reduce the floating debt. He put it to the committee whether it was probable that a more favourable opportunity than this would present itself? The funds might and probably would be

higher; but that could not be expected at any early period to afford the means of making a more beneficial arrangement than that which he was about to show had been concluded. By this arrangement the expectations which he held out in 1816 had been more than fulfilled. There were some persons no doubt who had objected to the increase of the unfunded debt since the conclusion of peace; but he was always of opinion, that such increase was much preferable to the contraction of a loan. The committee might perhaps do him the honour to recollect the opinion which he had expressed on this subject in 1816. At that time he asserted the policy of rather issuing exchequer bills to meet the exigencies of the year, than of borrowing money or contracting any loan; and he stated that, besides the saving of interest in the bargain he had made with the Bank, if the sum then raised by exchequer bills should be repaid by some future loan, the saving to the public might be considerable. On the same occasion, he had expressed his opinion of the expediency of funding exchequer bills whenever the 3 per cents should rise to seventy-five. They were now at eighty. Time therefore he was glad to say had justified his opinion; for no less than two millions were saved within two years to the country by preferring the issue of exchequer bills to the contraction of any loan, and it was now proposed to fund twenty-seven millions of those bills, an amount much larger than he had anticipated.

pated. But, were the whole of the outstanding bills, beyond the amount which it must be considered as desirable to keep outstanding during peace funded at once, he had the satisfaction to say, that no addition would be made to the capital of the national debt beyond that at which it stood at the conclusion of the war. For gentlemen were perhaps not aware of the progress that had been made by the sinking fund during the peace. Such had been the progress of that fund, that no less than 50,000,000*l.* of capital stock had been reduced by it since November 1815;—he meant that the amount of the debt on the 1st of November 1815 was 50,000,000*l.* higher than it was at the moment he was speaking. This reduction of the debt to so great an amount must have had the effect of clearing the market of stock, and of removing the apprehensions arising from so great an annual expenditure.—By the quantity of unfunded debt which it was now proposed to fund, he hoped the money market and the public credit would be so much improved, as to lead to very important ulterior consequences—he meant to the reduction of the four and five per cents. He entertained a hope that the accomplishment of this desirable object might be looked for at no very distant period. Such indeed was the improved state of the money market, that although it might not be expedient to propose such a reduction within the present year, it might, he thought, be confidently looked for within the next session. But he did not altogether despair of being able

to bring forward such a measure even within the present session. He should now state the principle on which the present plan was founded. The object of ministers had been to raise a considerable sum of money for the service of the year without increasing the nominal capital of the debt, by creating out of the 3 per cent stock a stock which should bear the interest of  $3\frac{1}{2}$  per cent; while the existence of such a stock would naturally serve to facilitate the reduction of the 4 and 5 per cents; for the  $3\frac{1}{2}$  per cents would rise to par sooner than the 3 per cents; and if the holders of the 5 per cents were to be reduced to 4 per cent, instead of this  $3\frac{1}{2}$  stock, there might be an apprehension entertained by them that they would be eventually reduced to 3, which by the terms of the contract for the creation of the  $3\frac{1}{2}$  per cent stock, they were secure from for 10 years. On those grounds he looked to the new stock as the means of affording great facilities for the reduction of the four and five per cents; while the creation of that stock produced no addition to the nominal capital of the debt. It was proposed that the new stock should consist of 27,000,000*l.*, by which the sum of 3,000,000*l.* would be raised for the public service, by the payment of 11 per cent, on the sum transferred as a compensation for the difference of value between a  $3\frac{1}{2}$  and a 3 per cent fund. It was also proposed to fund exchequer bills to the amount of 27,000,000*l.* The terms had already been before the public. The subscriber would have to

pay 11*l.* for every 100*l.* stock, transferred from the 3 per cent into the 3½ per cent stock. The actual difference considered in the light of an annuity between the 3 and the 3½ per cent funds would have been when the offer was made 13 per cent; that was supposing the price to be 78. In this offer a fair and free bonus was held out of two per cent; but were it not for the protection to be afforded to the 3½ per cents by the purchases of the commissioners for the reduction of the national debt, the difference would indeed be extremely small. The public would be a gainer on the whole transaction of 3,000,000*l.* He had also been encouraged to make the present experiment, from the success of an arrangement sanctioned by parliament last year for legalising the transfer of 3 per cent stock into the Irish 3½ per cents, by the sacrifice of a seventh of the capital so transferred. This plan had been acted on last Autumn to the amount of half a million; a material sum, considering the circumstances of Ireland. But such transfer manifesting the willingness of stockholders to avail themselves of a proposition for the investment of money in a 3½ per cent fund, and the Irish proprietors in the British stocks so promptly making the transfer with the view of having their interest paid to them in Dublin, it struck his mind that other holders of the 3 per cents might be equally ready to seek an advanced interest on their capital in London. Hence the present plan was brought forward. In the original notice at the Bank, it had only been stated that a

subscription would be opened for raising a part of the supply of the year, and it was proposed that the parties transferring their stock should have the option of funding exchequer bills to the extent of double the amount of the money to be paid as the consideration for the exchange of 3 per cents into a 3½ per cent stock. Under this plan 6,000,000*l.* of stock had been subscribed for transfer within the first three days.

After this time a farther opportunity was offered by the second notice for funding exchequer bills to the amount of a sum equal to the stock transferred. This was so much approved of that nearly the whole sum had been raised at the time he was speaking, and there was no doubt of its speedy completion. The addition to the funded debt in consequence of the propositions which he had to submit would be about 34,900,000*l.* of stock, which however would only produce an augmentation of the nominal capital of the public debt beyond the money actually raised to the amount of between four and five millions, being the difference between the above sum of 34,900,000*l.* and that of 30,270,000*l.* either of money to be paid in, or of unfunded debt reduced. According to the last intelligence from Ireland, he understood that the price of 3½ per cents in that country was 93; which bore a full comparative proportion to the English 3 per cents. Apprehensions had been expressed, that the new stock was not likely to be so marketable, and therefore that it would sink in value. But it would be recollected,

lected; that it was the duty of the commissioners for the redemption of the national debt, to apply the sinking fund to that stock which could be had on the best terms, and that it was therefore in the power of those commissioners always to maintain the new stock in its relative proportion. They had indeed such a command in the money market as would enable them effectually to guard against any undue depreciation of the new stock. In order to put the committee in more complete possession of his plan, he would read it to them in its detailed form:—[see next page].

The committee would observe that the rate of interest was lower than could have been expected at the termination of an expensive war, and under all the circumstances in which the country was placed. This interest it was proposed to provide for by cancelling stock according to the act of 1813. If the committee would compare the terms on which 11 millions of naval exchequer bills were funded in 1785 by Mr. Pitt, with the present plan, the difference in favour of the latter would be immediately seen. The funds were only at 56 in 1785, which was a period of peace; but by the operation of the sinking fund, which had enabled the country to make such extraordinary efforts in the late war, the funds were at 57 even at the close of that war, and they were now as high as 80. With this fact before the committee and the public, every man must see that no doubt could be entertained of the success of the new stock. Of that success those most interested

and most competent to judge were already fully assured. Some doubt, he understood, had been expressed whether the holders of exchequer bills would be willing to fund them on the terms proposed; but he apprehended that there was no ground for such doubt; first, because it was for the advantage of those holders to subscribe, and secondly, because he never remembered an instance in which subscribers had declined to perform the optional part of their engagement.—Adverting to the act of 1813, and reverting to the charge of interest, he observed, that it was his intention to propose that that charge should be defrayed out of the sinking fund. This proposition, however, he meant to bring forward on another day, taking care to provide that no reduction of the sinking fund should take place within the present year. The committee would remember that by the act of 1813 it was provided that there should be a reserved sum of 100 millions of stock in the hands of the commissioners for the reduction of the national debt for certain purposes, and he was happy to say, that of that sum about 90,000,000*l.* had already been provided. A sum of 84,000,000*l.* had indeed already been advertised in the Gazette. The charge of interest upon this occasion, or any other charge to be imposed upon the sinking fund, he proposed to have defrayed in such a manner, as not to reduce the present amount of the fund in the hands of the commissioners. To the reduction of that fund, he was indeed by no means disposed to assent; and therefore his purpose was,

CHARGE in respect of the ADDITIONS to the PUBLIC FUNDED DEBT of the UNITED KINGDOM, created for the Service of the Year 1818; calculated on the Principle directed per Act 53 Geo. III, cap. 35, sec. 5.

	Interest.	Sinking Fund.	Management.	Total Charge.
	£. s. d.	£. s. d.	£. s. d.	£. s. d.
3,000,000 0 0 Subscriptions in money, at the rate of £. 11 per Cent, to convert Three per Cent into Three and a Half per Cent Stock.....	136,363 12 8½			136,363 12 8½
Capital and Charge created by 27,272,700 Exchequer Bills Funded, at the rate of £. 64 Three per Cent Consols, and £. 64 Three per Cent, Reduced, for every £. 100 in Exchequer Bills .....				
18,444,755 4 0 Capital created by £. 14,409,965, the amount of the Sinking Fund at 5th Jan. 1818, and on which a Sinking Fund of One per Cent is calculated .....	553,342 13 1¼	184,447 11 0¼	5,533 8 6¼	743,323 12 7¼
16,464,300 16 0 Capital created by £. 12,862,735, being the Excess beyond the Amount of the Sinking Fund, at 5th January, 1818, calculated upon a Sinking Fund of half the interest... Total Capital created by Funding Exchequer Bills. {	493,929 0 5¼	246,964 10 2¼	4,939 5 9½	745,832 16 6
Total Charge by Funding Exchequer Bills...	1,047,271 13 7	431,412 1 3	10,472 14 9¾	1,489,156 9 1¼
Total Charge upon converting £. 3 per Cent into Three and a Half per Cent, and by Funding exchequer Bills	1,183,635 6 3½	431,412 1 3	10,472 14 3¾	1,625,520 1 10¼
	On Exchequer Bills Funded.	On Subscription of £. 11 in Money.	On both Transactions.	
The Rate of Interest per Cent to the Subscribers .....	3 16 9½	4 10 10½	3 18 2½	
The Rate per Cent paid by the public including all Charges.....	5 9 3¼	...	5 7 4¼	

was,

was, that the after-purchases of the commissioners should be employed to defray those charges. But he would not enter further into that subject at present, for that would be to anticipate the discussion of a future day. Reverting to the improvement of the revenue, he observed, that it afforded a most gratifying reflection. That improvement was indeed such in the excise, from which the condition and consumption of the people might best be estimated, that the receipt of the last quarter, compared with the corresponding quarter of last year, was improved more than 10 per cent, the increase having been 509,750*l.* on a revenue of 4,640,000*l.* The excise war duty of the last quarter exceeded in amount the corresponding quarter of the last year by near 90,000*l.* Nor were the custom duties less promising in their appearance than those of the excise. There was one circumstance with respect to them to which it was necessary the committee should refer the forming their estimate of that branch of the revenue. In consequence of the additional duty of 3*s.* a cwt. to be paid on sugar after the 5th of January 1818, a larger portion of the sugar duties had been paid in anticipation; so that, in the quarter before the last, five or six hundred thousand pounds had been paid of those duties, which, in the fair routine of the revenue, would have been paid in the last quarter. Nevertheless, the amount of the custom duties of that last quarter exceeded by above 90,000*l.* that of the corresponding quarter, and might

have been expected, if this circumstance had not taken place, to have exceeded it by six or seven hundred thousand pounds. Calculating on all these circumstances, and looking at the general improvement in the commerce and manufactures of the country (of which the committee must themselves be perfectly aware) it was impossible not to anticipate, that so large an increase would take place in the revenue before the close of the year, as to add considerably to the consolidated fund. It was not his intention, however (as he had already stated), to call on parliament for any grant from the consolidated fund in the present year: but next year he hoped, that a considerable sum might become available from it for the public service. For the charges thrown on the consolidated fund this year, he should propose no new taxes. He would at all events abstain from doing so till next year, and in the interim, he hoped the circumstances of the year, or the consequences of the great measure now submitted to the committee, would furnish the means of providing for them in a manner the most satisfactory to the public.—The right hon. gentleman concluded by moving the following Resolutions:

1. "That, towards raising the supply granted to his majesty, every person who shall, on or before the 24th of April 1818, have subscribed his name in the books of the governor and company of the Bank of England, for the purpose of converting not less than 2,000*l.* capital stock in the 3*l.* per cent consolidated, or 3

per



per cent reduced annuities, into annuities at the rate of 3*l.* 10*s.* per cent per annum, shall upon the transfer of such 3*l.* per cent annuities to the account of the commissioners for the reduction of the National Debt, and upon payment to the chief cashier or cashiers of the governor and company of the Bank of England, at the times hereafter mentioned, of the sum of 11*l.* in money for every 100*l.* of the said annuities, be entitled to 100*l.* in annuities, after the rate of 3*l.* 10*s.* per cent per annum, which annuities shall be charged upon the consolidated fund of the United Kingdom of Great Britain and Ireland, and shall be payable half yearly at the Bank of England, on the 5th of April and the 10th of October, and shall be transferable in the books of the governor and company of the Bank of England; and the whole of the money to arise from the payment of 11*l.* on each 100*l.*, 3*l.* per cent consolidated or reduced annuities to be subscribed, or to be transferred as aforesaid, shall not exceed the sum of 3,000,000*l.*

“ That every person subscribing 3*l.* per cent consolidated or reduced annuities, into annuities bearing interest at the rate of 3*l.* 10*s.* per cent shall transfer the amount of 3*l.* per cent annuities subscribed to the account of the commissioners for the reduction of the National Debt, at the following times, viz. ; every person subscribing 2,000*l.* and less than 50,000*l.* of such annuities, shall transfer 15*l.* per cent thereof to the said commissioners on any day between the 28th day of April; and the 4th day of May

1818, on which the books of the governor and company of the Bank of England shall be open for making transfers, and the remaining 85*l.* per cent on or before the 2nd day of June 1818; and every person subscribing 50,000*l.* and upwards of such annuities, shall transfer 15*l.* per cent thereof on the 28th or 29th of this instant April, and the remaining 85*l.* per cent on or before the 27th of November next.

“ That the said sum of 11*l.* in money for every 100*l.* of 3 per cent consolidated or reduced annuities so subscribed to be transferred to the account of the commissioners for the reduction of the National Debt shall be paid to the chief cashier or cashiers of the governor and company of the Bank of England, on or before the days and times hereafter mentioned, viz. 1*l.* at the time of subscribing, by way of a deposit, and as a security for making the further payments, 1*l.* on or before the 19th of June 1818, 1*l.* on or before the 24th of July, 1*l.* on or before the 7th of August, 1*l.* on or before the 4th of September, 1*l.* on or before the 16th of October, 1*l.* on or before the 13th of November, 1*l.* on or before the 4th of December, 1*l.* on or before the 15th of January 1819, 1*l.* on or before the 5th of February, and 1*l.* on or before the 5th of March.

“ That every subscriber who shall on or before the 4th day of February 1819, pay the whole of his subscription, shall be allowed an interest by way of discount, after the rate of 2*l.* per cent per annum on the sum so advanced for completing his subscription,



to be computed from the day of completing the same to the 5th day of March 1819.

“ That every person who shall, on or before the 2nd of June 1818, have transferred to the account of the commissioners for the reduction of the National Debt the whole of the 3*l.* per cent consolidated or reduced annuities subscribed by him, shall be entitled to the principal sum of 88*l.* in annuities at the rate of 3*l.* 10*s.* per cent for every 100*l.* 3*l.* per cent annuities so transferred, such annuity at the rate of 3*l.* 10*s.* per cent, to commence from the 5th of April 1818; and every person who shall after the 2nd day of June and before the 27th of November, have transferred to the account of the said commissioners the whole of the 3*l.* per cent consolidated or reduced annuities subscribed by him, shall be entitled to the principal sum of 88*l.* in annuities at the rate of 3*l.* 10*s.* per cent for every 100*l.* of 3*l.* per cent annuities so transferred, such annuities at the rate of 3*l.* 10*s.* per cent, to commence from the 10th of October 1818; and every person who shall, on or before the 5th of March 1819, have paid to the chief cashier or cashiers of the governor and company of the Bank of England the sum of 11*l.* in money for every 100*l.* of 3*l.* per cent annuities subscribed by him, shall be entitled to the farther principal sum of 12*l.* in annuities at the rate of 3*l.* 10*s.* per cent for every sum of 11*l.* so paid, such annuities to commence from the 5th day of April 1818; and such annuities at the rate of 3*l.* 10*s.* per cent per annum shall

not be reduced, nor shall the principal sum of such annuities be paid off, at any time before the 5th day of April 1829.

“ That the commissioners for the reduction of the National Debt be authorized and required to purchase the said annuities after the rate of 3*l.* 10*s.* per cent in the proportion of at least 1*l.* per cent per annum on the capital to be created, whenever the principal sum of 100*l.* of such annuities can be purchased for less than 100*l.* in money.

“ That the annuities at the rate of 3*l.* 10*s.* per cent shall, under the provisions of an act made in the 57th year of his present majesty, intituled ‘ An Act to permit the transfer of capital ‘ from certain Public Stocks or ‘ Funds in Great Britain to cer- ‘ tain Public Stocks or Funds in ‘ Ireland,’ be transferrable into annuities at the rate of 3*l.* 10*s.* per cent, payable and transferrable at the Bank of Ireland; and every person transferring such annuities payable at the Bank of England shall be entitled for every 100*l.* so transferred to the principal sum of 108*l.* 6*s.* 8*d.* in annuities at the rate of 3*l.* 10*s.* per cent payable at the bank of Ireland.

“ That every person who shall have completed the transfer to the account of the commissioners for the reduction of the National Debt of the whole of the 3*l.* per cent consolidated annuities subscribed by him, shall be entitled to a dividend or interest at the rate of 15*s.* for every principal sum of 100*l.* in such 3*l.* per cent consolidated annuities which may have been so transferred, such

† dividend

dividend or interest to be paid at the Bank of England on the 5th of July next ensuing, provided the whole of the 3 per cent consolidated annuities subscribed by such person shall be transferred to the said commissioners on or before the 2nd of June, or on the 5th of January next ensuing provided the whole of the 3l. per cent consolidated annuities subscribed by such person shall be transferred to the said commissioners after the 2nd of June and before the 27th of November next; and after payment of the said dividend or interest, the whole of the said consolidated and reduced annuities which may be transferred to the said commissioners shall be cancelled, and the dividends on such annuities shall be no longer payable.

2. " That, towards raising the supply granted to his majesty, every person who shall, on or before the 24th of this instant April, have subscribed his name in the books of the governor and company of the Bank of England for transferring to the account of the commissioners for the reduction of the National Debt 3l. per cent annuities for other annuities at the rate of 3l. 10s. per cent, shall be at liberty to subscribe his name in the books of the said governor and company on the 23th or 29th of April, or the 2nd of May next, for converting into 3l. per cent consolidated and reduced annuities, upon the terms and conditions hereafter mentioned, any exchequer bills already issued, or which may be issued before the 1st of August 1818, and which may not have been advertised to

be paid off before the respective days of payment hereafter specified, to an amount not exceeding 100l. in exchequer bills for every 100l. of stock subscribed to be transferred to the account of the commissioners for the reduction of the National Debt; and that every such person shall at the time of so subscribing his name make a deposit with the chief cashier or cashiers of the governor and company of the Bank of England, equal to 5l. per cent at least, on the amount of exchequer bills so subscribed, as a security for delivering into the office of the paymasters of exchequer bills the amount of exchequer bills so subscribed in manner following; viz. 20l. per cent on or before the 1st of August; 20l. on or before the 3rd of September; 20l. on or before the 1st of October; 20l. on or before the 31st of October: the remainder on or before the 26th of November. And that whenever the deposit shall have been made at the Bank in money as aforesaid, the paymasters of exchequer bills shall, so soon as the subscriber shall have brought in exchequer bills to the whole amount of his subscription, return to such subscribers the amount of such deposit; or such deposit may be taken into account as a part payment of the subscription of such subscribers.

" That every person who shall have made a deposit at the Bank of England to the amount of 5l. per cent on the exchequer bills subscribed by him, shall receive from the paymasters of exchequer bills a certificate or certificates upon which a receipt for the

the deposit made at the Bank of England shall be written; and such certificate or such certificates shall be carried to the office of the paymasters of exchequer bills at the time of making every future payment, the receipt for which shall be written thereon; and when the whole amount of exchequer bills expressed in such certificate or certificates shall have been acknowledged to have been received by the paymasters of exchequer bills, such certificate or certificates being carried into the Bank of England, and lodged with the governor and company of the said Bank, shall entitle the person or persons holding the same, for every 100*l.* principal money contained therein, to 6*l.* capital stock in the 3*l.* per cent consolidated annuities, the interest whereon shall commence from the 5th day of January 1818, but the first payment shall not be made until the 5th day of January, 1819; and to 6*l.* capital stock in the 3*l.* per cent reduced annuities, the interest whereon shall commence from the 5th of April, 1818, and the first payment to be made on the 10th of October next, if the subscription shall have been completed on or before the 3rd of September next; but if the subscription shall not be completed until after that time, the first payment shall not be made until the 5th of April, 1819.

“ That the interest on all exchequer bills which shall be deposited at the Bank of England, or which may be carried into the office of the paymasters of exchequer bills as aforesaid, shall be computed up to the 1st of

August next inclusive, from which time the same shall cease, and the interest which may be due on such bills from the day of their date up to the said 1st of August shall be paid by the said paymasters as soon as conveniently may be after the said bills shall have been deposited or delivered in.

“ That every such subscriber as aforesaid, who shall be desirous of making up any part of the subscription in money instead of exchequer bills, shall be at liberty to do so, upon paying the same into the Bank of England to the account of the paymasters of exchequer bills, together with a sum equal to 1*l.* per cent upon such money payment; and also if such payment should be made after the 1st day of August next, a further sum, equal to 2*d.* per cent per diem on the amount of such payment in money, to be computed from the said 1st of August; and the paymasters of exchequer bills shall, upon the payment to their account being duly certified to them, grant a receipt on the before-mentioned certificate for such payment, in the same manner as if exchequer bills had been brought into their office.

“ That all the monies to be received by the cashier or cashiers of the governor and company of the Bank of England, or which may be paid into the Bank to the account of the paymasters of exchequer bills shall be paid into the receipt of the exchequer, to be applied from time to time to such services as shall have been voted by this House in this session of parliament.

“ 3. That, towards raising the supply

supply granted to his majesty, there be issued and applied the sum of 3,500,000*l.* out of the duties granted by an act made in the 56th of his present majesty, intituled ‘ An Act to continue ‘ until the 5th of July, 1821, certain additional Duties of Excise ‘ in Great Britain.’

“ 4. That, towards raising the supply granted to his majesty, there be issued and applied such sum or sums of money not ex-

ceeding 250,000*l.*, arising from arrears of the duties on property, professions, trades, and offices, granted by an act made in the 46th year of his present majesty, as shall be paid into the exchequer between the 5th of April, 1818, and the 5th of April, 1819.”

Several gentlemen made their observations on these Resolutions, after which, they were put, and agreed to.

## CHAPTER X.

*Motions respecting the condition and treatment of Slaves in the Colonies.*

ON April 22 *Mr. Wilberforce* said, that he was now to move for certain West India papers, which would lay the foundation of some farther steps. After the abolition of the direct slave trade, the next great object was the alleviation of the miseries, and the improvement of the condition, of the slaves who had been previously in the West Indies. He could with confidence affirm, that the shutting out of all external supplies of slaves, was the surest mode of ameliorating the condition of the slaves who were there. It was upon this principle that he had, two years ago, proposed a bill of registration, which, indeed, was not his own offspring, but that of an hon. and learned friend. He entreated the House to consider whether any other method was likely to prove so effectual; and whether it was possible to accomplish the end which all now professed to have in view, without guarding in the strictest manner against every kind of evasion. With respect to the argument, that the prosecution of the work had better be left to the colonial legislatures, he had not felt so sanguine as many others in his expectations from that quarter. He had, however, assented to the propriety

of leaving it to them to make the experiment.

The object of his present motion was, to obtain information as to what had been done in conformity with this arrangement. It might be said, that these proceedings ought still to be left to the voluntary zeal and efforts of the affluent and liberal members of the West India body; but it had ever been to him a subject of deep regret, and continued disappointment, to see that more enlightened portion of the colonial interest making common cause with classes of a different description. The House would see, when the papers for which he intended to move were presented, what had been done; and he hoped they would remember that it was their duty to watch over the interests of a million and a half of beings who were at length recognized as being their fellow creatures. Their condition and their claims were entitled to the most serious consideration, and required the exercise of the utmost attention to the question, whether it was possible to prevent illicit importation by any other means than the measure he had recommended. He should conclude by suggesting, that our own exertions in this cause in our negotiations

negotiations with the other powers of Europe, imposed upon us the additional task of preventing, in future, all this improper intercourse between Africa and the West Indies.—The hon. gentleman then moved “That there be laid before this House, Copies of all Laws passed in or for any British Colonies since the year 1812, and not already presented to this House, respecting the condition and treatment of Slaves, or the prevention of the illicit importation of Slaves; and also respecting the condition of the free coloured Population.”

*Mr. Goulburn* assured the hon. member that nothing could be more gratifying to his feelings than to promote any measure which had for its object the bettering the condition of the slaves, and the prevention of any further clandestine importation. To the measure of a registration he was not hostile, but he believed the object would be best accomplished by first conciliating the good disposition of the colonists to its introduction. He had ever thought that the abolition of the slave trade must be the first point from which an amelioration in the condition of the slaves must flow. He hoped that the day was not far distant when such a change would take place in the condition of the black population of the colonies as would be most beneficial to them, and highly honourable to the character of this country.

The motion of *Mr. Wilberforce* was agreed to.

His next motion was for “Copies of Extracts of such accounts as have been received from the

said Colonies respectively since 1807, and have not been hitherto laid before this House, showing the increase and decrease of the number of slaves; and also of the free coloured and white population; also, the present numbers of the above classes; and as far as the same can be given, the changes in the relative proportion of Males and Females in the Slave population.

This motion was agreed to. As were also motions for “Copies or Extracts of acts passed in furtherance of the objects of the address of this House to his Royal Highness, of June 19, 1816:” and “Copies of all executive and judicial proceedings held in any of the said Colonies, connected with, or in furtherance of the objects of the said address; together with copies or extracts of all such correspondence relative to the said objects as may be communicated without detriment to the public service.”

On the same day *Sir Samuel Romilly* made a motion concerning the treatment of slaves in the island of Dominica. He said, they had been often told of efforts made by persons in the colonies for the purpose of ameliorating the condition of the slave population; but of what avail were laws if they were not carried into effect? He believed his statements would clearly prove, that the laws which had been made in the colonial assemblies for the relief of slaves had not been acted upon. He would not on this or any other occasion advance what the hon. gentleman opposite denominated inflammatory statements: he would rather under-

under-rate than exaggerate the information which he had received. His motion would be for copies and extracts of certain papers in the office of the secretary of state for the colonial department; leaving it, of course, to the proper officer to select such documents, or parts of documents, the production of which would not injure the public service.

In the Spring of the year 1817 several cases came before the grand jury of Dominica, in which it appeared that great cruelty had been exercised on the persons of slaves, by their masters. The first of these was a case in which John Baptiste Louis Birmingham, doctor of medicine, was charged with having violently, cruelly, and immoderately scourged and flogged certain slaves, his property. The slaves were not found guilty; and yet, as soon as they were acquitted, they were brought out into the public market place, and underwent the penalties limited by the law. This bill was thrown out by the grand jury. Another case was that in which John Mc Corry Esq. was charged with having with cords, whips, sticks, and rods, immoderately scourged and flogged his slave, Jemmy, who, it was stated, had been guilty of drunkenness, quarrelling, fighting, neglect of duty, absence from labour, or absence from the plantation, without a written pass. This bill was also thrown out. A third case was that of Alexander le Guay, planter, who was charged with having assaulted his female slave, named Jeanton, and that he did confine the said Jeanton in an iron chair, by affixing and fasten-

ing the same with padlocks in and upon the neck, arms, and legs of the said Jeanton, such punishment not being prescribed in and by a certain act of that island in such case made and provided; and it was farther charged, that the said Alexander le Guay maimed, defaced, mutilated, and cruelly tortured the said Jeanton, by fracturing, and causing to be fractured, her arm. This bill likewise was thrown out; and not contented with this, the grand jury thought fit to declare, that these several indictments were nothing more nor less than nuisances. This presentment was dated Dominica, Grand Jury Room, the 4th day of February, 1817, and was signed by John Gordon, foreman. In consequence of these proceedings, the attorney-general had thought it expedient to have recourse to informations *ex officio*, considering it not right to trust to grand juries again.

The House had heard the nature of the offences with which the parties were charged, but in each case the persons were acquitted. The laws were beneficent; but what availed the laws when the unhappy slaves could not avail themselves of them. There was a general concurrence in opinion in the West Indian islands, that nothing was more improper than to interfere between master and slave: it was thought to have a tendency to excite a disposition on the part of the slaves to revolt. This, he believed, was the general impression; but he should be glad to find that he was mistaken. In the island of Dominica there was a species of punishment called "the public chain,"

chain," and if any master thought that his slave had offended, he had a right to send him to that punishment. Men, boys, and even girls of the most tender age, had been subjected to this mode of torture; and the governor found that he could not interfere. Willing to alleviate the sufferings of these wretched people, he consulted the attorney-general, who gave an opinion that he had no right to remit the punishment awarded by the master. From a work which he then held in his hand, the cruelties inflicted by this kind of punishment were described as follows. "The slave who has been found guilty of any misdemeanor shall be put into the workhouse, where his labours are much harder than in the usual course of employment; he is employed to dig, and to perform other difficult duties, with a chain fixed about his body, and attached to other culprits, leaving him merely room to walk, whilst he is driven on to work by cattle whips, and other modes of castigation." In this view of the case, it was important to observe, that the king has the power of mitigating all sentences of punishment in this country, except those which are founded on an impeachment by the Commons; but in the island of Dominica the prerogative is limited by the power of the masters. The only effective remedy, in his opinion, would be that recommended by Mr. Burke to Mr. Dundas, and published in his posthumous works, which was to constitute the attorney-general in every island guardian of the slaves, and to make it an essential part of his duty to interpose

between the master and the slave when there should be a necessity.

Another thing which he thought his duty to mention was, the legislation of this country for the colonies. It had been said, that this country had not properly the power of legislating for her colonies. It was needless for him to state that it had been already done in numerous instances. Taking the matter into serious consideration, no man could for a moment imagine that the constitution could immediately apply to any of these colonies. The constitution should be taken in every part; it should be taken as a whole. The moment an individual set his foot upon the British shore, he became as free as any other individual; but what could be more inconsistent than the conduct of those who talked of establishing that principle in the West India islands? The constitution would be then reversed and destroyed. What was recommended would be, under the auspices of British liberty, rendering slavery worse than under the most arbitrary government.

The laws passed in Dominica no long time since, for the purpose of encouraging the manumission of slaves, had not been attended to. A slave born on the island was obliged to pay 16*l.* 10*s.* for his manumission, and those not born on it were obliged to pay 35*l.* The law by which this was enacted was passed in June 1810. It stated, that "No person of colour, coming from another island or colony, is entitled to his freedom, unless he produce a certificate, and pay a certain



certain tax." By another law, any slave who came to the island, if not claimed by his master within a certain time, was sold for the benefit of the public. The whole of these laws were founded on a principle diametrically opposite to that which formed the basis of the British constitution; they went to render the state of slavery perpetual. With respect to those laws which appeared so well calculated to benefit the slave population, they not only were not executed, but were never designed to be so. On this point, the observation contained in a dispatch from governor Prevost to marquis Camden, written in January 1805, affords very strong evidence: He says "The act for encouraging the better government of slaves lately passed in Dominica, appears to have been considered, from the day it was passed till this hour, as a political measure, to prevent the interference of the mother country in the management of the slaves."

The hon. and learned gentleman then digressed to the case of one Huggins in the island of Nevis, who had already been brought to trial for cruelty to slaves of his own, and was lately tried for the same crime towards the slaves of another. A Mr. Cottle, on leaving the island, left Huggins as his attorney. He whipped two young lads very severely for receiving a pair of stockings which had been stolen; ordering them to receive 100 lashes each, though 39 lashes was the highest which was allowed by the law. Two female relations were also subjected to the lash

for no other offence than that of their shedding tears. Huggins was brought to trial by the king's senior counsel, exercising the duties of attorney-general; and though the facts were established, he was acquitted.

Sir Samuel R. concluded with moving for "Copies or Extracts from all Dispatches, Letters, and Papers in the office of his Majesty's principal Secretary of State for the Colonial Department, which in any manner relate to the cases of John Baptist Louis Birmingham, Alexander le Guay, and John M'Corry, against whom bills of indictment were preferred by his majesty's attorney-general for the island of Dominica, and to the presentment made by the Grand Jury of the same island on the 4th day of February 1817, and to any presentment made by the Grand Jury at Dominica at any subsequent period, which in any manner relate to the power of the owners of slaves in the same island to send their slaves to be kept to hard labour in the public chain, and to the right which the governor may have, by virtue of the royal prerogative, to remit the punishment of slaves so condemned by their masters to be kept to hard labour." Also, "Copies or Extracts from all Dispatches, Letters, and Papers, in the office of his Majesty's principal Secretary of State for the Colonial Department, which in any manner relate to the case of Edward Huggins the elder, tried in the island of Nevis in May last, for cruelty to certain slaves under his charge."

Mr. Goulburn, after a speech for the most part apologetical, concluded

concluded with saying, that he hoped the House would do him the credit to believe that he would not stand forward to defend any criminal, or to palliate any cruelty. The best means of exposing the one, and of preventing the other, was to lay full information before parliament, to keep a watchful eye on the transactions of our colonies, and to express an utter abhorrence of all cruel and unjust treatment, like that detailed by the hon. and learned gentleman, if the accounts of it were supported on proper evidence. He had no objection to produce the papers moved for, so far as he could; but he begged the House would excuse the imperfect state in which it might be in his power to grant the requisite information.

Several gentlemen rose to communicate their sentiments on this subject, respecting which they differed considerably from each other. *Sir S. Romilly* concluded with a short reply; and in fine, his motion was agreed to.

On May 20th *Sir S. Romilly* rose in the House for the purpose of making a motion for the appointment of a select committee on the papers relative to the treatment of slaves in the island of Nevis. In the observations which he intended to make, he should confine himself to what passed in the above island; and in the circumstances which he should mention, he did not mean to animadvert with severity on the persons he should name. He had before stated several matters which took place in Nevis, and which called for legislative interference; and amongst others, he had mentioned the conduct of a

Mr. Huggins, who had been left manager of a Mr. Cottle's estate in that island. The hon. gentleman then gave a relation of all that had happened concerning the punishment of two young slaves for purchasing stockings suspected of being stolen, and of two women who shed tears at their punishment; and also of Huggins's acquittal after being tried for the offence. On this subject papers had been transmitted to the secretary of state from the counsel for the crown on the trial. Other accounts had also been transmitted from the legislative council. In these papers it appeared rather extraordinary, that the speech of Mr. Huggins at the legislative assembly in his own defence, and also a resolution of the assembly that Huggins's defence should be entered on their journals, were made public. But it will be necessary to inform the House how this assembly was constituted; or at least who the parties were by whom these accounts had been sent. One of them was the identical Mr. Huggins, who had been tried: another was the brother; another the son; and the last the father of this same Mr. Huggins. Another gentleman who formed one of the legislative assembly was the retained counsel of Mr. Huggins. He could not help observing that he never witnessed greater partiality than was shown by this assembly. They were not content with sending their own account, but also sent a letter of the governor of the island, who said that he was perfectly satisfied with the verdict. It appeared from the whole of the  
transaction.

transaction as if the governor and council of the island had sacrificed themselves in order to protect Huggins. He did not mean to say that the punishment to which he alluded was at all extraordinary; but whether it was or was not, still if it was unmerited, it called for redress, and in order to obtain it, inquiry was necessary. He should now move, "That a select committee be appointed to take into consideration certain papers laid before this House on the 30th day of April last, relating to the treatment of Slaves in the island of Nevis, and to report their observations thereupon to the House."

Mr. Goulburn remarked, that his opposition to the motion rested solely on the general principle of its being inexpedient for the House to interfere upon *ex parte* evidence, with the judicial proceedings of a competent tribunal. It was on this ground that he had signified his intention of resisting the motion, and not with the view of defending the character of Mr. Huggins. The hon. and learned gentleman, however, had put the question on somewhat of a different footing, by stating that documents of a garbled nature had been produced from the office of the secretary of state, and that the blame must attach either to that office, or the agent for the island. In this view he had no objection to the inquiry by a committee; for the office of secretary of state had as much right to complain, as the House, if imperfect and mutilated accounts had been transmitted.

Mr. Marryat entered into

several particulars respecting the conduct of Mr. Huggins and the slaves, from which he endeavoured to prove that the former had not given proofs of excessive severity. If, said he, any cruelty had been exercised, he would not be its apologist; but he did not think any good could arise from the perpetual agitation of questions like the present. He would always contend for the policy of employing the interference of the mother country prudently, imperceptibly, and silently, taking care that no groundless clamour was excited, and no sentiments tending to the subversion of order and subordination were inculcated. He particularly deprecated doctrines that had a tendency to excite insurrection among the slaves, or to convince them that they were treated with cruelty or injustice by being kept in a state of servitude. It ought to be recollected, that the dominion of the whites was founded on opinion; and if that opinion was destroyed, the authority of the planters was at an end. He concluded by saying, that he saw no reason for the inquiry, and should therefore oppose the motion.

After several other remarks had been made by different speakers, *Sir S. Romilly* rose to reply. After making some other remarks respecting the treatment of the slaves at Nevis, he said (alluding to Mr. Marryat) that they were now told, that the question of registering slaves, and others concerning them, had no other effect than to excite disorder and insubordination among them, and to break the charm which bound the slave to his master.

master. This argument would go to prevent all discussion on the subject, as well here, as in the West India islands. It was the custom to attribute every insurrection among the slaves to those who took an active interest in their condition of late years. The charge was unfounded. Revolts were much more frequent before the abolition, than they had been since, for which there was a very good reason, because the treatment of slaves was much better now than in former times.

The motion was then agreed to, and a Select Committee was appointed.

The same indefatigable friend of mankind, *Sir Samuel Romilly*, rose on June 3rd to make his promised motion for a copy of depositions taken before the coroner in the island of Nevis on the body of a negro, named Congo Jack. In bringing forward this case, he said he did not call the attention of the House to the extraordinary barbarity by which it was accompanied, for that, glaring as it was, appeared to him much less important than the light it threw on the mode of administering criminal justice in the West India islands, where the protection of slaves was at stake. The facts which had occurred were simply these: A rev. Mr. Rawlins had the management of an estate in St. Christopher's (a neighbouring island to Nevis) belonging to a Mr. Hutchinson. A slave had run away from it on the Tuesday, was taken and brought back on the Wednesday, flogged in the severest manner on Thursday, and chained to another slave, who had committed some

offence, and dragged to work with the rest of the men on Friday morning. He was still chained to the other slave, and when brought to his work, was incapable of doing any thing, and complained of severe pain, hunger, and sickness. He tried to lie down in this state, but was severely flogged by the sticks of one or two drivers. The consequence of this treatment was that the wretched being died in the course of Friday, actually chained to his fellow-slave. He was buried privately on the same day, and no coroner's inquest was at the moment called, though his body was covered with marks of violence. Some intimation of this cruelty had been given to the magistrates, and a coroner was then ordered to sit on the body, which was dug up for examination. The present object of this motion was, for the depositions of the coroner to be transmitted to this country, which, strange to say, had not yet been done. But it appeared from the evidence given on the subsequent trial, that at the coroner's inquest Dr. O'Mealey deposed, that he attended at Hutchinson's estate on the 9th of September, accompanied by two other doctors; that he had examined the deceased, who was then taken out of his grave, and found several marks on his body; one on his right eye, one on his right jaw, one on the right arm, one on the right breast, one on the right side of the belly, and some on his thighs: there might have been others, but those described were the most remarkable. Two of his teeth were recently broken. The contusions must

must have been severe. The body was in a state of putrefaction, and he could not ascertain the precise cause of the deceased's death. With all this evidence of violence upon the body, the House would be shocked and astonished to hear that the verdict of the coroner's jury was "Died by the visitation of God." On the subsequent trial of the rev. Mr. Rawlins, it was not only proved that he was present, but that he actually took a part, so far as aiding and abetting, in the execution of the punishment. The jury, however, found him guilty of man slaughter, though his crime, if the evidence be true, was an atrocious murder. The sentence was also a mitigated one; for it was only a fine of 200*l.* and three months imprisonment. The verdict of the jury was a no less extraordinary one. If they believed the evidence, they had only one verdict to find: if they did not, they had only one duty to perform by acquitting the prisoner. Lord Bathurst makes this appropriate remark in his dispatch to governor Probyn requiring the minutes of the trial. "If this statement be true, or in any way approaching to truth, Mr. Rawlins could not have been guilty of man slaughter; it must have been murder or an acquittal." He would now ask the gentlemen who charged others with issuing injurious and exaggerated statements on the subject of West India matters, with what face they could repeat such a charge after this scene of cruelty had been exposed to the public eye? They had now authentic facts, and not vague rumours, to inform them-

selves on such practices; and he trusted the House would pursue the inquiry in the manner justice demanded. He concluded by moving "That there be laid before this House a Copy of the Depositions taken before the Coroner's Inquest which sat upon the body of a Slave belonging to Hutchinson's Estate, in the island of St. Christopher, of the name of Congo Jack."

*Mr. Marryat* began with complaining that the hon. and learned gentleman had taken an opportunity of drawing conclusions as to the general administration of justice in the West India islands; merely from the single circumstance of a particular fact. As to the mode of inflicting punishment for runaway slaves, it must necessarily, for the sake of example, be done in a summary manner, and sometimes intrusted to drivers, who might perhaps exceed proper bounds. The punishment must be executed as it generally was in the army or navy. It had been stated that the punishment of this slave did not last longer than two or three minutes, and that he was neither tied down, nor heard to cry, nor seemed to suffer as if labouring under heavy pain. The jury, he thought, could not have found a verdict of murder under the circumstances of the case. On the whole, there was enough in the case to entitle it to inquiry, and he could certainly have no objection to the motion.

*Mr. Wilberforce* asked, what would be thought if a transaction of equal atrocity had taken place in this country, and the person whose duty it was to represent  
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the case to government had omitted to state its leading circumstances. In all cases of this nature, it was one misfortune that our West India possessions were so remote; and it was another that none but a white could give evidence in a court of justice. This last was precisely the case in the West India islands. Had it not been for accounts through a private channel on the part of lord Bathurst, no notice would have been taken of the most important part of the case. The governors and judges in these islands should be rendered independent of the colonial legislatures if the House meant that the administration of justice should be pure; as it was difficult for either of them to maintain their independence in places where a single family possessed an uncontrollable ascendancy. Upon the same authority from which the other parts of the transaction had been

learned, he had understood that Mr. Rawlins had not been in custody before his trial, and that, while subsequently he had been in confinement pursuant to his sentence, he had received many visits and marks of attention.

*Sir S. Romilly*, in reply, said, that the case had not been prematurely brought forward. He had made a full statement of all the circumstances attending it, excepting the depositions taken before the coroner, with respect to which he admitted that farther information was necessary. He had not thrown out any reflections against the inhabitants of the West Indies generally, but had, upon a former occasion, made a distinction between the larger and the smaller islands, and had repelled the injustice of applying his observations indiscriminately to the whole.

The motion was then agreed to.

## CHAPTER XI.

*Petition from Dublin for the repeal of the Window tax.—Continuation of the Alien Bill.*

**M**R. Robert Shaw, member for Dublin, rose on April 21st to present a petition from the householders of the city of Dublin for the repeal of the window tax. This tax, he said, was always peculiarly obnoxious to the citizens of Dublin for several reasons—its very unequal pressure, the inquisitorial nature of its levy, and the ruinous consequences resulting to the health of the city; and it is now more oppressive than ever from their total inability to pay it. On its imposition by the last parliament that ever sat in Ireland, it was at first very generally opposed, until the chancellor of the exchequer repeatedly pledged himself on the part of the government, that it was intended for a war tax only; and accordingly the tax was at first proposed for three years, provided the war should last so long. Mr. Corry, who was at this time the minister of finance, expressly asserted, in a speech reported in the *Dublin Journal*, that the tax was not intended to be permanent, but as a mere war provision. Are gentlemen aware (said the hon. member) that under the present act the collectors may demand an entrance into every room in every house in Ireland, from eight in the morning till sunset, and

insist upon admission under a penalty of 20*l.* In the reign of William and Maty an equally obnoxious tax, that of hearth money, was levied, which the Irish House of Commons stigmatized as “a badge of slavery upon the whole people, exposing every man’s house to be entered into and searched at pleasure by persons unknown to him,” and their remonstrances were near putting an end to it. The hon. gentleman then took into consideration the dangers of infection which were thrown upon the city of Dublin during the prevalence of fever in the last year, respecting which he said, it was the unanimous opinion of the faculty, that unless the houses were more generally ventilated, the contagion must spread, and a plague be the consequence. In conclusion he moved, “That a select committee be appointed to consider the expediency of repealing the act of the 56th of the king, so far as respects the tax upon Windows and Hearths in Ireland.”

The *Chancellor of the Exchequer* said, that knowing the deep interest which was attached to this subject, it was with extreme regret that he felt himself obliged to state his objections to the present motion. The hon. gentleman

man had rested his motion on two distinct grounds: first, the expectation which, consistently with the good faith of parliament, was entertained of the repeal of this tax in time of peace; and secondly, the oppressive nature of the tax itself, which bore unequally upon the community, and the utter impracticability of rendering it extensively productive. With regard to the first of these grounds, it rested entirely on a fallacy. Though when originally proposed in Ireland it might have been contemplated as a war tax, yet having been, from time to time, enacted and at length pledged as a security for certain charges on the consolidated fund, it appeared to him to have lost that character. In fact, it could not be repealed without acting unjustly to the public creditor; and it would be most dangerous if, to confer a boon on any body of people, the legislature were to depart from those great principles which formed the basis of public credit. It was a fact well known, and which showed that the faith of parliament was not pledged for the removal of this tax at the end of the war, that the same chancellor of the exchequer, Mr. Corry, who proposed it in the Irish parliament, made no proposition for its repeal at the time of the peace of Amiens. In the next parliament the tax was continued; and its having been pledged for a part of the debt, they could not, on any principle of good faith, have entertained such a proposition. If it could, indeed, be proved, that Ireland brought more than her regular proportion to the conso-

lidated fund of the united kingdom, it would be a reason for entering into a minute consideration of the subject. But this was not the case. The expenditure of Ireland, at the consolidation of the two treasuries, was 6,500,000*l.*; her revenue was short of 4,500,000*l.* So that the whole deficiency, amounting to two millions, might be said to arise from that consolidation. The supply for Ireland being raised by loan, considerable taxes were pledged as a security for the necessary charges. Here, two millions were raised on additional taxes, without touching that part of the public revenue pledged for the public service. With respect to the other part of the hon. member's argument, he allowed that the assessed taxes, and particularly the window tax, had been increased with a rapidity, and to an extent, which defeated the object sought to be attained, that of producing a steady permanent revenue. Perhaps it would not be improper to grant a certain degree of relief to the people of Ireland with respect to this particular tax. The subject had not escaped his attention, and he had prepared a schedule from which it would appear that a considerable relief would be extended to them. The relief to those on whom the tax pressed most heavily would be 25 per cent: to others a smaller degree of relief would be granted. He hoped that the distress under which Ireland had laboured, was in progress of removal. He felt a strong conviction, on examining the accounts laid upon the table of the House, that the trade of the country was improving, that industry



industry was reviving, property increasing, and the comforts of the people daily extending. He had already expressed his wish to grant some relief with respect to the particular burthen under which the Irish laboured, and he conceived that the mode which he stated, would be more agreeable to the people, than the appointment of a committee. He should oppose the motion, first, on the ground of the good faith which was due to the public creditor, and next, because an immediate relief to a certain extent would be much better than to wait for the deliberation of a committee, which would necessarily consume a considerable time.

*Mr. Plunkett* began his speech with some additional arguments to prove that in the language of the acts of parliament there was clear, direct, and specific evidence that the window tax was only intended as a war tax. After dwelling for some time upon this topic, he said, the more he considered the right hon. gentleman's statement, the more he was surprised at his opposing the proposition for a committee, since a committee was the proper place to consider what modifications ought to be made in the tax. He next adverted to the produce of the tax, and showed that the deficit for the last year was between one third and one quarter of the estimated produce of the tax. Ireland, he said, could not exert herself beyond her strength; she could not pay beyond her means. He concluded with a pathetic address, upon the supposition that the right hon. gentleman was to revisit Ireland, and again be a

witness of the distressed condition of the people of Dublin.

*Mr. Peel* said, that if the case which the right hon. gentleman had stated could be made out—if it could be shown that parliament was pledged to the repeal of the tax at the close of the war, there was very little discretion left but to repeal it; but he denied that such a pledge had been given. He then explained the tax as first proposed in 1799 by *Mr. Corry*; and when in 1800 two acts had passed relating to the tax, one for continuing it, the other for regulating its collection, *Mr. Peel* contended that the words alluded to, were not those of the act for continuing the tax, but of that for regulating it. This, he conceived, was a direct answer to the statement of the right hon. gentleman with respect to the pledge. Indeed, so far was the Irish chancellor of the exchequer of that day from conceiving that a pledge had been given, that when, in 1803, he re-proposed the tax, he denied that he had given any such pledge. If any other tax could be pointed out which would supply the place of that proposed to be repealed, and which would at the same time press less heavily upon the people of Ireland, there would be no breach of faith with the public creditor, and it would be their duty to adopt it. But the important question then came, where, and in what manner, could such another tax be imposed. The hon. member then went into the consideration whether the window tax had contributed in a great degree to the rise and progress of contagious fever in Ireland;

land; and being himself a principal actor in the business, he made no scruple of asserting that it did not at all tend to the increase of the fever.

A considerable number of members then joined in the discussion, chiefly in favour of the abolition of the tax. *Mr. Robert Shaw* made a short reply to the objections raised against him; and the question being put, the House divided: Yeas 51; Noes, 67: Majority against the motion, 16.

*Lord Castlereagh*, on May 5th, rising to move a bill for the renewal of the Alien act, observed that its provisions had so often been discussed in the House, that it could scarcely be necessary again to subject it to an inquiry. It was clear that this power could now be only exercised under the regulation of parliament; and whether or what law was required, was for the consideration of the House. His view at present was, not to propose any permanent law, but merely a continuation of the existing law, and that for the same period as had last been taken, namely, for two years. His lordship then took a rapid view of the difference between a war alien bill, and a peace alien bill; and remarked that not more than nine individuals had been sent out of the country during the last six years; a proof that the officers of the crown had not abused the powers entrusted to them. Had it not been for this power, the wild and ardent spirits bred in the French revolution, who looked forward to fresh revolutions, and who were scattered all over Eu-

rope, would have gladly availed themselves of the facilities which this country would have afforded them. He concluded with moving, "That leave be given to bring in a bill to continue an Act of the 56th year of his present Majesty, for establishing regulations respecting Aliens arriving in or resident in the kingdom in certain cases."

*Lord Althorp* thought it a singular argument of the noble lord, that since alien bills were necessary in time of war, they should be continued in time of peace. If the noble lord would be at all consistent, he ought to have made the alien act co-extensive with the period of the occupation of France by foreign troops; and if he did not so, he could not now attempt to continue it for two years longer.

*Sir Samuel Romilly* could not suffer the question to be put without offering one or two observations. The bill went upon a principle which, though never openly avowed, was now indirectly stated, namely, that the government of this country was to minister to the wishes of the despots of Europe. Instead of England being an asylum for the oppressed of all nations, she was now to be turned into a sort of depot for the persecuted, whence their tyrants might have them brought back at will. Every man, no matter of what country, or creed, had always looked in his distresses for an asylum to England, and had always found that which he sought. Why should that great character be now taken from us? For his own part, he should be the most ungrateful

grateful of men, if, forgetting the protection which his ancestors and himself had received in this country, he was not anxious that the same resource should be left open to others who might be similarly circumstanced.

The House then divided; Ayes, 55; Noes 18: Majority 37.

The bill was then brought in, and read a first time.

On the 7th of May, *Mr. Lambton* rose to make his promised motion for copies of the correspondence which had taken place between this government and that of the Netherlands respecting aliens. When the noble lord opposite moved for the continuance of the Alien act, he had stated the principal grounds to be, the necessity of co-operating with foreign governments for protecting them from the machinations of disaffected persons, and the dangers they might incur from them. He was astonished when he recollected that the noble lord had also said, that the Alien bill was brought in purely for the protection of British interests; which was an assurance that he could by no means reconcile with the admission above alluded to. He proposed, by the production of certain papers, to come at the true state of the intention of his majesty's government in this respect; and for this purpose he moved for an humble address to the Prince Regent, that he would be graciously pleased that there be laid before the House copies or extracts of all correspondence since the 20th of November 1815, relative to aliens; and also all such as concerned passports granted or refused to individuals

either going to or coming from the Netherlands.

*Lord Castlereagh* denied that he had drawn any arguments in favour of the bill from the situation of the Netherlands. He had only endeavoured to show, by way of contrast, the advantage to this country of having an alien bill. He objected to the information which the hon. gentleman had called for, as it was his intention to contend that government had never used the powers of this bill for any other purpose than for excluding from this country those suspected persons who were likely to disturb the general peace.

*Mr. Lambton* said, that he could not receive the noble lord's explanation as satisfactory. He would now ask him whether he had not joined with the rest of the allied powers, at the time of the treaty of Paris, in demanding that certain Frenchmen should be given up who had taken refuge in Switzerland, the Netherlands, and on the banks of the Rhine? If so, this would show that he did interfere with other powers in a manner that must be conceived to be highly unjustifiable. He would, however, take the sense of the House upon his motion.

The House divided: Ayes, 30; Noes, 68: Majority, 38.

When the Alien bill was moved on May 15, by lord Castlereagh, for a second reading, the first person who rose for its discussion was *Mr. Lambton*. After expressing his surprise, that in a period of profound peace this measure should have been twice resorted to, the hon. gentleman chiefly followed a strain of decla-

mation

mation, in which we find nothing particularly worthy of notice. He concluded with moving, as an amendment, "That the bill be read a second time that day six months."

His opponents were Mr. Protheroe, Mr. H. Clive, and Mr. C. Grant; his supporters Mr. Lytton, Lord Folkestone, and Mr. F. Douglas. The House at length divided on the motion, "That the bill be now read a second time," when the votes were—Ayes, 97; Noes, 35: Majority, 62.

The order of the day for going into a committee on this bill being read on May 19th, and a motion being made that the Speaker do leave the chair, *Mr. Bennet* rose to express his objection to the proposed measure, which he deemed inconsistent with the honour, the dignity, and the freedom of the country.

*Sir Samuel Romilly*, in his speech on the occasion, made a remark which seems worthy of attention. There were, he said, two classes of persons to be affected by this bill; one class was the foreigners who might seek an asylum in this country; the other, the foreigners who had settled among us, and had become a part of ourselves. As far as related to foreigners who might come to reside in this country, it was to be considered on far different grounds than as related to foreigners who had been long domiciled here. In all that had been said on this subject by the other side, it was manifest that the executive government could act only on the suggestion of foreign powers in preventing individuals from coming here; for

whether they came from France, from the Netherlands, or from other places, how could they guard themselves against such persons but by listening to the representations of foreign ministers? So that a person who was endeavouring to shelter himself here from religious or political persecution must be deprived of an asylum on the statements made to this government by their own persecutors and enemies. In all these cases ministers would act implicitly on those representations; and under that influence, the unhappy victims of despotism and oppression would be driven back from our shores.

After a discussion of considerable length, but which presented nothing of novelty, the question was put "That the Speaker do leave the chair." The House thereupon divided, giving—Ayes, 99; Noes 32: Majority, 67.

The House then went into the committee, when *Mr. Barham* moved, that the blank determining the duration of the bill be filled up with one year, instead of two. A division took place on the original question, which was carried for two years by 90 against 24.

The House was then resumed, when *Mr. J. P. Grant*, though with small hopes of success, proposed an additional clause, by which it should be enacted, that after the passing of the act, a record should be kept in the office of the secretary of state for the home department, of the grounds and reasons for every order made for the removal of every alien or aliens after the passing of the said act, and that a true copy of the said record or records be laid before

before each House of parliament. The clause was brought up, and negatived without a division.

The Alien bill being read a third time on May 22, *Mr. Brougham* proposed a clause, the object of which was, to enact that every alien, before being sent out of the country, should receive notice of at least one month, of such intention; and if, during that space of time, any vessel was bound to the place to which he desired to be carried, that he should have liberty to embark on board of the said vessel.

*Lord Castlereagh* raised objections to this proposal, chiefly founded on the necessity which might possibly occur of sending away the alien immediately, and the expense to which he might put government.

The House divided on *Mr. Brougham's* clause: Ayes, 35; Noes, 87: Majority against it, 52.

*Sir S. Romilly* then moved a clause for exempting from the operation of the bill, aliens who were resident in Great Britain or Ireland on the first of January 1814, and who had continued to reside therein. This clause was negatived without a division.

*Mr. Brougham* proposed at the end of the bill to add the words "except so far as the same relates to women married to natural-born subjects of the realm, or to persons who have been naturalized." The House divided on the motion: Ayes, 37; Noes, 87.

The question being put, "That the bill do pass," the House divided: Ayes, 94; Noes, 29; Majority, 65.

In the House of Lords, *Lord*

*Holland* rose on May 14th to make a motion for copies of correspondence between this and other governments on the subject of aliens and passports. He was induced to bring forward this motion partly on account of a bill for renewing the Alien act being in progress in another House, and partly for the purpose of bringing under the consideration of parliament the conduct of the Prince Regent's government with respect to those unfortunate and persecuted persons who were exiled from France. It was necessary that their lordships should possess the information he called for, that they might not only comprehend the extent of the Alien act, but all the system connected with it. When he some time ago asked the noble earl, whether there subsisted any engagements between his majesty's government and any foreign states on the subject of aliens, the noble earl answered in the negative. When he again asked whether any intercourse or communication had taken place between his majesty's government and foreign powers, relative to the considerations on which this bill had been founded, the noble earl replied, that the measure was to be proposed solely on British views. But in another place it had been declared that this bill was not rendered necessary by any view to our own internal security, but for the purpose of defeating the machinations of certain proscribed and wretched individuals, who might otherwise find an asylum in this country, and conspire against the government of France. Was it consistent with the principles of the

the British constitution, and with British liberty, that our police regulations should be thus made to depend upon the suggestions of foreign ministers? yet this was the evident conclusion to be drawn from the measure. The ministers must intend to take the opinion of the French minister on the character of any individual before they put the law in force against him; and what was this but rendering the laws of this country subservient to the government of France?

The noble lord then proceeded to consider the state of the Netherlands, and the means by which they had at length been induced to admit of an alien act. He finally ended his speech by moving an address to the Prince Regent, similar to that moved in the Commons by Mr. Lambton.

The *Earl of Liverpool* found it necessary for him to oppose the motion as being wholly unnecessary in any view of the subject to which the Alien bill related. Whenever that measure should come before the House, he should be ready to show the expediency of it; but this was not the time for so doing. The noble earl then touched upon the concerns of the French government, which, he contended, in the case of the three persons sent away by the last alien bill, had not the least relation to their affairs. He then paid some attention to the union of Holland with the Netherlands; and in conclusion said, that he thought the noble lord had made out no case to justify the address proposed, and he must therefore refuse his concurrence.

*Lord Holland* made a brief

reply, in which he avowed that the intention of his motion was merely to show the object of the alien bill, and had no reference to the number of persons who were sent out of the country.

The motion was then put and negatived.

On the first of June *Lord Sidmouth* moved that the Alien bill in the House of Lords be committed. In his argument in favour of the bill it appeared extremely clear that he looked chiefly to the effects it might have with respect to France. He said, "It was with the view of counteracting the effects which this revolutionary spirit might have in this country that the first alien law had been enacted; and for the same object it was now proposed to continue it for two years longer. It was necessary to keep out, as well as to send out, of this country those persons who should avail themselves of the vicinity of France to foster a spirit menacing to the security of this and the other governments of Europe." As nothing new can be expected after the discussions which this bill has undergone in the House of Commons, we shall go directly to the division of this House, which gave—Contents, 34; Not Contents, 15: Majority, 19.

A clause limiting the duration of the bill to one year was rejected; as was likewise a clause excluding from its operation aliens being husbands, or wives, or parents of British subjects, or having been domiciled here five years before the last peace.

An act of the Scotch parliament passed in 1685 for the establishment

blishment of the Bank of Scotland, having contained a clause by which all foreigners holding shares in that bank were naturalized in England, a discovery was made of its existence a short time ago, and in order to put a stop to this possibility, the *Lord Chancellor* moved the following clause: "And be it further enacted by the authority aforesaid, that such persons as may have been naturalized, or claim to have become naturalized, since the 28th of April last, by the effect of any act of the parliament of Scotland heretofore passed relative to the Bank of Scotland, or who may claim to be naturalized by becoming partners of the Bank of Scotland after the passing of this act, shall be deemed and taken to be aliens, notwithstanding the provisions of any act of the parliament of Scotland, whilst the provisions of this act relative to aliens shall remain in force." The House divided: For the lord chancellor's clause, 42; Against it, 20.

*Lord Gage* proposed a motion relative to aliens whom government desired to send out of the kingdom, in imitation of one offered in the House of Commons, which was rejected by—Contents, 20; Not Contents, 42.

*Lord Sidmouth* moved that the standing order should be suspended in order that the report of the committee should be received, and the bill read a third time to-morrow. Several lords contended warmly on the opposite side, but the motion was at length agreed to.

On the second of June the *Earl of Lauderdale* presented a

petition from certain persons who had recently purchased shares in the Bank of Scotland, and who were now threatened to be unjustly divested of their rights by an *ex post facto* law. Their petition complaining of hardships, was read; and the earl moved that they be heard by their counsel against the bill.

*Lord Sidmouth* submitted to their lordships, whether, after the discussion the clause in question had undergone, it could be necessary to hear counsel on the part of the petitioners.

*Earl Grey* was astonished to hear the noble secretary of state, without assigning any good reason, recommend it to their lordships to pay no attention to the application which had been made to them. They complained of the violation of a public right, and asked to be heard in defence of their property and the rights belonging to it. Could their lordships be prevailed on to refuse to hear them?

The *Earl of Liverpool* said, that clause was introduced on public grounds, and for public objects, and in such a case the claims of individuals must yield to the public good. He could produce many precedents where, in cases of state necessity, it had been the duty of parliament to legislate, without any regard to partial claims. A proposition so monstrous, so unheard of, he believed had never before been made in that House; and if their lordships acceded to it, they would render of no effect a bill which he deemed of the most vital expediency to the interests and existence of Great Britain.

*Lord*



*Lord Holland* said, that the noble earl would find, if he examined the subject, that this clause in the Bank act did not creep in by the Union unnoticed, but that the framers of the Act of Settlement had it distinctly in view; for they, in speaking of the Act of Settlement, on the question of Naturalization, included those already naturalized by any Scotch law. After several other considerations, the noble lord affirmed, that notwithstanding the pretence that had been set up about the balance of inconveniences, this was the principle, if any, on which their lordships ought to legislate. Say what they would, if they refused the prayer of these petitioners, they would sanction a great and flagrant injustice.

The House divided on the question, whether counsel should be heard, or not; when the numbers were—Contents, 12; Not Contents, 22.

On the same day, the *Lord Chancellor* moved the introduction of a clause by which aliens naturalized by the act of the Scotch parliament, by the purchase of a certain quantity of stock in the Royal Bank of Scotland since the 28th of April, were still to be considered as aliens, subject to the provisions of the act. The clause was admitted with an amendment of *lord Lauderdale's*, that the individuals in question should be considered as aliens only during the time that the provisions of the act should remain in force.

*Lord Sidmouth* then moved the suspension of the standing orders of the House, by which it is provided that no bill shall go through

more than one stage in one day, for the purpose that the alien bill might be read a third time and passed. The marquis of Lansdowne and the earl of Rosslyn both remonstrated against this proceeding; and the latter made a motion for an adjournment.

On a division there appeared for the adjournment—Present, 11; Proxies, 12—23: Against it, Present, 31; Proxies, 27—58: Majority, 35.

There were two other divisions respecting the question for the standing orders, in both of which they were carried for the ministers by a majority of 31.

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

The addition of the clause proposed by the lord chancellor in the House of Lords, was the occasion of a difference between that House and the House of Commons, which we shall comprise in as few words as the case will admit.

*Sir James Mackintosh*, on June 5th, presented a petition from certain individuals against the clause introduced into the alien bill, depriving them of the privilege they had acquired as naturalized subjects by the purchase of stock in the Bank of Scotland. This brought into the field several principal speakers on both sides; and at length the *Speaker of the House* was applied to for the purpose of giving his opinion on the question. He said, that as far as he could collect, aliens on becoming subjects of this country, were entitled to exemption from the duties imposed on alien traders, and a remission of the penalty in the way of forfeiture.



feiture. It appeared, then, that the amendments of the other House might in this way be considered as interfering with what was the peculiar privilege of that House. But there was one point which excited a doubt in his mind; and that was, that having stated that aliens, on becoming subjects, were entitled to relief from certain duties, as well as to relief from the imposition of a penalty on the acquisition of property. The natural course of naturalization bills was, their originating in the House of Lords; and so far they might be considered as giving relief from penalty and remission of duties. At the same time he did not state this as sufficient to counterbalance the arguments urged on the other side.

*Lord Castlereagh*, who had at first strongly supported the lord chancellor, now said that he felt there was but one course for him to pursue, namely, not to press the amendments introduced into the bill by the lords.

The lords amendments were then disagreed to *nem. con.* and a committee was appointed to draw up reasons.

On June 6th the report of the House of Commons being read in the House of Lords, the earl of Liverpool moved that "This House do not insist upon its amendment."

*Earl Grey*, desirous that the House should take the subject deliberately into their consideration, moved as an amendment, "That the farther consideration of this report be deferred to Monday next, and that the Lords be summoned."

The House divided upon the earl's amendment: Contents, 21; Not-contents, 32. The original motion was then carried.

*Lord Castlereagh*, on June 8th, said, that after the message from the House of Lords, that they did not insist on the amendments made by them in the Alien bill, he found himself under the necessity of calling the attention of the House to the existing law, not doubting that they would agree with him, that it ought not to be left in its present state. The session was now near a close; and considering the whole matter, he was of opinion that the most satisfactory course would be, to suspend the law for a short and limited period, and then every thing that the parties interested might have to submit to parliament might be discussed more fairly than if we were now to begin to legislate. The noble lord concluded by moving for leave to bring in a bill "to prevent aliens, for a time to be limited, from becoming naturalized, or for being made or becoming denizens, except in certain cases."

The measure was received with general concurrence; and the bill having been read a first and second time, committed, and read a third time, all in the same day, it was passed.

On June 9th *Lord Sidmouth* moved the first reading of the same bill; and though it was not received with the same unanimity which attended it in the House of Commons, it passed without opposition on the same day.

## CHAPTER XII.

*New Churches Building Bill.—Purchase of Game Bill.—Bill for varying and amending certain Provisions of the Regency Act.*

**T**HE House of Commons having resolved itself into a committee on this bill, *Sir William Scott* objected to the clause which entitled twelve well-disposed persons to build a church and appoint a minister with the consent of the bishop, as tending to disturb the tranquillity of the church by the introduction of dogmatical sectaries, and by infringing on the rights of patrons. It was unworthy, too, in the church to depend upon private funds for its support. He further objected to the language of the clause; the expression "well-disposed" was loose in the extreme, and bore no certain construction. Their being householders of the parish was no protection; for strangers who did not belong to the parish might join with them; and if the bishop refused his consent, he would be exposed to a degree of odium he might be unwilling to encounter. A clause of this kind could not fail to encounter opposition in another place, and might endanger the success of the bill altogether. He therefore moved its rejection.

The *Chancellor of the Exchequer* defended the clause, and thought that the church should avail itself of every source of as-

sistance from private liberality. This clause, he said, would not endanger the bill in another place: those who were most interested had been consulted, and had expressed their satisfaction. The clause would not introduce sectarians; it mentioned only that twelve well-disposed householders of the parish, and others, might build, and have two presentations. As the law stood already, nothing could prevent parties from building and preaching as long as they liked, doctrines the most opposite to those of the church. With respect to patrons, the clause did not interfere with their right of presentation. He could not therefore consent to abandon the clause.

*Mr. Wrottesley* opposed the clause, as being likely to make a serious inroad on the rights of the established church.

*Mr. Bathurst* was willing to give both clauses his support, because he did not wish to endanger the success of the bill, but he would consent to them only with some modification. These related chiefly to the possibility that the funds for building the church might be levied without the parish instead of within it; and that the nomination might fall into the hands of persons not connected

connected with the parish: to neither of which he could give his consent.

The *Chancellor of the Exchequer* observed, that there was not such a difference between himself and his right hon. friend as might at first sight appear. It was to be supposed that the majority of subscribers would be resident parishioners, and a discretion was allowed to the bishop to grant or withhold his consent, as he saw how the funds were raised. He would not object to the use of some words by which the evils apprehended might be prevented.

*Mr. Peel* expressed his entire concurrence with every observation which fell from his right hon. and learned friend. The objectionable clauses did not seem necessarily connected with the rest of the bill, and might easily be detached from it, to be made the subject of a separate discussion. The consent of the House ought not to be purchased to an objectionable measure by its union with what was desirable; nor ought the regulation of the latter to be hazarded by being coupled with the former. In the bill there was no description of the kind of fabrics to be raised, and no provision made for their repairs. They might only be of a kind to last so long as the original subscribers had an interest in the nomination of the clergyman.

*Dr. Phillimore* said, if there was a real want of churches, he had rather that churches were built by sectarists, than not built at all. He was not for separating the measure from the bill.

*Sir M. W. Ridley* felt it his duty to object to the clause, and

doubted much if the bishops had a power to prevent the abuses of it.

*Mr. V. Fitzgerald* regretted that he was compelled to vote against the measure proposed by his right hon. friend; and feared that the bill would be endangered should the clause be introduced.

The House at length divided: For the clause, 22; Against it, 47: Majority against it, 25.

The chairman then reported progress, and asked leave to sit again.

On May 15, the *Earl of Liverpool* moved in the House of Lords the reading of that part of the Prince Regent's Speech which recommended an increase of the number of places of worship. This was accordingly done, when the same noble earl moved for the second reading of the above bill.

He said, that a measure which was the result of his own investigations, and of the deliberations of those whom he thought it his duty to consult, had come up from the other House, and was now to be decided upon by their lordships. He should briefly explain the grounds on which the measure had been proposed, referring to the returns on the table of the House in support of his statement. The measure now before their lordships, if it did not come up to the wishes of every man, would at least substantially effect what had been so long desired. It would, in its results, have the most beneficial effects on the religion, morality, and general instruction of the country. He then took into consideration the aggravated statements which some persons had

made of the number of churches which would be wanted to supply the demand, and he concluded that one in three, or one in four, of the general population, would be a sufficient allowance. He then went through the metropolis and several of the towns in which a superabundant population was accumulated; and he then calculated the means by which this additional number of churches was to be provided for. This was, in the first place, the parliamentary grant of one million. To this might be added the exertions of public-spirited individuals who were likely to come forward in aid of the general contribution; and from these sources he expected that from 150 to 200 churches might be erected. He then touched upon the apparent advantage which the dissenters possessed by building places of worship to any extent and without limitation, in which, he said, that it was the duty of their lordships to afford the established church the means of balancing them. In fine, he took into consideration the appointment of commissioners for the purpose above-mentioned, and he concluded with moving the second reading of the bill.

*Lord Holland*, who said he did not rise to oppose the bill, which, upon the whole, he approved, attacked with some severity the earl of Liverpool, who had affirmed that the dissenters enjoyed advantages beyond the established church. "You, gentlemen (said he) who pay for yourselves, who pay for your own chapels and your own clergy, in addition to paying tithes for ours,

shall also contribute to the erection of those churches in which you have no interest whatever." This, his lordship thought, was most invidious in the noble earl to affirm of the dissenters under these circumstances.

After some other noble lords had spoke, the bill was read a second time.

On May 20th, the House having resolved itself into a committee on this bill, when the first clause was read, *Lord Holland* observed, that when he had stated his objections to a grant of the public money under the present circumstances of the country, he had not been aware that in the present reign a precedent for the practice he recommended had been established. In an act of the 37th of George III, the emoluments of two prebends of Lichfield were sequestered for the purpose of repairing the cathedral. Now, though the bill to which he alluded might be regarded as a private bill, he saw no reason why the principle should not be adopted in the present measure, and applied to the benefit of the public.

The *Archbishop of Canterbury* said, that the measure to which the noble lord had referred was resorted to for the advantage of the individual church from which the sequestration of the prebends had been made, which was a very different case from that which had in view the supplying the general deficiency of churches by building new ones.

*Lord Holland* was aware that the precedent he had quoted did not exactly apply; but when the country was called upon to make

so large a sacrifice, he was of opinion that a church so richly endowed as that of England was, ought to be expected to supply from its own bosom some of the means required to carry into effect this bill.

On the clause limiting the powers of the commissioners to the building of churches so as to afford the greatest possible accommodation to the largest number of persons, *Lord Grenville* expressed a doubt whether the words were sufficiently explanatory of what were the intentions of the framers. He agreed that to afford the greatest possible accommodation to the largest number of persons ought to be a primary principle; but he thought that that mode should be adopted which was best calculated to inspire that devotion which was characteristic of the established church.

The *Earl of Liverpool* entirely agreed with the noble baron in the view he had taken of this clause, though he was completely adverse to incurring a heavy expense for mere splendor.

The *Earl of Harrowby* and the *Archbishop of Canterbury* both seemed to lean towards the indulgence of granting somewhat to decent decoration.

The bill then went through the committee, and afterwards passed the House.

A bill, commonly called the *Purchase of Game Bill*, which was brought in by *Mr. George Banks*, was moved for a second reading on May 6th.

*Mr. Curwen* said, that in his opinion, the discussion of a bill of that importance should not be

brought on in so thin a House; and he therefore recommended the hon. gentleman to postpone the second reading till there should be a fuller attendance.

*Mr. G. Banks* objected to a farther postponement; saying that it was extremely necessary that the second reading should take place before the holidays, if at all. He then said that he would enter into a short statement of the object of the bill, and a reply to the attacks brought against it. He had brought in the bill on the principle, that every branch of the law should be rendered effective, so long as the law itself was not repealed. This bill placed the purchaser of game on the same footing as the seller, and levelled all distinctions of classes by subjecting them to the same penalty. He knew that there were gentlemen of a different opinion, and who thought that game ought to be allowed to be sold in the most unrestricted manner. A report had been made to the House on the game laws, in which there was a recommendation to make game private property. That report had been laid on the table of the House two years ago, and had as yet produced nothing. When any member should bring forward a comprehensive measure founded on this report, he would be willing to agree to the repeal of all the game laws; but so long as they existed, their operation should be made uniform, which was the object of the present bill. He had heard it objected to this bill, that if it passed, as game could not be afterwards bought, the class of consumers who now purchased it,

it, would have no means of obtaining it. He did not see the force of this objection. Game not found in the market would be sent to town as gifts, and the tables of the rich might be as amply supplied as before. The value of this privilege depended on a prohibition to sell, either on the part of the proprietors, or on those who might invade their rights. It had been said that this bill enforced severe penalties, and might lead to oppression. This was not the case. It merely enacted penalties against the higher ranks for the purpose of removing temptation from the lower. His bill, by prohibiting the purchase of game, would protect this helpless class of persons.

The hon. gentleman concluded by moving the second reading of the bill.

*Mr. Curwen* rose and said, The bill now before the House, if passed into a law, I am thoroughly convinced would be found ineffectual for accomplishing its object, since the qualified purchasers of game are beyond the reach of legislative enactment. The design of this bill is doubtless to protect game; but how would it act? The additional difficulties intended to be thrown in the way of purchasing game would operate, if at all, to enhance its price, and ultimately to become a premium to the poacher. It might, indeed, swell the number of victims in that catalogue, but not one would be found of the description against whom the bill is levelled. The cure of this evil will require a very different remedy. I would intreat the House to pause before

it is prevailed on to take any step calculated to extend more widely the crime and wretchedness produced by the laws in question. The legal criminality and fatal consequences which spring from these offences call loudly for prevention. Does any one suppose that poaching can be suppressed while the game laws remain as they are? I hope the period is not far distant when the legislature will be induced to go seriously into their revision. I am no enemy to the preservation of game; for whatever can contribute to induce gentlemen to reside in the country is an object of national importance. Were game to be made property, and protected by moderate penalties, the destruction of it would be considered in a very different point of light. It is hopeless to look for obedience to laws which, by a great proportion of the higher orders, as well as by the whole of the subordinate ranks in society, are regarded as oppressive, tyrannical, and unjust. Public opinion holds the game laws in detestation. Those only who resort to their protection are friendly to them; attempts to enforce them rigorously are always attended with general disapprobation and odium. To judge fairly of this question, it behoves the legislature to take into its consideration the changes which have taken place not only in the country, but in its national character. The game laws originated when there existed only one source of affluent property. The monopoly of game, while this state of things continued, was little felt as a grievance, and there

there were few temptations to induce a breach of the laws. How is the country now situated? The capital from trade, manufactures, and funded property, is seven times as great as that from the land. If we had the power, would it be wise, or even expedient, to maintain a monopoly which is invidious? The thing cannot be permitted: it is out of our power to protect it, and I will add, that it ought not to be attempted. The temptation which will be held out by the wealthy for procuring that which is deemed a luxury, will defeat any penalty we can inflict. Believing, as I do, that this bill will be either nugatory, or will give greater facilities to the conviction of inferior offenders only, in either view I am hostile to the measure: I would not consent, for one, to any step that would have the least tendency to perpetuate the game laws.

*Mr. Brand* opposed the bill, in the hope that the present cruel and mischievous system might meet with reprobation; and he trusted that they would get rid of this absurd remnant of feudal aristocracy, which caused so much discontent, and bribed the poor into vice. The oppressive severity with which the present laws were enforced was attested by the fact of 1,200 persons having been imprisoned for offences relating to the game during the last year.

*Sir C. Burrell* defended the bill, which, he said, occasioned no injustice when the landlord retained in his lease the right of sporting. But as he considered

the bill as salutary, and as the House was so thin, he moved that the debate might be adjourned till Monday the 18th.

This motion accordingly passed.

*Mr. George Bankes*, on May 18th, moved the second reading of his bill.

The principal speaker on this occasion was *Sir S. Romilly*, who thought that the present bill would be a great improvement on the existing system. He could not see how, when the House refused to make it legal to sell game, they should hesitate to punish the buying of game. How could gentlemen reconcile to themselves the allowing the purchase of game, by which persons of low rank must be infallibly allured to become poachers, and then punish those persons with the utmost severity? But this was not the only mischief to the lower orders. By becoming poachers, they brought upon themselves the far greater evil of becoming thieves in consequence of associating with men of the most infamous characters; for it was established by evidence, that in nearly all the prisons there were no means of preventing the comparatively innocent from associating with the most hardened criminals. Among the higher orders the laws were violated with little compunction to obtain the desired luxury, though the utmost rigour in imposing penalties was exercised against the lower.

The general opinion of the House was in favour of the bill; and on the question being put, That the bill be now read a second



second time, it passed in the affirmative by Ayes, 116; Noes, 21: Majority, 95.

In the House of Lords, on June 2nd, this bill being read a second time, the *Earl of Carnarvon* moved for its being committed. The sole object, he said, was, to place the buyer and the seller of game upon the same footing. If there existed any principle of law more cruel and unfair than another, it surely was that which punished the poor, and acquitted the rich, when equally criminal. The state of the game laws was altogether objectionable; but, bad as the system was, it became their lordships duty to do what they could to improve it. The question, however, was of a practical nature, and merely consisted of the comparison between the poor man and the rich man.

The *Earl of Lauderdale* spoke warmly against the bill, which he supposed would unite all persons acquainted with the state of the gaols throughout the country, to oppose it. After speaking a considerable time on this idea, his lordship said, that at this period of the session it was impossible to go into the general consideration of so important a question as that of game laws; he thought the bill ought to be withdrawn, in order that the subject might hereafter be taken up on more enlarged principles.

Earl Grosvenor and Lord Holland spoke in favour of the bill.

The Lord Chancellor said it was impossible for him to give his assent to it as it now stood; and he instanced the inequality

that was still left in the act between the rich and the poor.

The House at length divided; Contents, 33; Not Contents, 9: Majority, 24.

The House then went into the committee.

On the 3rd of June, when the third reading of the Game bill was proposed, the *Earl of Limerick* moved an amendment to the effect, that for the first offence the person convicted of violating the statute should be committed to the house of correction for three months, and for any subsequent offence for four months, without bail or main prize.

The *Earl of Carnarvon*, though agreeing in many points with the noble earl, could not assent to the proposed amendment.

The amendment was negatived.

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

On May 19th the *Lord Chancellor* presented a bill for varying and amending certain of the provisions of the Regency act. By that act, his lordship said, a council was appointed to assist her majesty in the execution of the trust reposed in her with regard to the care of the king's person, some of whom, in the absence of her majesty, were to reside at Windsor. Several of the members of the queen's council having official duties to execute, it was impossible for them to reside at Windsor; and it being thought advisable that her majesty, in the present state of her health, should continue in town, it became necessary to make provision for the appointment of additional members of her



her majesty's council. It was proposed, therefore, to vest in the queen the power of appointing such additional members, not exceeding a number to be fixed by the bill. It was necessary for this purpose to have the sanction of parliament, the members of the queen's council acting under the obligation and responsibility of an oath, directed to be administered by the provisions of the Regency act.

The second object of the bill referred to the possible case of a cessation on the part of the queen to have the care of the king's person. According to the Regency act, should this cessation occur, the parliament must meet forthwith; and in the event of the parliament being dissolved, and the new parliament not having met, the old parliament must assemble forthwith. He was not aware of any reason for the introduction of this clause into the act. There was no evident cause why the cessation on the part of the queen to have the care of the king's person should render imperative the meeting of parliament forthwith; there being a clause in the act, that, in case of the occurrence of such an event, the care of the king's person should be vested in the queen's council, until farther provision should be made by parliament, and there being a power in the crown, under the existing law, to summon parliament to meet in fourteen days. Under these circumstances probably their lordships would have no objection to a provision, which substituted to a forthwith meeting, a meeting at fourteen days notice.

*Earl Grey* said, that he did not mean to object to the first reading of the bill; but he wished it to be understood that he did not thereby pledge himself to approve of it in a subsequent stage. On the contrary, some points connected with the subject seemed to him either as forming grounds of objection, or as requiring explanation: Accordingly, he employed some time in taking notice of what had particularly struck his mind on the present occasion.

The *Earl of Liverpool* found it necessary not to suffer some of the noble earl's remarks to pass without observation.

The *Lord Chancellor* proposed, at the second reading, to enter at large into the consideration of the measures which he had laid before their lordships.

The bill was now read a first time.

On the 22nd of May, the order of the day standing for the second reading of the bill to amend the Regency act, the *Lord Chancellor* repeated, that the bill had two objects. The first of these was, to authorize an increase of the number of persons composing her majesty's council. It had been intimated by the noble earl who spoke on the introduction of the bill, that he had no objection to the increase, but to the mode by which it was to be effected. Their lordships, however, would recollect, that the act now in force provided, that if a vacancy should occur in the council, her majesty was to supply the same by her nomination; and in fact she had already in one instance exercised the authority with which she was invested;

invested; and under the same provision she might supply substitutes for the greater part, or even the whole, of the members originally appointed by parliament. The main object, however, of this first part of the bill was, that there should be an increase; and it would be for their lordships to decide, in the progress of the bill, whether the appointments should be made by her majesty, or by parliament.

With respect to the other object of the bill, he thought their lordships could not fail to perceive that it tended to effect a very necessary amendment in the act of the 51st of the king. That act provided that, if her majesty should cease to have the custody of his majesty's person during a prorogation, parliament should assemble forthwith; and in case of the event happening between the dissolution of one parliament, and the day of meeting of another, the old parliament was to assemble forthwith, even though that event should happen only the day before that appointed for the meeting of the new parliament. Now, if such an event should occur during a dissolution; after the writs were issued; or any day previous to writs being returnable, the greatest inconvenience would be occasioned; for all the expense which individuals might be put to in the elections would be lost, as the returns to the new parliament would, in fact, be abrogated. The act had made the same provision for the case of her majesty ceasing to have the custody of the king's person, as for the demise of the king; but though it might be very proper to put

the case of the demise of the Regent on the same footing as that of the king, there could be no reason for similar provisions in the case of her majesty. As, by the Regency act, the care of the king would, in the event of the demise of the queen, be vested in her majesty's council, there was clearly no necessity for the forthwith meeting of parliament; and he could see no solid objection to the alteration of the clause alluded to, by substituting the power to summon parliament at a short notice.

The Lord Chancellor concluded by moving the second reading of the bill, in the committee on which he intimated that he had some additional clauses to propose.

*Earl Grey*, after some strictures on the unprepared manner in which the noble and learned lord had thought proper to lay his bill before the House, began with saying that he had a word or two previously to mention on the first clause. If, he observed, it really did appear that the duties of the queen's council could not be performed by the present number, an addition ought certainly to be made. With respect to the mode of effecting the addition, he continued to think that it would be better to follow the example of the first formation of the council. This was, however, a matter of inferior importance compared with the other part of the bill, which made a material alteration in the Regency act, the second part of which was neither more nor less than a total repeal of the act which related to the meeting of parliament.

ment in the event of the demise of the queen. For this repeal not only had no reason been stated, nor any motive assigned, but there was not one word upon the subject in the preamble of the bill. The noble and learned lord had indeed hinted his opinion that the clause which provided for the re-assembling of the old parliament must have slipped in by inadvertence; a notion which greatly surprised him, when he recollected that his lordship filled the office of solicitor general, and possessed high eminence at the bar, at the time of the first Regency bill, and was in his present high station when, in 1811, the clause was copied. It could not be said that any thing was then done with haste and precipitation: on the contrary, his majesty's ministers acted with the greatest deliberation, and were little disposed to overlook the effect of any of the clauses in the bill which they then introduced. He must again ask, if there were any reason for this measure, why was it not discovered before? During the period that had elapsed since the king's unhappy malady, the prerogative of the crown had been repeatedly exercised in the prorogation of the parliament. How happened it, that during all this period no discovery of inconvenience had been made? He admitted that this was a case inferior in degree of importance to that of the demise of the Prince Regent; but he could not admit that it was of so little importance, as not to require the immediate attention of parliament to provide for the care of the king's person.

He had complained that no grounds had been stated for the introduction of the measure, and he had also to complain that no good reasons were stated in the preamble. It was set forth in the preamble, that her majesty's health might occasionally require her absence from Windsor, and it was inferred that an additional number of her council was therefore necessary; but if that inference should be found just, it did not follow that her majesty ought to have the nomination of the new members of that body. After the clause respecting the council, came the clause for repealing that of the Regency act, which authorized the re-assembling of the old parliament; but of this there was not the slightest reference in the preamble. This was a mode of proceeding contrary to all parliamentary usage. No grounds for the measure were laid in the preamble; none of any consequence had been stated by the noble and learned lord; and he trusted that parliament would require very strong reasons before they consented to pass this uncalled for bill.

The noble earl then gave his opinion respecting several circumstances which might incidentally require to be considered in the course of events. He concluded by moving the previous question.

The *Earl of Liverpool*, in going over the bill, defended the Lord Chancellor in every point from the imputations of the last speaker.

The *Earl of Carnarvon* chiefly followed the suggestions of Earl Grey.

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The *Earl of Lauderdale*, agreeing in general with the Chancellor's suggestion, said that if, however, the whole patronage of the Windsor establishment was to be vested in the queen, he should feel himself under the necessity of objecting to it.

The *Lord Chancellor* declared, that with a very little alteration there could not be a better bill than that which he had presented to the House; and that even as it now stood, he conceived it was not less calculated for the general benefit of the state than any that could be founded upon the suggestions of those noble lords who opposed it. With respect to the principal difficulty to which that noble earl had adverted, he would find in the last clause a provision that removed his objection altogether. It was there stated, that the powers granted to the commissioners under this bill were only such as they would have derived under the 51 of the king.

The *Marquis of Buckingham* expressed his gratitude to the noble and learned lord for the readiness he showed in making an essential alteration in the bill; for he could not help saying that, in strict principle, he should be better satisfied to have the new commissioners appointed by parliament, than by any other power.

The previous question was then negatived, and the bill was read a second time.

On May 25th, the House having resolved itself into a committee on this bill, the *Lord Chancellor* said, that it appearing to be the opinion of their lord-

ships that the additional members of the queen's council should be nominated by parliament, as in the Regency act, he had prepared amendments for the purpose of framing the first clause in that view, giving the power to the queen of filling up any vacancy that might occur, by an instrument under her majesty's hand and seal. He then proposed four additional members of the queen's council to be appointed in the bill; namely, George earl of Macclesfield, William lord bishop of London, Alleyn lord St. Hellens, Morton lord Henley of Ireland.

The insertion of these names was agreed to.

*Lord Holland* then rose, and observed, that upon former occasions they had been called upon to legislate with a view to the probable recovery of the king, in which view the provisions of the Regency act were worded. If they were now to be called upon to alter those provisions, which could only be upon the ground of [the probability of the king's recovery having ceased, it was not in any respect satisfactory that such alteration should be confined to the provision now in question. If that trust had become of a less important nature from the less probability of the king's recovery, at any rate this fact ought to be ascertained by previous inquiry, and then it might be a ground not for this partial measure, but for a general review of the Regency act. His lordship then instanced in the Windsor establishment, which, considering the general distress of the country, it would be an

act of charity to take off from the people.

The *Earl of Liverpool* denied that this measure was entered into on the ground of there being no probability of the king's recovery; on the contrary, he should regret to see that such probability was considered as given up. With respect to the question as to the meeting of parliament in case of the queen's demise, every practical purpose would be answered by a clause, which his noble and learned friend intended to propose, for the purpose of limiting the period within which parliament should in that event be summoned to meet.

*Earl Grey* said, there was one point with regard to a possible contingency respecting the meeting of parliament after a dissolution, to which he wished to allude. In the event of the demise of the crown after the dissolution of parliament, and before the assembling of the new one, then, of course, by the act of the demise, the king's writs ceased to be operative, and the old parliament must re-assemble; but in the case of the demise of the Prince Regent during such an interval, the writs for the new elections being issued in the king's name, a doubt might arise, though the old parliament was directed to re-assemble immediately, how far the king's writs were vacated; and to prevent those disputes which might take place from candidates insisting upon sheriffs proceeding with the new elections, it would be advisable to introduce some proviso to enact that, in such an event, the king's

writs for the new election should cease to be operative.

The *Lord Chancellor* proposed clauses with a view to the possible event of the demise of the queen, after the day appointed for the meeting of a new parliament, previous to the day of the meeting, and on the day of the dissolution: their object was, that the new writs should be operative, and that the parliament should be summoned to meet within 60 days. His lordship added, that he intended to propose a clause to obviate the difficulty stated by the noble earl, with regard to the possible event of the demise of the Prince Regent, his opinion being, that the king's writ would not in that case be vacated.

The original clause respecting the meeting of parliament was agreed to; and the other amendments being made, the House resumed.

Of the Regency Act Amendment bill nothing farther is mentioned in the House of Lords, whence we may conclude that, by means of the suggestions of different members, it was rendered fit for the purpose which the Lord Chancellor had in view.

On the first of June it was introduced into the House of Commons by *Lord Castlereagh*, who, in moving the second reading of the bill, thought it proper to acquaint the House with its object. His lordship was content with a simple explanation of the measure as it came into the House, and having briefly gone through this task, he moved for its second reading.

*Mr. Tierney* made a considerable

able digression from the state of her majesty's health, to the possible consequences by which it might be attended; and he concluded his speech by saying, that the chief points on which he had thought it necessary to dwell, were the propriety of naming some of the royal family as members of the council, and the expediency of providing against the great inconvenience of our being left without an executive government by the contingency of the Regent's demise.

*Mr. Canning* observed, that

the bill before the House went merely to alter parts of the Regency act, and by no means to revise the whole. He thought that the bill was calculated to meet the exact circumstance under consideration. Sir Samuel Romilly and Mr. Wynn both spoke shortly on the subject; and the bill was then read a second time.

No farther account is given of the passage of the bill in the House of Commons; but notice is taken of the circumstance in the list of public acts.

## CHAPTER XIII.

*Bill respecting the Education of the Poor.—The Prince Regent's Speech at the Close of the Session.*

**E**ARLY in this year, a committee was formed in the House of Commons to consider of a bill proposed by *Mr. Brougham* respecting the education of the Poor. In its progress, that gentleman moved that the committee should be deferred till he had been able to ascertain some facts which had come to his knowledge, which proved the necessity of strictly enquiring into the application of charitable funds. A gentleman of Berkshire had stated that the returns under the act of 1787-8, commonly called *Mr. Gilbert's act*, had not been faithfully made; and that in his own county the incomes of the charitable funds had been returned at 7,000*l.* a year, whereas their real income was 20,000*l.* a year. This statement would show (*Mr. B.* said) the futility of calling for returns, without a strict local investigation.

On April 27th *Mr. Brougham* moved for the committal of this bill, concerning which he said, that many misrepresentations had taken place. Of these he made some corrections.

*Mr. Canning* rose to say, that he did not intend to offer any opposition to the House's going into a committee, but he desired that this should not be construed into

an approval of the bill, to many parts of which he had strong objections.

*Lord Folkestone* said, he should object to the exceptions in the bill in favour of Oxford, Cambridge, and the public schools, in consequence of which, he understood, that farther exceptions were to be proposed.

*Mr. Brougham* observed, that neither the right hon. gentleman, nor the noble Lord, by permitting the bill to go through this stage, pledged to give their support to it in any other stage of its progress; and the question might be argued upon the principle of the bill whenever it was proposed to recommit it.

After some other observations had been made respecting the bill, it was committed *pro forma*.

On the 8th of May, the order of the day for going into a committee on this bill being read, *Mr. Brougham* made a long speech, the general effect of which was to the following purpose. In considering, he said, the want of education among the poorer classes of society, and the best measures for supplying it, we shall do well to regard the subject in two distinct points of view; first to the situation of the people in cities and considerable towns;

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secondly

secondly as they exist in small towns or villages. In large towns, where the population exceeds seven or eight thousand inhabitants, sufficiently ample means are commonly found for instructing the poor, the laudable exertions of individuals being directed to this object. And there can be no doubt that a number of schools calculated to educate all the poor of such places may be maintained by the voluntary contributions of such bodies, if the first expense of providing school-houses is defrayed. The line traced out for parliament with regard to such districts seems sufficiently plain. It should confine its assistance to the first cost of these establishments, and leave the yearly expense to be borne in every case by the private patrons. When we turn to parts of the country more thinly peopled, we find, that the means of instruction being scanty, there is little reason to look for their increase; yet the poor are every where anxious for education. All the evidence collected by the committee evinces the truth of this statement, so honourable to the character of our country.

The difference here laid down is twofold. Where the town is considerable, though the inhabitants may be of various religious denominations, no impediment to instructing the whole arises from that circumstance, because there is room for schools upon both principles. The churchmen may found a seminary from which dissenters may be excluded by the lessons taught, and the observances required; while the sectaries; or those members of the establish-

ment who patronize the schools of all without distinction of creed, may support a school upon this universal principle. But this is evidently impossible in smaller towns where the utmost exertions of the wealthy can only maintain a single school. But in the villages and country districts, where individuals live in very narrow communities, we cannot expect the work of educating the poor to be undertaken by the voluntary zeal of the rich. Here, therefore, we must look forwards to legislative interference. In Scotland this system has long been established with the happiest effects; and there seems to be no other way of providing education for all the poor in smaller towns and country parishes, than by an imitation of its system, with such changes as may adapt it to the situation of this country. This subject was introduced some years since by Mr. Whitbread; but Mr. Perceval thought his proposal premature, and recommended, that before any thing farther was done, a commission should be appointed to examine the present state of the charitable foundations and other institutions for educating the poor. The committee has already made great progress in the investigation of this subject; and we are now diligently employed in prosecuting those researches, and in digesting their results into tables, which may exhibit at one view a general but minute chart of the state of education throughout the empire. When these tables shall be laid before the House, an ample foundation will be prepared for the legislative measure which, sooner  
or



or later, I am convinced must be adopted, for they will indicate the kind of districts where parish schools are most wanted.

The more immediate subject, however, of our consideration, is an inquiry into the state and management of charitable funds; and I am persuaded that the House will feel with me the necessity of adopting it, when I state a few particulars of the large amount of those funds, and the abuses to which they are liable. Here the hon. member went through a considerable number of fraudulent practices of this kind exhibited in different English counties; adding, that the labours of the committee relate only to charities connected with education, and that they have received no evidence regarding any other abuses. He then took notice of the returns under Mr. Gilbert's act, which, said he, strange to tell, has been wholly neglected by parliament for above thirty years; and he then strengthened his cause by quoting a case from the late Lord Kenyon, in which he spoke with great severity of "empty walls without scholars, and every thing neglected but the receipt of the salaries and emoluments." He then defended himself and his colleagues from the clamours which had been raised under the flimsy pretext of great tenderness for the sacred rights of private property; and he asserted that a more gross abuse of language was never committed by ignorant or wilful perversion than the statement that charitable funds are of a private nature.

The provisions exempting the two universities and the four great

schools, were the only other part of the details which required observation. He said, that beside the apprehension that a refusal might have endangered the bill in certain quarters, the reason which influenced him in acceding to the proposed exemption was, that those great establishments are placed conspicuously in the eyes of the public, and may be examined by the ordinary proceedings in Chancery, and by the inquiries of this House. Speaking of the former of these modes, he employed the following language. "If any one tells me that the statute of charitable uses affords a remedy, I answer, that the grossest abuses being every where notorious, the remedy has only thrice been resorted to for above half a century, and only once within the last thirty years; and I bid him look at the fate of that one attempt to obtain justice."

The learned and hon. member concluded with a peroration, in which he pronounced a warm eulogy on those humane individuals whose conduct he had so long witnessed, and for whom he felt much more than he was able to describe.

*Lord Castlereagh*, after complimenting the author of a speech so interesting and full of information, *went along with* him in several of his positions which were calculated to draw the attention of parliament to the management of the funds for education. He then suggested that men of *rank and consideration* ought to hold a certain proportion among the members of the committee; persons of great station, who, although they should not go into the labo-

rious part of the investigation, could yet be aiding and assisting by their counsel and authority. For if the commission were formed of persons not known to the public, it could not be expected that their investigations would be successful, or their report satisfactory. He thought that it would be the better mode of proceeding to have the bill printed, and to refer all farther proceedings till after the holydays.

*Mr. Brougham* willingly acceded to the proposal of printing his bill, and deferring farther proceedings.

*Mr. Robinson* and *Mr. Peel*, thought that the school of Harrow should also be excepted, as it had been decided by the late Master of the Rolls, that the present administration of those funds was unexceptionable.

*Mr. Abercromby* said, that if Harrow school ought to be excepted, every school that had happened to have been in chancery ought to have the same privilege. He farther remarked, that another class of persons recommended by the noble lord for commissioners were of great respectability, and of high rank. The propriety of appointing an ornamental class of this description he could not perceive. Let them be men of character, talents, and reputation; but he could not conceive the advantage of appointing men of high rank, nay he believed it would be detrimental, because such commissioners, if not active in the inquiry, must retard the purposes of the commission.

The House then resolved itself into the committee, in which *Mr.*

*Robinson* proposed the exemption of Harrow from the operation of the bill. The committee divided; For the exemption of Harrow, 30; Against it, 53: Majority 23.

The House being resumed, *Mr. Brougham* moved that instructions should be given to the committee to inquire into the state of the education of the poor in Scotland.

On May 18th *Mr. Brougham*, in moving the order of the day for the House resolving itself into a committee of the whole House on the bill for the education of the poor, said that he wished to offer a few words on the subject. In consequence of the discussion which had already taken place, the country had been excited, and much information had been communicated to the committee. It seemed as if a new light had broken out; for from places where no abuses were even suspected to exist, most important disclosures and communications had been received. The committee had received multitudes of letters; some from persons who were named trustees of charities; some from persons who had a right to claim under a charity, without knowing of their right; some from persons who were in the neighbourhood of property belonging to charities, without being aware of any abuse in their neighbourhood. The committee in the last ten days had been occupied in classing their returns; and in the course of this labour they had discovered instances of abuse more flagrant than any he had hitherto stated to the House. He had in his eye two or three of the grossest cases that could be imagined

imagined. He should state some instances of abuse which had been discovered since he had made the former statement.

The hon. and learned gentleman then went through a number of these examples, all of them sufficiently notorious. He then turned to the appointment of the commissioners, which he said were now to be nominated by the Crown; and he implored the right hon. gentleman opposite to consider, that whatever were the provisions of the bill, and however ample were the powers granted to the commission, its success would be mainly dependent on the personal qualities of the commissioners. Some of the commissioners were to receive no salaries. As nothing but the labour could reward such an appointment, and no motive could engage any one to accept it but a desire to see the matter conscientiously and steadily proceeded in, he thus publicly, on the terms he had mentioned, begged to offer his own services as one of the commissioners. His brother commissioners thought it fair that he should make this offer, from the part he had taken in this business already, and from the interest he had shown in the complete success of the measure. In conclusion, he trusted that the House would give its assent to the bill, and act in such a manner, that if it should be negatived in another place, they might be prepared with some other measure in furtherance of their common object.

The bill then passed through the committee.

In the House of Lords this bill was moved for a second reading

on May 27th by the *Earl of Rosslyn*. His lordship, after a general encomium of the bill, entered into a detail of its chief provisions. There were to be fourteen commissioners appointed, six of whom were to have no salaries, and all to be appointed by the Crown. The commission was to be armed with power to examine upon oath, and to call for papers, persons, and records. He concluded by moving that the bill be read a second time.

On the motion, that it be committed, the *Lord Chancellor* said, that he could not help thinking that this bill would be much more detrimental to the interests of charities than any mode of proceeding that could be devised, and therefore felt bound to give it his decided negative. The late master of the Rolls, Sir W. Grant, and himself, had applied themselves in every way to redress the evils that were pointed out to them, as far as was consistent with the rules of distributive justice, but they found so many difficulties in the application of the act, that they could do nothing but desist. The present measure appeared to him objectionable upon many grounds. If the legislature did not protect to the utmost all honorary trustees in the execution of their trusts, not one honourable man in the kingdom would take upon himself the responsibility of a charitable trust. One great difficulty he felt with regard to the bill was, that though it provided that reports were to be laid before both Houses of parliament, and even before the throne, it did not give the most distant hint what future

steps ought to be taken, or how the trustees of any charitable institution were to be brought to justice. His lordship did not intend to resist the commitment of the bill, but he despaired of rendering it unobjectionable.

*Lord Holland* said, that this was not a bill empowering commissioners to judge, but only to inquire—to ascertain the nature and extent of existing abuses. It was not an inquiry directed against trustees or visitors, but in their favour; and if they discharged their duty faithfully, it would only redound to their honour, and to the satisfaction of the House. The result of the investigation might be the proof that no abuse existed, and then parliament must proceed with the work of education with such means as it could furnish; but if it were found that the funds had been misapplied, or that the institutions had fallen into neglect, then it would be able to judge what steps ought to be taken to advance the improvement of the lower orders with the means thus discovered. Upon the whole he should support the bill, because it instituted an inquiry which the legislature had a right to make, which it ought to make, and which it frequently had made.

*Lord Redesdale* said, he was convinced the bill could do no good, and might occasion infinite mischief. He pursued this strain of speaking in a manner similar to that of the lord Chancellor; and concluded with saying, that if such a bill passed, trustees would consist only of persons of great zeal and of little discretion.

*The Earl of Carnarvon* asserted,

that if the House was prepared to resist all preliminary inquiry because they did not then know what might be the results of that inquiry, and to say that they would receive only specific bills for every abuse which could somehow be proved to them, this bill must of course be rejected. But unless they were prepared to go so far, he could conceive no reason why the bill should not be committed. It might come out of the committee much improved, and be a bill calculated to do infinite good.

The House divided; Contents, 10; Not-contents, 8. The bill was accordingly committed.

On the motion of the Earl of Rosslyn, their lordships proceeded on June 1st to take into consideration the report of the committee on this bill, when several amendments were made. On the question being put, that the bill be read a third time, the *Lord Chancellor* rose, and said that in his opinion the bill was very much improved since it had come from the Commons, though some persons, without duly considering the subject, appeared to think otherwise. He then said, that something had occurred on the matter in another place, on which he wished to speak a few words. Addressing their lordships, he said, that his conduct had not been treated with that justice and propriety which he conceived it deserved. The attack, however, should not diminish the respect and civility which he had always shown to every member of parliament, or to every gentleman, especially to those of his own profession.

In the House of Commons, on June 3rd, *Mr. Brougham* acquainted the House that he meant to forego that opposition to the bill for the education of the poor, which he had resolved upon, provided it remained in the state under which it had been left by the first alterations passed by that House. It had since been much improved; it was, however, essential that he should explain the nature of the changes which it had undergone. The first was, the limitation of the commissioners to one description of charities, namely, those connected with education. On what ground this limitation was founded, he was entirely at a loss to determine; but those superior persons, who sat in the upper regions of legislation, it seems, thought differently, and struck out that part of the bill. In like manner a practical change had taken place in the powers of the commissioners, who had been originally directed by the bill to an investigation of the state of the education of the poor generally. They were, however, precluded from doing so by many circumstances over which they could not have control. Another change which he exceedingly regretted was, that the powers originally conferred on the commissioners, were not only altered and abridged, but altogether abrogated. They were directed to traverse the country, and call witnesses to attend them, but to possess no power of enforcing their attendance, or of demanding the production of any one document. He put it to his hon. and learned friend, the attorney-general, whe-

ther any thing could be more clumsy, unsatisfactory, and inefficient, than to leave to those commissioners no other power to secure their object, than that of indictment against the demurrers for opposition to an act of parliament.

To what, then, had the House to look as a security for having their object carried into operation? Though as the bill now stood, every thing was left to the good will of those who had an interest at variance with the spirit of the inquiry, he nevertheless had the fullest confidence that the powers possessed by the House would be exercised, and would be productive of the most satisfactory result. These means were, that the commissioners should proceed and call witnesses; that they should report occasionally to that House, and make returns of the names of all persons refusing to give the information required, or to produce the documents demanded, without alleging any just cause for such refusal. And as that House would, on its next meeting, reappoint its committee, it would be enabled to supply the deficiency which the alteration in the present bill occasioned, by empowering that committee to call those persons before them.

The hon. and learned gentleman concluded his speech with moving "That an humble address be presented to his royal highness the Prince Regent, praying that his Royal Highness would be graciously pleased to issue a commission to inquire into the state of Education of the Poor throughout England, and Wales; and to report

report from time to time to his Royal Highness and to the House thereupon."

*Lord Castlereagh*, after describing with some severity the treatment which the last speaker had bestowed on the jurisprudence of the country, especially the court of Chancery, and throwing some contempt upon the course which he had recommended the House to pursue, concluded with moving the previous question.

*Sir Samuel Romilly* said, that having been so directly called on by the noble lord to state his opinion as to the chance there was of obtaining any remedy in cases of abuse of charitable trusts through the court of Chancery, he felt that he should be acting improperly towards the House by not answering the call. It was his sincere opinion that in such a case the court of Chancery was not capable of affording an adequate remedy, and that it was impossible through its means to obtain redress for the abuses of charitable institutions. This he imputed to those expedients of delay peculiar to that court, which, if resorted to, as they naturally would be, might throw such obstacles in the way as few would be disposed to encounter. If a person hearing of any abuse, should think of having an information filed, he must lay his account with disbursing a great sum of costs, with the chance of recovering, if he gained the suit after a great number of years, strictly taxed costs. His hon. and learned friend had conceived these expedients of delay to belong necessarily to a court of equity;

but it was his opinion that a great part of the abuses in the court of Chancery might be remedied, and that without any legislative interference. He considered himself at present as giving evidence with respect to the court of Chancery; and he had no hesitation in saying, that if gentlemen went to vote with an idea that a remedy for abuses in charities might be found in a court of chancery, they would be voting under an erroneous impression.

A considerable number of gentlemen followed the last speaker, and, as might be supposed, took different sides according to their feelings. At length the previous question was put, "That the question be now put," when the House divided: Ayes, 29; Noes, 54: Majority, 25.

*Mr. Brougham* next moved "That an humble address be presented to his royal highness the Prince Regent, that he would be graciously pleased to instruct any commissioners who may be appointed under a bill intituled 'An Act for appointing Commissioners to inquire of the Charities in England and Wales, and of the Education of the Poor,' to inquire into the Abuses of Charities not connected with Education:" whereupon the previous question, "That the question be now put," was moved, and negatived.

*Mr. Brougham* then said, that before he moved that the House do concur in the amendments of the Lords, he wished to give notice, that early in the next session he should move for leave to bring in a bill to appoint, if possible, the same commissioners to



to inquire into all abuses of charities by which the property of the poor had been dilapidated and plundered by those who met with the sanction of some, the fellow-feeling of others, and the protection of many—as was obvious from the vote of that night.

*Mr. Canning* spoke to order; and several other members also followed the same course, there being no question before the House. A desultory conversation ensued as to the subject of form; and at length, the motion for an adjournment being withdrawn, on the motion of lord Castlereagh the Lords amendments to the bill were read, and agreed to.

At the close of the session, the Prince Regent delivered the following Speech from the throne.

“ My Lords and Gentlemen;

“ It is with deep regret that I am again under the necessity of announcing to you, that no alteration has occurred in the state of his Majesty’s lamented indisposition.

“ I continue to receive from foreign powers the strongest assurances of their friendly disposition towards this country, and of their desire to maintain the general tranquillity.

“ I am fully sensible of the attention which you have paid to the many important objects which have been brought before you.

“ I derive peculiar satisfaction from the measure which you have adopted, in pursuance of my recommendation, for augmenting the number of places of public worship belonging to the Established Church; and I confidently trust, that this measure will be

productive of the most beneficial effects on the religion and moral habits of the people.

“ Gentlemen of the House of Commons;

“ I thank you for the supplies which you have granted to me for the service of the present year; and I highly approve of the steps you have taken with a view to the reduction of the unfunded debt.

“ I am happy to be able to inform you that the revenue is in a course of continued improvement.

“ My Lords and Gentlemen;

“ On closing this session, I think it proper to inform you, that it is my intention forthwith to dissolve the present, and to give directions for calling a new parliament. In making this communication, I cannot refrain from adverting to the important change which has occurred in the situation of this country, and of Europe, since I first met you in this place.

“ At that period, the dominion of the common enemy had been so widely extended over the continent, that resistance to his power was by many deemed to be hopeless: and in the extremities of Europe alone was such resistance effectually maintained.

“ By the unexampled exertions which you enabled me to make, in aid of countries nobly contending for independence, and by the spirit which was kindled in so many nations, the continent was at length delivered from the most galling and oppressive tyranny under which it had ever laboured; and I had the happiness, by the blessing of Divine Providence, to terminate, in conjunction

junction with his Majesty's allies, the most eventful and sanguinary contest in which Europe had for centuries been engaged, with unparalleled success and glory.

"The prosecution of such a contest for so many years, and more particularly the efforts which marked the close of it, have been followed within our own country, as well as throughout the rest of Europe, by considerable internal difficulties and distress. But, deeply as I felt for the immediate pressure upon his majesty's people, I nevertheless looked forward without dismay, having always the fullest confidence in the solidity of the resources of the British empire, and in the relief which might be expected from a continuance of peace, and from the patience, public spirit, and energy of the nation.

"These expectations have not been disappointed.

"The improvement in the internal circumstances of the country is happily manifest, and promises to be steadily progressive; and I feel a perfect assurance that the continued loyalty and exertions of all classes of his majesty's subjects will confirm these growing indications of national prosperity, by promoting obedience to the laws and attachment to the constitution, from which all our blessings have been derived."

Then the Lord Chancellor

having received directions from his royal highness the Prince Regent, 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 now dissolved, and this parliament is dissolved accordingly."

The mass of parliamentary matter has left little room during the present year for the general current of affairs, which has not upon the whole been of considerable importance. One of the most memorable occurrences has been the tendency of a disposition to riot in the town and neighbourhood of Manchester, owing to a difference between a large body of workmen, and their employers, which, however, by the good management of the magistrates and other gentlemen was kept from rising to any dangerous disturbance, though not without the interference of the military.

The long and painful confinement of her Majesty under a disorder which at length proved fatal in the month of November, gave a shock to the national feelings, which had been peculiarly excited by the care and tenderness with which she cherished the infirmities of a beloved partner.



## CHAPTER XIV.

FRANCE:—*Law adopted by the two Chambers.—Particulars of the damages sustained by Martinique.—Project of a law presented to the Chambers.—Further proceedings respecting the Slave Trade.—The King nominates the President and Vice-Presidents of the Electoral Colleges.—His Ordinances concerning the National Guard.—Further Ordinances concerning the Electoral Colleges.—Change of Ministry.*  
 —SPAIN:—*Publication of the Authorities of the Caraccas.—Royal Decree for increasing the White Population of Cuba.—Decree for establishing Free Ports in the Peninsula.—Definitive Edict relative to the Spanish Exiles.—Decree respecting the Royal Vales.—Decree concerning the establishment of Ports of Deposit.—Decree relative to all Foreigners who make common cause with the Insurgents of Spanish America.—Address from the Cabinet of Madrid to the High Allied Powers.—Official Articles in the form of Royal Decrees.*  
 —PORTUGAL:—*Neglect thrown upon it, on the possessions in Europe.—Still keeps in its hands the territory of Montevideo.*

**T**HE King of France, on December 30, 1817, made public a law on the Journals, adopted by the two Chambers, in the following words:

“LOUIS, by the Grace of God, &c. We have proposed, the Chambers have adopted, We have ordained, and do ordain as follows:—The journals and other periodical works, which treat on political matter and intelligence, shall not appear without the King’s authority, until the end of the Session of the Chambers of 1818.”

Particulars respecting the damage sustained by Martinique in the late hurricane were published to the following effect in the Journal des Debats, with the date of St. Pierre, Oct. 29. All the parishes of the colony suffered

more or less from the dreadful storm on the 21st of October. Every where the provisions of the country were destroyed, and all hopes of a harvest, which promised to be most abundant, are annihilated. In some parts of the island the sugar manufactories were greatly injured; in others, totally destroyed; the plantations were generally torn up; and every thing presented an image of desolation. The towns were no less injured. The houses and public buildings of Port Royal were either entirely tumbled down, or unroofed. In the roads, great disasters happened among the shipping. Of the three King’s ships which were there, two made sail immediately, and stood from the island; the other, the Margareta, was wrecked on the coast

coast: the men and property were saved; the hull of the vessel alone was lost.

The King of France, in the month of March, presented the following *project* of a law respecting the slave trade.

LOUIS, &c. We have ordained, and do ordain, that the *project* of a law, in tenour as follows, shall be presented in our name to the Chamber of Deputies, by our Minister Secretary of State for the Marine and Colonies, and by Count Simeon and Baron Mousnier, State Counsellors, whom we charge to explain the motives and to support the purposes thereof.

Art. 1.—Every part whatever which shall be taken by French subjects or ships, in whatever places, under what pretext or condition soever, and by foreign individuals, in countries submitted to the dominion of France, in the traffic known under the name of the *Trade of Blacks*, shall be punished by the confiscation of the ship and of the cargo, and by the interdiction of the Captain, if he be French.

2.—These cases shall be proceeded in before the Tribunals which take cognizance of contraventions in matters of revenue, and are to be judged by them.

Given at Paris, in the palace of the Tuileries, in the month of March 1818, and year of our reign the 25th.

#### PROJECT OF A FINANCIAL LAW.

LOUIS, by the Grace of God, King of France and Navarre. To all present greeting:

We have ordained and do ordain, that the *project* of the law, the tenour of which follows,

shall be presented to the Chamber of Deputies by our Ministers Secretaries of State in the departments of Foreign Affairs and Finance, and by the Sieurs Count Simeon and Baron Mousnier, Counsellors of State, whom we charge to explain its grounds, and support it in debate:—

Art. 1.—For the purpose of providing for the full and entire execution of the dispositions of the Treaty of the 30th May 1814, and the Conventions of the 20th November, 1815, so far as concerns the payment of the debts contracted by France anterior to that epoch, beyond its own actual territory, there shall be created and inscribed upon the grand book of the public debt, with interest from the 22d March, 1818, a perpetual rente of 16,040,000 francs, to meet a capital of 320,800,000 francs.

Art. 2.—There is opened in the Ministry of Finance a credit of 24,000,000 of rentes. In consequence the government is authorized to create and inscribe on the grand book of the public debt, in concurrence with this sum, rentes, which may be employed only to complete the payment of the sums due to the Allied Powers, conformably with the 4th article of the treaty of the 20th Nov. 1815.

Art. 3.—An account shall be given in the session of 1818, of what shall have been done in virtue of the above second article.

Given at our castle of the Tuileries, the 25th of April, of the year of Grace 1818, and the 23d of our reign.

(Signed) LOUIS.

RICHELIEU:  
His

His majesty, on June 26th published the following ordinance:

LOUIS &c. Considering the various laws by which France had prohibited the traffick known by the name of the Slave Trade, and especially our ordinance of the 8th of January 1817, and the law of the 15th of April 1818; wishing to secure by every means in our power the abolition of the Slave Trade in every part of our dominions—on the report of our Minister Secretary of State for the Marine and Colonies,—We have ordained and do ordain as follows:—

Art. 1.—There shall be constantly maintained on the coasts of our African establishments, a cruising squadron of our marine, for the purpose of visiting all French vessels which shall appear within the limits of our possessions on the said coasts, and of preventing every violation of our laws and ordinances.

On Sept. 30th the King began to appoint the Presidents and Vice-presidents of the Electoral Colleges convoked by his ordinance.

On the same day his Majesty issued an ordinance respecting the National Guard, of which the following is an extract:—

LOUIS, &c. From the account presented to us, respecting the actual situation of the National Guard, we have recognised that the circumstances which rendered necessary a special composition of that public force having ceased to exist, we ought to make it revert to the system which the laws now in operation prescribe, and which may facilitate the execution of the law for recruiting

the army. The series of legislative measures relative to the National Guard, having been represented to us, we are convinced that the laws of the 12th Sept. and 12th Dec. 1790, 3rd Aug. and 14th Oct. 1791, modified by the legislative act of the 24th Sept. 1805, have served as the bases of the different regulations which have been published; that these laws subsist in such of their dispositions as are not contrary to the Chamber, and to the institution which it has established; that they especially preserve their force in whatever determines the rank, the service, and the discipline of the National Guard, and whether while sedentary or communal, they remain under the civil authority, or whether in the case of extraordinary service, they are placed under military authority.

We have therefore resolved to bring back the National Guard to its municipal institution, without however intending that there should result from the provisions of this ordinance any relaxation in the habitual service which is performed wherever this force is organized.

Persuaded that the National Guard and the officers retained, will continue to be animated with the same zeal which the chiefs and soldiers of all those corps manifested under another organization, we are pleased to testify to them all our lively satisfaction.

The National Guard, which, under the command of our well beloved brother, Monsieur, has rendered brilliant services to France, will find in our support and in his kindness, equal motives for

for emulation. For these reasons we have ordered and do order as follows:—

1. The Mayors, Submayors, and Prefects, shall resume, under the authority of our Minister of the Interior, the entire powers confided to them by the laws, on the organization, direction, and inspection of the National Guard.

2. Hereby are and remain suppressed all appointments of officers superior to those of communal or cantonal commandants, who shall be replaced under the immediate orders of the civil authorities, conformably to the laws.

The relations of the Commandant-in-chief of the Parisian National Guard, with the Prefect of the Department of the Seine, the Prefect of the Police, and our Minister of the Interior, shall continue in this quality of Commandant, conformably to our ordinance of the 11th of December 1816, and to the articles of the present ordinance.

3. In towns which include one or more cantons, the National Guard cannot be united to other communal guards. In the cantons composed of several communes, the national guards of different communes shall be formed into a communal guard, under the commandant of the National Guard of the chief place of the canton, in virtue of the orders of the sub-Prefect; but the skeletons of the communal corps and their chiefs shall remain, for the usual duties, under the orders of the mayors.

4. The National Guards of the different cantons cannot be assembled out of the towns, except

by detachments, and in virtue of a requisition made by the Prefect, in the cases provided, and under the formalities prescribed by the law, with regard to the employment of the public force.

5. The Cavalry National Guard shall continue to be formed by arondissements into companies or squadrons, under the Commandant of the National Guard of the chief place of the arondissement; nevertheless the Cavalry National Guard of each commune, and their Chief, will be held bound to execute, as well as the infantry, the orders which may be given them by the Mayor of the Commune in which they may reside, for the maintenance and tranquillity of the local police.

6. The Colonel-General of the National Guards appointed by our ordinance of the 13th May, 1814, continues to enjoy the honours and prerogatives attached to the title of Colonel-General of the army.

7. The ordinances of the 16th of July, 1814, the 18th and 21st of November, and 27th of December, 1815, are repealed, as are all regulations of decrees and ordinances contrary to the present.

8. Our Minister Secretary of State for the Interior is charged with the execution of the present ordinance.

(Signed) **LOUIS.**

Tuileries, Sept. 30.

A further order respecting the Electoral Colleges made its appearance in the beginning of November.

*Paris, Nov. 6.*

**LOUIS, &c.** We have ordered, and order as follows:—

Art. 1. The Chamber of Peers and

and the Chamber of the Deputies of the Departments are convoked for the 30th of November of the present year.

2. The present decree shall be inserted in the Bulletin of the Laws.

Given at the Tuileries, Nov. 4, 1818.

(Signed) LOUIS.  
(Countersigned) LAINE.

The latest accounts which we have received from this kingdom issued from the *Moniteur* on December 30th.

(From the *Moniteur* of Wednesday, the 30th.)

LOUIS, by the Grace of God, To all those whom these presents may concern. We have ordained, and do hereby ordain as follows:

The Marquis Dessolles, Peer of France, Minister of State, is nominated Minister Secretary of State for the Department of Foreign Affairs, and President of our Council of Ministers.

The Sieur de Serre, Member of the Chamber of Deputies, is appointed Keeper of the Seals, Minister Secretary of State for the Department of Justice.

The Count de Cazes, Peer of France, is appointed Minister Secretary of State for the Department of the Interior.

Baron Portal, Member of the Chamber of Deputies, is appointed Minister Secretary of State for the Department of the Marine.

Baron Louis, Member of the Chamber of Deputies, is appointed Minister Secretary of State of the Finance Department.

The Ministry of Police is suppressed.

Our Minister Secretary of State

of the Department of Foreign Affairs, President of our Council of Ministers, is charged with the execution of the present ordinance.

Done in Paris, at the Castle of the Tuileries, in the year of Grace, 1818, and in the 24th of our reign.

(Signed) LOUIS.

The Minister Secretary of State of the Department of Foreign Affairs, President of the Council of Ministers,

(Signed)

The Marquis de DESSOLLES.

#### DECREE.

LOUIS, by the Grace of God, &c. The state of health of our cousin the Duke de Richelieu having obliged us to accept his resignation, which he has offered, the Duke de Richelieu is named Minister of State and Member of our Privy Council."

#### ANOTHER DECREE.

LOUIS, &c. In consequence of the resignations offered by Count Molé and Messieurs Lainé and Roy, they are appointed Ministers of State and Members of our Privy Council.

(Signed) LOUIS.

(Countersigned)

The Marquis de DESSOLLES,  
Minister of Foreign Affairs,  
President of the Council.

#### SPAIN.

The royal pardon, dated Feb. 24th, 1817, proclaimed by the king of Spain on the occasion of the double marriage of his majesty and of his brother Don Carlos with the Infantas of Portugal, has been extended to his American dominions

dominions, with its original provisions, and with additional clauses, and was published by the authorities of the Caraccas on the 20th of last September. These authorities, to prevent all doubt, and to remove all obscurity, on a point so important, add the following interpretation of the Royal Clemency.

1. That the pardon which his Majesty grants to those guilty of insurrection being general, and without any limitation whatever, there shall be comprehended in it and enjoy its immediate benefits, all persons implicated in revolutions anterior to its publication, whatever may have been their speeches or their actions, unless there be some other cause for their detention than their insurrectionary conduct.

2. For the same reason, those shall remain free and unmolested who remain in the province without having been incarcerated.

3. That the restriction of the royal pardon, with a reference to former provincial laws, shall be literally observed, only sending to Spain such pardoned persons as may be thought dangerous to the tranquillity of the provinces by remaining in them.

The 4th article regards the mode in which the claims of delinquents to pardon shall be ascertained.

5. Six months are allowed to those who have fled to foreign countries to return and share the Royal Clemency.

6. The property that had been confiscated on account of rebellion, shall be restored to its owners on their acceptance of the Royal pardon.

7. All pending prosecutions shall cease, and not be renewed.

8. This proclamation and explanation shall be published with the greatest solemnity in the capital and towns of the province, and the neighbouring colonies.

A Madrid Gazette of Jan. 8th published this decree of the authorities of the Caraccas for carrying the amnesty into effect.

On October 21st 1817 a royal decree was published containing regulations for increasing the white population of the island of Cuba. The preamble of this decree, addressed to the Governor, Captain-general, and Intendant of the island, alludes to the representations made by those officers, in conjunction with the Junta and the Economical Society of the Havanna, regarding the extent of the colony, the number and quality of the inhabitants, and the state of its agriculture. These representations had demonstrated, that the possessions of the Spanish crown in that quarter were in a depopulated and defenceless condition; that the soil which remained uncultivated was capable of producing commodities which were the objects of desire with other nations; and that the only means of rendering it more productive lay in increasing the white population of the island from the Peninsula, from the Canaries, or from the Catholic states in Europe in alliance with the Spanish Crown, by an extension of the regulations and advantages granted to Puerto Rico, in August 1815. The regulations which had been proposed by the local authorities were assented to by  
his

his Majesty with some slight variations.

His Majesty, on January 23rd, issued the following decree relative to the establishment of four free ports in the peninsula.

“ The King having had under his consideration the exposition of the deputies of the boards of trade and revenue, and desirous of giving new vigour to trade by every possible facility in mercantile operations, by opening new channels which may obviate delay and the accumulation of charges, as well as for the supply of the provinces of the peninsula, as for the ports of America, and with a view to afford every possible advantage to the inhabitants of both; his Majesty has been pleased to order that, for the present, Santander, Corunna, Cadiz, and Alicant, are declared free ports, under the conditions which the Directors of the Revenues have pointed out in their report of the 29th of November in the last year; and they are charged, in conformity thereto, to prepare the necessary regulations and instructions, paying the most particular attention to avoid and guard against any abuse which, under the cloak of this concession, might be attempted to the prejudice of the revenue, or the national manufactures.”

By order of his Majesty,

(Signed) GARAY.

The Gazette of Madrid dated March 1st contains a definitive edict relative to the Spanish exiles. It banishes for ever from their country, all those who have acted under the usurper in quality of counsellors, ministers, &c.; all military officers down to the rank

of captains inclusively, who served under his banners; and generally, all who in any way abetted the cause of the usurpation. With these exceptions, all the other fugitives are permitted to return, under certain prescribed conditions, one of which is, that they shall fix their domicile in a determined place, at a prescribed distance from the capital and royal palaces.

Various circumstances now began to press hard upon the financial system of this country; and upon April 3rd his Majesty thought proper to address a royal decree to his minister Don Martin de Garay, concerning the means of giving credit to the capitals called the Royal Vales, that they might become productive, instead of remaining in their present unproductive state. His Majesty said, that he had directed the attention of his councils towards this object; and the result of their deliberations was, that it was impossible to attain it by the punctual payment of the interest in specie, since the nation, impoverished by numerous adversities, could not easily find resources sufficient for the annual discharge of the excessive sums to which that interest now amounts. And though, he observed, I might, at the expence of extraordinary sacrifices for my people, create some confidence in the Vales, still their credit would be always precarious, and dependent on the slightest political event, which might render it necessary to augment the expences of the state, and to suspend a system of economy which I have adopted. His Majesty then proceeded to consider



consider the radical vice of the Vales, that of serving for stock-jobbing speculations; and by way of a remedy, he said he had deliberated on a plan for bringing a part of them into active and useful circulation. For this purpose, without prejudice to the means adopted, and which will soon be published for the intended consolidation of the general credit of the state, he judged it right to resolve as follows:—

Article 1. The Royal vales, whose holders wish to avail themselves of the proposed advantages, shall be converted into two classes, viz. consolidated vales, and non-consolidated vales.

Art. 2. The consolidated vales shall be formed of the third part of each vale which may be offered; and the non-consolidated, of the remaining two-thirds; so that a vale of 150 pieces may be reduced or exchanged for a consolidated vale of 50, and a non-consolidated vale of 100. The same thing will take place with the vales of 300 and 600 pieces respectively.

Art. 3. The consolidated vales will bear an interest of 4 per cent per annum in specie, from the 1st January, 1st March, and 1st of September, of the present year, according to their respective creations.

Art. 4, 5, 6, &c. regulate the payment of the interest, &c. One fifth of the produce of the custom duties is mortgaged for that purpose. It is also provided, that the consolidated vales shall be received for the full value they represent in payment of the custom duties, royal contributions, &c. Debts due by towns

to the year 1814, may be paid in non-consolidated vales, which bear no interest, but are allowed to be paid in discharge of the fifth of the custom duties, at the rate of discount at which they may be in the market. The vales which may not be exchanged by their holders for the above mentioned kinds of consolidated and non-consolidated, are to be called "common vales," and will continue their present form, the interest being paid as the state of public credit and obligations contracted by the state may permit.

The 13th and last article directs the manner in which the holders must apply to have their existing paper converted into consolidated and non-consolidated.

On March 30th, the king of Spain issued a royal decree, addressed as before, to Don Martin de Garay, for the purpose of establishing ports of deposit in the Peninsula. In his introduction he says, that he considers the establishment of ports of deposit a means of commercial encouragement, because it affords to native and foreign speculators a year's relief from the payment of duties, and a general warehouse wherein their goods may be deposited with full security, according to the attention and respect which the laws dispense to individual property. If (said he) the consequences of these establishments correspond with my hopes, as I confidently promise myself they will, I am determined farther to improve the advantage, and to make other ports, consistently with their local and commercial circumstances, participate in the same favour. With this view,  
and

and for the government of these deposit ports, I have ordered, and do order, as follows :

1. Articles of legal commerce proceeding from foreign ports, whether belonging to Spanish or foreign merchants, shall be allowed to be deposited free of import duties. The products and merchandize of America, accompanied by certificates, shall enjoy the same advantage.

2. Foreign property shall be placed under the guarantee of the laws, and will never be liable to any reprisal on account of war between governments, except that of reciprocity in the case of articles the property of Spanish merchants not being respected.

3. The deposits shall continue one year, if the accommodation of the owner require that time; and the period may be prolonged for extraordinary causes, by the authority of the minister of finance.

4. To defray the expense of the warehouses and clerks, 2 per cent shall be levied on the merchandize, one half on the entry, and the other half on the removal.

The subsequent articles, in all 31, contain minute regulations respecting the management of the warehouses, the mode of admitting and removing the deposits, levying the duties, &c.

The king of Spain, having heard the opinion of his supreme council of war on the 27th of February last relative to foreigners who make common cause with the insurgents of Spanish America, has decreed that every foreigner who shall be taken with arms in his hands in his majesty's dominions of America shall be treated

as a rebel, and be subject to the same punishment as natives, having a due regard to the different ranks in which they serve.

A note was transmitted on the 12th of June to the high allied powers, by the cabinet of Madrid, relative to the situation of South America, of which the following is the conclusion :

His Majesty received the answers of his High Allies with the greatest satisfaction. They cleared the way to very important negotiations, and led the powers to interpose in the unfortunate circumstances in which America was placed, in order that measures of prudence and vigour might be adopted to reduce the revolted provinces, and to put a period to the immorality and political contagion arising from such an order of things. To follow up proceedings so happily commenced, his Majesty considers, that the moment is arrived when he ought solemnly and categorically to represent to his High Allies, the principles which he has prescribed to himself to produce the good which he has in view, and such as, from his sentiments of humanity, they ought to expect.

Accordingly, and in reference to the propositions he has already made, his Majesty declares, that the following are the points on which he is invariably fixed :

1. General amnesty to the insurgents on their submission.

2. Admission of native Americans, endowed with the requisite qualifications, to all offices in common with European Spaniards.

3. Regulation of the commerce of the provinces with foreign states, according to free principles

ples, and conformably to the present political situation of these countries and Europe.

4. A sincere disposition on the part of his Catholic majesty to accede to all measures which, in the course of the negotiations, may be proposed to him by his High Allies, and which shall be consistent with the support of his rights and dignity.

We are afterwards informed that his Majesty has made a number of new promotions in the courts of Mexico, Quito, Guatimala, and other parts of South America.

The following official articles, in the form of Royal Decrees, were issued at Madrid on Sept. 17th.

“Having judged it expedient to remove D. Joseph Garcia Leon y Pizarro from his office of my Secretary of State and Dispatches, I appoint as his successor, *per interim*, the Marquis de Caza Irujot, my Honorary Counsellor of State. By these presents it is made known, in order that it may be communicated to all whom it may concern.”

“I have removed D. Joseph Vasquez Figueroa from his office of Secretary of State and the Marine, and by virtue hereof appoint it to be filled by Lieutenant-General D. Hidalgo de Cisneros, Capt. General of the department of Cadiz.”

“In consideration of the bad state of the health of D. Martin de Garay, and that he may be enabled to recover it, I have removed him from his office of Secretary of State and of the Finances, of Spain and the Indies. I appoint, as his successor, *per*

*interim*, D. Joseph Imaz, my Counsellor of Finances, and first Director-General of Rentes.”

Signed by the King's hand, at the Palace, Sept. 14. 1818.

## PORTUGAL.

*Portugal* appeared to treat with great neglect the possessions which it retained in Europe; and the return of its Sovereign to this country seemed to be a circumstance very little within expectation. The territory of Montevideo continued to remain attached to the Portuguese dominion.

The King of Portugal has published a Royal *alvara*, or law, dated Rio Janeiro, May 6, 1818, to enforce the articles of the late convention with the British Government for the abolition of the slave-trade, north of the Equator. It fixes the penalties to which those traders are liable who engage in the prohibited traffic, and makes the necessary regulations for the protection and support of those slaves who in consequence of these penalties shall be declared free. The following are some of its provisions:—

Art. 1. All persons, of whatsoever quality or condition, who shall proceed to fit out or prepare vessels for the traffic in slaves, in any part of the coast of Africa lying north of the Equator, shall incur the penalty of the loss of the slaves, who shall be declared free, with a destination herein-afterwards mentioned. The vessels engaged in the traffic shall be confiscated, with all their tackle and appurtenances, together with the cargo, of whatever it consist, which shall be on board on account

count of the owners or freighters of such vessel, and the owners of such slaves. The officers of such vessel, to wit, the captain or master, the pilot and supercargo, shall be banished for five years to Mosambique, and each shall pay a fine equivalent to the pay or other interests which he was to gain by the adventure. Policies of insurance cannot be made on such vessels, or their cargoes; and if they are made, the assurers who shall knowingly make them shall be condemned in triple the amount of the stipulated premium.

2. The same penalty of the loss of the slaves shall attach to persons of whatever rank or condition who shall import slaves into Brazil in foreign vessels.

3. Declares that one half of the confiscated property shall be given to the informer, and the other brought into the royal treasury. If there is no informer, the whole produce of the cargo, and the whole sum of the fine, shall go to the royal treasury.

4. Regulates the mode of proceeding in cases where information is given, fixes the authorities before whom the prosecution is to be brought, and appoints the manner in which the sentence is to be executed.

5. The slaves consigned to the royal treasury, and all those declared free by the above article (as it would be unjust to abandon them without support), shall be delivered up to the judge of the district before whom the condemnation shall take place (whose powers shall be enlarged with that jurisdiction), to serve as freed men for 14 years, in any public

service of the navy, the fortresses, agriculture, or public offices, as may be thought most convenient, being for that purpose enrolled in the respective stations; or shall be hired out to individuals of known property and probity, who shall be bound to support, clothe, and instruct them, teaching them some handicraft or labour that may be agreed upon, during the stipulated period; the terms and the conditions of which shall be renewed as often as necessary, till the 14 years are expired; the time of servitude may be shortened by two or more years, according as the good conduct of these persons may entitle them to the enjoyment of full freedom. In case these freed men are destined for the public service, the officer who shall have authority in the respective station to which they are assigned, shall nominate a person capable of fixing their term, who shall be responsible for their education and treatment. They shall have as curator a person of known probity, who shall be nominated every three years by the judge, and approved of by the judicial council or governor and captain-general of the province. To him it shall belong to provide every thing which may contribute to their well-being, to rectify abuses that may affect them, to procure them release after their proper term of service, and enforce generally for their benefit the observance of the laws prescribed for the protection of orphans, in as far as those laws are applicable to them, to the end that whatever is ordered concerning them may be strictly executed.

6. In the ports to the south of the Equator, where the traffic in slaves is still permitted, the regulations passed in the law of the 24th of November, 1813, shall be observed with the following modifications:—The distinction between vessels which shall exceed or shall not exceed 201 tons, shall be abolished, and the number of slaves shall be regulated according to the tonnage of the vessel, in the proportion of 5 to every 2 tons. It shall be allowed to the persons who own or freight slave-vessels, to use indiscriminately iron or copper kettles, provided the latter every voyage

be tinned anew. If surgeons do not sail on board such vessels, on account of the impossibility of procuring them, the owners shall be obliged to carry with them black *sangradores*, experienced in the treatment of the diseases with which the slaves are commonly afflicted.

7. Till the commerce in slaves is changed by new regulations, the importation of slaves into Brazil, from any ports where the traffic is not prohibited, is permitted.

The usual order is subjoined to all the authorities to observe and enforce this law.

## CHAPTER XV.

*Restoration of France to its territory.—Sweden enters upon its new dominion—German affairs still unsettled.—Speech of the united sovereign of Holland and Flanders.*

**T**HE great powers who had subdued and taken possession of France, consisting of Austria, Russia, Great Britain, and Prussia, after retaining that country in their hands during three years, now confiding in the security which such a period conferred upon a regular and well ordered government, thought it high time to loosen their shackles. Accordingly, in November 1818, having personally met at Aix-la-Chapelle, with the exception of the prince regent of England, the other sovereigns joined solemnly in liberating France from dependence of every kind upon a foreign dominion, and immediately withdrew their troops from the whole of the French territories. There is every reason to suppose that the consent among these different powers was full and entire; and that the resolution of putting it into effect had been predetermined for a considerable time before it had been generally made known. The relief which it brought to the country, overburdened as it was with a load of debt, was extremely desirable; and although the burden for a time pressed heavily upon the nation, there was no ground for doubting that

it would be able to meet all its difficulties. It is sufficient here to notice in a general way the circumstances as they took place: under our Chronicle will be found a more particular account of the whole transaction.

In the rest of Europe affairs had reverted to their ordinary course, and the vast fabric of French power had been completely subverted; it was in Sweden alone that a new dynasty arose which, in the person of a Frenchman of obscure origin, fixed upon its throne a successor to its former monarchs. After a kind of interim filled up by the brother of a preceding king, of the name of Charles XIII, his death without progeny on the fifth of February 1818, brought to the full view of the crown a sovereign, who under the name of Charles John, immediately succeeded to his rank and title. He was recognized by the other kings of Europe; and there is at present no cause to doubt that their concurrence will support him in the arduous destiny which he has undertaken. It was so long ago as the year 1810, that he was unanimously chosen to be the successor of the late king; and though the course of events threw

threw considerable difficulties in the way of this determination, yet the final result seems to have been in his favour. In the same Chronicle will be found a reference to various transactions by which the durability of his regal authority appears to have been placed on a firm footing.

The congress of sovereigns at Aix-la-Chapelle, seems to have been strictly confined to the affairs of France as far as they acted conjunctly; and to have laid no plans in common for the general government. Each in other respects pursued his own objects; and there is no more reason for conceiving that they shaped their counsels alike, than that they followed any other resembling system of human conduct. Hence nothing appears to have been settled in the great mass of German affairs by the events of the last year, but all is still left to be decided in proportion as free government or arbitrary sway shall gain the ascendancy. Speculation may indeed incline on either side; but unless the fate of mankind takes some preponderate determination, it will not be easy to pronounce whether good or evil will be the final result. This may suffice for the present to such a consideration of the state of Germany as its condition may suggest; respecting which it will perhaps appear, that the subsequent articles of the Chronicle, selected with tolerable care, may afford all that is required for a transient view of a matter which will as yet scarcely bear a fuller discussion.

The sovereign of the United States of Holland and Flanders,

at his session in Brussels in October, gave upon the whole a pleasing relation of the progress made by that country towards a state of settled tranquillity. The following is a transcript of the speech made by his majesty on the occasion.

*Opening of the Session of the States-General, at Brussels, on the 19th of October.*

At noon, the members of both Chambers assembled in the hall of the Second Chamber, and appointed a commission of 12 members, to introduce his Majesty.

His Majesty having arrived in state, and taken his seat on the throne, with the Prince of Orange on his right, and Prince Frederick of the Netherlands on his left, delivered the following speech in the Dutch language:—

“High and Mighty Lords;— During the course of this year, my house has received new marks of Divine protection, by the birth of another child to my well-beloved eldest son, the Prince of Orange. On this occasion the inhabitants of the Netherlands have given unequivocal proofs, that they regard this event as another guarantee of happiness for their descendants. They may be convinced, that I and my sons will always regard as the dearest of our duties, to animate our successors with the same love which we entertain for our subjects, and the solicitude with which we regard their interests.

“I have the satisfaction to communicate to you, High and Mighty Lords, that at the moment in which you are about to commence



commence your labours, Divine Providence has confirmed the peace of Europe. If, after the happy re-establishment of peace, the residence of the Army of Occupation in France was judged necessary to consolidate the tranquillity which had been re-established, the resolution of the Allied Powers, which puts an end to the occupation, and prescribes the departure of the army, proves that the proposed object has been attained, and presents, by the unanimous confidence of the sovereigns in this respect, the best guarantee for a durable peace.

“ The internal situation of the kingdom affords new motives of gratitude towards the Almighty.

“ The universities, the academies, and the colleges, are organized, and in the active execution of their functions; and a constant attention is given to the means of rendering these establishments still more brilliant and useful. The local, and even the private administrations second, in the most laudable manner, the government in its efforts, on the one hand, for preparing and establishing primary instruction, and on the other, for extending and perfecting it. Last year has afforded certain and valuable pledges for the revival of the fine arts in the Netherlands. Several kinds of manufactories still feel the effects of the influence of the events by which such important changes have been produced, in transactions and interests of every sort; but agriculture, may be considered as in the most favourable situation. Its rich products equally contribute, with the navigation and commercial relations

which are extending themselves with the Indies, to give to trade that life and spirit, of which the evidently growing prosperity of several great towns, and other interesting parts of the kingdom, is the effect and visible proof.

“ The situation of the poor is ameliorated; the real benevolence of the nation has been directed, with the most laudable zeal, towards its true object; those useful institutions, banks for loans and savings, are extending more and more; the depots of mendicity are increased. In the plan of a law relative to the next year's budget, which will be submitted to your consideration, you will find, High and Mighty Lords, the necessary arrangements for the maintenance of foundlings; and as the want of uniform regulations has often created uncertainty as to the place where the poor have the right, not of being succoured, but of participating in the existing succours, it is my wish that a law calculated to fix that place on precise and just rules should also be proposed to you.

“ Some ratifications of limits, which have been adjusted in concert with the Provincial States, will also be submitted to your High Mightinesses.

“ The liquidation of the communal debts will soon be entirely terminated. The establishment of the municipal imposts will also be completed and generalized, as soon as the law under the consideration of your High Mightinesses, relative to penalties and the mode of prosecution, shall have passed.

“ The execution of the militia law

law now experiences few or no difficulties, owing particularly to the good will with which the militia fulfil their duty. The number necessary to be called out to fill up the contingents becomes less every year. With the view, however, of further conciliating the security of the kingdom with the interests of the treasury, some modifications of the existing law will be proposed to your High Mightinesses.

“The confidence with which you sanctioned the laws on finance has given general satisfaction. The opening of a considerable loan was in the course of a few days followed with offers to more than double its amount.

“Sensible of this proof of good-will as well as of ability, relying on the perfect restoration of the credit of the state, tranquil with respect to the situation of the treasury, certain that all the obligations which have been contracted can be scrupulously fulfilled, I am encouraged in henceforth establishing at present every possible economy, and in preparing others which may hereafter be adopted.

“The budget for the ensuing year will prove to your High Mightinesses how far the efforts of the Government have already succeeded in this respect. You will find in its formation the already announced attempt at a division into ordinary and extraordinary expenses; and though it includes new sums, which are charged in consequence of the financial measures you recently adopted, the general total is inferior to that of the present year.

“It is at the same time with

much satisfaction that I am enabled to state, that according to the account which will be communicated to your High Mightinesses, and estimating the produce of the taxes by the revenue of the current year, the amount will be sufficient to equalize the receipts and the expenditure of the ensuing year.

In order, however, to ensure this desirable result, some legislative measures will be proposed to your High Mightinesses. I expect their adoption with the greater confidence, as they are of a nature to convince all those who take an interest in the situation of our finances, that the measures already adopted, and those about to be adopted in this respect, may be reckoned amongst the first objects of our common solicitude for the public welfare. These laws will besides concur in realizing any ulterior views as to what remains to be done, in order to produce in future an equal balance between the revenue and the expenditure. In a fixed and regular state of things, the greater part of the charges are indispensable; and with the view of ascertaining such as may be of a contrary nature, I have found it necessary to order all the details to be strictly examined: that examination, however, requires much time; and if it be wished that it should be accomplished with due care and attention, all precipitation must be dangerous. The investigation is conducted with activity, and I confidently hope, that by perseverance it will be rendered complete, and my desire with respect to this object perfectly fulfilled.

“Other

“Other important objects will be submitted to you during this Session; and I hope in the next to be able to present to your High Mightinesses the plan of a code for the Netherlands.

“Thus, High and Mighty Lords, I open the present session, and I express my ardent wish and full confidence that it will exhibit still more and more the character

of that conformity of views and intentions between the King and the States-General, which is best calculated to augment the welfare of the kingdom and the prosperity of its inhabitants.”

His Majesty being re-conducted with the same ceremonies as on his entrance, the sitting terminated, and the Second Chamber adjourned until to-morrow.

## CHAPTER XVI.

*North and South America.*

**T**HE principal public occurrences of the great country which may now be properly called North America, having in fact no other government which can stand in competition with it, relate to the state of affairs transmitted to the nation through the medium of its President. The first of these refer to the war subsisting with the Seminole Indians, who are said to inhabit almost entirely within the limits of Florida, and consequently in the Spanish territory. The President therefore affirms it as an undoubted fact, that "where the authority of Spain ceases to exist, there the United States have a right to pursue their enemy, on a principle of self-defence." The latter, transmitted on Nov. 16th to both Houses of Congress, is a message in which the Senate and the House of Representatives are informed at length of all that belongs to the public business of the nation, and is therefore highly worthy of an attentive perusal.

With respect to the condition of South America, so extremely uncertain are all the accounts communicated from Spain on the one side, and from the southern states on the other. that we choose to refer the whole to our Chronicle, as the only guide on

which an impartial relation can be formed.

CONGRESS.—IN SENATE, Mar. 25.

## SEMINOLE WAR.

The following Message was received from the President of the United States:—

*To the Senate and House  
of Representatives of the  
United States ;*

I now lay before Congress all the information in the possession of the Executive, respecting the war with the Seminoles, and the measures which it has been thought proper to adopt, for the safety of our fellow-citizens on the frontier exposed to their ravages. The enclosed documents show that the hostilities of this tribe were unprovoked, the offspring of a spirit long cherished and often manifested towards the United States, and that, in the present instance, it was extending itself to other tribes, and daily assuming a more serious aspect. As soon as the nature and object of this combination were perceived, the Major-General commanding the southern division of the troops of the United States was ordered to the theatre of action, charged with the management of the war, and vested with the powers necessary to

to give it effect. The season of the year being unfavourable to active operations, and the recesses of the country affording shelter to these savages, in case of retreat, may prevent a prompt termination of the war; but it may be fairly presumed, that it will not be long before this tribe and its associates receive the punishment which they have provoked and justly merited.

As almost the whole of this tribe inhabits the country within the limits of Florida, Spain was bound, by the treaty of 1795, to restrain them from committing hostilities against the United States. We have seen, with regret, that her Government has altogether failed to fulfil this obligation, nor are we aware that it made any effort to that effect. When we consider her utter inability to check, even in the slightest degree, the movements of this tribe, by her very small and incompetent force in Florida, we are not disposed to ascribe the failure to any other cause. The inability, however, of Spain to maintain her authority over the territory and Indians within her limits, and in consequence to fulfil the treaty, ought not to expose the United States to other and greater injuries. *Where the authority of Spain ceases to exist, there the United States have a right to pursue their enemy, on a principle of self-defence.* In this instance, the right is more complete and obvious, because we shall perform only what Spain was bound to have performed herself. To the high obligations and privileges of this great and sacred right of self-defence, will the

movement of our troops be strictly confined. Orders have been given to the General in command not to enter Florida, unless it be in pursuit of the enemy, and in that case to respect the Spanish authority wherever it is maintained; and he will be instructed to withdraw his forces from the province, as soon as he shall have reduced that tribe to order, and secured our fellow-citizens in that quarter, by satisfactory arrangements, against its unprovoked and savage hostilities in future.

JAMES MONROE.

*Washington, March 25.*

*Washington, Nov. 16.*

This day, at 12 o'clock, the President of the United States transmitted to both Houses of Congress, by his secretary, Mr. J. J. Monroe, the following

MESSAGE.

*Fellow Citizens of the Senate,  
and of the House of Representatives;*

The auspicious circumstances under which you will commence the duties of the present session, will lighten the burden inseparable from the high trust committed to you. The fruits of the earth have been unusually abundant; commerce has flourished; the revenue has exceeded the most favourable anticipation; and peace and amity are preserved with foreign nations, on conditions just and honourable to our country. For these inestimable blessings, we cannot but be grateful to that Providence which watches over the destinies of nations.

As the term limited for the operation of the commercial convention

vention with Great Britain will expire early in the month of July next, and it was deemed important that there should be no interval, during which that portion of our commerce which was provided for by that convention, should not be regulated, either by arrangement between the two Governments, or by the authority of Congress, the Minister of the United States at London was instructed, early in the last summer, to invite the attention of the British Government to the subject, with a view to that object. He was instructed to propose, also, that the negotiation which it was proposed to open, might extend to the general commerce of the two countries, and to every other interest and unsettled difference between them; particularly those relating to impressment, the fisheries, and boundaries, in the hope that an arrangement might be made, on principles of reciprocal advantage, which might comprehend and provide in a satisfactory manner for all these high concerns. I have the satisfaction to state, that the proposal was received by the British Government in the spirit which prompted it; and that a negotiation has been opened at London, embracing all these objects. On full consideration of the great extent and magnitude of the trust, it was thought proper to commit it to not less than two of our distinguished citizens; and, in consequence, the Envoy Extraordinary and Minister Plenipotentiary of the United States at Paris has been associated with our Envoy Extraordinary and Minister Plenipotentiary at Lon-

don; to both of whom corresponding instructions have been given; and they are now engaged in the discharge of its duties. It is proper to add, that, to prevent any inconvenience resulting from the delay incident to a negotiation on so many important subjects, it was agreed, before entering on it, that the existing convention should be continued for a term not less than 8 years.

Our relations with Spain remain nearly in the state in which they were at the close of the last session. The convention of 1802, providing for the adjustment of a certain portion of the claims of our citizens for injuries sustained by spoliation, and so long suspended by the Spanish Government, has at length been ratified by it; but no arrangement has yet been made for the payment of another portion of like claims, not less extensive or well founded, or for other classes of claims, or for the settlement of boundaries. These subjects have again been brought under consideration in both countries, but no agreement has been entered into respecting them. In the mean time, events have occurred which clearly prove the ill effect of the policy which that Government has so long pursued on the friendly relations of the two countries, which, it is presumed, it is at least of as much importance to Spain as to the United States to maintain. A state of things has existed in the Floridas, the tendency of which has been obvious to all who have paid the slightest attention to the progress of affairs in that quarter. Throughout the whole of those provinces to which

which the Spanish title extends, the Government of Spain has scarcely been felt. Its authority has been confined, almost exclusively, to the walls of Pensacola and St. Augustine, within which only small garrisons have been maintained. Adventurers from every country, fugitives from justice, and absconding slaves, have found an asylum there. Several tribes of Indians, strong in the number of their warriors, remarkable for their ferocity, and whose settlements extend to our limits, inhabit those provinces. These different hordes of people, connected together, disregarding on the one side, the authority of Spain, and protected, on the other, by an imaginary line which separates Florida from the United States, have violated our laws prohibiting the introduction of slaves, have practised various frauds on our revenue, and committed every kind of outrage on our peaceable citizens which their proximity to us enable them to penetrate. The invasion of Amelia Island last year, by a small band of adventurers, not exceeding 150 in number, who wrested it from the inconsiderable Spanish force stationed there, and held it several months, during which a single feeble effort only was made to recover it, which failed, clearly proves how completely extinct the Spanish authority had become; as the conduct of those adventurers, while in possession of the island, as distinctly shows the pernicious purposes for which their combination had been formed.

This country had, in fact, become the theatre of every

species of lawless adventure. With little population of its own, the Spanish authority almost extinct, and the Colonial Governments in a state of revolution, having no pretension to it, and sufficiently employed in their own concerns, it was in a great measure derelict, and the object of cupidity to every adventurer. A system of bucaneeing was rapidly organizing over it, which menaced, in its consequences, the lawful commerce of every nation, and particularly of the United States; while it presented a temptation to every people, on whose seduction its success principally depended. In regard to the United States, the pernicious effects of this unlawful combination was not confined to the ocean; the Indian tribes have constituted the effective force in Florida. With these tribes these adventurers had formed, at an early period, a connexion, with a view to avail themselves of that force to promote their own projects of accumulation and aggrandisement. It is to the interference of some of those adventurers, in misrepresenting the claims and titles of the Indians to land, and in practising on their savage propensities, that the Seminole war is principally to be traced. Men who thus connect themselves with savage communities, and stimulate them to war, which is always attended on their part with acts of barbarity the most shocking, deserve to be viewed in a worse light than the savages. They would certainly have no claim to an immunity from the punishment which, according to the rules of warfare practised by the



the savages, might justly be inflicted on the savages themselves.

If the embarrassments of Spain prevented her from making an indemnity to our citizens, for so long a time, from her treasury, for their losses by spoliation, and otherwise, it was always in her power to have provided it, by the cession of this territory. Of this, her Government had been repeatedly apprised; and the cession was the more to be anticipated, as Spain must have known that, in ceding it, she would in effect cede what had become of little value to her, and would likewise relieve herself from the important obligation secured by the treaty of 1795, and all other commitments respecting it. If the United States, from consideration of these embarrassments, declined pressing their claims in a spirit of hostility, the motive ought at least to have been duly appreciated by the Government of Spain. It is well known to her Government that other Powers have made to the United States an indemnity for like losses, sustained by their citizens at the same epoch.

There is, nevertheless, a limit beyond which this spirit of amity and forbearance can in no instance be justified. If it was proper to rely on amicable negotiation for an indemnity for losses, it would not have been so, to have permitted the inability of Spain to fulfil her engagements, and to sustain her authority in the Floridas, to be perverted by foreign adventurers and savages, to purposes so destructive to the lives of our fellow-citizens, and the highest interests

of the United States. The right of self-defence never ceases. It is among the most sacred, and alike necessary to nations and to individuals. And, whether the attack be made by Spain herself, or by those who abuse her Power, its obligation is not the less strong. The invaders of Amelia Island had assumed a popular and respected title, under which they might approach and wound us. As their object was distinctly seen, and the duty imposed on the Executive, by an existing law, was profoundly felt, that mask was not permitted to protect them. It was thought incumbent on the United States to suppress the establishment, and it was accordingly done. The combination in Florida, for the unlawful purposes stated, the acts perpetrated by that combination, and above all, the incitement of the Indians to massacre our fellow citizens, of every age, and of both sexes; merited a like treatment, and received it. In pursuing these savages to an imaginary line in the woods, it would have been the height of folly to have suffered that line to protect them. Had that been done, the war could never cease. Even if the territory had been exclusively that of Spain, and her power complete over it, we had a right, by the law of nations, to follow the enemy on it, and to subdue him there. But the territory belonged, in a certain sense at least, to the savage enemy who inhabited it, the power of Spain had ceased to exist over it, and protection was sought, under her title, by those who had committed on our citizens hostilities, which she

she was bound by treaty to have prevented, but had not the power to prevent. To have stopped at that line, would have given new encouragement to these savages, and new vigour to the whole combination existing there, in the prosecution of all its pernicious purposes.

In suppressing the establishment at Amelia Island, no unfriendliness was manifested towards Spain, because the post was taken from a force which had wrested it from her. The measure, it was true, was not adopted in concert with the Spanish Government, or those in authority under it; because, in transactions connected with the war in which Spain and her colonies are engaged, it was thought proper in doing justice to the United States, to maintain a strict impartiality towards both the belligerent parties, without consulting or acting in concert with either. It gives me pleasure to state, that the Governments of Buenos-Ayres and Venezuela, whose names were assumed, have explicitly disclaimed all participation in those measures, and even the knowledge of them, until communicated by this Government; and have also expressed their satisfaction, that a course of proceeding had been suppressed, which, if justly imputable to them, would dishonour their cause.

In authorizing Major-General Jackson to enter Florida in pursuit of the Seminoles, care was taken not to encroach on the rights of Spain. I regret to have to add, that, executing this order, facts were disclosed respecting the conduct of the officers of Spain

in authority there, in encouraging the war, furnishing munitions of war, and other supplies to carry it on, and in other acts not less marked, which evinced their participation in the hostile purposes of that combination, and justified the confidence with which it inspired the savages, that by those officers they would be protected. A conduct so incompatible with the friendly relations existing between the two countries, particularly with the positive obligation of the 5th article of the treaty of 1795, by which Spain was bound to restrain, even by force, those savages from acts of hostility against the United States, could not fail to excite surprise. The commanding General was convinced, that he should fail in his object, that he should, in effect, accomplish nothing, if he did not deprive those savages of the resource on which they had calculated, and of the protection on which they had relied, in making the war. As all the documents relating to this occurrence will be laid before Congress, it is not necessary to enter into further detail respecting it.

Although the reasons which induced Major-General Jackson to take these posts were duly appreciated, there was, nevertheless, no hesitation in deciding on the course which it became the Government to pursue. As there was reason to believe that the commanders of these posts had violated their instructions, there was no disposition to impute to their Government a conduct so unprovoked and hostile. An order was in consequence issued to the General in command there,

to

to deliver the posts—Pensacola, unconditionally, to any person authorized to receive; and St. Marks, which is in the heart of the Indian country, on the arrival of a competent force to defend it against those savages and their associates.

In entering Florida to suppress this combination, no idea was entertained of hostility to Spain, and however justifiable the commanding General was, in consequence of the misconduct of the Spanish officers, in entering St. Marks and Pensacola, to terminate it, by proving to the savages and their associates that they should not be protected even there; yet, the amicable relations existing between the United States and Spain could not be altered by that act alone. By ordering the restitution of the posts, those relations were preserved. To a change of them the power of the Executive is deemed incompetent. It is vested in Congress only. By this measure, so promptly taken, due respect was shown to the Government of Spain. The misconduct of her officers has not been imputed to her. She was enabled to review with candour her relations with the United States, and her own situation, particularly in respect to the territory in question, with the dangers inseparable from it; and, regarding the losses we have sustained, for which indemnity has been so long withheld, and the injuries we have suffered through that territory, and her means of redress, she was likewise enabled to take, with honour, the course best calculated to do justice to the United

States, and to promote her own welfare.

Copies of the instructions to the commanding General; of his correspondence with the Secretary of War, explaining his motives, and justifying his conduct, with a copy of the proceedings of the courts-martial, in the trial of Arbuthnot and Ambrister; and of the correspondence between the Secretary of State and the Minister Plenipotentiary of Spain near this Government; and of the Minister Plenipotentiary of the United States at Madrid, with the Government of Spain, will be laid before Congress.

The civil war, which has so long prevailed between Spain and the provinces in South America, still continues without any prospect of its speedy termination. The information respecting the condition of those countries, which has been collected by the commissioners recently returned from thence, will be laid before Congress, in copies of their reports, with such other information as has been received from other agents of the United States.

It appears from these communications, that the Government of Buenos-Ayres declared itself independent in July, 1816, having previously exercised the power of an independent government, though in the name of the King of Spain, from the year 1810: that the Banda Oriental, Entre Reos, and Paraguay, with the city of Santa Fee, all of which are also independent, are unconnected with the present Government of Buenos-Ayres: that Chili has declared itself independent,

dent, and is closely connected with Buenos-Ayres: that Venezuela has also declared itself independent, and now maintains the conflict with various success; and that the remaining parts of South America, except Monte Video, and such other portions of the eastern bank of the La Plata as are held by Portugal, are still in the possession of Spain, or in a certain degree under her influence.

By a circular note addressed by the Ministers of Spain to the Allied Powers with whom they are respectively accredited, it appears that the Allies have undertaken to mediate between Spain and the South American provinces, and that the manner and extent of their interposition would be settled by a Congress, which was to have met at Aix-la-Chapelle in September last. From the general policy and course of proceeding observed by the Allied Powers in regard to this contest, it is inferred that they will confine their interposition to the expression of their sentiments; abstaining from the application of force. I state this impression, that force will not be applied, with the greater satisfaction, because it is a course more consistent with justice, and likewise authorizes a hope that the calamities of war will be confined to the parties only, and will be of shorter duration.

From the view taken of this subject, founded on all the information that we have been able to obtain, there is good cause to be satisfied with the course heretofore pursued by the United States in regard to this contest,

and to conclude that it is proper to adhere to it, especially in the present state of affairs.

I have great satisfaction in stating, that our relations with France, Russia, and other Powers, continue on the most friendly basis.

In our domestic concerns we have ample cause of satisfaction. The receipts into the Treasury, during the three first quarters of the year, have exceeded 17,000,000 of dollars.

After satisfying all the demands which have been made under existing appropriations, including the final extinction of the old six per cent stock, and the redemption of a moiety of the Louisiana debt, it is estimated that there will remain in the Treasury, on the 1st day of January next, more than 2,000,000 of dollars.

It is ascertained that the gross revenue which has accrued from the customs during the same period, amounts to 21,000,000 of dollars, and that the revenue of the whole year may be estimated at not less than 26,000,000. The sale of the public lands during the year has also greatly exceeded, both in quantity and price, that of any former year; and there is just reason to expect a progressive improvement in that source of revenue.

It is gratifying to know, that, although the annual expenditure has been increased by the act of the last session of Congress, providing for revolutionary pensions, to an amount about equal to the proceeds of the internal duties, which were then repealed, the revenue for the ensuing year will be proportionably augmented;

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and that, whilst the public expenditure will probably remain stationary, each successive year will add to the national resources, by the ordinary increase of our population, and by the gradual development of our latent sources of national prosperity.

The strict execution of the revenue laws, resulting principally from the salutary provisions of the act of the 20th of April last, amending the several collection laws, has, it is presumed, secured to domestic manufactories all the relief that can be derived from the duties which have been imposed upon foreign merchandise for their protection. Under the influence of this relief, several branches of this important national interest have assumed great activity, and, although it is hoped that others will gradually revive and ultimately triumph over every obstacle, yet the expediency of granting farther protection is submitted to your consideration.

The measures of defence authorized by existing laws have been pursued with the zeal and activity due to so important an object, and with all the despatch practicable in so extensive and great an undertaking. The survey of our maritime and inland frontiers has been continued; and at the points where it was decided to erect fortifications, the work has been commenced, and in some instances considerable progress has been made. In compliance with resolutions of the last session, the board of commissioners were directed to examine in a particular manner the parts of the coast therein designated, and to report their opinion of the most suitable

sites for two naval depots. This work is in a train of execution. The opinion of the board on this subject, with a plan of all the works necessary to a general system of defence, so far as it has been formed, will be laid before Congress, in a report from the proper department, as soon as it can be prepared.

In conformity with the appropriations of the last session, treaties have been formed with the Quapaw tribe of Indians, inhabiting the country on the Arkansaw, and with the Great and Little Osages north of the White river; with the tribes in the state of Indiana; with the several tribes within the state of Ohio, and the Michigan territory; and with the Chickasaws; by which very extensive cessions of territory have been made to the United States. Negotiations are now depending with the tribes in the Illinois territory, and with the Choctaws, by which it is expected that other extensive cessions will be made. I take great interest in stating that the cessions already made, which are considered so important to the United States, have been obtained on conditions very satisfactory to the Indians.

With a view to the security of our inland frontiers, it has been thought expedient to establish strong posts at the mouth of the Yellow-Stone-river, and at the Mandan village, on the Missouri; and at the mouth of St. Peter's, on the Mississippi, at no great distance from our northern boundaries. It can hardly be presumed, while such posts are maintained in the rear of the Indian tribes, that they will  
venture

venture to attack our peaceable inhabitants. A strong hope is entertained that this measure will likewise be productive of much good to the tribes themselves, especially in promoting the great object of their civilization. Experience has clearly demonstrated, that independent savage communities cannot long exist within the limits of a civilized population. The progress of the latter has, almost invariably, terminated in the extinction of the former, especially of the tribes belonging to our portion of this hemisphere, among whom, loftiness of sentiment, and gallantry in action, have been conspicuous. To civilize them, and even to prevent their extinction, it seems to be indispensable that their independence, as communities, should cease, and that the control of the United States over them should be complete and undisputed. The hunter state will then be more easily abandoned, and recourse will be had to the acquisition and culture of land, and to other pursuits tending to dissolve the ties which connect them together as a savage community, and to give a new character to every individual. I present this subject to the consideration of Congress, on the presumption that it may be found expedient and practicable to adopt some benevolent provisions, having these objects in view, relative to the tribes within our settlements.

It has been necessary, during the present year, to maintain a strong naval force in the Mediterranean, and in the Gulf of Mexico, and to send some public ships along the southern coast,

and to the Pacific Ocean. By these means, amicable relations with the Barbary powers have been preserved, our commerce has been protected, and our rights respected. The augmentation of our navy is advancing with a steady progress towards the limit contemplated by law.

I communicate with great satisfaction the accession of another state, Illinois, to our Union; because I perceive, from the proof afforded by the additions already made, the regular progress and sure consummation of a policy, of which history affords no example, and at which the good effect cannot be too highly estimated. By extending our government, on the principles of our constitution, over the vast territory within our limits, on the Lakes and the Mississippi, and its numerous streams, new life and vigour are infused into every part of our system. By increasing the number of the states, the confidence of the state governments in their own security is increased, and their jealousy of the national government proportionably diminished. The impracticability of one consolidated government for this great and growing nation will be more apparent, and will be universally admitted. Incapable of exercising local authority, except for general purposes, the general government will no longer be dreaded. In those cases of a local nature, and for all the great purposes for which it was instituted, its authority will be cherished. Each government will acquire new force, and a greater freedom of action, within its proper sphere.

Other inestimable advantages will follow: our produce will be augmented to an incalculable amount, in articles of the greatest value, for domestic use and foreign commerce. Our navigation will, in like degree, be increased; and, as the shipping of the Atlantic states will be employed in the transportation of the vast produce of the western country, even those parts of the United States which are the most remote from each other will be further bound together by the strongest ties which mutual interest can create.

The situation of this district, it is thought, requires the attention of Congress. By the constitution the power of legislation is exclusively vested in the Congress of the United States. In the exercise of this power, in which the people have no participation, Congress legislate in all cases directly on the local concerns of the district. As this is a departure, for a special purpose, from the general principles of our system, it may merit consideration whether an arrangement

better adapted to the principles of our government, and to the particular interests of the people, may not be devised, which will neither infringe the constitution, nor affect the object which the provision in question was intended to secure. The growing population, already considerable, and the increasing business of the district, which, it is believed, already interferes with the deliberations of Congress on great national concerns, furnish additional motives for recommending this subject to your consideration.

When we view the great blessings with which our country has been favoured, those which we now enjoy, and the means which we possess of handing them down, unimpaired, to our latest posterity, our attention is irresistibly drawn to the source from whence they flow. Let us then unite in offering our most grateful acknowledgments for these blessings to the Divine Author of all good.

JAMES MONROE.

Nov. 17, 1818.



## CHAPTER XVII.

*East India Affairs.*

**T**HE first of these communications for the latter part of the year 1817, is a despatch from the Hon. Mountstuart Elphinstone, the resident at the court of the Peishwa, to the Governor-General, dated Camp at Kirky, Nov. 6, 1817. It contained an account of the great military preparations made by the Peishwa, and his refusal to send any part of his force from Poonah. In conclusion, it mentioned the purpose of his Highness to push on his troops towards those of the English; and in fine, asserted that the Residency had been immediately plundered and burned.

The next report is from Lieut.-Colonel Burr, to the Deputy Adjutant-General of the fourth division of the Army of the Decan, dated Camp at Kirky, Nov. 6, 1817, in which the relator gives an account of a successful action fought with Goklah's infantry and the Mahratta horse.

Mr. Elphinstone, in the succeeding account, dated from Kirky, Nov. 11th, relates the confusion apparent in the Peishwa's army, but speaks of his conduct as in some instances bearing more of the character of civilized war.

A report follows from Brigadier-General Lionel Smith, to Lieut.-Gen. Sir Thomas Hislop, dated Camp before Poonah, on Nov. 20. It gives a particular

relation of his march through a body of the enemy's horse, against the Peishwa's army, whom he at length forced to retreat in the morning of the 17th, after carrying with him all his guns but one. The city of Poonah was taken possession of by the victors on the same day.

A despatch from the Governor in Council of Bombay acquaints the Honourable Committee, that the district of Oolpar has been taken possession of without opposition, and that the fort of Severn-droog has surrendered without a single casualty on their part.

A despatch from Mr. Elphinstone to the Governor-General, dated Camp, Rajwarree, Nov. 23, contains many particulars relative to the Peishwa and Goklah, with other persons. The army is reported to be in full march after the Peishwa.

Brigadier-General Smith next informs Lieut.-General Nightingall, Commander-in-Chief, at Bombay, of a troublesome march which he took in leaving Poonah in pursuit of the enemy, and of the difficulty he found in bringing them to action.

On the 5th of May 1818 despatches were received at the India-house, containing the following communications:

Lieut.-Gen. Hislop, addressed the

the Governor-General, from the Camp on the Soopra, of the date of Dec. 21, 1817, upon the news of a battle, in which he had completely defeated Mulhar Row Holkar by means of the first and third divisions of his army. Brigadier-General Sir John Malcolm was then in full pursuit of the fugitives, with the greater part of his cavalry. The Camp of Holkar, and a number of his guns, remained in possession of the victors.

Previous to this action, Lieut.-Colonel Scott, commanding a British detachment at Nagpore, gave a defeat to a large body of horse and foot of the enemy, on the 26th and 27th of November.

On the 19th of December, Brigadier-Gen. Doveton, from the Camp near Nagpore, addressed a report to the Adjutant-Gen. for the information of the Commander-in-Chief, relative to his arrival at Nagpore after a severe action with the enemy's cannon. The total number of guns taken from him are stated at 75, which were put into the Brigadier's possession by the Rajah after the action.

Despatches received at the India-house on June 8th, contained the following copies and extracts :

The Governor-General, who dates from Camp Sonarie, Dec. 17, 1817, expresses the liveliest satisfaction in announcing the repulse and entire defeat by the British troops at Nagpore, of the forces of the Rajah of Berar, who had attacked them without any previous declaration of hostility. After some account of the action, it is added that reinforcements

are on their march to Nagpore from several quarters, and that a considerable British force will shortly be assembled there.

Lieut.-General Hislop then addresses the Governor-General for the purpose of giving him a particular relation of his late engagement with Holkar, and all the events of that day. A return of the heavy loss with which it was attended, with all the compliments due to the several officers who distinguished themselves, fill up the remainder of his letter. The Mysore horse, who acted with the British, and well supported them, are handsomely spoken of.

Brigadier-General Doveton, to whom this business was finally committed, writes on Dec. 30, for the information of the Commander-in-Chief, that the Arab Chiefs, in the city of Nagpore, having communicated their willingness to evacuate the place on certain conditions, and having sent out their principal Chief to conduct the negotiation, the whole was satisfactorily settled, and the whole evacuated the town at noon whilst the British marched in and took possession, hoisting their flag on the old palace.

By a despatch from the Governor in Council at Bombay to the Secret Committee, dated the 14th of January, 1818, it is asserted that the Peishwa was at Sapar, about 30 miles S. E. of Poonah, moving, as it was supposed, towards Sattarah. The approach of Brigadier-General Smith seems to have led the Peishwa to prosecute his flight to the southward.

Another despatch from the same

same body to the Secret Committee, dated the 23rd of January, gives a letter from the first Assistant to the Political Agent of the Governor-General, dated Mundissoor, signifying that the victory over Mulhar Row Holkar brought about a treaty between that potentate and the British government, relieving the latter from the anarchy which has lately prevailed in that state; and also that all the Pindarries have been driven into one quarter, and are now in the vicinity of Johud.

A letter from Major-General Sir W. G. Keir to the Adjutant-General, dated Camp, Dewdah, January 10, was sent for the information of the Commander-in-Chief, which informed him, that the division under his command was detached by Sir Thomas Hislop for the purpose of attacking a Pindarry chief who had encamped in the neighbourhood of Johud. Sir W. G. Keir moved towards the spot, and heard of the fugitives at a considerable distance. At length he was informed on the 7th that a large body of the enemy were at Dhiruh, eight miles south of Sodree, with their baggage and families. He got within sight of Dhiruh on the next morning, but found to his great disappointment, that the enemy had decamped on the preceding day on hearing of the approach of the Bombay division of the army, leaving their guns, and a considerable quantity of baggage to follow them across the hills.

The last reports at Bombay from the Major-Gen. on the 21st and 26th of January, mention that he had succeeded in surprising a

body of Pindarries at the village of Mundassee near Veera. The same authority also speaks of a letter from Lieut.-Colonel Macmorine to the Resident, in which he reports the entire defeat of a body of the Rajah's troops at Sreenuggur, by the detachment under his command.

A letter from Brigadier-Gen. Lionel Smith, to the Hon. Mountstuart Elphinstone, Resident at the court of the Peishwa, communicates some curious intelligence respecting that sovereign. It is dated Camp, Kurkumb, Feb. 21. The enemy having on their route turned upon Kurkumb were pursued thither, when it was learned that the Peishwa, had encamped the preceding evening near Ashta. General Smith pursued, and about half past eight on the morning of the 20th had the satisfaction of hearing their drums beating below a hill which concealed them from view. On their descent from the hill, the enemy descried them, and Goklah took the resolution of risking an action. It was maintained on both sides with great spirit; but after much difficulty, the dragoons and horse artillery succeeded in making a fair charge, in which Goklah, the chief of the Mahratta army, fell fighting bravely to the last. The whole were now broken and pursued, and our troops were soon brought upon the enemy's baggage and followers. The Peishwa abandoned his palanquin early, and took to horse, but our men were unable through fatigue to pursue. Twelve elephants, fifty-seven camels, several palanquins, and a few horses, fell into our hands.

hands. I have not been able to trace the course of the Peishwa's flight, nor can I follow him till I have disposed of the Rajah's family in Poonah; and as he has made earnest entreaties for an early interview with you, I beg you, if possible, to meet me on my route there, that I may the sooner proceed in quest of the enemy.

A despatch was received at the India-board, dated August 26, from the Governor in Council at Bombay to the Secret Committee, dated April 11, in which there are many recent documents. The greater part of these are of little consequence in the present state of events, but some of them will be found of importance.

A Letter from Lieut. General Hislop to the Governor General and Commander in Chief, dated February 28, will probably be thought a curious exemplification of the laws of war in this country.

"Having descended, says the Lieut. General, the Sindwah Ghaut without molestation, on my march I received an intimation that the Killedar of Talnier had determined upon resisting the occupation of his fort by the British troops; and this, on my arrival before the place, I found to be correct, as he had already commenced a fire from a few guns, and a number of the matchlocks from the walls upon our advanced parties. On this I directed a reconnoissance to be made by the quarter-master-general, Lieut.-Colonel Blacker, and the officers of engineers, with a company of light infantry, the deep ravines round the place pre-

venting its accessibility on the service by the cavalry picquets. I sent at the same time a letter to the Killedar, warning him of the consequences which would ensue from his rebellion if persisted in; to which I received no answer, but I afterwards learned that it had been delivered to him.

The reconnoissance being completed, I directed the ten six-pounders (including the horse artillery guns), and two five and a half inch howitzers, with some 12 pound rockets, to be brought into position, so as to knock off, in as great a degree as such limited means would admit of, the defences of the gateway. These opened with admirable effect about 11 o'clock from the heights on which the Pettah is situated; from about 100 to 300 yards distant from the walls, the enemy keeping up an occasional fire from his guns, and a sharp one from his matchlocks, by which several casualties occurred. A second reconnoissance having been made by Lieut. Blacker, who advanced to the outer gate for the purpose, I determined upon storming it, in the hope that at all events a lodgment might be made within: two 6 pounders were accordingly brought, under cover, close to the gateway, and the flank companies of his majesty's Royal Scots and Madras European regiments, under Major Gordon, of the former corps, supported by the rifle battalion, the 3rd light infantry, and the picquets, under Major Knowles, were brought from camp for this purpose.

Meantime the Killedar, alarmed at these preparations, and at the

the effect of the batteries, sent to solicit terms. He was desired to open his gates, and to surrender himself and his garrison unconditionally, which he promised to do: some delay, however, taking place, and the day beginning to decline, the guns and Europeans were brought up to the first gate, which was entered by the Europeans at the side by single files, without requiring to be blown open. The next gate was found open; and at the third the Killedar came out by the wicket, with a number of banyans, whom he had on the previous evening forced into the fort from the pettah, and surrendered himself to the Adjutant-general. The party advanced through another gate, and found the fifth, which led into the body of the place, shut, and the Arabs within still insisting upon terms. After some delay, the wicket of this gate was opened from within, and Lieut.-colonel Macgregor Murray, and Major Gordon entered by it, with two or three officers and ten or twelve grenadiers of the Royal Scots who were leading. I lament to state to your lordship that this gallant band was immediately attacked by the treacherous Arabs within, before adequate aid could be given from the wicket; in a moment they were fired upon and struck down with spears and arrows. The intrepid Major Gordon and Captain Macgregor resigned their invaluable lives at this spot, and Lieut.-colonel Murray was wounded in several places with daggers before he had time to draw his sword to defend himself.

When the attack commenced

at the inner gate, the outer one was directed to be blown open, while the fire from the batteries covered the assault. Thirty or forty of the leading grenadiers having, in the meantime, succeeded in getting through the wicket, the garrison took shelter in the houses in the fort, whence they still opposed an obstinate resistance; but the remainder of the storming party having by this time got into the place, the whole of the garrison, consisting of about three hundred men, of whom a considerable number were Arabs, were put to the sword; a severe example indeed, but absolutely necessary, and one which I have no doubt will produce a most salutary effect on the future operations in this province. The Killedar I ordered to be hanged on one of the bastions immediately after the place fell. Whether he was accessory or not to the subsequent treachery of his men, his execution was justly due to his rebellion in the first instance, particularly after the warning he had received in the morning."

The India board having received dispatches, dated Sept. 28, from the Governor in Council at Bombay of the date of March 25, the following are part of the contents communicated to the Secret Committee.

A report from Brigadier-gen. Pritzler, addressed to the Adjutant General of the army, relating to his capture of Singhur, a strong hill fort, contains the subsequent particulars. The General invested the fort of Singhur on the 20th of February, and on the 22nd a battery of 4 mortars and 2 howitzers

2 howitzers was opened to the southward of the fort under the hills, while another of one mortar and one howitzer was fixed on a hill to the eastward, about 600 yards distant from the fort. Fresh additions were continually made to the batteries; and on the 28th two breaching batteries were completed, and opened their fire. The fire was returned by the enemy with great spirit; however, on March 1st proposals were made to surrender the fort, which was not acceded to. The garrison consisted of about 100 Arabs, 600 Gosains, and 500 natives of the Concan, of whom about 30 were killed and 100 wounded during the siege. The great natural strength of the fortress, and the only assailable point, the gateway, being at so great a height, are mentioned by the General as greatly increasing the difficulties of the siege. The second of March, however, put an end to this difficulty, being the day of its surrender. The terms granted were upon the whole such as were admissible, the Arabs and Gosains being allowed to proceed to Elichpoor, but without taking service on the road, for the security of which they are to give hostages.

Lieut.-General Sir Thomas Hislop, in a letter to the Governor General, dated Camp at Aurungabad, 31st of March, acquaints his Excellency that he transmits a general order which has been this day published to the troops under his command, acquainting the Supreme Government, and the Government of Fort George and Bombay, as also the Residents at the several native Courts of

the Deccan, that he has from this day relinquished the powers political and military, which were conferred upon him by the resolution of his Lordship dated the 10th of May, 1817. A general order is next published by the Commander in Chief, in which he issues his final orders, declaring that the army of the Deccan is discontinued, and the corps commanded by the Brigadiers General Smith and Doveton will revert to the footing on which they stood previously to the Lieutenant General's assumption of the chief command.

The Lieutenant General authorizes the general and personal staff at head quarters to maintain their field establishments until the arrival of his Excellency at Fort St. George.

Lieut.-colonel Adams writes to Brigadier General Doveton, under the date of April 17th, that in consequence of intelligence received of Bajee Row being in full force at Peepulhote, he marched on the preceding night with the hope of surprising him; but on reaching the place, he found that the enemy had moved on to Sewny. He resolved to follow him, and a little after sun-rise encountered his advanced party in full march, whom he pursued in the most difficult country that can be imagined, and came upon the Peishwa's united force in an extensive valley near Sewny. In the attack he was more successful than could have been expected; and he reckons the number of the enemy killed to be from 3 to 400. Four brass guns about six pounder caliber, and one considerably larger, with their pro-  
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portion of tumbrils and stores, fell into his hands; with three elephants, nearly 200 camels, and a variety of valuable property.

A report was afterwards made to the Governor in Council at Bombay, from Brigadier General Munro of his progress in occupying the southern part of the Peishwa's territory.

Lieutenant Col. Prother informs the Adjutant General of his taking on the 10th of May the important fort of Ryghur, a place of stupendous height, with an extensive area on the top. The garrison held out a flag for terms; and after three days of communication and treaty, the Lieutenant Col. was induced to allow them honourable conditions, such as marching out with their arms and private property. There was found in the fort the wife of the late Peishwa, with public property, in specie, to the amount of 5 lacs.

The India-Board on Oct. 10, communicated a despatch from the Governor in Council at Bombay, containing a report from Brigadier-Gen. Tho. Munro, to the Hon. Mountstuart Elphinston, dated May 11, to the following effect. The General begins with referring to a former report, in which he mentions that Gunput Row Paunsee had returned hither the day before, and was encamped under the guns of the fort. Yesterday morning (says the General) I carried the outward pettah by escalade, and made a lodgment in the inner pettah, where the Arabs, assisted by the garrison, continued for a considerable time to defend the houses on that side

of the fort. Just as we got possession of the outward pettah, Gunput Rowe led a considerable body of his infantry, with a few hundred horse, round by the eastern side of the fort, and opened five guns upon our reserve. Finding our battery did not silence these guns, I ordered them to be charged, and carried three of them; the other two having been withdrawn under the fire of the fort. Gunput Row was wounded, and Victul Punt Tattish killed, besides several others of less note, at their guns, and in their retreat.

Having understood that the enemy were going about four in the morning from their camp, I ordered out our small body of cavalry under Brigadier-General Pritzler to pursue them; and fortunately Dhooly Khan came into camp just before with 300 horse, and joined in the pursuit. They overtook the enemy about seven miles from the camp, and pursued them five miles further, only giving over as the night closed in. Between 700 and 800 were left killed or wounded on the field. The enemy were about 5,000 infantry, and 6 or 700 horse; the latter of whom all escaped. But the infantry who got off threw away their arms, so I hope I may congratulate you on the complete defeat and dispersion of Bajee Row's infantry.

The garrison now consists of only 800 or 1,000 infantry, and our mortars are playing on the fort from the inner pettah since morning.

A communication to the India-Board on November 5th, relates the



the Despatches from the Governor in Council at Bombay, to the Secret Committee of the dates May 30, and June 3, and 8. A great part of these letters relate to the capture of Ryghur by Lieut.-Col. Prother, as already mentioned. The rest are of little consequence, except that the force under Lieut.-Col. Adams gained possession by storm on the 20th of May of the large fortified city of Chanda, with a small loss.

In a despatch from the Governor in Council at Bombay to the Secret Committee, dated June 22, 1818, the unconditional surrender is announced of the fort and district of Vezeadroog to the British Government, which completes the conquest of the southern Concan; and also, that by letters received from Seroor, it appears that the garrison of Malligaum has surrendered to Lieut.-Col. M'Dowall.

By a letter from an officer of distinction with Sir John Malcolm's army, dated from the camp of Mulawal, July 6th, the surrender of Bajee Row is mentioned as an important event. This poor man, who is mentioned by the writer as much changed from the time he saw him at Poonah, was at this crisis reduced from the power of a prince, to the state of a prisoner to the British government. He renounced for himself and heirs all claim to the government of Poonah, engaged to reside at Benares, or wherever the Governor-General might appoint, dismisses all his adherents, and was to receive a sum of not less than eight lacs of rupees annu-

ally. The writer further says that Sir J. Malcolm has been particularly fortunate in this campaign, which ended in the Peishwa himself surrendering to him.

The India-Board in Jan. 13, 1819, received a despatch from the Marquis of Hastings, Governor-General and Commander-in-Chief of the forces in the East Indies, dated Goruckpore, 20th of June, in which he confirmed the capture of Bajee Row by Sir John Malcolm, and gave information of the close of the war in the late Peishwa's dominions by the surrender of the fort of Moolheir.

Of other enclosures was one from Brigadier - Gen. Munro, to the Hon. Mount-Stuart Elphinstone, dated 2nd of June, giving an account of the unconditional surrender of Appa Desye to the British army.

Another related to two actions of Lieut.-Colonel M'Dowell, relative to the fort of Malligaum, in the first of which he found it necessary to sound a retreat, and turn the siege into a blockade: in the second, dated June 13, the same place surrendered unconditionally.

The information respecting the island of Ceylon or Candy is related in the following manner by one of our daily papers. When the treaty took place between our army and the chiefs of the kingdom, it was stipulated that, on the deposition of the king of that island, the internal government should be conducted through the medium of the principal nobility, and that no interference should be permitted with  
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the British army. This article is said to have been lately infringed; and the consequence has been, that the Candian chiefs have become avowedly hostile to us, and had brought over the people at large to their sentiments, who had proceeded so far as to put to death not only some of our officers, but even some of the civil residents who had fallen into their hands. This part of the mischief is ascribed to the conduct of the military establishment on the island. The occasion of complaint on the part of the commercial residents has arisen from causes of a different nature. It had been the custom for the commercial transactions of the island to be entirely subject to the control of the civil resident government; but it being found that the general interests of our commerce were suffering under this mode of management, a proclamation was issued, declaring that the plan would be discontinued, and inviting persons from this country to settle in the island, and declaring that uncontrolled liberty of trade was intended to be established. Many persons, on the strength of these assurances, opened commercial houses in Ceylon on a scale of great magnitude; they had, however, the mortification to discover, that the civil government still continued to carry on its mercantile functions, and that a successful contest with such a rival was utterly hopeless. They therefore remained greatly discontented, with disappointed expectations and shattered fortunes, complaining of the breach of that faith in reliance on which they had acted.

This statement will probably be found to partake of exaggeration. The next Ceylon government Gazette speaks of the flame of rebellion being confined to the southern and eastern parts of Ouva, where the Pretender, and his chief adherent, the Rebel Dessare, are using their most strenuous efforts to keep it up.

The Gazette dated January 31, 1818, gives a relation of the progress of the rebellion from the last communication.

Its progress was sufficiently declared by a proclamation issued by his Excellency Lieutenant-General Sir Robert Brownrigg, on the 18th of February, giving orders to all the king's officers to punish all persons in any manner assisting in the rebellion which now exists within the provinces of Hewahette and Doombera, and has broken out in the most violent and daring attacks upon his Majesty's forces. The Gazette likewise speaks of the same rebellion which has burst forth in the above-mentioned provinces.

Sir Robert Brownrigg issued a farther proclamation on Feb. 21, commanding martial law to be executed through the whole of the Candian provinces in which treason, sedition, robbery, or other outrage or misdemeanor whatever, shall be practised; with the exception that this proclamation shall not extend to the authority of the ordinary magistrates where the same can be peaceably exercised, confining the same to civil actions only.

By a second proclamation, published on the 2nd of March, Ellepolla, formerly Adikar, by his flight from the town of Candy

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without permission, is put out of the protection of the law, and a large reward is offered for the delivery of his person.

Accounts received from Badulla in June, relate several casualties which took place among the English and other soldiers, whereby it sufficiently appeared

that the rebels were still in force; nor is there reason to believe that quiet will be restored till some powerful aid be transmitted to Ceylon from the neighbouring continent. Such, we are informed, has already been done, from which we may hope for final success.

**CHRONICLE.**

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# CHRONICLE.

JANUARY.

**T**HE following Message was received from the President of the United States, by Mr. J. J. Monroe, his Secretary :—

*To the House of Representatives of the United States ;*

In compliance with the resolution of the House of Representatives of the 11th of this month, requesting to be informed of the present strength of the army of the United States, its distribution among the several military posts which it is designed to protect, and its competency to preserve, and defend the fortifications amongst which it is distributed, and to aid in constructing such other military works, if any, as it may be deemed proper to erect, for the more effectual security of the United States, and of the territories thereof, I now transmit a report from the Secretary of War, which contains the information desired.

Dec. 22. JAMES MONROE.

In compliance with the resolution of the House of Representatives, requesting the President of the United States "to cause to be laid before the House of Representatives a return of the present strength of the army of the United States, with the distribu-

tion thereof among the several military posts which it is designed to protect, together with any information which he may be able to afford respecting the competency of such force to preserve and defend the fortifications amongst which it is distributed, and to aid in constructing, and to defend such other military works, if any, as it may be in the contemplation of the Government to erect, for the more effectual security of the United States, and of the several territories thereof;" the Secretary of War has the honour to make a return of the present strength of the army of the United States, with the distribution thereof among the several military posts.

The military establishment, as it now stands, is sufficiently extensive to keep the fortifications in a state of preservation, but is wholly inadequate to defend them against a regular attack by a force of sufficient strength or skill. To garrison the forts on the maritime frontier alone would require, according to the best information and estimates of this department, more than thrice our present number, to repel the assaults of such a force. The portion of the army stationed in the neighbourhood of fortifications now erecting are employed to aid in constructing them; but

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only an inconsiderable number has yet been so engaged, owing to its dispersed situation. Though not immediately comprehended in the resolution of the house, it is but justice to the army to observe, that it has been employed to a considerable extent, the last year, in the construction of roads, arsenals, and other public works connected with the defence of the country.

The existing fortifications are thought to be wholly insufficient in the event of a future war. As the declaration of war is the act of the whole community, justice, honour, and humanity require that every portion of the country should, as far as possible, be protected against its ravages. This is among the most sacred duties of the Government; and, impressed with its importance, a board of the most skilful officers in our service has been constituted, to examine the whole line of our frontier, and to determine on the position and extent of works that may be necessary to the defence of our country. This great work is not yet completed; and in its present state, it is impossible to speak with any precision as to the extent to which our fortifications ought to be carried. The soldiers will be able to render important aid in constructing the works that may be determined on; but from the composition of the army, they can only come in aid of regular and professed workmen.

J. C. CALHOUN.

*Fire at Knole Castle.*—Early on the morning of Christmas-day a fire was discovered by the

housekeeper, in the state bed-room, called the Venetian Chamber, an apartment highly decorated with the florid Gothic style of architecture. The flames were then raging along the wainscot on the eastern wall; she, with great presence of mind, flew to the chamber in which slept the Earl of Delawarre, instead of Earl Whitworth's; the cause of her selecting Lord Delawarre was in consequence of her master's being then confined on a bed of sickness. Lord D. immediately arose, summoned the domestic establishment, and coolly directed them to take steps, methodically, to counteract the threatened devastation. By this judicious arrangement that venerable and magnificent pile was saved from almost inevitable destruction. A plentiful supply of water quickly reduced the flames, which did not extend beyond the above apartment. Greatly to be regretted is the loss of a part of the very fine Gobelin tapestry; also several pictures, particularly the exquisite portrait of Lady Hume, daughter of the fourth Earl of Dorset. The hangings of the superb state-bed, and other articles, were saved. The damage to the room does not exceed 500*l.* What a providential circumstance it was that the family were then resident there! Had not that been the case, this building, the work of ages, together with all the pictures, statues, vases, and other inestimable antiques, must have fallen a sacrifice to the devouring element.

*Letter from Stockholm, Dec. 26.*—A remarkable declaration has now appeared, made by his Majesty



jeſty in the Council of State, and delivered, to the Diet by the Chancellor :—

“ His Majesty, who laid before the States his gracious proposal respecting the general circulating currency, and the maintenance of its value, informs them, that as his constitutional duties do not prescribe to his Majesty any proposal of the kind, his Majesty’s sole view was, to meet the wishes of the States and of the public, and give the Diet a fresh proof of his confidence by communicating the views and plans which appeared to his Majesty the best calculated to attain the great objects of maintaining the value of the currency, promoting the circulation, and encouraging industry. His Majesty, who loves to rely implicitly on the patriotism and enlightened views of the Diet, will be happy to learn that the States have discovered means more conformable to those important ends than those proposed, and he may himself reap the fruit of such great exertions. His Majesty will find satisfaction in the consciousness of having spared no pains to attain the same end, and his chief reward in the welfare of the country.

“ But his Majesty, in leaving it to the States to develope at the same time the importance of maintaining the public currency, as also the means, embraces this opportunity to declare that ‘ his Majesty and his Royal Highness the Crown Prince do not intend to make in future, as they have hitherto done, any sacrifices for this purpose ; but that henceforwards the States alone are

charged with the responsible care to maintain in its value the currency which is issued under their guarantee, and which represents all the private property in circulation. As the States have the choice of the means, it is also their business to take measures to execute them ; and his Majesty is assured that the representatives of the nation will neglect nothing to fulfil the expectations of his Majesty and of the nation. If the States will estimate the necessary means, and apply to his Majesty to join his endeavours in this respect with those of the agents of the Bank, his Majesty, fully convinced of the influence of the money system on the general welfare, is not indisposed to contribute to it on his part ; and the sacrifices already made by his Majesty and the Crown Prince for this end, give the States a sure pledge of the continued care which his Majesty and his Royal Highness will not cease to give to this important branch of the general circulation.’ ”

As, in consequence of this declaration, no more bills were drawn on ‘Change for account of the Government, the course fell from 103 to 112 schill. for the Hamburgh bank dollar.

*Petersburgh, Dec. 27.*

By an Imperial ukase, published at Moscow, the Ministry of Public Instruction is to be united to that for the affairs of all religious confessions, with the title of Minister for Ecclesiastical Affairs and Public Instruction.

The Prince Regent in Council lately sent an order to the Royal Court

Court of Guernsey, to prohibit the importation of French silks, lace, &c. into that island. After the order had been read in open Court by the King's Treasurer, the Court refused to register it, alleging, that it militated against the long established customs, rights, and privileges of the island; that the islanders had suffered great privations by the abolition of smuggling; and that should the importation of silks and lace be put a stop to, it would reduce many to poverty and distress. The Court further ordered, that a humble representation should be made to the Privy Council of all those circumstances, and praying that the order might not be put in force in Guernsey.

*Aberdeen, Dec. 31.*

The following is a detail of the melancholy fate of a part of the crew of the brigantine *Fidelity*, of this port, Captain Murray, as contained in a letter from the Agent for Lloyd's, dated Lerwick, Zetland, 21st December:—

“I received information, about four o'clock yesterday afternoon, that a water-logged brig, belonging to Aberdeen, was driven ashore on the coast, between Laxirith and Catfrith Voe. I immediately proceeded to the place, accompanied by Captain Creaser, of the late brig *Helmsley*, and Mr. James Craig of this place; on our arrival, we found the vessel was the *Fidelity*, of Aberdeen, Alexander Murray master, from Memel, with a cargo of timber and deals for Liverpool; that she had left Memel 15 days before, and was

proceeding on her passage, when she was overtaken by a very heavy gale, and a tremendous sea; that lying to, on Monday night, the 15th inst., she was struck with a heavy wave, in consequence of which she became very leaky, when they were obliged to cut away the mainmast, after which they succeeded by great exertion in keeping her before the wind, till Wednesday night, when she was struck again with two very heavy seas, and immediately became completely water-logged, and the sea made free passage over her, sweeping every thing off the deck; all hands were then obliged to repair to the foretop, where, in consequence of extreme fatigue, hunger, and cold, they all perished, except Captain Murray, and James Spander, one of the seamen. Besides the ship's company, there were two seamen passengers, who also perished; and the deck of the vessel, having seven dead bodies lying on it, exhibits a scene the most deplorable that can be imagined. Captain Murray had been thirty hours in the fore-top, without food, or even a great coat to keep him warm; yet he is in good health, except that his feet and hands are much swelled, and the seaman is also tolerably well. The vessel had drifted on shore upon an exposed rocky part of the coast, where the least puff of easterly or southerly wind must have broke her to pieces, had not immediate assistance been given; and I am most happy to inform you, that not a moment was lost in taking her out of this dangerous situation, which we succeeded

succeeded in doing beyond my most sanguine expectations, and carried the vessel, by towing with boats (the fore-topsail being only left without its halyards), into a place where she now lies in perfect safety. It is my intention to wait a favourable opportunity of carrying the vessel to this place,"

In the Gibraltar Chronicle are the following particulars respecting the death of the late Dey of Algiers:—When the Janissaries surrounded the Palace of the Dey, he called to his assistance the officers of his artillery and navy, but they declined interfering. The Dey then demanded of the Janissaries what they wanted? They replied, "an individual from within." Anxious to preserve his life by any sacrifice, he offered to double the pay of the whole corps, but this was rejected, and his person loudly called for. His firmness now forsook him, and he had recourse to poison; its operation, however, was not sufficiently quick, and the Janissaries entered, seized and bound him, and conducted him to the spot appropriated for public executions, where they strangled him: they then quickly returned to their homes: all this passed in about an hour from their first assembling. The public opinion was much in favour of the new Dey, Ali Cogia. The Ministers of his predecessor have been banished into the interior, and their property confiscated.

*State of Newgate.*

An Account of the number of Prisoners in custody in his Majesty's gaol of Newgate, be-

tween the 1st of July, 1817, and the 1st of January, 1818; and how they have been disposed of:—

In Custody on the 1st July, 1817.....	491
Admitted to the 1st Jan. 1818 .....	1106
	—1597

Of which number there have been

Executed .....	7
Removed to the Hulks at Sheerness .....	250
Portsmouth .....	75
Woolwich .....	10-335
Removed to the Penitentiary .....	41
Refuge for the Destitute...	8
Philanthropic Reform.....	1
Bethlem Hospital .....	1
Removed by Habeas Corpus, for Trial at the Assizes...	16
Pardoned .....	7
Died .....	7
Removed to the Houses of Correction for London and Middlesex .....	229
Acquitted and Discharged for various causes.....	517
	—1169

Remained in custody on 1st January, 1818 .....	428
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2. *Vienna.*—All the Polish journals have been prohibited in our Monarchy, and also the journals of the Netherlands, which are published in the French language. Four of the German journals, viz. the Nuremberg Correspondent, the New Rhenish Mercury, the Neuwied Gazette, and the Opposition Journal, are also prohibited.

2. *Weimar.*—The Opposition Paper has reappeared, and the first number for the present year contains the following article:—

"The Administration of the Grand Ducal Government permits

mits the Opposition Paper to be re-published on the commencement of the present year, 1818. To enlighten public opinion, however, respecting the motives which caused the suspension of that paper, the following declaration is officially published:—

“His Excellency the Count de Zichy, the Austrian Minister at the Court of Prussia, and charged with an extraordinary mission from his Court to that of the Grand Duke of Weimar, made to his Royal Highness in the name of his Imperial Majesty, certain complaints on some very displeasing reflections which had been added by the Editor to an article dated from Vienna, in the 266th number of the Opposition Paper of the 12th of last November.

“This complaint being accompanied by the observation, that no writer can reckon on the protection of a state when he has had the audacity to calumniate the institutions of another, to revile the people; and to preach insurrection, his Royal Highness considered this observation to agree perfectly with the laws subsisting in the Grand Duchy, and comprised in the ordinance of the 3rd of May last, and therefore made no difficulty in ordering a provisional suspension of this paper, reserving the right of a judicial inquiry. His Royal Highness agreed so much the more readily to this proceeding, because that the Editor had been already several times admonished and censured for injuries of this nature, and that this proceeding of his Imperial Majesty announces the conviction that the respect

due to the constitution and Government of his States can never be violated with impunity in the Grand Duchy of Saxe-Weimar.

“The same paper had also inserted an article, which spoke of the constitution of Denmark in very unbecoming terms, and which seemed to consider as admissible, an opposition to the existing state of things.”

The declaration then goes on to state, that the editorship of the paper having since passed into other hands, the paper is permitted again to appear; but to prevent all misunderstandings, the words “with the Grand Ducal privilege,” which has hitherto appeared in the head of the Opposition Paper, should be suppressed.

It concludes with asserting, that the Opposition Paper never was, nor ever shall be, an official journal.

Given at Weimar, Jan. 2, 1818.

The Director of the Grand Ducal Government of Saxe-Weimar. EISENACH.

3. *Bremen*.—Our Gazette contains a resolution of the Senate, ordered to be published in it without any observation, condemning its conduct in its remarks upon the measures of foreign Governments, and desiring it to abstain henceforth from the insertion of calumnious articles, otherwise the Senate will proceed judicially against the Editor.

BOW-STREET.—*Fatal Duel*.—Yesterday morning an investigation took place before R. Birnie, esq., respecting the cause of the death of Lieutenant Edward Bayley, of the 58th regiment of foot, who was shot in a duel, on

Monday morning, Jan. 12, in a field near Chalk-farm.

Mr. O'Callaghan, who shot the deceased, was put to the bar, as likewise were the two seconds.

Mr. George Rodd, the surgeon, of Hampstead, now attended, and stated, that he was sent for on Monday morning with great speed, to go to Mr. Adams's house, in England's-lane, to attend a gentleman, who had been severely wounded. He arrived at Mr. Adams's house about 10 o'clock, where he saw a gentleman who had been wounded lying on a sofa; he proceeded to examine the wound, and he found a ball had penetrated on his right side very nearly in a line with his navel. He proceeded to examine him on his left side, when he discovered that a ball was resting between his skin and the muscles. He succeeded in extracting the ball, and then dressed the wound. The three prisoners were present in the room at the time he examined the wounds of the deceased. After Lieutenant Bayley died, he opened the body, and found his intestines had been wounded in three different places, and which he had no doubt had caused his death.

Mr. William Adams, who has acted so humanely in this shocking transaction, attended again, and in addition to his testimony of Monday night, stated, that after the deceased had called Mr. O'Callaghan to him, on the sofa, shook hands with him, and said every thing had been conducted in the most honourable manner, and that he forgave him: he asked Mr. O'Callaghan if he would have done the same by him if he had wounded him. To

this Mr. O'Callaghan replied, most certainly, he should have acted as he had done; and followed up the observation by saying, I wish I had been wounded instead of you. Mr. O'Callaghan appeared much affected, and said, you touched me in the first fire we had on one of my legs by what is called a graze, and exhibited his trowsers and boots, when it appeared that a ball had passed through both the legs of his trowsers and one of his boots. He saw the deceased, Lieut. Bayley, shake hands very heartily with Mr. O'Callaghan.

The three prisoners were ordered to be detained in custody.

On the application of an attorney, engaged for the prisoners, Mr. Birnie agreed to their undergoing another investigation previous to their commitment for trial, and the Attorney wrote to Mr. Adams, requesting it as a favour, that he would attend again yesterday evening, at seven o'clock, at which hour the three prisoners were brought again to the office, and Mr Birnie having taken his seat, three Barristers, Mr. Nolan, Mr. Arabin, and Mr. Gould, attended: their arguments went first to show that the prisoners should be bailed, but their application failing, they simply asked that they should not be committed to Newgate; but be allowed to remain in the watch-house, as the more comfortable lodging, till the result of the Coroner's Inquest should be known.

Mr. Birnie said he had a public duty to perform. In answer to arguments of the learned counsel, he quoted the case of Montgomerie and M'Namara, in which  
Mr.

Mr. Heaviside, the surgeon, who had only been attending professionally, was committed to Newgate on a charge of murder. Sir Richard Ford was the committing magistrate, who at that time expressed his determination to commit the surgeons, and all persons who were present at fatal duels, to take their trials for murder; and this checked the spirit of duelling for some time. Mr. Heaviside was confined in Newgate for a considerable time and at a very considerable expense. Probably bail to any amount could have been procured for Mr. Heaviside, but all was refused.

Mr. Birnie further observed, that he did not know that Magistrates had any thing to do with Coroner's inquests.

Mr. Nolan said, if the Magistrate complied with the application, no mischief, public or private, could happen.

The Magistrate firmly observed, that it was in evidence before him that one of the King's subjects had been deprived of life, and upon *prima facie* evidence it was murder.

Mr. Nolan again urged his desire that his clients might have a more comfortable lodging.

Mr. Birnie said he had made up his mind: the prisoners must all be committed to Newgate to take their trial for the murder of Lieutenant Bayley, and he was convinced that the three learned gentlemen would allow that he had decided right. The gentlemen bowed and retired.

The prisoners were given into the custody of the gaolers to be conveyed to Newgate.

The case was decided on Jan. 16, when all the three prisoners

were found guilty of Manslaughter.

A letter has been received at Whitehaven, dated at Toula, Jan. 13 (O. S.), respecting the progress made by the miners who were lately sent out from the former to the latter place, at the particular request of the Emperor of Russia, to search for coal. Before the Emperor left Moscow, on his journey through the provinces, Mr. Longmore, the principal engineer, presented his Imperial Majesty with specimens of coal from five different places in the province of Toula.

14. *Washington.* — The following Message was yesterday transmitted, by the President of the United States to both Houses of Congress:—

*To the Senate and House of Representatives of the United States;*

I have the satisfaction to inform Congress, that the establishment at Amelia Island has been suppressed, and without the effusion of blood. The papers which explain this transaction I now lay before Congress.

By the suppression of this establishment, and of that at Galveston, which will soon follow, if it has not already ceased to exist, there is good cause to believe that the consummation of a project fraught with much injury to the United States has been prevented. When we consider the persons engaged in it, being adventurers from different countries, with very few, if any, of the native inhabitants of the Spanish colonies,—the territory on which the establishments were made, one on a portion of that claimed by

by the United States, westward of Mississippi, the other on a part of East Florida, a province in negotiation between the United States and Spain—the claim of their leader, as announced by his proclamation, in taking possession of Amelia Island, comprising the whole of both the Floridas, without excepting that part of West Florida which is incorporated into the state of Louisiana—their conduct, while in the possession of the island, making it instrumental to every species of contraband, and in regard to slaves, of the most odious and dangerous character; it may fairly be concluded, that if the enterprise had succeeded on the scale on which it was formed, much annoyance and injury would have resulted from it to the United States.

Other circumstances were thought to be no less deserving of attention. The institution of a government by foreign adventurers in the island, distinct from the colonial Governments of Buenos-Ayres, Venezuela, or Mexico, pretending to sovereignty, and exercising its highest offices, particularly in granting commissions to privateers, were acts which could not fail to draw after them the most serious consequences. It was the duty of the executive either to extend to this establishment all the advantages of that neutrality which the United States had proclaimed, and have observed, in favour of the colonies of Spain, who, by the strength of their own population and resources, had declared their independence, and were affording strong proof of their ability to

maintain it, or to make the discrimination which circumstances required.

Had the first course been pursued, we should not only have sanctioned all the unlawful claims and practices of this pretended Government, in regard to the United States, but have countenanced a system of privateering in the Gulf of Mexico, and elsewhere, the ill effects of which might, and probably would, have been deeply and very extensively felt. The path of duty was plain from the commencement; but it was painful to enter upon it while the obligation could be resisted.

The law of 1811, lately published, and which it is, therefore, proper now to mention, was considered applicable to the case, from the moment that the Proclamation of the Chief of the enterprise was seen; and its obligation was daily increased by other considerations of high importance, already mentioned, which were deemed sufficiently strong in themselves to dictate the course which has been pursued.

Early intimations having been received of the dangerous purposes of these adventurers, timely precautions were taken by the establishment of a force near the St. Mary's, to prevent their effect, or it is probable that it would have been more sensibly felt.

To such establishment, made so near to our settlements, in the expectation of deriving aid from them, it was particularly gratifying to find that very little encouragement was given. The example so conspicuously displayed by our fellow-citizens, that their sympathies cannot be perverted



to improper purposes, but that a love of country, the influence of moral principles, and a respect for the laws, are predominant with them, is a sure pledge that all the very flattering anticipations which have been formed of the success of our institutions will be realized. This example has proved, that if our relations with foreign powers are to be changed, it must be done by the constituted authorities, who alone acting on a high responsibility, are competent to the purpose, and, until such change is thus made, that our fellow-citizens will respect the existing relations, by a faithful adherence to the laws which secure them.

Believing that this enterprise, though undertaken by persons, some of whom may have held commissions from some of the Colonies, was unauthorized by, and unknown to the Colonial Governments, full confidence is entertained that it will be disclaimed by them, and that effectual measures will be taken to prevent the abuse of their authority, in all cases, to the injury of the United States.

For these injuries, especially those proceeding from Amelia Island, Spain would be responsible, if it was not manifest that, although committed in the latter instance, through her territory, she was utterly unable to prevent them. Her territory, however, ought not to be made instrumental, through her inability to defend it, to purposes so injurious to the United States. To a country over which she fails to maintain her authority, and which she permits to be converted

to the annoyance of her neighbours, her jurisdiction for the time necessarily ceases to exist. The territory of Spain will nevertheless be respected, so far as it may be done consistently with the essential interests and safety of the United States. In expelling these adventurers from these posts, it was not intended to make any conquest from Spain, or to injure in any degree the cause of the Colonies. Care will be taken that no part of the territory contemplated by the law of 1811 shall be occupied by a foreign Government of any kind, or that injuries of the nature of those complained of shall be repeated; but this it is expected will be provided for, with every other interest, in a spirit of amity, in the negotiation now depending with the Government of Spain.

JAMES MONROE.

*Regalia of Scotland.*—It is well known, that, by the Act of Union, it is specially provided that the Crown, Sceptre, and Sword of State, belonging to the kingdom of Scotland, are appointed to remain and be preserved in that kingdom, and that these royal symbols were carefully deposited in a strong chest, in presence of the Officers of State and other personages of high dignity, as well as the Commissioners of the Earl Marechal, who claimed, by ancient custom, the custody thereof, and that the chest was placed in a chamber in the Castle of Edinburgh, called the Crown-room, which was formally and strongly secured. Nevertheless, a strong report went abroad, that, during the troublesome times of 1715 or 1718, or,

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as some say, so late as 1745, the regalia of Scotland were transferred to London, and it is certain, that, at the Jewel Office in the Tower, a Crown has been exhibited among the other treasures, supposed and alleged to be that of Scotland. Others have traced this report to the artifices of the Jacobites, whose aversion at the Union is well known, and who did all they could to excite throughout Scotland a feeling, that the country had been degraded, and her privileges destroyed, by that memorable treaty.

Some years since, a Commission was issued to the Officers of State of Scotland, and other eminent persons, to open the Crown-room, in order to search for certain records which it was supposed might have been deposited there. The room was opened accordingly, and all things seemed to be in the same condition in which they might have been left in 1707. The dust of a century lay on the floor, and on the lid of a huge chest, answering the description of that in which the regalia are stated to have been deposited. It was even remarked by an observer, equally acute and accurate, that the dust (about 6 inches thick) presented a surface perfectly uniform and level, which could not have been the case had the chest been opened at any great distance of time after it had been placed in the Crown-room, since, in that case, a large quantity of dust displaced from the lid of the chest must have been lying around it in heaps. But the matter was left to conjecture; for the Commission only warranting a search for Records, of

which none were found in the Crown-room, the Commissioners did not consider it as authorizing them to open a chest, which, if it contains any thing at all, holds not the Records, but the Regalia of our ancient kingdom.

The keen and irritating feeling of national jealousy, which once attached an important point of honour to the existence and preservation of these *Cimelia*, as the visible and tangible symbols of Scottish independence, has been long lulled to rest by the merging of our separate national concerns in the general interests of Great Britain. Yet there is a feeling of mysterious curiosity with which we are tempted to regard bolted rooms, chests which we have locked for centuries, and the fate of those symbols which anciently represented the Royalty of Scotland. It is therefore with pleasure that we inform our readers, that the mystery attached to this point of our national and historical antiquities will probably soon be cleared up.

A Commission, under the Sign Manual, has been recently issued to his grace the duke of Buccleugh and Queensberry, Lord Lieutenant of Mid-Lothian, with the principal Officers of State for Scotland, the respective Heads of the Courts of Law and Legal Bodies, the Lord Provost of Edinburgh, and other gentlemen recommended by official situations of importance, directing them to open the Crown-room, and proceed to open the chest in which the regalia are said to have been deposited, to make search for the same, and to report the issue of their inquiries to his  
Royal

Royal Highness the Prince Regent.—*Edinburgh Courant*, Jan. 17.

20. *Berlin*.—His Majesty has addressed the following letter to M. Luther, Inspector of Taxes at Schcenbeck, near Magdeburg, and descendant, in the eighth degree, from Jacob, the brother of Martin Luther:—

“ In consequence of the request addressed to me on the 24th of last October, I inform the Inspector of Taxes, Luther, that, in order to honour the memory of Dr. Martin Luther, in his descendants, I have ordered that the eldest of the two sons of the petitioner shall be received, next Easter into the establishment for educating orphans at Halle; and, to provide for all necessary expenses, I have assigned him annually an additional aid of 70 crowns. I have also assigned to the Inspector Luther, reckoning from the 1st of January, an augmentation of salary of 16 crowns annually; and I have given the necessary orders upon these subjects to the Ministers of the Treasury and Finances.

“ FREDERICK WILLIAM.  
“ Potsdam, Jan. 1818.”

*Manchester, Jan. 27.*

The following is the copy of the letter sent from the Secretary of State's Office to W. D. Evans, esq. of the Police-office, Manchester:—

(COPY.)

SIR;—Lord Sidmouth being informed that several of the persons, who, after being apprehended and detained by his Lordship's warrants on charges of high treason, having been lately dis-

charged, upon entering into recognizances to appear on the first day of next term (the 23rd inst.) in the Court of King's-bench, are under some anxiety for the fulfilment of their recognizances, is desirous of letting the several persons so circumstanced know, that, as nothing has appeared against them in their conduct since their discharge, their attendance in the Court of King's-bench will be dispensed with; and his Lordship has directed me to request, that, as the persons named in the margin reside in your immediate neighbourhood, you will have the goodness, either through a constable or any other medium more convenient to yourself, to communicate to those persons, that they need not appear in pursuance of their recognizances in the ensuing term; and his Lordship hopes that their future conduct will never render it necessary to call them into a Court of Justice.—I have the honour to be, Sir, your most obedient humble servant,

H. HOBHOUSE.

*W. D. Evans, esq.*

*Police-office, Manchester.*

*The Bear Hunt*.—(From an American paper.)—On the 29th of January, a bear was caught, and taken from its den, in Warwick Mountain, after a vigilant search of eight days, by a party of huntsmen from Warwick. The bear had taken shelter in a declivity of rocks of about forty feet deep. Attempts were first made to get him out by smoking, &c. but without effect. Dogs were then sent into the hole, but they either retreated at his terrific aspect, or were destroyed by his grasp

grasp. At length the huntsmen finding all attempts to frighten him from his retreat fruitless, blew the rocks over the hole, and came within about sixteen feet of the bear. These continued operations made him fierce and terrible. After the hole blown through the rock was sufficiently large to admit the body of a man, John Ward, jun. crept into it, placed lighted candles fixed upon the end of a pole towards the bear, and with a musket shot at him, but without effect. He descended the second time, and shot him in the fore legs; the bear at each fire advanced towards the mouth of the hole, but Ward was not to be intimidated; he descended again, and shot the ferocious beast in one eye. Ward was now drawn out the bear fiercely following him; he instantly seized a rifle from the hands of another huntsman, and discharged its contents into the head of the animal, which proved fatal. He measured 6 feet from the nose to the end of the tail, and weighed 313 lb.

Extracts from the Report of the Director-General of Customs, in Holland: delivered to the Second Chamber, 29th Jan.

“ Although the regulations respecting goods in transit, as fixed by Art. 162, have been found sufficient, experience, however, has proved that the law was too lenient with regard to some articles of trade; above all, in respect to those of which manufactories and trades are established in this kingdom. Those interested therein have not omitted to make representations against them, and it is for those reasons that his Majesty has

judged fit that the transit duties on *refined sugar, cottons, threads, and calicoes, woollens, and other manufactures*, should be increased.

“ With regard to the list or scale of duties affixed to the law of 3rd Oct. 1816, it has given rise to many objections, observations, and representations, all of which have experienced due attention and consideration.

“ Your High Mightinesses will, I trust, allow me to enter into some particulars with regard to some of the principal articles, and to state, shortly, the reasons which have given birth to the alterations alluded to.

“ *Tin-plates.*—The import duty was fixed at 30 stivers per 100: this regulation has created many objections, particularly since this article is manufactured to a considerable extent, and excellent quality, in some of our provinces. The inquiries made on that subject have confirmed that fact, and the interest of these manufacturers has not made us hesitate to increase the import duty on this article, and to place the manufactured and lackered tin-plate work also on an equality with such increase.

“ The article of *thread* is one which, at all times, makes a junction of the agricultural with the manufacturing interests necessary, in order that the cultivation of flax may not be neglected to the great injury of the manufacturers. These circumstances and alleged interests have made it necessary to diminish the export duty on raw thread and twist, and to increase the import duty on coloured sewing-thread, as our dyers are also interested therein.

“ The

“ The article of *hides* and *skins*, as appears in the tariff, are charged particularly on the exportation, so as to favour our tanneries, and the interests of the latter have caused his Majesty to make some alterations.

“ *Lace*, made of thread, has been charged in the tariff with the *scale duty* only, on account of our own manufacture being considered of such superior quality, that nothing was apprehended from foreign competition. Experience, however, has taught us, that the industry of our neighbours has produced just doubts upon that subject, particularly with regard to lace manufactured with machinery. To remove these difficulties, his Majesty has not hesitated to fix an import duty on lace, and to lay such regulations before your High Mightinesses, so that this branch of national industry may be supported and encouraged, &c.”

#### FEBRUARY.

The Paris papers of the 6th inst. bring at length the decision of the Chamber of Deputies on the law for recruiting the army ; which, after an animated and interesting debate, passed in the affirmative on Thursday last, by a majority of 55 voices ; 147 voting for the law, and 92 against it. The articles discussed on the 4th and 5th were chiefly the 27th, 28th, and 29th, which related exclusively to promotion.

The question was afterwards agitated in the Chamber of Peers upon the ground that no one could be a member of the latter chamber who had not completed his fortieth year. This happened

in three persons, who, however, had finished the time prescribed before the opening of the session. The chamber on being applied to, made the same decision as the deputies.

7. Two most horrid murders, committed on Mr. Bird and his housekeeper, who resided in a house belonging to Mr. Bird, near the Mitre, Greenwich, were yesterday discovered. Mr. Bird was far advanced in years, being near 70, and has resided many years in the town of Greenwich, where he carried on the business of a tallow-chandler, in which he acquired sufficient property to enable him to retire from business, and live upon his income, arising from houses and money in the funds. His wife died about two years ago, and since that time no person has resided with him but his housekeeper. He was a most constant attendant at Greenwich church, and was always in his place as soon as the service began, accompanied by his housekeeper. Yesterday morning Feb. 8, it was noticed by the beadle of the parish, and others, that they were not in their seats in the church, as usual. At the conclusion of the service the beadle noticed the circumstance to some neighbours, and they having remarked that the shutters of Mr. Bird's house had not been opened at the usual time, nor were at that time (noon), the beadle and others went to Mr. Bird's house, knocked at the door and called, but received no answer ; they, therefore, had no doubt that something dreadful had happened, and determined on forcing an entrance by the garden, at the back of the house.

house. On their entrance into the passage, a most shocking spectacle presented itself. The body of the housekeeper was lying on its face in a shocking state, her scull driven in and fractured in a most inhuman manner: the horrid act had been perpetrated by a blunt instrument. On proceeding from this scene of horror, another equally horrible presented itself. In a parlour adjoining the passage, the body of Mr. Bird was lying on its back, with his arms stretched, and his head more fractured than that of his housekeeper: his forehead was driven in about an inch deep, and the wound as large as a crown-piece; these wounds had also been inflicted with a large blunt instrument, supposed to be a bludgeon, employed by a powerful man, who apparently must have been left-handed.

A candle was found in the passage close to the housekeeper, and it is supposed the murders were committed late on Saturday, or at least before ten o'clock, as that was the hour Mr. Bird constantly went to bed. The housekeeper always had the chain of the street-door up when she answered a knock, and there being no doubt but that the murderer entered by that door, it is supposed that she must have been induced to open it, under some false pretence, or because she knew the person, who, as soon as he gained admittance into the passage, knocked her down and inhumanly murdered her. It is supposed that Mr. Bird was reading, and that on his hearing the attack upon his housekeeper in the passage, he left his fire-side

to proceed to her assistance, as his body was found between the fire-place and the door of the room, with his spectacles near one hand, and a candle close to the other.

The horrid discovery created a very considerable degree of agitation and alarm in the town of Greenwich during the whole of yesterday. Mr. Bicknell, the solicitor, sent off an express to the public office, Bow-street; and Adkins and Lavender, the officers, arriving with all possible speed, proceeded to examine the premises, and to endeavour to discover suspicious characters, but without finding any trace of the murderer. There is no doubt but the object of the attack was plunder. The keys of the drawers and boxes had been procured, and it is supposed they were taken from the pockets of the deceased, as they were stained with blood.

It has not been ascertained of what property the premises have been robbed. In a drawer which had not been opened were found Bank-notes to the amount of 31*l.* which were ascertained to be the amount of a dividend he received at the Bank on the 20th of Jan- last. The murderer also left four silver salts, several table and other spoons, and a soup ladle. It is supposed the murderer did not take wearing apparel away.

PROCLAMATION OF THE NEW  
KING OF SWEDEN.

9. *Stockholm.*—His Majesty King Charles XIII died on the 5th of February, at 14 minutes past 10 in the evening, after a painful illness and Christian edifying preparation.

The following Royal proclamation was published, in consequence of which his Majesty King Charles John was proclaimed King on the 6th instant, by the herald of the kingdom, in the usual form:

“ We, Charles John, by the Grace of God, King of Sweden and Norway, &c. to all our faithful subjects living and dwelling in Sweden, greeting.

“ As we, in consequence of the proposal of our late beloved father, our august King and Sovereign Charles XIII, to the Estates of the Kingdom of Sweden, were unanimously chosen, on the 21st Aug. 1810, his successor on the Swedish throne, and at the same time, invited by the unanimous voice of the King and the people, accepted this honourable call, though attended with great responsibility; we felt a particular impulse thereto, in the events, wholly foreign to us, which decided your choice, and which, without our having any share in them, solely directed your free and independent resolutions. We were thereby taken from that repose which had been our sole aim; and immediately on our arrival here, your deceased King received us with the dearest proofs of confidence and friendship, by adopting us as his Son, and impressing on your work a more holy zeal; which could but increase our obligations and our devotedness to our new country during the years that have elapsed since that event so interesting to our heart. We have exerted ourself to fulfil towards that never to be forgotten and ever beloved Prince, all the duties of a faithful subject and

an affectionate son; and have daily received in his paternal, never changing tenderness, the noblest recompense of our endeavours. This happiness we are no longer to enjoy. Death has deprived us of him who in this world was attached to us with the most faithful love. From our filial bosom, from the arms of an inconsolable consort, from the circle of sorrowing relations, from a people of whom he has been twice the deliverer, he departed with the calmness of a sage, with the peace of a good conscience, attended with the consolations of religion, and the tears of gratitude, to receive his eternal reward in a better world. We have received his last blessing upon you, which he pronounced on the verge of life with the same energy as in his most vigorous days; and in his dying hand we took the sacred oath, to inherit, together with his Crown, his tender cares for the country, his ardent wishes for your welfare.

“ As we now, in consequence of this afflicting event, ascend the united thrones of Sweden and Norway, to govern both kingdoms according to the fundamental laws of each, which were approved by the Estates of the Swedish Diet on the 6th of Aug. and by the Storthing of the kingdom of Norway on the 31st of July, 1815, we have given the royal declaration, fixed by the King and the States of the kingdom, in the decision of the Diet of the 2nd of May, 1810.

“ Since we first trod on Swedish ground it has been our highest care to defend your liberty, your privileges, and the independence

independence of the kingdom. Providence crowned our endeavours with success. In the present melancholy hour it was therefore our first duty, as well as our first thought, to implore its powerful support in our future actions. From your unanimity and patriotism we expect the most powerful assistance. In faithful union with your king, who is bound to you by the laws, you will continue to be free and independent; in this manner you will most worthily honour the memory of the Prince whom we lament, and may his blessed spirit for ever protect a happy people who can say upon his grave, with pure heartfelt gratitude, 'Through him we possessed the laws which we ourselves made, the free soil which covers the bones of our fathers, and the brightened prospect of our future lot, which his virtues and his self-denial have prepared for us.' We remain well affected to you all and each, with our Royal favour, and recommend you to God the Almighty.

"CHARLES JOHN.

"G. VON WETTERSTEDT.

"Palace at Stockholm,

Feb. 5, 1818."

The postponement of the Queen's Drawing-room is occasioned by the state of her Majesty's health, which has been very indifferent during the last three weeks or a month, although she takes her accustomed exercise.—*Morning paper, Feb. 10.*

This is the first intelligence we have received respecting the disease which has proved so fatal to her majesty.

10. The Mary, Captain Ca-

theroe, arrived in the river from Leghorn, on Thursday, and is now in the London Dock. During her voyage she touched at Alexandria, where the Captain took in about 60 pilgrims, to convey them to Tunis. At the time of embarking, no symptom of disease appeared amongst them, but on the passage one of them was taken ill and died. No suspicion was then entertained by the crew, that the unfortunate man had died of the plague; but shortly after, a boy belonging to the ship was seized with the complaint, and also died. It then communicated to the Captain, his son, and two of the sailors, who soon fell a sacrifice to the disorder. Four more of the pilgrims shortly after died. The sufferings and fatigue of the remaining part of the crew, from the few hands left to work the vessel, was great in the extreme. The only officer left was Mr. Welch, the mate, and two or three sailors; these worked the ship until she had nearly reached Tunis, when the sailors caught the infection and perished. The mate was now the only European on board, but was so fortunate as to get the vessel safe into port. The passengers were immediately landed, and the ship and cargo taken under the care of the British resident at Tunis. Mr. Welch was afterwards attacked by the disorder, and lay for nine days insensible; he was put on board an hospital ship, where he continued for several weeks before he had recovered strength to resume his duties. During this time the vessel, put under quarantine, was completely fumigated, and every precaution



precaution taken to prevent a recurrence of the disorder. A fresh crew was procured, and Mr. Welch has safely arrived with her in the river.

In the night of the 10th and 11th of February, when his grace the Duke of Wellington was returning to his hotel in Paris in his carriage, a pistol-shot was fired, which neither touched him nor the carriage. Search was in vain made for the ball; it could not be found. It is said, that the assassin came from behind the sentry-box to the left, and the sentinels who were under the outer gate immediately ran in pursuit of him. The darkness prevented them from apprehending him. According to information obtained by the police, it is believed that the author of this frightful act will be discovered.—*Moniteur*.

OFFICIAL BULLETINS OF GENERAL BOLIVAR'S LATE VICTORIES OVER THE SPANIARDS.

12. *Bulletin of the Liberating Army of Venezuela*.—The army of Guayana, commanded by the Supreme Chief, commenced its march from the city of Angustura, towards the Lower Apure, on the 31st December, part being embarked in our small squadron, and part following the left bank of the Oronoko, as far as the mouths of the Pao, where they were joined by General Monagas's division. They then passed over to the right bank of the same river, and on the 17th of January, in Caycara, were joined by the cavalry division of General Cedenó, and again crossing back to the left bank, above the mouths of the Apure, formed a junction

with Gen. Paez's division, on the 31st, at San Juan de Payara, where his troops were in quarters. The army, on the 6th February, crossed the Apure in front of the fortress of San Fernando, and this day (12th), at seven in the morning, the town and forts of Calabozo were invested, where the enemy's head quarters were established, under the immediate orders of General Morillo.

The regiment of hussars of Ferdinand VII, of La Union and Navarre, being placed on our left, and that of Castile on our right, the enemy's cavalry forthwith attempted to flank our left; but, by a rapid and simultaneous movement of our cavalry, the whole of his right was enveloped, at the moment that the infantry battalion of Barcelona was endeavouring to call away their attention, and attempting to cut them off. Not a single man of more than 2,000, of which number the three Spanish regiments consisted, would have been fortunate enough to escape, if, quicker than the advance of our horse, they had not fled into the town. Nevertheless, scarcely 80 of the hussars, and of the infantry no more than half the fusiliers, made their escape; all the grenadiers and chasseurs were left on the field. The regiment of Castile, which, as was already said, composed the enemy's left, seeing the right so completely routed, was scarcely able to execute any other movement than that of a shameful flight, without even firing a shot; nor would they have been able to escape, if, owing to the vicinity of the town, they had not been protected



protected by its fortifications, which for many days will not be able to resist the vigorous siege which we immediately established.

General Morillo, surprised in the midst of immense plains by an army that had just come off a march of 300 leagues; General Morillo, routed for the first time that in America he has drawn his sword, without at least bringing on a general action, but now not even waiting for the fire of our fusiliers; this same general Morillo now saw himself compelled to fly, almost alone, from the field of battle, having escaped from two of our lancers, only through the interposition of two of his hussars, who fell by his side; that General Morillo, in short, who has so long outraged humanity by styling himself the Pacificator of South America, was, as it were in a moment, shut up in the centre of the Venezuelan plains, owing to his own want of skill, and the extraordinary celerity of our movements. Such is the interesting spectacle the action at Calabozo offers to the military world.

The remainder of the enemy's forces are already cut off from the town, and ours have marched on to meet them in every direction. Thus has the fate of our republic been decided, without having run the danger of a single battle.

17. *Bulletin of the Liberating Army.*—General Morillo being shut up in the town of Calabozo, after the complete rout he experienced on the 12th, the Liberating Army took up the most advantageous positions round, in order to blockade the enemy, and

cut off his supplies. Our headquarters were established in the town of Rastro. The enemy, on the 14th, was compelled to abandon Calabozo, and this he did at 12 in the night, with such precipitation, that he left in our power the whole of his artillery, a large quantity of muskets and ammunition, his hospitals, stores, &c. He moved towards the town of Sombrero by the most mountainous road; but his movement having been observed before morning by our advanced posts, the army was ordered to march on in pursuit of him. On the 15th, at 4 in the afternoon, a squadron of cavalry belonging to the vanguard came up with the Spanish column in the plain of Auriosa, broke through the small body of cavalry with which the enemy covered his rear, and obliged him to halt, continuing to call his attention so as to give time for the army to come up; but night came before a single division of infantry arrived, and the enemy, under cover of it and the surrounding thickets, was enabled to resume his march. Many dead and wounded, besides more than 200 prisoners of the various Spanish regiments, were the result of the rencontre of our van with the whole of the Spanish column on this afternoon. The pursuit was continued during the whole of the evening, and in the following morning of the 16th we again came up with the enemy at the ford of the river Guarico, near the town of Sombrero, where the hussars of our vanguard, who ever since the break of day had been pressing on his rear, obliged him to stop. The enemy's position

tion at that moment was naturally formidable. Posted in ambush on the right and left of a narrow road, and with the river and almost an inaccessible bank in his front, no place was left by which we could make an attack; but our infantry, burning for action, boldly pushed on, notwithstanding the disadvantage of the ground. The Guards of Honour to the Supreme Chief were the first who entered into action, with singular dexterity and intrepidity, and they were followed by the battalions of Apure and Barlovento, causing great havoc to the enemy. The pass would have been forced without the aid of the other battalions which remained in reserve, if a movement on the rear of the enemy had not been attempted by our cavalry, whose co-operation the infantry were ordered to await. In this interval the enemy abandoned his positions, leaving in our possession 150 prisoners, and the ground covered with killed and wounded. He continued his retreat by the road of Barbacoa, where he arrived the same night; and this day he has proceeded on towards Camatugua. Such is the terror with which he is possessed, that he is afraid to take rest, notwithstanding the fatigues of the Spaniards is so great and insupportable that they deliver themselves up as prisoners without resistance. The loss of the enemy, from the time he commenced his retreat from Calabozo up to this day, exceeds 800 Spaniards in killed, wounded, and prisoners.

The King's army has disappeared, and the remnants that have escaped from the combat

will soon perish from hunger and weariness. Soon shall the flag of liberty wave over the wreck of our tyrants in the whole of Venezuela. Our total loss on this brilliant pursuit is only 80 killed and wounded. The whole of the plains are free, and the enemy, without troops, cattle, cavalry, or credit, cannot defend the capital, to which place the Liberating Army is advancing. Head-quarters, Sombrero, &c.

CHS. SOUBLET, Chief of  
General Staff.

10. *President's House.*—The following Message was received from the President of the United States by Mr. J. J. Monroe:—

*To the Senate and House of  
Representatives of the  
United States.*

As the house appropriated for the President of the United States will be finished this year, it is thought to merit the attention of Congress in what manner it should be furnished, and what measures ought to be adopted for the safe keeping of the furniture in future. All the public furniture provided before 1814 having been destroyed with the public building in that year, and little afterwards procured, owing to the inadequacy of the appropriation, it has become necessary to provide almost every article requisite for such an establishment; whence, the sum to be expended will be much greater than at any former period. The furniture, in its kind and extent, is thought to be an object not less deserving attention than the building for which it is intended. Both being national objects, each seems to have an

an equal claim to legislative sanction. The disbursement of the public money, too, ought, it is presumed, to be in like manner provided for by law. The person who may happen to be placed, by the suffrage of his fellow-citizens, in his high trust, having no personal interest in these concerns, should be exempted from undue responsibility respecting them.

For a building so extensive, intended for a purpose exclusively national, in which, in the furniture provided for it, a mingled regard is due to the simplicity and purity of our institutions, and to the character of the people who are represented in it, the sum already appropriated has altogether proved inadequate. The present is, therefore, a proper time for Congress to take the subject into consideration, with a view to all the objects claiming attention, and to regulate it by law. On a knowledge of the furniture procured, and the sum expended for it, a just estimate may be formed, regarding the extent of the building, of what will still be wanting to furnish the house. Many of the articles being of a durable nature may be handed down through a long series of service; and being of great value, such as plate, ought not to be left altogether, and at all times, to the care of servants alone. It seems to be advisable that a public agent should be charged with it during the occasional absences of the President, and have authority to transfer it from one President to another; and likewise to make reports of occasional deficiencies,

as the basis on which farther provision should be made.

It may also merit consideration, whether it may not be proper to commit the care of the public buildings, particularly the President's house and the capitol, with the grounds belonging to them, including likewise the furniture of the latter, in a more especial manner to a public agent. Hitherto the charge of this valuable property seems to have been connected with the structure of the buildings, and committed to those employed in it. This guard will necessarily cease when the buildings are finished, at which time the interest in them will be proportionably augmented. It is presumed that this trust is, in a certain degree at least, incidental to the other duties of the superintendent of the public buildings; but it may merit consideration whether it will not be proper to charge him with it more explicitly, and to give him authority to employ one or more persons under him, for these purposes.

JAMES MONROE.

*Washington, Feb. 10, 1818.*

The Message was read and referred to the committee of the whole, to whom is referred the bill to provide for erecting additional buildings for the accommodation of the several executive departments.

*To the Senate and House of Representatives of the United States.*

12. *Washington.*—I lay before Congress copies of two communications received at the Department of State from the Minister of Great Britain, and submit to their

their consideration the propriety of making such legislative provisions as may be necessary for a compliance with the representations contained in them.

By the express terms of that compact, it was, when ratified by the two Governments, to be in force for the term of four years from the day of its signature. The revocation of all the discriminating duties became therefore the obligation of both the Governments from that day, and it is conceived that every individual who has been required to pay, and has paid, any of the extra duties revoked by the Convention, has a just and lawful claim upon the respective Governments for its return. From various accidents, it has happened that, both here and in Great Britain, the cessation of the extra duties has been fixed to commence at different times. It is desirable that Congress should pass an act providing for the return of all the extra duties incompatible with the terms of the convention which have been levied upon British vessels or merchandise, after the 3rd day of July, 1815. The British Parliament have already set the example of fixing that day for the cessation of the extra duties of export by their act of 30th of June last; and the Minister of the United States in London is instructed to require the extension of the same principle to all the extra duties levied on vessels and merchandise of the United States, in the ports of Great Britain, since that day. It is not doubted that the British Government will comply with this requi-

sition, and that the act suggested may be passed by Congress, with full confidence that the reciprocal measure will receive the sanction of the British Parliament.

JAMES MONROE.

*Inquest on Sir Richard Croft.*—

On Friday night, the 13th at 8 o'clock, an inquest was held in an apartment at the house of Miss Cotton, No. 86, Wimpole-street, Cavendish-square, before Thomas Stirling, esq. Coroner for Middlesex, on the body of Sir Richard Croft, M. D. aged 57.

The Rev. Dr. Thackeray, of Windsor, sworn: said, that he is husband to Mrs. Thackeray, and was on a visit to his sister-in-law's (Miss Cotton's) house since Sunday last. In consequence of his lady being taken ill, Sir R. Croft's attendance was found necessary, and he attended her that night till about 11 o'clock, and conceiving that he was much fatigued, they prevailed on him to retire to rest, which he did, after many entreaties, at about twenty minutes after 11 o'clock on Thursday night. Witness retired to bed about the same hour, and Sir Richard appeared anxious to get up any time they might call him to attend on Mrs. Thackeray; she having exhibited symptoms of an approaching delivery. About two o'clock in the morning, witness heard a noise, which he thought was like the falling of a chair, but took no further notice. The noise awoke witness, but he went to sleep again; and in about an hour afterwards, he was awoke by the servant maid, who knocked at the door, and told him that his wife was in labour. He went down stairs

stairs immediately, to knock at the door of the room deceased slept in, and he found it on a jar: he could see into the room. Witness opened the door and went into the room, and found the deceased, Sir Richard, lying on the bed on his back; he held a pistol in each hand; the muzzles of both were at either side of his head. They had been discharged. He was quite dead; thinks he had been dead some time. Witness thinks he died the instant he shot himself. He could have no intention of destroying himself when he went to bed, as he did not close the door of the apartment. Witness observed to the deceased before he went to bed, that he, witness, was in great agitation. Sir Richard answered, "What is your agitation compared to mine?" and witness imagined at the time that he was suppressing his emotions. The deceased bled at the nose several times during his attendance. Mrs. Thackeray was safely delivered.

Mr. George Hollings, surgeon, of Green-street, Grosvenor-square, said, that he observed a considerable alteration in the deceased's state of mind and his manners for some time past; he had frequently seen him so melancholy, that it was quite distressing to witness it. He used to sigh very much, and his mind was so absorbed that he would not give answers to questions which were put to him: for the last ten days the deceased had been attending a patient who was in a dangerous state; and on witness conversing with him respecting her, deceased has thrown

himself on the bed, and would violently strike his forehead as if his brain was very much agitated. He noticed him particularly on Tuesday night as he was attending a lady (a patient); he was so agitated that Dr. Warren asked him if he was ill? He answered in an incoherent manner, "No." Witness is of opinion, that had a person been present when he had the pistols, he could have obtained no control over him; indeed he should have thought it very dangerous to have left such weapons within his reach. A short time ago, witness was in company with the deceased, when he exclaimed abruptly, "Good God, what will become of me!" Witness positively believes the deceased was in a state of derangement at the time he committed the act.

[Here one of the jurymen asked Mr. Hollings, whether, in his opinion, the death of the Princess had been the exciting cause of his temporary derangement of intellect; or, whether he had observed his mind to be diseased previous to that melancholy and generally deplored event?—Mr. Hollings replied, that he had no doubt whatever of the insanity of the deceased having been caused by the unfortunate events at Claremont; that, previous to that time he had never observed his mind to be disturbed. In this opinion the other medical gentlemen fully concurred.]

Dr. Latham said, he observed a considerable agitation of late in the deceased; has known him many years, and has been of late frequently in his company. About three weeks ago witness dined with him, at his house in Old Burlington-

Burlington-street; and on witness inquiring after a patient of the deceased's, he exclaimed, with great eagerness. "That he would give 500 guineas it was over, rather than have to attend her;" he fancying her in danger, but she was delivered safely. On Tuesday last Sir Richard came for witness, but he had left home. Sir Richard's servant stopped him in the street, and requested, at his master's desire, that witness would attend on another patient for him, who resided in Sloane-street. Witness repaired to Cadogan-place, Chelsea, and the family were much surprised that Sir Richard did not attend, when he had the case. At half past four on Friday morning, the Rev. Dr. Thackeray requested witness to call at his house, and stated what had happened. Witness went immediately, and on entering the deceased's sleeping-room, he found him lying on his back on the bed: he was quite dead and cold. Witness thinks he committed the rash act in a state of insanity.

Dr. Baillie corroborated the above testimony.

At the conclusion of the evidence, the Coroner and Jury retired to take a view of the body of the deceased, which lay in an upper apartment, and was in a dreadful condition, the head being blown to pieces, and the deceased's bed and bed-clothes being covered with blood; each hand grasped a pistol, which had been loaded with a slug and small shot; the contents entered at the temples. On a chair by the side of the bedstead on which the deceased lay were several of Shakspeare's

plays. The room was very small, and it appeared as if the deceased had been reading. The jury returned to the jury-room, where the Coroner (Mr. Stirling), summed up the evidence, and the jury, after a short consultation, returned a verdict of—"Died by his own act, being at the time he committed it in a state of mental derangement."

The Cotton-factory at Colnbridge, near Huddersfield, occupied by Mr. T. Atkinson, caught fire about 5 o'clock on Saturday morning, the 14th inst., and raged with such rapidity and violence, that it destroyed the whole, with the machinery and stock in the same, in half an hour. But what is most tragical to relate, there were about 26 persons at work, and only nine escaped. Seventeen (all girls, the eldest about 19 years of age) fell victims to the devouring flames. The manner in which this awful and melancholy disaster took place is related as follows, by a boy, about ten years of age, who was the unfortunate instrument of so calamitous an event:—He says, that about five o'clock, he was sent into the card-room (which is on the ground floor, but not worked in in the night), with a lighted candle to fetch some rovings, and in taking them, some loose cotton lying near, caught fire. He says, he ran up stairs to inform those at work, that the factory was on fire, and then ran to the top of the mill, under the idea of greater safety; but finding such intense heat and smoke, he again descended, and when he came to the stairs, under which the fire

was, he laid himself down, and rolled to the bottom, and appears to be the last person who escaped. The two overlookers succeeded in getting all the children to the top of the stairs (which were only a few yards from the door), and some of them were dragged down when the stairs were on fire: the remainder, it is supposed, were so terrified, that they ran back into the mill, and were instantly suffocated; for as soon as it was known they had returned, a ladder was immediately placed to a window at the opposite end of the mill, to which it was thought they would flee for safety (and near which place 14 were afterwards found), which was forced open; but the smoke and flames issuing out with such violence, totally precluded all possibility of any assistance being given; nor could any thing be heard of them, although every exertion was made to stimulate them to approach the window. After this attempt to save them, no idea could be formed what point the poor children had fled to, and immediately a scene ensued amongst those without, which is beyond description, as the floors gave way, and all in an instant was one volume of fire. Fifteen bodies are found.

On Saturday afternoon his Serene Highness the Prince of Hesse-Homburg had the honour of being introduced to her Royal Highness the Princess Elizabeth, by the Prince Regent, at the Queen's palace. The Prince Regent at the same time introduced his Serene Highness to her Majesty, the Princess Au-

gusta; and the Duchess of Gloucester. The latter had previously arrived for that purpose from Gloucester-house. His Serene Highness was most graciously received by all the Royal personages; he continued his visit an hour and a half, and then left the palace with the Prince Regent. Apartments are preparing in St. James's palace for the residence of his Serene Highness, who is expected to stay some time in England.

We have the pleasure to announce to the public, that the examination of the Crown-room and chest, supposed to contain the regalia of Scotland, took place on Wednesday last, at one o'clock, and was attended with complete success. The commissioners present were, the Lord President, Lord Justice Clerk, Lord Chief Commissioner, General Hope, Lord Provost, the Solicitor-General, Mr. Walter Scott, Mr. Henry Jardine, Mr. William Clerk, and Mr. Thomson. Apologies were made for his Grace the Duke of Buccleuch, who was confined by indisposition, and for the Duke of Gordon and the Lord Advocate, who were absent from Edinburgh. The Commissioners met in the Governor's house in the Castle, and were received by the guard under arms and the military band. After reading the royal commission and other official documents, they proceeded to the Crown-room, when the King's smith and carpenter removed the fastenings of two doors, the outer of oak and the inner composed of grates of iron, after previously ascertaining that they had not been



been opened since the former commission to search for records in 1794. Nothing was found in the room but a large oblong oaken chest, secured by two strong locks, for which no keys have been found. The Commissioners, according to the tenour of their warrant, directed the chest to be forced open, which was effected with some difficulty. It was found to contain the Crown, Sceptre, and Sword of State of Scotland, answering, in the most minute particulars, to their description in the instrument of deposition, 26th March, 1707.—*Edinburgh Paper.*

**BOW-STREET.**—*Examination of the Murderer, Haitch.*—16. William Haitch, charged with the murder of Mary Minting, in Union-street, Middlesex-hospital, on Saturday night last, and who was apprehended at the Jerusalem chapel, in Lisle-street, Leicester-square, on Sunday evening, underwent a public examination before Sir Nathaniel Conant.

The interest excited by this melancholy affair was extremely great. The front of the office was crowded to excess.

On being questioned by Sir Nathaniel Conant, he said, that he was born in Berkshire, was a stocking weaver by trade, and served his apprenticeship in Lambeth. His father was a coachman. At present, he said, he followed no business. The following witnesses were examined:—

Rebecca Clarke deposed, that she lodges at No. 24, Union-street, Middlesex-hospital. The deceased, Mary Minting, and

her father lived in the same house. About eight o'clock on Saturday evening, witness was going out upon an errand, and saw the prisoner near the door. He spoke to her, and said he wanted to speak to Mary, meaning Mary Minting. She had seen him before, and knew that he was acquainted with Mary Minting. Witness returned to the house, and fetched the deceased from up-stairs. The prisoner spoke to her in a low tone of voice, as he stood on the threshold of the door. Witness did not hear what the prisoner said, but she heard the deceased say, "It is of no use; I directed the letter for Mr. Haitch, and not for Mrs. Haitch." She then returned into the house, and went up stairs a little way, but came down immediately with her sister and witness, and again went to the door. The prisoner was still there; and on seeing them all together, he said, "What do you all do here?" Witness said nothing, but went up stairs, and the sister of the deceased crossed the street on an errand, leaving the deceased and the prisoner alone, and close together in the passage. Witness had just got up to the garret door, when she heard the noise of stamping and a noise like some one falling. Witness did not go down again, she was prevented by her mother.

Elizabeth Minting, sister of the deceased, deposed that she was at home on Saturday night, and heard the last witness tell her sister that the prisoner wanted her. Witness went down shortly afterwards, and saw the prisoner in the passage with the deceased.

She



She left them, together, and went out. On her return she saw her sister weltering in her blood in the passage. The prisoner was gone. The head of the deceased was nearly severed from her body, and the passage swam with blood. The deceased was incapable of speaking. There were several persons in the passage.

Elizabeth Montague deposed to the same effect.

Mrs. Streeling deposed, that on Sunday evening, about 8 o'clock she was standing at the door of an opposite house to that in which the murder was committed. It was a narrow street; she heard a noise or scuffle in the passage, and immediately saw a man rush out: he shut the door after him, but did not latch it. She went over directly, and hearing more noise in the passage, she went in, and saw the deceased; the man walked quickly away, but did not run; she did not see his face. Witness saw the mother of the deceased in the passage, and heard her cry "My child, my child."

James Streeling, a boy about 13, deposed to the same effect.

The other witnesses being re-examined, said they did not see a second coat with the prisoner.

John Wiltshire was in his house at No. 12, King-street, Drury-lane, on Saturday night; his wife was present. The prisoner, whom he had known before, came in about seven o'clock, and asked them, as usual, how they were? Witness's wife spoke to him of his two wives, and said there was a warrant out against him from St. Giles's parish (the

first wife had applied for relief); upon which he said, that he had that about him that should be the death of the first man or officer that laid hold of him, and he offered to bet witness's wife a shilling that he would produce it, but she would not bet.

Witness's wife talked to him about his wives, and he said, "— the wives; I'll soon get rid of both the old and the new." The last words he said going out of the door was, "Don't you be surprised if you hear of my sharing the same fate as the unhappy wretches on Tuesday morning," (meaning the persons who had been executed).

The last witness's wife was then examined. She corroborated the testimony of her husband, and added, that when the prisoner talked of being hanged, he said he told her to buy him a silken cord instead of a hempen one: she said she would.

Mary Smith, who lodges with the last witness, confirmed their testimony, and stated that the prisoner had with him a top brown coat and a short fustian jacket.

Henry Adkins, the officer, deposed, that he received information that the prisoner was at Jerusalem Chapel, Lisle-street, Leicester-fields. Yesterday evening he went and apprehended him after the service: in taking him to the watch-house, he said to him, "How could you do such a deed?" The prisoner said, "What deed?" Witness said, "That's best known to yourself." The prisoner then said, "I went to do a deed, but whether I did it or not I cannot tell." Witness then

then asked him whether the clothes he then had on were the same in which he did the murder, and he said "yes." Witness next asked him what instrument he had used, and whether it was a knife? he said "no:" and on being asked if it was a razor, he made no answer, but subsequently, after some hesitation, said he had thrown the instrument into the Thames. This morning he asked the witness if he had been to Union-street, and had seen Minting (meaning the deceased), adding, "Poor thing, I dare say she must be dreadfully mangled."

Sir Nathaniel Conant now addressed the prisoner, and directed him to attend while the evidence was read over to him, intimating at the same time, if he had any question to put, his wish should be attended to.

The prisoner asked Mrs. Streeling whether she could swear to his person; but she answered as she did before, that she could not. The prisoner put no other question. If not insane, he is a wretch without common feeling; his manner was so utterly indifferent.

A surgeon was then called, who proved that he had seen the deceased. The main artery was separated as well as the windpipe. This was the cause of death.

The witnesses were then bound over to appear at the sessions against the prisoner.

Henry Adkins, who had been to the prisoner's lodgings, and had brought from thence some clothes, now asked him if he would have them delivered to himself, or taken back to the place where they were found. He

said he wished to put them on, and they were handed to him. On being searched, one half of the Observer newspaper was found next his skin, in which was an account of the murder, and a description of his person: it appeared to have been torn from the shutters of the office.—He was fully committed for trial.

*Tottenham.*—The inhabitants of this place were thrown into the utmost consternation, by the discovery, on Friday morning the 20th, of the dead bodies of a man named Knighton, a carpenter, at Tottenham, and his wife, who were found with their throats cut in a bed-room of their house, which had been shut up for a week past. This melancholy affair occasioned an inquest to be held before J. W. Unwin, Esq. one of the coroners for Middlesex, on Saturday afternoon, and the following statement contains the substance of the evidence adduced:—The jury having been sworn, adjourned in the first place to view the bodies, as is usual, and certainly most proper, and here a scene presented itself almost too shocking to relate. On going up to the bed-room upon the first floor a quantity of blood was found upon the stairs, which had flowed under the door of the bed-room. On opening the door the first object seen was the unfortunate wife lying on the floor by the side of the bed, with her throat cut from ear to ear, her shift drenched in blood, and the floor of the room perfectly deluged: there was also a deep wound on her chin; behind the door, in the opposite direction, lay the body of the husband with  
his

his throat also cut; his coat, waistcoat, and shoes were taken off: he was dressed in other respects. The bed was tumbled, and it is probable the unfortunate woman had gone to bed, but that the husband had not. Having viewed the bodies, the Coroner and Jury returned, and the following is the evidence brought forward:—

Henry Bishop, a carpenter, stated, that the house belonged to him, and that he let it to Knighton at Christmas; believed he had been married about a month; the last time witness saw him alive was on Friday week, when deceased came to him for an axe. Witness observed the house shut up on Saturday, and several days afterwards, but thought it probable that Knighton and his wife had gone to visit some of their relations. On Friday last, witness was painting the attic story of the next house, and curiosity led him to look in at the window, when he saw a quantity of blood on the landing place, which appeared to have issued from the bed-room; being alarmed, he communicated what he had seen to one Walton, his brother-in-law, and brought him to the window; they then thought it best to go to the house of Mr. Wild, a gentleman, at Tottenham, where the wife had lived servant, and they related to the family what they had seen. Mr. Wild was out, but a gentleman of the name of Hill, who was visiting there, accompanied the witness and his brother to the house. They got in at the window, and having opened the door, which was partly obstructed by the body of the husband, Bishop saw

the bodies; they immediately returned to Mr. Wild's house, when it was thought prudent to give immediate information to the Rev. Mr. Roberts, the vicar, who is a magistrate. Mr. Roberts took a deposition, which was afterwards delivered to the Coroner. By the direction of the magistrate, they went to Spencer, the beadle, and then all returned together to the house. They found the bodies nearly in the same situation as they were seen by the coroner's jury. A bloody razor was found between the bodies; the razor was known to belong to Knighton; but on examination it was so gapped that it never could have been used for the operation of shaving. Every door was fastened below, and all such windows as had fastenings to them. There were no tracks of blood on the stairs, nor on the window, but there was blood on the bed-post, and on the drawers was the impression of a bloody hand. Witness had observed that Knighton had been dejected and melancholy for a fortnight past: had heard no rumour or suspicion intimated that the parties had been murdered by any stranger or strangers; his opinion was, that Knighton had killed his wife, and then committed suicide. Spencer, the beadle, deposed to the same effect with Bishop; and said in addition that Knighton was lying on his side with his head towards the door, his left hand and left leg being raised; he had in some measure altered the position of the bodies, but not their dress. The wife had nothing on but her shift, and a night-cap with a handkerchief

kerchief tied over it. He expressed a similar opinion to Bishop, that they were not murdered by any third person. John Robinson, a publican, saw Knighton, last, on Friday week, between 8 and 9 o'clock; gave him a pint of beer, which deceased said he would pay for when he came the next day. Witness was of opinion they had not been murdered. Spencer being re-examined said, he was ordered by the Magistrate to secure any property he could find; he enumerated the particulars, from which it appeared clear there had been no robbery. The Coroner observed, that he was disposed to concur in opinion with the witnesses, that these unfortunate persons had not been murdered by any stranger or strangers unknown; indeed, the circumstances appeared to lead to an opposite conclusion. No robbery had been committed; no traces of blood were visible on the stairs, the windows, or in any part of the house on the outside of the bed room; the bloody razor found between the bodies belonged to the deceased. The melancholy tragedy seems all to have been performed within the walls of the bed-room. Had both the parties committed suicide? or had one, and which of them killed the other, and then committed suicide? The wound on the chin of the wife could scarcely be thought to be inflicted by herself. In the absence of all testimony upon these points, the jury must be governed by the superior probabilities. The jury instantly expressed their unanimous opinion that Knighton had been the author of his wife's death, and

had then committed suicide. This introduced a question as to the sanity of Knighton at the time, and, it being put to the jury, there was an equal division of numbers for and against; but at length the foreman gave way, and it was determined that he was not in a state of mental sanity at the time.

*Suicide of Haitch the Murderer.*  
The above unfortunate wretch terminated his existence yesterday morning the 20th at half past eight o'clock, by nearly severing his head from his body. Although this wretched culprit, while he was under examination at Bow-street, assumed an air of negligence, and hoped that he should have more fortitude than to become his own executioner; yet it was pretty evident to those who watched his conduct, that it partook of a character conveying powerful suspicion. While in the custody of Harry Adkins, he was handcuffed and ironed, and two persons were continually kept to watch over him; and when Smith, the gaoler of Bow-street, delivered him into the custody of the keeper of Newgate, he intimated that he ought to be watched with considerable caution. This morning, when he was called out with the other prisoners who were to be tried, from the yard, he ran to the privy, and shortly afterwards he was found with his throat cut from ear to ear, and his head nearly severed from his body. The place, as might be expected, was a complete gore of blood. Near to him was found a crooked razor, and not far from it a document, written by himself, in which it was stated, that the  
razor

razor with which he perpetrated the horrid deed was the same with which he murdered Mary Minting, and that he had it secreted about him ever since, although it may be recollected that he told Adkins, upon his apprehension, that he had thrown the instrument with which he committed it into the Thames. The paper also stated, that he intended to have murdered Mary Minting with a pistol—that it was his intention first to have shot her, and next himself. The body was removed into the yard, and the circumstance occasioned the greatest alarm and consternation. The Court was excessively crowded at an early hour, particularly by ladies.

19. *Frankfort.*—The Legislative Body of this free city have rejected, by a majority of votes, the proposition of proclaiming that this city should in future be an asylum for all individuals persecuted or banished on account of their political opinions.

*The Queen's Birth-day.*—Yesterday Feb. 26, was the day appointed for the celebration of her Majesty's last birth-day, and a drawing-room was held accordingly at her Majesty's Palace. Proper cushions were provided, on which her Majesty could stand or lean, as might be necessary, in order to enable her to go through the fatigue of a crowded court.

At one o'clock there was a Royal salute of artillery in the Park and the Tower; and that no inappropriate sight might interfere with the rejoicings usual to a birth-day fete, all those persons about Court who were in family mourning, put it off for the

day, and glittered in colours more suitable to the occasion. The guards, horse and foot, under the superintendence of the police, were distributed through all the usual stations, and maintained the most perfect order. An immense multitude of spectators were collected together in spite of the rain and cold. The Court visitors were also very numerous: they began to arrive at 1 o'clock, and continued setting down till past 3. At half-past 3 the Prince Regent attended with his usual suite of attendants, and was followed by the usual train of Life-Guards. His Royal Highness was, of course, received with all the ceremonies due to the Sovereign.

The Duke and Duchess of York, the Duke and Duchess of Gloucester, and the Princess Sophia of Gloucester went in state, escorted by parties of Life-Guards. The Duke of Sussex went in private.

The Prince of Hesse-Homberg went in one of the Regent's carriages, was escorted by Life-Guards, and was received with the same military honours as the Royal Family.

The Speaker of the House of Commons, the Master of the Rolls, and the Vice-Chancellor, went in state, and were presented on their late appointments. The Austrian Ambassador, the Spanish Ambassador, accompanied by his lady, and the American Plenipotentiary with his lady, severally went in state. Mrs. Rush, the wife of the American Minister, was presented to the Queen by Lady Castlereagh. Mr. Smith and Mr. Taylor, attached to the embassy,

embassy, were presented by his Excellency.

The Prince of Hesse Homberg was presented to the Queen by Lord Stewart, our Ambassador to Vienna, but who is now at home on leave.

There were present the Lord Chancellor and the Regent's Cabinet Ministers, the Great Officers of State, the Lord Mayor and Lady Mayoress of London, Mr. Sheriff Desanges, Mr. Sheriff Alderson, the Attorney-General, the Solicitor-General, the Dean of Windsor, the Dean of Westminster, the Provost of Eton, the Archbishop of Canterbury, the Archbishop of York, the Lord Primate of Ireland, &c.

By the Royal Marriage Act,

two modes are provided by which the Princes of the Blood may marry:—1. By the King's previous approbation, by and with the consent of his Privy Council, and consequently, by the same authority, in the name and on behalf of his Majesty, by the Prince Regent.—2. By the Prince intending to marry, if he shall have attained the full age of 26 years, entering on the books of the Privy Council such his intention, specifying the person; which notice shall authorize the union, unless both Houses of Parliament shall, before the expiration of twelve months from the date of such entry, expressly declare their disapprobation of such intended marriage.

*Abstract of the Returns to Parliament of Churches and Chapels, &c.*

Number of Benefices .....	10,421
Population .....	9,940,391
Churches of the Establishment .....	10,192
Chapels .....	1,551 — 11,743
Number of Persons they can contain .....	4,770,975
Glebe-houses fit for residence .....	5,417
Benefices which have no Glebe-houses.....	2,626
Glebe-houses not fit for residence.....	2,183
Livings not exceeding £10 .....	12
_____ 20 .....	45
_____ 30 .....	119
_____ 40 .....	248
_____ 50 .....	314
_____ 60 .....	314
_____ 70 .....	301
_____ 80 .....	278
_____ 90 .....	251
_____ 100 .....	594
_____ 110 .....	250
_____ 120 .....	289
_____ 130 .....	254
_____ 140 .....	217
_____ 150 .....	219
Total number of Benefices not exceeding £150.....	3,503

Number

Number of Livings, the value of which are not specified, being returned as Improvements, or Appropriations .....	27
Sinecures .....	38
Number of Livings not included in the preceding classes, and therefore presumed to exceed the value of £150 yearly ...	5,995

*An abstract of the Totals of Parishes containing a Population of  
above 2,000, of which the Churches will not contain one half:—*

Population .....	4,659,786
Number of persons the churches and chapels will contain	949,222
Excess of population above the capacity of churches and chapels .....	3,710,564

*An abstract of the Totals of Parishes of above 4,000 Inhabitants, of  
which the Churches will not contain a quarter:—*

Population .....	2,947,698
Number of persons the churches and chapels will contain	419,193
Excess of population above the capacity of churches and chapels .....	2,528,505

### MARCH.

*Judge Fletcher's Charge at  
Armagh.*—"Gentlemen, I find,  
with great pleasure, that the  
calendar laid before me exhibits  
but that kind of catalogue of  
accusation which, perhaps no  
state of Society can be expected  
to be free from. I do not find in  
it any evidence of the existence  
of party feuds. From personal  
inspection I know nothing of your  
county, this being the first time  
I have borne his Majesty's com-  
mission in it; but I cannot be  
supposed ignorant of the unhappy  
state of society which it presented  
at a period not remote. You,  
Gentlemen, must know much  
better than I possibly can, the  
extent of the mischief *locally*—  
you must have witnessed the  
misery inflicted upon thousands  
of the King's unoffending sub-  
jects, by the ruthless persecution  
which drove a large portion of the  
population of this county from  
all the dear (however humble,

still dear) delights, sympathies,  
and associations of home, to  
wander where they could: or, in  
the language of the Ruffian Fac-  
tion, to wander '*to Hell or  
Connaught!*' But, Gentlemen,  
if you have had better opportuni-  
ties of viewing the deserted, or  
destroyed habitation—the melan-  
choly and desponding family,  
bereft of its little all, and flying  
with hasty and disordered steps  
from the spoiler, you have not  
had better opportunities than I  
have had, of tracing the fearful  
consequences of this persecution.  
The emigrants from this county  
carried into every district of the  
island a fearful tale of the perse-  
cution they had fled from—they  
bore testimony of their sufferings,  
and of the cruel infliction of *your  
Orange-men, or Break-of-day-men!*  
And artful persons availed them-  
selves of a melancholy and fright-  
ful truth, to originate and spread  
an Association, which sought,  
afterwards in its maturity, to



overthrow our Government, and destroy our constitution. Thus, may the late rebellion, the atrocities which marked its progress, the shocking tale of Scullabogue—all, all, be traced to the Armagh persecutions, wanton, as they were unprovoked. The cruel and pitiless warfare of an infuriated populace waged against a defenceless people, while the magistrates, who ought to have been their protectors, looked on, it is said (you can best judge if truly) quiescent, if not approving. It may not be *mal à propos* that I should mention a circumstance related to me by a gentleman with whom I had the honour to have a considerable degree of intimacy—a gentleman of great worth and intelligence, Mr. Hume, the Member for Wicklow. In the county of Wicklow, at least in two baronies of that county, where he had great and well-deserved influence, and in which his estates lay, he learned that for many nights the Roman Catholic inhabitants had deserted their dwellings, and had lain in the fields under the apprehension of being massacred by their Protestant neighbours. He found an artful emissary of rebellion had used the too true and too cruel story of Armagh persecutions, to work upon the fears of an industrious and simple peasantry, with a view to bind them, while under the panic of expected suffering, in illegal associations. My friend was fortunate (thus we understood the learned judge, who spoke throughout in rather an under tone) to discover and trace this incendiary, and to bring him to justice and deserved

punishment. But you see, Gentlemen, in this anecdote, the train of mischief which flows from an encouragement of any faction, *Association naturally begets counter-association*. There is no knowing where the evil will end—no tracing its malignant ramifications—no saying to it in the language of Omnipotence, ‘thus far shalt thou go, and no farther.’ Gentlemen, I am happy to find Faction sleeps in your county—smother the monster, I entreat you! Let him never resuscitate. I trust the people of this industrious and populous county will never again be deceived either by their own inflamed prejudices, or the artful instigators of any sordid and short-sighted politician, to conceive that any good can accrue to them from the persecution of their neighbours, who may believe a little more or a little less, or who may worship God in a different temple or with different observances. Let them never again be so deceived, as to their happiness or their duties. For myself, I think it right to say to you, Gentlemen, that I regard all those associations as illegal. I care not what the badge, whether green or orange, nor what the pretence, nor what the profession—all are illegal; and when any indictment against either comes before me, so shall I charge the jury. The law knows no difference, regards no distinction of colour or pretension, and it is the judge’s duty to administer the law.

“Gentlemen,—I have come from a county of whose politics I know as little personally as of yours. There, a most atrocious  
and

and abominable crime was perpetrated, for which a number of unhappy wretches have paid the forfeit of their lives. There, however, no religious feud existed, the sufferers and the perpetrators were all of the same religion—all were Roman Catholics. A brave man had defended his house successfully against the assault of midnight ruffians, and he afterwards appealed to the laws of his country for their deserved punishment. Hence he became the object of a wide extended combination for vengeance, which was wreaked upon him, and upon all his family, under circumstances of horrible atrocity. There is no effect without a cause, and it were much to be wished that we could trace the source of so foul a conspiracy against the peace and security of social order."

Mar. 1.—A few minutes before six o'clock, at the moment the watchmen were leaving their posts, an alarm of fire was given at the house of Mr. Wheater (late Mr. Cuffe), grocer, No. 460, Strand, corner of Hewit's-court, nearly opposite Hungerford-street. Shouts of "Fire!" became so general from one end of the Strand to the other, that in a few minutes after the first alarm, a sight of the most heart-rending description took place:—men and women were seen rushing out of doors in their night-clothes, and children actually in a state of nudity. At the house of Mr. Wheater, a sight more dreadful was witnessed; at the front window, second-floor, was observed Mrs. Wheater, with a child in her arm; she leaned

out of the window, holding the child by its clothes for a considerable time, endeavouring to excite the attention of persons underneath to catch the child. She dropped the infant, and it fell upon the heads of the crowd; at the moment she loosed the child, a blaze and volume of smoke rushed through the window where Mrs. Wheater stood; she was not afterwards seen, and therefore must have fallen a victim to the flames. The child was only a few months old, and was sucking at her breast. In about a minute after the child dropped from the window, one of the shopmen of Mr. Wheater, whose name is Tasker, was seen at the window of the third floor, which was completely enveloped in fire and smoke; seeing no hopes of relief from his perilous situation, he threw himself out of the window; he fell upon his head, which was cut open, his limbs were broken, and he instantly expired; the body was carried to St. Martin's Workhouse. Before it was carried from the ground, another of Mr. Wheater's shopmen, named Lloyd, fell upon the pavement; he had thrown himself out of the third floor back window; his fall was broke by his dropping upon a projection, but he was injured so dreadfully, that no hopes are entertained of his recovery. He was carried to the shop of Mr. Watts, chymist, in the neighbourhood, who ordered the man to be taken to Westminster Infirmary (as he could render him no service), which was accordingly done. At the back of the house Mr. Wheater was found, nearly insensible on

the ground. He had thrown himself through a back window at the top of the stairs on the landing of the first floor. He was injured very much by the fall; and was carried into the house of Mr. Whitebrooke, the Cannon wine-vaults, in Hungerford-street, where he was put to bed; his inquiries after his wife and child were truly distressing. His child was shown to him; his little feet were burnt, and his head cut, though not dangerously. A neighbour had the child to suckle it.

A great number of firemen reside in Hungerford-street, and they were very promptly on the premises; but no water could be got for three quarters of an hour, and the flames were communicating with the greatest rapidity to the houses of Mr. Ashman, pawnbroker, Mr. Buckingham, brush-maker, and Mr. Rowley, carver, gilder, and picture-frame-maker. The firemen were running from plug to plug, and no water could be got while the thieves were busily employed in plundering the premises, and carrying off the property. Very few of the parish constables had arrived, and one of them sent to the Horse Guards, requesting some soldiers to keep the mob from the buildings. In about a quarter of an hour afterwards, part of a company of the third regiment of guards were despatched from the guard-room, and placed under the authority of the constables, and shortly afterwards another company; they were placed at the disposal of the civil authority. Property to a great amount had in the mean time been carried away by

the thieves. The family of Mr. Ashman had just time to escape from the house before it was in a general conflagration from the cellar to the garret. One of the female servants was actually dragged out of the house by a constable (Nettleton); she had only her night-clothes on, and wished to put other clothes upon her; but if she had remained a minute longer, she must have been destroyed.

Mr. Ashman had a number of guns in his house; several of which were loaded, and were heard to go off. Two men were observed carrying off several guns from the premises; they were pursued by a constable along Piccadilly, but effected their escape. Two other persons were stopped by an officer of Marlborough-street Police, with a quantity of stolen property.

The houses of Mr. Wheater, Mr. Ashman, Mr. Buckingham, and Mr. Rowley, were entirely destroyed by half-past eight o'clock in the morning, and all the property (except a few trifling things which were carried into St. Martin's church-yard) was destroyed. The engines were not supplied with water until seven o'clock. The flames continued their ravages chiefly at the houses in Hewit's court; at the back of the above six houses (which were chiefly occupied by poor persons), which were before nine o'clock entirely gutted. The poor occupants had but very little time to get out of their dwellings, and therefore could save but very little of their property. The children were carried into St. Martin's church-yard,

church-yard, and wrapped in blankets, their apparel having been consumed.

The extent of this awful and melancholy disaster is not yet known; the following is already ascertained:—Mrs. Wheater was burnt to death. A shopman, named Sturgeon, who resided at No. 6, Artillery-place, Stretton-ground, Westminster, shared the same fate. Another shopman, named Tasker, was killed in leaping from the 3rd floor window. Another shopman, named Lloyd, who is now at the house of Mr. Baron, ironmonger, Strand, is so dreadfully injured by throwing himself from a window, that he is not expected to live many hours. Mr. Wheater is in a dangerous state, and the child is not expected to recover from the injuries it has received. No other person is missing. The value of the property destroyed is incalculable.

*Dreadful Hurricane in the Mauritius.*—This island was visited on the 1st of March by one of the most terrible hurricanes ever experienced there. A letter from Port Louis of the 16th of that month, describes the damage incurred to be tremendous; the whole island was one scene of waste and destruction; trees torn up by the roots, and many houses both in town and country laid flat; valuable store-houses unroofed, &c. and the goods within them completely spoiled. Upwards of 40 sail of large vessels, besides small craft, were driven on shore, or otherwise injured. The hurricane commenced at south-east, and gradually veered to the north-

east till six in the morning, when it shifted suddenly to north-north-west, and brought with it the additional calamity of a heavy and overwhelming sea.

2. *Warsaw.*—The benefit of a constitution is now about to be granted to us. This concession of the Sovereign is the noblest as well as the most worthy consolation which he can give us after so many misfortunes. The following is the act convoking the Diet:—

We, by the grace of God, Alexander I, Emperor of all the Russias, King of Poland, &c.

Make known in general and in particular, to all whom it may concern:—When we gave a constitution to our subjects of the kingdom of Poland, our principal object was, to secure to them the benefit of a national representation. The first wish of our heart now is to make them enjoy the liberties guaranteed by this constitution. To this end we have resolved, in conformity with the 31st and 87th articles of this constitutional act, as well as with articles 90, 91, 93, of the statutes organizing the national representation, to convoke the two Chambers in our capital city of Warsaw. The diet shall be opened on the 15th (27th) of March, and close on the 15th (27th of April). The deputies of the nobility and the commons shall assemble in our capital seven days before the opening of the diet, to prove to the senate the validity of their election. The senators of our kingdom of Poland shall, consequently, be present in the capital at that time.

Senators, and Deputies,—Long misfortunes

misfortunes have afflicted Poland; dreadful reverses have desolated your country: but your union with a nation of brethren, a union which is the guarantee of your future existence, had destroyed the tissue of this adverse fate, and a constitution wholly national, beneficent laws, and a happy and well regulated liberty, will at length efface the traces of these long calamities. The constitution confides to the wisdom of your deliberations this patriotic work—deposits in your hands the power that is to create it. May your love of the public good direct the employment of it. May this love animate your deliberations. May you banish from among you the demon of discord, which is equally fatal to nations and to sovereigns. This wish tends to your happiness. Your sacrifices for the country have inspired it, and you will certainly not fail to realise it.

Organs of the law, constitutional guardians of the national liberties, by your respect for the constitution committed to your care, by your zeal for its consolidation, you will fulfil the important duties which this solemn appeal imposes on you. Interpreters of the public opinion, do you, who are distinguished by the confidence of your fellow-citizens, be penetrated with the wants of the country, animated by zeal for its real happiness, and thus fulfil its expectations.

We assure, by these presents, our royal favour; and we commend you to the protection of the Almighty.

ALEXANDER.

Moscow, 5th (17) Feb. 1818.

5. Between half past ten and eleven o'clock, the following occurrence took place at the house of Lady Hayes, No. 18, Somerset-street:—The servants had just sat down to supper, when the door bell rang. The footman rose for the purpose of opening it, but had proceeded only a short distance along the passage, when he was alarmed by a loud crash, resembling that of the falling of a house. He instantly ran back, but was unable to proceed farther than the end of the passage; for where the kitchen stood but a moment before, was now one mass of ruins. Three of the female servants could not be found. After some time the body of Mary Mauntie, the cook, was taken out, the head dashed to atoms, and the body greatly disfigured: she was quite dead. The bodies of the house-maid and laundry-maid were also dug out, but some signs of life were apparent in both, although they were most dangerously bruised. One had her thigh broken, and was burnt about the shoulder; the other was much worse burnt, but had no limb fractured. To develop to the reader the circumstances that led to this shocking catastrophe, it will be necessary to observe, that the kitchen of Lady Hayes was in the yard, at the back of the dwelling-house, and in the rear of this again stood Calomel-buildings. A wall had been raised to the height of about 60 feet, for the purpose of preventing theft, and blocking the communication between Calomel-buildings and the houses in Somerset-street. In the course of the

the evening, the wind shifted, and blew along Calomel-buildings full against the wall, which at length fell in, and by its weight bore down the roof of the kitchen. Part of the leads fell against the wall, but in that situation, that any persons under it, although unable to extricate themselves, might respire. This was the situation in which the housemaid and laundress were; but having fallen at the fire-place, were exposed to the most horrid torture from the heat. The large beam that supported the kitchen and went across the roof, was found broken in two; and as the body of the cook was found near this spot, it is supposed that it must have fallen on her, and caused instant death.

5. *Portsmouth.*—The whole of last night it blew the most tremendous gale from the S. S. E. that can be remembered. The *Hamsley*, of and from Sunderland, sunk between the buoys of the Horse and the Elbow; the crew took to the rigging, and were all fortunately saved this morning at day light by a pilot-boat that went off to their relief. During the gale, the whole of the wood-work of the new Pier at Ryde was washed away, and several houses to the eastward of the pier washed down. The ships in the roads and harbour rode out the gale. The *Lively* cutter had her bulwarks washed away; the brig *Assiduous*, *Jenkins*, parted from one of her anchors; the brig *Shillelagh* had her boats washed over her side; and the *Tamar* sloop of war slipped one of her cables.

5. *Dover.*—A most violent hur-

ricane came on here yesterday evening from the S. S. W. and continued with thunder, lightning, hail, and rain, till an early hour this morning; we know not yet what mischief has been done; report says there are several vessels totally lost, among others a Revenue cutter. About 500 troops from France landed yesterday and this morning here and at Ramsgate, from the *Crown*, *Venus*, and *Quest* transports.

5. *Margate.*—The East India ships *Victory*, *Lord Melville*, *Phoenix*, and *Barrosa*, remain at anchor in Pan Sand Hole. A ship, reported to be the *Marquis Wellesley* East Indiaman, is on shore on the Mouse Sand, with the loss of main and mizen mast. The *Franklin* Dutch East Indiaman is in our Roads, with loss of anchor and cable.

Seven o'clock, p. m.—The ship on shore is the *Marquis Wellesley*. Her Captain has just landed, and an anchor and cable is gone off to her. The *Java* East Indiaman is off here, with loss of anchor and cable.

5. *Ramsgate.*—Last night the wind blowing very strong from the south, one of the most tremendous gales took place that we ever experienced, accompanied by most awful claps of thunder, and vivid flashes of lightning. At day-light, our shores presented a most frightful aspect, being literally covered with wrecks and timbers which had been cast on shore by the violence of the gale. A collier, laden, struck against the East Pier, by which four of her crew (consisting of seven) were drowned,

drowned, and two of them have just been picked up. She afterwards went on shore on the sands, and by the violence of the waves, was completely beat to pieces. Two brigs also were driven on shore with loss of bowsprit, fore top-masts, and other damage; one ship on shore with foremast gone: one sloop on shore much damaged. The *Asia*, an extra Indiaman, drove from the Downs, and afterwards went on shore under East Cliff Lodge. A large ship is on shore in Pegwell-bay; two brigs on the rocks under the West Cliff, with loss of foremast, bowsprit, &c.; and a brig on the rocks close to the West Pier. The confusion that took place in the outer harbour during the raging of the storm is beyond description. Such was its violence, that the vessels broke from the moorings, which were unable to hold them, and ran foul of each other, by which a very great deal of damage was sustained. Some are sunk, in others the sterns are stove in, and many have suffered much injury. Such a scene was never before witnessed here. The buoys in the harbour were torn up by the numerous vessels moored thereto. The iron bridge over the entrance to the inner harbour was much injured, and the railings were carried away by a vessel. Three transports from Calais, which were unable to make Dover harbour, came in here, and have received severe damage. We are happy to state, that the following troops on board have been safely landed, viz.:— Detachments of the 4th, 29th, 71st, 79th rifle brigade, &c. some of the 2nd dragoon guards, 3rd

dragoons, Scots Greys, 7th Hussars, 11th and 12th light dragoons—in all amounting to about 400 invalids, and some sent home to be discharged. A man belonging to this place, named Hopkins, in attempting to get on board the brig on shore close to the western pier, in order to render assistance, was dashed off and consigned to a watery grave. His body was washed on shore this morning near the bathing-sands. Upwards of 100 feet of the parapet wall on the east pier was knocked down by the brig striking against it, and by the violence of the waves beating over. The storm raged most violently from about nine till twelve last night. This morning, at high tide, it recommenced blowing very hard, and several ships have come into the harbour, some of which have received damage. Nearly 200 vessels of different descriptions are at this moment sheltered in this port, and the extent of the damage suffered is very great indeed. We observe upwards of 20 sail in the Downs dismantled by the gale. The night was exceedingly dark, and being only occasionally illumined by the flashes of lightning, added to its horrors. Rain fell, and the sea ran mountains high. A large Swedish ship, the *Woolfarht*, from Amsterdam, bound for Sicily, was wholly dismantled, and was towed hither this morning; but being unable to make the harbour, went on shore on the Sands. She drove from her anchorage in the Downs, and ran down two brigs and a cutter, the crew of which last are saved, but of the fate of the crews of

of



of the two former we are at present in doubt. The clock-plate at St. Lawrence Church steeple was blown off last night; and we are informed that the steeple of Ashchurch, near Sandwich, has been much injured by the lightning.

*Portsmouth.*—On Wednesday last, about five o'clock, a gale of wind commenced here from the Southward, which, by its violence, approached nearly to a hurricane. It acted with such irresistible power upon the sea, that the tide rose five feet higher than the ordinary spring tides, and maintained that height three hours after it should have ebbed: it was high water between nine and ten, and so continued until midnight; and by passing and destroying its accustomed bounds (in some parts to full half a mile extent) property to a vast amount was destroyed. The buildings between the Round Tower and the Point are either in ruins, washed away, or their foundations undermined: the water was two feet above the pavement in Point-street; the damage done to property in the cellars and lower rooms was very great. Several small buildings next the harbour's mouth were washed away, with the steps at the sally-ports and their platforms; and the Slaughter-house Wharf was much damaged. The sea made a complete breach through the beach at Southsea, between the Castle, and Lumps Fort, and inundated the Common and Old Morass, where a farm-house has been many years standing, the inmates of which had scarcely time to save themselves. Horsey Island was entirely overflowed,

and 15 sheep were drowned there. All the arable land near Lumps Fort was likewise inundated, and 13 acres of wheat on the farm of Mr. Gain, jun., were instantly washed up. A building, about 350 yards from the shore, full of seed potatoes, was washed down by the violence of the waves. The Haslar shore presents a surprising instance of the massive weight and power of agitated water, where two extensive breaches are made in that solid stone sea-wall (erected for the protection of the Hospital); and the ponderous stones and masonry work, of 70 tons weight, were thrown down level with the sea-shore. The water extended to Haslar barracks, the mess-room of which was overflowed. The brig Hamsley, of and from Sunderland, was the only vessel lost: she drove, and by striking on the elbow of the Horse, bilged. The crew got into the boat, and hung on to the wreck until the morning, when they were taken off at day-light, by a pilot-boat, and landed here. The Lively cutter had her bulwarks washed away; the brig Assiduous parted from one of her anchors; the brig Shelelah had her boats washed over her side. During the gale, that pleasant new-erected promenade, Ryde Pier, sustained very great injury; thirty-six arches (out of 40) were carried away; 16 of them, in one body; were driven over upon Hayling island, and many others, in detached parts, have been picked up to the eastward of Southsea Castle. It is with regret that we must close this disastrous relation by stating, the drowning of the

Hon.

Hon. Mr. Thellusson (brother of Lord Rendlesham), Mr. Hassall (son of J. Hassall, Esq. of Hartshorn, county of Derby), and Mr. Leeson (son of the Hon. Mrs. Leeson), all midshipmen of his Majesty's ship *Tiber*, who left that ship, soon after the gale commenced, in a wherry, which was pooped by a sea at the mouth of the harbour, and was never seen afterward: the waterman (Brown) and a boy also perished. These young gentlemen, who were most highly esteemed by their brother officers, were tempted to leave the ship at this hazardous moment by their anxious desire to see the performance of Mr. Kean that evening.

5. *Letters from Algiers.*—The present Dey, Houssin, is a good man; he was one of the four Ministers, Master of the Horse, or, as they here call him, “Chodgia de Cavallos,” and, on the death of the late tyrant, was elected by the Divan, which has not been the case for these 20 years, as the six Pachas before Aly were murdered by the rebellious soldiery. This election, which took place in the most peaceful and orderly manner, has been attended with no bloodshed, nor has any one been banished; on the other hand, several individuals who were banished under Omar Pacha, as disturbers of the peace, are recalled, and have obtained important offices. Time must show whether these persons will take warning from the lesson they have already received, or will set on foot new conspiracies.

The 1st of March, this year, the day of Aly Pacha's death,

will be ever memorable in the annals of Algiers. That tyrant had still many ruinous projects and cruelties in contemplation, which were to have been shortly carried into effect. Thus there was found in his pocket-book the following memorandum, written by himself:—“The daughter of the English Consul, a very pretty and sensible girl, 15 years old, and the sister of the Dutch Consul, who is handsome and accomplished, shall be carried by force out of their houses, compelled to change their religion, and to be the Dey's mistresses. The daughter of the Spanish Consul, who is not so handsome, shall be watched, and kept in reserve. The English Consul, the Spanish Consul, and a Jew, named Bensamon, who is under English protection, who had been already compelled to assume the turban, shall be beheaded.”

The day for the execution of this horrid plan was not yet fixed. The Dey seemed to waver in his mind, and disposed to wait, till he saw whether the Consuls would submit to have their houses (which according to the treaties are to be considered as harems) broken into and plundered, or whether they would make any resistance; in this last case they were to be cut to pieces. He saw clearly that such cruelties would not pass without notice, and said often,

“The Christians will probably come and bombard me a little, but I shall find means to make my peace.”

Aly was not destitute of talents; but he was sometimes like

like one raving, or like a famished tiger or hyæna: at an earlier period of his life, he had been confined in the mad-house in the city. If he had continued to live, there is every appearance that all the foreign Consuls, and the few other Europeans resident here, would have been put to death.

*Extraordinary Gazette* of Buenos-Ayres, March 5.—The people of Chili have raised themselves to the rank of independent nations, by their magnanimous resolution of announcing, in the face of the whole world, their decided will to belong only to themselves, and to maintain this declaration with all their power. They cannot go back without covering themselves with disgrace, and without becoming the laughing-stock of the nations who have a resolution that does the Chilians so much honour. The provinces of the Rio de la Plata, through the medium of their deputy, Don Thomas Guido, have been the first to recognize the new rank of this kingdom, as appears by the documents subjoined; and his Excellency the Supreme Governor has ordered that, for three successive nights, there shall be an illumination in the capital, beginning to-morrow, when there shall be a salute from the fortress at sun-rise, at mid-day, and in the evening, with such other demonstrations of joy as are usual on days of public festival, and which his Excellency leaves to the option of the patriotic citizens. Communicating this disposition to all the towns of the union, that they may

act as becomes them on so glorious an occasion.

*Official Letter of the Deputy of the Provinces.*

Most Excellent Sir;—On the 12th of the month, at half-past 10 in the morning, the independence of Chili on the Spanish monarchy was proclaimed and solemnized with oaths by the Supreme Chief, the Magistrates, and all the public bodies, ecclesiastical, civil, and military, and by an immense multitude collected in the great square of the capital, after the declaration of their sentiments, by the reading of the proclamation of their independence, the motives which justified it, and the unanimous will of the whole people, for their political emancipation.

The flag of the United Provinces, in the hands of the Governor of Santiago, and the national flag of Chili, which is in my hands, shall authenticate this act, which is unquestionably the most magnificent and imposing of all those which the history of the New World presents since its ominous conquest. My heart is transported with joy to communicate to your Excellency this grand event, on which the zeal of your administration has had so much influence; and I feel honour in informing your Excellency, that on the day of the public congratulations to the Government of this nation, I recognized, in virtue of the power with which I was intrusted, in the name of your Excellency, the sovereignty of Chili and its absolute independence in terms of the address given in number 2, as  
a proof

a proof of the liberality of the system pursued by the United Provinces, and of the pleasure with which they hail the freedom of their brethren.

Whoever has observed the spirit of this nation, in the act of abjuring the dominion of the Kings of Spain, the enthusiasm and joy of every citizen, at the new elevation of their country, and the demonstrations of love and gratitude to the state of the Rio Plata, must agree, that neither law nor time can oppose the impulses of nature and justice, that the elevation of a firm character has superseded the degradation of a colony, and that Chili will be no more the patrimony of the tyrannical and arbitrary dynasty of Spain, but the asylum of liberty and the country for all the men on the globe.

Let your Excellency glory in an event so fortunate for the cause of the Americans, and while I transmit you an account of the various remarkable incidents of this happy period, deign to receive the congratulation which I offer to my country for the liberty of this delightful region. God preserve your Excellency for many years, &c.

Santiago de Chili, Feb. 16.  
1818.

His Excellency Thomas Guido,  
to his Excellency the Supreme  
Director of the United Pro-  
vinces of South America.

*Proclamation of the Independence of Chili.*—Force has been the supreme reason which for more than 300 years has compelled the people of the New

World to venerate as a dogma the usurpation of their rights, and to seek in that usurpation itself the origin of their greatest duties. It was certain that the termination of this constrained submission must one day arrive, although it was impossible to anticipate the exact period. The resistance of the weak against the strong gives a character of sacrilege to their pretensions, and often throws discredit on the justice in which they are founded. It was reserved for the 19th century to see America reclaiming its rights without the guilt of having forfeited them, and to show that the period of its suffering could last no longer than that of its weakness. The revolution of Sept. 18, 1810, was the first effort that Chili made to fulfil her high destinies, to which time and nature impelled her; her inhabitants proved at that time the energy and firmness of their determination, encountering the vicissitudes of a war, in which the Spanish Government had evinced that its policy with respect to America would survive the overthrow of all abuses. This undisguised violence naturally inspired in them the resolution of separating for ever from the Spanish monarchy, and proclaiming their independence in the face of the world. But the existing circumstances of the war not permitting the convocation of a national congress to sanction the public wish, we determined to open a register, in which all the citizens of the state should freely and openly vote for themselves upon the urgent necessity of independence

dependence, declared by the Government, whether it should be delayed or not; and the result having been that the whole of the citizens have irrevocably decided for the declaration of independence, we have thought fit to exercise that extraordinary power with which the nation has authorized us in this particular case, to declare solemnly, in their name, in the presence of the Most High, and to make known to the great confederacy of the human race, that the continental territory of Chili, and her adjacent islands, form in fact and right a free, independent, and sovereign state, to remain for ever separated from the monarchy of Spain, with full power to adopt what mode of Government may be most conducive to her interests. And in order that this declaration may have all the force and solidity which ought to characterize the first act of a free people, we confirm it with the honour, life, fortunes, and all the social relations of the inhabitants of this new state: we pledge our word, the dignity of our office, and the glory of the arms of the country, and we command that the original act in the archive of the municipality of Santiago, may be deposited, together with the books of the Great Register, and that it may be circulated among all the people, armies, and corporations, in order that the emancipation of Chili may be sworn to and be for ever sealed.

Given in the Directorial Palace of Conception, the 1st day of January, 1818, confirmed by our own hand, signed by the nation, and countersigned by the minis-

ters and secretaries of the state, in the departments of Government, &c.

BERNARDO O'HIGGINS.

MIGUEL ZANARTU.

HIPOLITO DE VILLEGAS.

JOSE IGNACIO ZENTENO.

A Dreadful event happened at Priorsfield colliery, near Lane-end, Staffordshire, on the morning of the 5th, about 6 o'clock, occasioned by the breaking of the main chain immediately after the waggon was drawn off the pit, by which accident 3 men, and 3 boys, all fastened together in the chain, were precipitated to the bottom of the pit, and literally dashed to pieces.

16. *King's Head Tavern.*—In consequence of a particular appointment, the Committee have proceeded to investigate the subject referred to them; and however it is to be lamented that the practice of adulterating tea should have existed in any instances, yet it is a matter of considerable satisfaction to the Committee to find, from the most minute investigation which it was in their power to make, that the practice is extremely limited in its extent, and confined to a few unprincipled individuals; and that every possible exertion is making to bring to light the cases in which the illicit practice has been adopted, to publish the names of those who are detected therein, and effectually to suppress the evil.

It being the anxious wish of the Committee to clear the Tea Trade from the indiscriminate imputations, which they conscientiously believe to be ill founded, and to remove from the public mind

mind any erroneous impression which unexplained and unauthenticated reports may naturally tend to create,

Resolved, That the preceding statement be signed by the chairman, and published in the morning and evening papers.

RICHARD TWINING, Jun.  
Chairman.

Resolved, That the thanks of this meeting be given to the chairman.

PARIS.—CHAMBER OF PEERS. *Bulletin of the 17th.*—A communication was made to the Chamber in the name of the Government, by the Minister of the Interior, the object of which was to submit a project of law adopted by the Chamber of Deputies, purporting that no person shall in future be elected a member of that Chamber, unless at the time of his election he answers all the conditions of eligibility decreed by the charter. The law was immediately referred to the bureaux, the discussion was opened afterwards in the Chamber, and the project having met with no opposition, was voted unanimously in the same sitting. The Chamber adjourned to the 21st inst.

17. *Greenock.*—The brig *Leander*, Fish, 236 tons per register, of and for Shields, from London, in ballast, being driven northward by the late furious gales, found himself embayed in the dreadful storm from S. E. in the night between the 4th and 5th inst. and soon after struck, about 1 a. m., an outer rock on that dreadful part of the coast at Longside, near Slains-castle. The vessel being thereby thrown on her beam

ends, fell with her gunwale under a shelving rock on the main land, on which, at this awful moment, two of the crew jumped, and had with difficulty only just secured themselves, when looking round, they found their unfortunate vessel, with all left on board, eight men and a young woman, passengers, had totally disappeared. Left in this hopeless situation, the survivors, Andrew George and James Durward, (young men, and the only two on board unmarried) clung to the rock, exposed to all the horrors of that most tempestuous and dreadful night, in vain expecting the dawning day to bring the prospect of their deliverance; for on the return of day-light they found themselves under an impending precipice of prodigious height, from which there was hardly a possibility of their being seen from the land, or their escaping from their perilous situation but by the ocean, into which, after passing the day in a state of despair not to be expressed, the poor seamen, although much exhausted, threw themselves; and swimming round a point, got to an accessible point of the steep cliff, and with the greatest exertion gained the summit in the evening, relating the melancholy particulars of the disaster to some fishermen, who could hardly believe the sorrowful tale, until confirmed by part of the wreck discovered afterwards.

GAZETTE OF CARACCAS, Tuesday, March 18.

*Official Report from his Excellency the General-in-Chief of the Expeditionary Army, to the Captain*

*Captain-General, pro tempore,  
of Venezuela.*

“Head-quarters of Cagua,  
March 15.

“The 13th instant, in the afternoon, I came out from Valencia, finding myself decided to attack the enemy; and yesterday morning I succeeded in surprising 200 of them at La Cabrera, none of whom could reach the Maracay, where they had their principal forces, which were composed of 1,200 cavalry and a small battalion of infantry; they were attacked by the gallant Brigadier D. F. Morales, who charged them through the streets of the same town with the dragoons of the Union and the squadron of guards of the General, routing and dispersing them totally in all directions, after having slain more than 250, taking from them a flag, 40 loads of ammunition, about 2,200 horses, mules, and beasts of every description, and a number of baggage boxes of spears, the articles which they cowardly left there. We had only five men killed and four wounded. I immediately proceeded to this town on purpose to attack them in their rear, knowing that they were in the town of La Victoria; and now that it is half past one o'clock, I have been informed by a woman that the Brigadier Latorre repulsed them yesterday, obtaining advantages, and obliging them to come back to the above said town of Victoria; but I am yet unacquainted with the certainty of this fact, as I did not receive any official report of the above from the Brigadier. I have been like-

wise warned this very moment by the advanced posts, that the enemy are seen directing themselves through the road of Coroso, after having come down the Hill of the Mules on their march towards Villa de Cura; for which reason, in this very moment, I undertake the pursuit after them, notwithstanding that the troops have had no time either to dine or to sleep, and I intend to follow them, without having time to rest, to the very river Oronoco. God preserve your lordship many years.  
(Signed)

“PABLO MORILLO.

“*To D. Juan Baptista Pardo.*”

“POSTSCRIPT.

“Head-quarters of the Villa de Cura, March 16.

“It is one o'clock in the night, the hour in which I have just attacked this town, where the rebels took shelter; and when they found themselves charged by my troops, they dispersed themselves, and continue being charged through the road which leads to St. John, by the European cavalry, and the column of chasseurs. The main body of the army is repairing from the heights of the mountains in order to march, supporting the van.

“Their cavalry is in the most deplorable state, and it will not be able to escape from the gallant dragoons and hussars, who are in the highest spirits, as also are the brave squadron of the guards of the general.

“The greater part of their cavalry was in pasturage; it inevitably must be dispersed. As it is night yet, the issue of this attack cannot be ascertained,  
which



which ought to be the happiest to Venezuela.

“ For three days past, the troops have not eaten any thing but cold victuals; but they are so full of enthusiasm, that each one of the men would beat a dozen of those wretches. The rains and mud caused them to be without shoes, and in this state they make marches which are really incredible. Please your lordship to cause that all the shoes which may be found be sent, and the most active exertions be made in regard to provisions, for with their help I will pursue them till the total destruction of so boasted a republic.

“ The faithful inhabitants of the Caraccas ought to make an effort to relieve the wants of these brave fellows, who are not intimidated either by weariness, or by want of food or by the rains and mud, which has proved so painful to them, after such rapid marches.

“ All which I communicate to your lordship is for your knowledge, and that of the faithful inhabitants of the capital. God preserve your Lordship many years.  
(Signed)

“ PABLO MORILLO.

“ *To D. Juan Baptista Pardo.*”

Extract of a letter from a gentleman at Senegal, to one of the Directors of the African Institution, dated March 19:—

“ When I last wrote to you, I was not without hope, that ere this, measures would have been taken by the French Government to arrest the progress of the slave trade in this neighbourhood; as it was difficult to suppose for a moment that the authorities here

were ignorant of the extent to which the trade was carried on in the settlement. My expectations, however, have been disappointed; it has increased, is hourly increasing; and, at present, there is not the least appearance even of secrecy, nor the least fear of interruption; for the slaves are now put on board in the river, and the vessels pass the bar in sight of every officer in the garrison. Indeed, two of the last vessels which left this place with slaves, passed outwards at a time when 3 French vessels of war (a ship, a brig, and a schooner) were at anchor outside the bar; and, although the slavers sailed within hail, no examination or notice was taken of them. The distress in the neighbouring villages I stated to you in my last, and the news of this renewed traffic is spreading rapidly over the country. *Damel*, one of the most powerful Kings in this part of Africa, lately came to the vicinity of the settlement, and held several conferences with the slave traders, as if to ascertain the accuracy of the information he had obtained; and immediately commenced burning and pillaging a number of his own villages, under circumstances of the most shocking atrocity; and of his own subjects, whole families were dragged to the banks of the river, where they were sold; and thus separated from their friends, homes, and country for ever. His booty on this occasion furnished the cargoes of the two vessels mentioned above, which passed the bar on the 11th of February.

“ From the Moors they still continue to obtain a great number

ber of captives; and, among them, this renewal of the traffic has given rise to disputes and wars, unprecedented of late years; and it is reported here, that large caravans of slaves have been collected in the interior, and are now on their way towards this place, where they are daily expected.

“ The French Government having lately re-called the Commandant, who, as I noticed in my former letter, could not have been ignorant of what was passing, I cherished the hope that it was the first step of that Government to put a stop to the trade, and to fulfil the treaty they had made; but I regret to be obliged to say,

that his successor appears still more inclined to overlook the mischief which is going on in his command; for, as I have mentioned before, the slaves are now put on board in the river, and even, in one case, were embarked while the vessel lay off the town.

“ The two vessels which remained in the river when I last wrote to you, obtained their cargoes and sailed shortly afterwards, and one of them has since returned, and is now in the river preparing for a second cargo, to purchase which she has brought here a large quantity of rum and tobacco.

“ List of vessels loaded with slaves at Senegal, betwixt the 9th of November, 1817, and the 19th of March, 1818 :—

Schooner .....	Zephyr .....	of Martinique.
————— .....	Elisee or Eliza .....	of Bourdeaux.
————— .....	Eliza .....	of Senegal.
Brig .....	Elisee or Eliza ...	of Bourdeaux, 2nd voyage.
Galliot .....	Maria .....	of Marseilles.

“ Vessels remaining in the river Senegal for slaves, 19th March, 1818 :—

Schooner .....	Sylph .....	of Nantz, 2nd voyage.
————— .....	Elisee or Eliza ...	of Bourdeaux, 2nd voyage.
————— .....	Reine and Caroline	of Nantz, 2nd voyage.
————— .....	Zephyr .....	of Nantz.
Brig .....	Postilion	

“ N. B. The above vessels are exclusively for Senegal, from Goree; several slave vessels have also been despatched, and I understand the trade is carried on there to a great extent; but I regret that I am not possessed of sufficient information to communicate to you the particulars.”

The Sovereign Pontiff, according to established custom, gave orders to the congregation of Rituals to proceed to the beatification and canonization of the venerable servant of God, Maria Clotilda Adelaide Xaviere of France, Queen of Sardinia, and sister of the kings Louis XVI.

and XVIII. The discussion took place in the presence of Cardinal Mattei, Dean of the Sacred College, and of Cardinal Della Sogliana, Vicar of his Holiness. The votes were unanimous in the affirmative. Consequently, this virtuous princess will be declared a Saint in the next Consistory.

The American papers inform us of the dreadful fact of the extensive powder-mills at Brandywine, Delaware, belonging to M. Dupont Nemours (who fled from France with Marshal Grouchy), having blown up on the 19th of March, and that about 30 persons were killed and 10 wounded. Marshal Grouchy exerted himself greatly, but in vain, to save the house of his friend Dupont. The windows, floors, and roof were blown off. The only article saved was a portrait of Napoleon Buonaparté.

*Russian Consulate.*

(CIRCULAR) March 25.

The undersigned Russian Consul-General has just now been officially informed, that, although the establishment of a Port Franc (free port) at Odessa was made known to all Europe 10 months ago, the epoch, however, of the opening of that port is still uncertain. The immense works required by the forming of the moat, and the barriers which are to surround the city at the distance of 4, 5, and 6 versts, do not permit the hope that the Port Franc can be opened before the month of September next. It being possible that many merchants, thinking that the Port Franc is already open, may send to Odessa goods prohibited, and thus expose themselves to a considerable loss, or at least to the prejudicial delays of selling them; in order to avoid all such inconveniences, the undersigned is authorized to advertise, to the commercial public, that care will be taken in giving due notice of

the fixed epoch when the Port Franc will be opened.

(Signed)

A. DE DUBATCHEFSKY.

(CIRCULAR)

London, March 25, 1818.

The undersigned Russian Consul-General, in order to fulfil the commands of his government, hereby makes known to the British public, and to all person or persons to whom it may concern,—

That notwithstanding the quarantine regulations of the 25th of May, 1816, have been published in this kingdom of Great Britain and Ireland, some foreign vessels, bound to Russian ports, both in the Baltic and in the White Sea, have appeared without having brought the necessary certificates from Elsinore, of their being free from epidemical disorder. The positive news of Algerine corsairs having the plague on board, stopping and visiting all vessels they meet with, has induced the Imperial Government, with the supreme approbation of his Imperial Majesty the Emperor, to adopt additional measures for preserving the empire from any kind of infectious disorders.

1st. That with respect to the vessels coming to the Russian ports without being furnished with certificates, required by the regulation of the 25th May, 1816, will be proceeded with in the strictest conformity to the same, whereof the foreign merchants will be informed by the Imperial Ambassadors and Consuls.

2nd. That the Marine Minister has to observe that all ships or vessels coming into the Baltic, and

and bound to Russian ports, without producing the necessary certificates of the Danish quarantine, will not be admitted under any pretext whatsoever, but sent back under a military escort.

3rd. That all the quarantine agents, as well as the commissioners of the ports, and the coast commanders, have got new instructions with respect to the most rigorous observations, that no vessel whatsoever which may have been subject to the visit of corsairs, and have not been duly purified under quarantine, will be allowed to proceed to the Russian ports. (Signed)

A. DE DUBATCHEFSKY.

An address of the House of Peers was presented some time ago,

“ For ‘ A return of all persons arrested or committed, since the 1st of January, 1817, for having been tumultuously, or unlawfully, or in a disorderly manner, assembled in Great Britain, and of all persons whose papers were seized, or whose houses were searched for arms or other offensive weapons, or who were detained, in consequence of their having been so assembled, without being brought to trial; together with the names and descriptions of such persons, their occupations, ages, and places of abode at the time of their being so arrested, and the dates of their arrests; and also copies of the warrants or authorities by which they were so detained, or by which their papers were so seized, or their houses so searched, and the dates of their subsequent discharge; together with copies of the war-

rants, orders, or authorities by which they were so discharged.’ ”

The return has accordingly been made, and laid on the table of the House: it states, that

“ Within the period specified in the above-mentioned address, no persons have been arrested or committed by his Majesty’s Secretaries of State, for the offences mentioned in the address, nor have any houses been searched for arms or other offensive weapons by virtue of such warrants, nor have any such warrants been issued for the seizure of papers; but upon the arrest of the under-mentioned persons for high treason, or suspicion of high treason, by virtue of warrants of his Majesty’s principal Secretary of State for the Home Department, some papers of those persons have been seized by the messengers to whom those warrants were directed; viz:—

“ James Watson the elder

“ Thomas Evans

“ Thomas John Evans

“ John Johnston

“ James Mann

“ Benjamin Scholes

“ William Ogdon

“ William Benbow.

“ It is not known to the Home Department that any seizures of papers have been made, except as above-mentioned, nor that any arrests, commitments, or searches within the scope of the address, have taken place in any part of England except at Manchester and Nottingham.

“ Copies of the address having, by the commands of his Royal Highness the Prince Regent, been transmitted to the Magistrates at each of those towns, it appears

by the returns from thence, that the houses of the undermentioned persons, in the town of Nottingham, were, on the 10th day of June last, searched for arms. viz:—

- “ Alexander Amos
- “ Jeremiah Brandreth
- “ Dennis Rhodes
- “ Samuel Haynes
- “ Francis Ward
- “ John Holmes
- “ William Handby
- “ Charles Merrey.”

Then follow the names of the persons arrested, amounting to 249. Of these none were ever brought to trial. The great bulk of them were discharged on the 20th of March, and some even before that period.

A shocking accident has plunged the inhabitants of Villiers-le-Bel (Seine et Oise) into the deepest distress. On Wednesday the 25th, between 4 and 5 in the evening, some workmen were employed in lowering from the steeple a large cracked bell of 6,000 weight. About 60 persons had assembled in the belfry to witness the operation, and there were in the church about four hundred women, who had also been attracted there by curiosity. A cracking of the vault soon began to be heard, and in a moment the church was filled with enormous masses of stone, which fell from the height of 80 feet, with a horrible crash. The women rushed toward the door, and wishing to get out all at once, pressed against each other. On hearing their cries a great number of the inhabitants ran to the spot. On entering the church they found 25 mortally

wounded: three died within a few minutes after. The next step to be taken was to assist the unfortunate persons who had remained, as it were by a miracle, in the belfry, some suspended by the ropes, others among the timbers. Zeal and courage triumphed over every obstacle, and they were all saved. It appears certain that this accident was occasioned by the fall of the bell, which broke the rope by which it was suspended, and fell on the key of the arch, instead of keeping the direction which had been given to it. The damage is estimated at 50,000 francs. The whole Commune is in mourning. Every one has to lament the fate of a friend or relative.

27. *Warsaw*.—Yesterday, his Majesty the Emperor our King opened the Diet with the following speech, which was spoken by his Majesty in the French language, and afterwards read in the Polish language by his Excellency the Minister Secretary of State:—

“ Representatives of the kingdom of Poland;

“ Your hopes and my wishes are receiving their accomplishment. The people, to represent whom you are summoned hither, enjoy at length a national existence, secured by arrangements which time has matured and sanctioned. The most sincere oblivion of every thing that has passed could alone produce your regeneration. It was resolved upon in my mind, the moment that I could calculate upon the means of effecting it. Proud of the glory of my country, I have endeavoured

endeavoured to procure it a new one. In fact, Russia, after a passed melancholy war, returning, according to the precepts of the Christian religion, good for evil, has paternally held out its arms to you; and of all the advantages which victory gave it, she preferred one—namely, the honour of raising and restoring a brave and estimable nation. In contributing to this, I obeyed an internal conviction, powerfully supported by events. I have fulfilled a duty which was presented only by this conviction, and which is for that reason dearer to my heart.

“The organization which was in force in your country, has allowed the immediate establishment of that which I have given you, by putting into effect the principal of those liberal establishments which were always the objects of my care, and whose wholesome influence I hope, with the help of God, to extend to all the countries which Providence has committed to my care. In this manner you have offered me the means of showing to my country what I have long since been preparing for it, and which it will obtain when the basis of so important a work shall have received the necessary consistency. Poles! it is for you who have laid under the fatal prejudices which have drawn upon you so many evils, to give durability to your regeneration.

“It is indissolubly united with the fate of Russia; all your efforts must be employed to give stability to this salutary and protecting union. Your re-establishment is fixed by solemn trea-

ties. It is confirmed by the act of the constitution. The inviolability of these foreign engagements, and of their fundamental laws, ensure to Poland in future an honourable rank among the nations of Europe—a valuable possession which it has long sought in vain under the severest trials.

“The career of your labours is opened. The Minister of the Interior will lay before you the state of the administration of the kingdom; you will be made acquainted with the projects of laws which will be the subjects of your deliberations. The object of them is progressive ameliorations. The improvement of the public finances requires knowledge, which only time and a due appreciation of the resources of your government can give. The constitutional form of government will be gradually applied to all parts of the administration; the department of justice will soon be formed; proposals relative to the civil and penal legislation will be laid before you. I will readily believe, that when you examine them with persevering attention, you will make laws destined to ensure the most valuable blessing—namely, security of persons and property, and freedom of opinion. As I cannot be always among you, I have left you a brother, my confidential friend, who, from our earliest years, has been my inseparable companion. I have confided your army to him, as the depository of my sentiments and my care for you. He has exerted himself to fulfil his task. By his care this army, already so rich in glorious recollections and warlike qualities

qualities, has acquired, since he has been at its head, all the habits of order and regularity which can be obtained only during peace, and prepare the soldier for his true destination. One of your worthiest veterans, as my representative among you, because gray under your standards, and a steady partaker of your adversity and prosperity, he has never ceased to give proofs of his attachment to the country. Experience has fully justified my choice. Notwithstanding my exertions, the evils under which you had to labour are not, perhaps, all repaired. It is, however, in the nature of things, what is good thrives but slowly, and perfection is unattainable by human weakness.

“Representatives of the kingdom of Poland!—Elevate yourselves to the height of your destination. You are called upon to give a great example to Europe, whose eyes are fixed upon you.

“Show your contemporaries that the liberal institutions, whose ever sacred principles it is sought to confound with those destructive doctrines which in our days have threatened the social system with a dreadful catastrophe, are no dangerous illusion; but if they are sincerely carried into effect, and are directed to an object useful to humanity, are perfectly compatible with order, and that they produce in common accord the true welfare of nations. Henceforth it is for you to prove this great and salutary truth; may harmony and concord prevail in your assembly—may dignity, calmness, and modera-

tion characterise your deliberations; guided solely by love to your country, purify your opinions, make them independent of all private or exclusive interests; express them with simplicity and frankness, and avoid the seductiveness which may often accompany fluency in speaking; lastly, may the sense of paternal friendship which the chosen law-giver has presented to us all, never forsake you.

“In this manner your assembly will obtain the approbation of the country, and the general esteem which such a one will ever enjoy, when the representatives of a free nation do not suffer the exalted character with which they are invested to degenerate.

“First officers of the State, senators, representatives, deputies, I have expressed my thoughts to you, I have shown you your duties.

“The result of your labours will show me what the country may expect in future from your attachment to it, as well as from your good sentiments towards me, and whether, faithful to my resolutions, I can farther extend what I have already done for you. Let us thank Him who alone has power to enlighten Princes, to render nations brethren, and to spread over them blessings of love and of peace—let us implore him to bless and prosper your work.”

28. *St. Petersburg.*—The Panopticon, a large wooden building, five stories high, which, lay out of the city on the other side of the Neva, was a prey to the flames. This building was erected



erected only a few years ago, after a very ingenious plan, and as workshops for many branches of the marine. It was also used as barracks for sailors. It was capable of containing 3,000 persons. In the middle of the building there was a hollow cylinder, which went through all the stories, and in the middle a chair for the superintendant of the works, from which, without being seen himself, he could see every thing through the openings in the cylinder, and overlook each of the work-rooms, which were furnished with glass-doors; and, by another contrivance, could let himself up and down as he thought proper. In every story there were doors to the cylinder, opening from the inside, so that the superintendant could come out of the cylinder, and show himself whenever it was necessary. The architect of this building was the English General Bentham. In the lowest story was the steam-engine, by which all the machinery was put in motion. Unhappily some of the workmen have perished in this dreadful fire, which broke out in the forge, in the lower story, and rapidly communicated to the other parts of the building.

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#### APRIL.

“ Mr. Rother, his Prussian Majesty’s Privy Counsellor of Finance, and Director of the Public Treasury, has lately arrived in this country (London), and has contracted with Mr. N. M. Rothschild for a loan

of 5,000,000*l.* sterling, at the following rates:—

£.2,500,000 at 70 per cent.

1,250,000 at  $72\frac{1}{2}$

1,250,000 at 75

To be raised by 10 monthly instalments of 10*l.* per cent each. The first monthly instalment of the 2,500,000*l.* is to begin on the 1st day of May next: that of the 1,250,000*l.* at  $72\frac{1}{2}$  per cent, on the 1st day of July next: and that of the 1,250,000*l.*, at 75 per cent, on the 1st day of October next.

“ The loan is to bear interest at 5 per cent per annum, from the 31st of March last, payable in London half-yearly, on the 1st day of April, and the 1st day of October, and is to be paid off within 28 years.

“ A discount, after the rate of 5 per cent will be allowed upon the payment of instalments before due.

“ The loan is to be raised upon bonds, to be issued by the Prussian Government, payable to bearer; and with each bond will be delivered warrants upon Mr. Rothschild, for payment of the interest to bearer, as it becomes due.

“ The bonds, for the convenience of the public, will be thus divided:—

500 Bonds of £.1,000 each

2,000 ————— 500

4,000 ————— 250

25,000 ————— 100

“ *Securities for Payment of the Loan and Interest.*

“ The Government of Prussia will, by an act of its legislature, place at the disposal of the Directors of Maritime Commerce,

merce, at Berlin, certain specific revenues, to be remitted half-yearly to Mr. Rothschild, for payment of the interest of the loan; and the same Directors will also remit to London, by half-yearly payments, the following sums, on the amount of the loan, viz.

“ In the year 1818-19....	£.3 per ct.
1819-20.....	2½
1820-21.....	2
1821-22.....	1½
1822-23.....	1

and the like sum of 1 per cent in every following year of the 28 years.

“ The sums so to be remitted are to be applied in redeeming the bonds, and the interest of the bonds redeemed is to be applied in the same manner, thus forming a sinking-fund for the protection of the public, which the Prussian government is at liberty to increase by other remittances: and in case, at the end of the 28 years, any of the bonds shall remain unredeemed, the Prussian government engages to remit to London, on or before the 30th of September, 1847, such a sum of money as shall be sufficient to redeem all the bonds, then in circulation, at par. If, at any time, the bonds should be above par, then, in order that the operation of the sinking-fund may continue, the persons in whose names securities are to be deposited for the time being, as hereinafter referred to, or any two of them, are, in such manner as they may think proper, to draw lots to ascertain which bonds shall be advertised to be redeemed; and the bonds being thus ascertained,

an advertisement is to be inserted in the London Gazette, requiring the holders of such bonds to bring them to be redeemed within three months from the date of the advertisement; and the holders shall, in such case, be bound to deliver up the bonds advertised for, upon payment at par; and all interest upon such bonds shall cease at the end of three months from the date of the advertisement.

“ A list will be published in the London Gazette, half-yearly, of all bonds from time to time redeemed.

“ The loan is to be further secured by a mortgage of certain revenues of the kingdom of Prussia, of sufficient amount, and by special mortgage-bonds, pledging certain royal domains which have been placed at the disposal of the Prussian government, by virtue of a statute of the royal house, sanctioned by the States, which bonds are to be countersigned by the state-officers of the provinces where the domains are situate. The above securities are intended to be deposited in the Bank of England, in the names of Mr. N. M. Rothschild, the contractor, of an Officer of State of his Prussian Majesty, and of a permanent Agent of the Prussian Government.

“ The Prussian Government, at the end of every three years, is to have part of the securities, to the amount of the bonds redeemed, delivered up to be cancelled.”

LANCASTER ASSIZES, Friday,  
April 3.

*Address of Chief Baron Richards,*  
on

*on Passing Sentence of Death upon the Prisoners Capitally Convicted of Forgery, and of Uttering Forged Bank of England Notes.*

William Oxenham, convicted of uttering a forged bill of exchange, was first placed at the bar.

Chief Baron.—“ William Oxenham, you have been convicted of uttering a forged bill of exchange, well knowing at the time you uttered it that it was forged. The crime of which you have been convicted, on the most satisfactory evidence, by a most intelligent jury, is a crime the most dangerous to society, and which loudly calls for the highest punishment that the law can inflict; for no man, in a commercial country like this, can, by any care, effectually protect himself from such attempts. If there should be any disposition at the foot of the Throne to extend its mercy towards you, I shall rejoice; but of this I can offer you no assurance, and if there should be any mitigation of your sentence, it will only be on condition of your being for ever removed from this country.” His Lordship then passed upon him the last sentence of the law in the usual terms.

The following prisoners were then placed at the bar:—Wm. Steward, Thomas Curry, Margaret M'Dowd, Robert Wardlaw, Redmond Moss, Hannah Mavor, and John Vaughan, convicted of uttering forged Bank of England notes; and George Heskitt, convicted of burglary and horse-stealing.

The Chief Baron, addressing

by name the first 7 prisoners, thus proceeded,—“ You have been severally convicted of uttering forged Bank of England notes, knowing them to be forged; the law has affixed to this crime the punishment of death, and it is an offence which, on account of its injurious consequences to society, requires the infliction of the highest punishment. It is a practice which must be repressed; and if this cannot be effected by other means, it must be done by visiting it with the utmost severity of the law, for the negotiation of forged notes is the strongest and most extensive mode of plundering the public which can be resorted to, and it is one against which no care or prudence can be an effectual protection. I had the last assizes the very melancholy duty, in this place, of passing the sentence I am now about to pass upon you, upon a number of persons convicted of this offence, and which sentence was carried into effect with respect to most of them; but I do not perceive that this sad example has been attended with any advantage, or that it has produced any diminution in the number of offenders of this description; you have not taken warning from it; for I observe that your offences are all subsequent to the last assizes. It is, therefore, necessary that examples should still continue to be made; and it is my duty to tell you that some of you, nay, that most of you, beyond all question, must suffer the full sentence of the law.”

It will be seen by the following document that the port of Dun-

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kirk

kirk is to be considered in future as a port of France, under the Navigation Act :

“ Treasury Chambers, 4th April, 1818.

“ *To the Commissioners of Customs.*

“ Gentlemen;—I have laid before the Commissioners of his Majesty’s Treasury, your report on a memorial, praying that three cases of French wine, imported at this port from Dunkirk, may be admitted to entry for private use on payment of duty ; and I am to desire you will give orders for the delivery of this wine, on payment of the proper duties ; and I am to acquaint you, that it appears to my Lords, that upon a fair construction of the principles of the Navigation Act, the port of Dunkirk must now be considered, to all intents and purposes of the said Act, as a port of France, and entitled to all the privileges thereof.

(Signed) “ S. R. LUSHINGTON.”

“ 7. *Stockholm.*—On the 24th March, a hurricane raged in Sweden, which has done the most dreadful damage. For these 20 years, we have not had so violent a storm. Several churches, innumerable barns, whole forests, (to the future great prejudice of the iron-forges), have been thrown down ; many wooden buildings have been carried away so entirely that not a trace of them is left. Several towns, particularly Uddevalla, were inundated, and the roofs and windows dashed to pieces. Snow and frost followed immediately, and still continue.

The marriage of the Princess Elizabeth with Philip Augustus

Frederick, Hereditary Prince of Hesse-Homburg, took place at the Queen’s house this night, April 7. The acquaintance of the new married couple commenced two years ago, since which a correspondence has been maintained between them. Cards of invitation were issued between two and three weeks since to the Foreign Ambassadors and Ministers and their Ladies, the Lord Chancellor, the Cabinet Ministers and their Ladies, the Deputy Earl Marshal of England, the Great Officers of State and the Household, the King’s, the Queen’s, those of the Windsor Establishment, the suites of the Royal Dukes and Duchesses, the Lord Chief Justice of the Court of King’s Bench, and other distinguished characters who were to perform and assist at the solemnization of the marriage ceremony.

A great profusion of wedding-cakes have been preparing for several weeks.

Among the company were the Russian, French, Spanish, Dutch, American, Swedish, and Neapolitan Ambassadors, with their ladies, together with most of the ladies and gentlemen of the different Royal establishments.

*Shooting at Lord Palmerston, at the War-Office, April 8th.*

QUEEN-SQUARE.—Lieutenant David Davies, on the half-pay of the 62nd regiment of foot, was yesterday brought to the office in custody of Lavender, the officer, charged by Mr. Wm. Owen, of the War-office, with having fired a pistol, loaded with ball, at the Right Hon. Lord Palmerston, Secretary at War.

Witness

Witness stated, that he is a messenger in the War-office. That, between 1 and 2 o'clock yesterday afternoon, he saw prisoner in the passage of the War-office, at which time Lord Palmerston was going up stairs into his own room. Witness heard the report of a pistol, and looking immediately round, saw one in prisoner's hand. Heard Lord Palmerston groan heavily, on which he seized prisoner's hand which held the pistol, and prisoner dropt it. Witness took it up, and saw it had been just fired off. Prisoner then cried out, "You know me, and you know my wrongs; I have killed him." Witness said, he knew nothing; and asked whom he meant as having killed. Prisoner asked, "Is not that Lord Palmerston?" Witness answered, "Yes."

Daniel William Bird, Lieut. Col. of the 2nd West India regiment, stated, that wishing to see Lord Palmerston yesterday morning, he went to the War-office, and mentioned his wish to last witness, who answered, he was very lucky, for Lord Palmerston was just then going up stairs. Witness rose to go out of the room, and at the moment heard the report of a pistol, and coming into the passage saw last witness have hold of prisoner's hand, and a pistol lying at prisoner's foot, who said to Mr. Owen, "You know my wrongs; he has killed me."

On the prisoner's being searched at the War-office, no other fire-arms were found upon him: he had in his pocket a small-sized paper parcel, sealed with three seals, eleven bank-notes of 1*l.* each, 22*s.* in silver, an official

letter from the War-office, and two or three trifling memoranda, which were all delivered to Lavender, and by him now produced.

Mr. Lawrence Samuel, a gentleman belonging to the War-office, stated, that he had been present when Mr. Astley Cooper examined the wound of his Lordship, that he said the ball had passed, and that from present appearances, he had hopes the wound was not dangerous. The coat worn by his lordship was now produced, and the ball seemed to have entered the middle of the back, and being fired from below had passed upwards, when his Lordship, being at the moment at the turn of the staircase, had most probably given it that oblique turn which caused it to glance off at the shoulder-blade.

The magistrate (Edward Markland, Esq.) asked the prisoner where his friends lived, that he might inform them of his situation, and procure from them every assistance. The prisoner said his family lived at Monmouth; and he had a brother in the navy. He was generally remanded, till Lord Palmerston and Mr. A. Cooper can attend.

We have little to add to this authentic report of the circumstances of this shocking transaction, except the pleasing intelligence, that at a late hour last night we were informed that Lord Palmerston had been but very slightly hurt, and was perfectly well. From the account of the trial of David Davies it appears that he was considered as a decided lunatic.

*Naples.*—Our journals contain a triple convention between our Government, his Majesty the King of France, his Majesty the King of Spain, and his Royal Highness the Prince Regent of England, from which it appears that the privileges and exemptions which the subjects of these two Powers enjoyed, in the commerce of the kingdom of the Two Sicilies, are abolished. His Majesty promises that the subjects of these two nations shall be treated on the same footing as the most favoured nations, and that the exemptions and privileges thus abolished may not be renewed in favour of any state; that they shall enjoy an abatement of 10. per cent on the amount of the duties payable to the tariff in force since the 1st of January, 1816, on the totality of the merchandise or productions of the three States which shall be imported into his Majesty's dominions, besides other advantages mentioned in the said convention.

*An American Act concerning Navigation.*—Be it enacted by the Senate and House of Representatives of the United States of American Congress assembled.—That from and after the 30th of September next, the ports of the United States shall be and remain closed against every vessel owned wholly or in part by a subject or subjects of his Britannic Majesty, coming or arriving from any port or place in a colony or territory of his Britannic Majesty, that is or shall be, by the ordinary laws of navigation and trade, closed against vessels owned by citizens of the United States;

and such vessel; that, in the course of the voyage, shall have touched at, or cleared out from, any port or place in a colony or territory of Great Britain, which shall or may be, by the ordinary laws of navigation and trade aforesaid, open to vessels owned by citizens of the United States, shall, nevertheless, be deemed to have come from the port or place in the colony or territory of Great Britain, closed as aforesaid, against vessels owned by citizens of the United States, from which such vessel cleared out and sailed before touching at and clearing out from an intermediate and open port or place as aforesaid; and every such vessel, so excluded from the ports of the United States, that shall enter or attempt to enter the same, in violation of this act, shall, with her tackle, apparel, and furniture, together with the cargo on board such vessel, be forfeited to the United States.

Sec. 2. And be it further enacted, That from and after the aforesaid 30th of September next, the owner, consignee, or agent, of every vessel, owned wholly or in part, by a subject or subjects of his Britannic Majesty, which shall have been duly entered in any port of the United States, and on board of which shall have been there laden for exportation any article or articles of the growth, produce, or manufacture of the United States, other than provisions and sea stores necessary for the voyage, shall, before such vessel shall have been cleared outward at the Custom-house, give bond in a sum double the value of such articles, with one or  
more

more sureties, to the satisfaction of the collector, that the article or articles so laden on board such vessel for exportation shall be landed in some port or place other than a port or place in a colony or territory of his Britannic Majesty, which, by the ordinary laws of navigation and trade, is closed against vessels owned by citizens of the United States; and any such vessel that shall sail, or attempt to sail from any port of the United States, without having been complied with the provision aforesaid, by giving bond as aforesaid, shall, with her tackle, apparel, and furniture, together with the article or articles aforesaid, laden on board the same as aforesaid, be forfeited to the United States. Provided always, that nothing in this act contained shall be so deemed or construed, as to violate any provision of the convention, to regulate commerce between the territories of the United States and his Britannic Majesty, signed the 3rd day of June, 1815.

Sec. 3. And be it further enacted, That the form of the bond aforesaid shall be prescribed by the Secretary of the Department of the Treasury, and the same shall and may be discharged, and not otherwise, by producing, within one year after the date thereof, a like certificate to that required by and under the regulations contained in the 81st sec-

tion of the Act "to regulate the collection of duties on imports," passed the 2nd day of March, 1799, that the articles of the growth, produce, and manufacture of the United States, laden as aforesaid, were unladen and landed conformable to the provisions of this act, or, in cases of loss by sea, by capture, or other unavoidable accidents, by the production of such other proofs as the nature of the case will admit, according to the provisions of the said eighty-first section of the act aforesaid.

Sec. 4. And be it further enacted, That all penalties and forfeitures incurred by force of this act, shall be sued for, recovered, distributed, and accounted for: and may be mitigated or remitted, in the manner, and according to the provisions of the revenue-laws of the United States.

H. CLAY, Speaker of the House of Representatives.

JOHN GAILLARD, President of the Senate, pro tempore.

Approved, JAMES MONROE.  
April 18, 1818.

The Queen held a Court on the 20th for the purpose of receiving the Princess of Schomberg, the Reigning Prince of the same place, and the Sicilian Minister. Her Majesty afterwards dined at Carlton-house, with the Prince and Princess of Hesse-Homberg, the Duke and Duchess of York, and the Duke and Duchess of Gloucester.

### A RETURN OF ALL INCOME

Received by their Royal Highnesses the Dukes of Clarence, Kent, Cumberland, Sussex, and Cambridge, arising from military, naval,

or



or civil appointments, pensions, or other emoluments; as well as all grants out of the Admiralty Droits made to them, since the year 1800.

ANNUAL INCOME.

*His Royal Highness the Duke of Clarence,*

	£.	s.	d.	£.	s.	d.
Out of Consolidated Fund .....	20,500	0	0			
As Admiral of the Fleet .....	1,095	0	0			
As Ranger of Bushy Park; which is appropriated to pay the fees and claims of subordinate officers .....		187	9 8			
				<u>21,782</u>	<u>9</u>	<u>8</u>

*His Royal Highness the Duke of Kent,*

Out of Consolidated Fund.....	18,000	0	0			
As Governor of Gibraltar, with staff pay, and contingent allowances.....	6,517	18	4			
As Colonel of the Royal Scotch regiment of foot .....	613	2	6			
As Ranger of Hampton Court Little Park; which is appropriated to pay the fees and salaries of subordinate officers .....		74	3 4			
				<u>25,205</u>	<u>4</u>	<u>2</u>

*His Royal Highness the Duke of Cumberland,*

Out of Consolidated Fund .....	18,000	0	0			
As Colonel of 15th Regt. of Hussars	1,008	10	10			
				<u>19,008</u>	<u>10</u>	<u>10</u>

*His Royal Highness the Duke of Sussex,*

Out of Consolidated Fund .....	18,000	0	0			
				<u>18,000</u>	<u>0</u>	<u>0</u>

*His Royal Highness the Duke of Cambridge,*

Out of Consolidated Fund .....	18,000	0	0			
As Colonel of the Coldstream Guards	882	15	7			
				<u>18,882</u>	<u>15</u>	<u>7</u>

*Note.*—Beside the incomes derived from the above-mentioned sources, their Royal Highnesses the Dukes of Kent, Cumberland, and

and Cambridge, draw some emolument from the allowance for clothing their respective regiments; but the amount thereof cannot be stated, as it fluctuates according to the number of men required to be clothed, the station on which the regiments may be serving, and the prices of the articles furnished.

## GRANTS OUT OF THE ADMIRALTY DROITS.

*To His Royal Highness the Duke of Clarence,*

8th April 1806..... 20,000 0 0

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*To His Royal Highness the Duke of Kent,*

10th Oct. 1805 .. ..... 10,000 0 0

8th April 1806..... 10,000 0 0

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20,000 0 0

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*To His Royal Highness the Duke of Cumberland,*

14th Oct. 1805 ..... 15,000 0 0

8th April 1806..... 5,000 0 0

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20,000 0 0

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*To His Royal Highness the Duke of Sussesx,*

8th April 1806 ..... 20,000 0 0

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*To His Royal Highness the Duke of Cambridge,*

8th April 1806 ..... 20,000 0 0

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*Note.*—On the 15th October 1813, the sum of 20,000*l.* was advanced by way of loan to his Royal Highness the Duke of Clarence, to be repaid by quarterly instalments of 500*l.* each; of which six instalments have been repaid.

On the 14th July 1806, the sum of 6,000*l.* was advanced by way of loan to his Royal Highness the Duke of Kent; of which two instalments of 500*l.* each have been repaid.

Whitehall Treasury Chambers,  
20th April, 1818.

C. ARBUTHNOT.

21. *Sheerness.*—The crews of the ships going to the North Pole have been nearly completed by volunteers from his Majesty's ship Northumberland, Captain James Walker: the whole were yesterday paid an advance of wages. The Alexander was repaired, and went out of harbour

to the Nore. Yesterday morning and this day the Isabella and Alexander sailed for their destination: the Dorothea and Trent will follow to-morrow. The two former ships are to touch at the Orkneys, and the two latter at Shetland.

ACCOUNTS RELATING TO PROSECUTIONS FOR FORGING BANK OF ENGLAND NOTES, VIZ.

1. Account of the number of persons prosecuted for forging notes of the Bank of England, and for uttering or possessing such notes knowing them to be forged, from the 1st of January, 1816, to the 25th of February, 1818; distinguishing the years, and the number convicted and acquitted of such offences respectively.

Years.	Capital convictions.	Convictions for having forged Bank-Notes in possession.	Acquittals.	Total number prosecuted.
1816	20	84	16	120
1817	32	95	15	142
1818 to } 25th Feb. }	4	21	1	26

2. Account of the number of persons prosecuted for forging notes of the Governor and Company of the Bank of England, and for uttering such notes, knowing them to be forged, during the 14 years preceding the suspension of cash-payments by the Bank in February, 1797, distinguishing the years.

Years.	Capital convictions.	Acquittals.	Total.
1783	nil.	—	—
1784	..... 2 .....	.....	..... 2
1785 } 1786 } 1787 }	nil.	—	—
1788	..... 1 .....	.....	..... 1
1789	.....	..... 1 .....	..... 1
1790 } 1791 } 1792 } 1793 } 1794 } 1795 } 1796 }	nil.	—	—

3. Account of the number of persons prosecuted for forging notes of the Governor and Company of the Bank of England, and for knowingly uttering or possessing such forged notes, knowing them to be forged, since the suspension of cash-payments by the Bank, in February,

February, 1797, to the 25th of February, 1818; distinguishing the years, and the numbers convicted and acquitted.

Years.	Capital convictions.	Convictions for having forged Bank-Notes in possession.	Acquittals.	Total number prosecuted.
1797	1	—	1	2
1798	11	—	1	12
1799	12	—	3	15
1800	29	—	15	44
1801	32	1	21	54
1802	32	12	19	63
1803	7	1	1	9
1804	13	8	4	25
1805	10	14	4	28
1806	—	9	1	10
1807	16	24	5	45
1808	9	23	2	34
1809	23	29	16	68
1810	10	16	3	29
1811	5	19	9	33
1812	26	26	12	64
1813	9	49	7	65
1814	5	39	3	47
1815	7	51	5	63
1816	20	84	16	120
1817	32	95	15	142
1818 to } 25th Feb. }	4	21	1	26

21st April, 1818.

JOSEPH KAYE,  
*Solicitor to the Bank of England.*

22. *Frankfort.*—The following letters have been published, which passed last month between the Grand Duke of Baden and the King of Bavaria, and which throw some light on the negotiations that have been long pending between the Courts of Munich and Baden, and have been very repeatedly spoken of:—

*Letter from his Royal Highness the Grand Duke of Baden to his Majesty the King of Bavaria.*

“Sire;—It is with great reluc-

tance that I prevail on myself to address your Majesty upon a subject which must be as disagreeable to your personal feelings as it is to mine; but the urgency of the case renders it necessary at length to break a silence which, from motives of delicacy, I have perhaps observed too long. For these three years past I have been threatened with having a part of my dominions torn from me; and while my country made the greatest exertions to enable me to maintain, in an effectual and honourable

honourable manner, the last struggle for the independence of Germany, my allies are endeavouring to tear from me my finest provinces, and are disposing, during my life, of my succession.

“ In the various negotiations that have taken place, I think I have proved to the whole world the insufficiency of the reason alleged to excuse this violation of my most sacred rights, and public opinion has already decided in my favour, even before the full extent of the injustice was known of which it is intended to make me a victim. If it is mortifying to my heart to see how many persons, who have declared in the face of the whole world, that they took arms wholly to destroy the dominion of arbitrary power, to introduce into Europe a political system founded on the basis of morality, suffer themselves to be influenced by false representations that are made to them, that their debts are to be paid with provinces that belong to me, and the preservation of which has been purchased with the blood of my subjects, what a painful feeling must it excite in me, when I see my nearest relations at the head of those who seek to oppress me, and who, not contented with accepting that of which I am to be robbed, urge the execution of measures to which they ought never to have given their consent.

“ I am embarrassed in my mind when I endeavour to reconcile the continually renewed offensive steps of your Majesty’s Cabinet with the expressions of attachment which you continue

to bestow on me. In so serious an affair, I find it impossible to separate the Government from its head, so as to find in the latter my relation and friend, while the former shows itself my bitter enemy.

“ I at length owe you my confession of faith. It is time that the affair should be decided one way or another, or I must declare to your Majesty, that as I believe myself to have more than fulfilled my engagements, as well by the exertions which my country has made for the common cause, as by the last conciliatory proposal which my Ambassador delivered at Frankfort, I am now irrevocably resolved not to consent to anything further. I am not blind to the situation in which I am. Nothing surprises me; I am prepared for every thing; but I declare to you, Sire, that if there should be an intention of tearing from me by force what never will be obtained voluntarily, I appeal, for my support, to public opinion, and your Majesty will hardly find a more powerful ally.

“ To the King I have now said enough. The feelings of my heart call on me to add a word to my brother-in-law and friend. I therefore conjure you, Sir, by the ties of blood which unite us, put an end to a negotiation which has too long attracted the anxious eyes of Europe; and which, by the establishment of the principle on which it is founded, may have as dangerous consequences for your Majesty as for me.—I am, &c. (Signed)

“ CHARLES.”

“ Carlsruhe, March 18, 1818.”

*Answer*

*Answer of his Majesty the King  
of Bavaria.*

“ My dear Brother and Brother-in-law ;—I have read, with equal astonishment and regret, the letter of your Royal Highness ; and I cannot sufficiently express to you what a painful impression it has made on me. You know the public and private negotiations which have taken place since 1813. Your Minister for Foreign Affairs was witness to the conventions concluded at Paris between the four powers who signed the treaty of 1815 : he knows that I had no share in them. The memorial which my minister delivered on that occasion is inscribed among the public acts.

“ We have all fought in the bravest manner. The German troops emulated each other in their exertions. The general interest has nevertheless demanded sacrifices ; I have made such, as well as the greatest members of the confederation.

“ If the Ambassadors of your Royal Highness are well informed, they will have informed you that the course which I have followed for these two years has been wholly conformable to the sentiments that unite us ; and that, far from inducing measures against you, I have made it a rule to wait in silence the regulation of the interests on which depend the conclusion of the Acts which will fix the fate of Europe.

“ I do not allow myself to make to your Royal Highness any remark on the resolution you take. It is for you, in your wisdom, to decide on what the well understood interests of your house and your people require. But

whatever events may ensue, they will never have any influence on the personal feelings which bind me to a relation who will be ever dear to me, and will never lessen the friendship and tender attachment which I cherish for your Royal Highness, and with which I am, &c. (Signed)

“ MAX. JOSEPH.”

25. *Coblentz.*—We have today received the answer of his Majesty to our Address of the 18th of October last. The answer is addressed to the inhabitants of Coblentz, and to those of the cities and communes composing the arrondissement of that name. It is couched in these terms :—

“ The period at which the organization of the States is to take place is not fixed either by the edict of the 22nd May, 1815, or by the 13th Article of the Act of the Confederation. All times are not equally propitious to introduce changes into the organization of states. Those who allow themselves to remind the Sovereigns of the execution of a promise freely given, thereby express a blameable doubt of his fidelity in fulfilling his engagements, and improperly take upon them to decide on the time when this new order of things ought to be established ; whereas the fixing of this time ought to be as free as the promise given was. Every commune, every corporation, every individual, has the right to lay at the foot of the Throne, and to present to the Ministers their requests, by the way of petition ; but the excitement (*provocation*) to petition cannot be tolerated ; and this excitement exists when a petition is hawked about in a whole

whole province, and the inhabitants invited to sign it.

“ It is for these reasons that the petition which was presented to me a few days ago, in the name of the city of Coblantz, as well as of the communes which compose its districts, has given me just displeasure. I shall fix the period when the fulfilment of the promise which I have given, respecting the introduction of the representative system, shall take place; and I shall not suffer myself to be influenced by any unsuitable remonstrances on this subject.

“ My principles in this respect have been declared in the Federal Diet; and in consequence of these principles I shall continue to take the necessary preparatory measures. The duty of faithful subjects is to wait (with confidence in my fidelity in fulfilling an engagement which I freely made) for the moment which, after an examination of the situation of the whole monarchy, I shall judge fit for the execution of the article of the Federal Act, which is appealed to.

(Signed)

“ FREDERICK WILLIAM.”

“ Potsdam, 21st March, 1818.”

A Proclamation dated Washington, 28th April, 1818, relates to the carrying into effect the treaty of 1817, with respect to the naval force upon the Lakes. The treaty stipulated that—

The naval force to be maintained upon the American Lakes by his Majesty and the Government of the United States, shall henceforth be confined to the following vessels on each side :

On Lake Ontario, one vessel, not exceeding 100 tons burden, and armed with one 18-pound cannon.

On the Upper Lakes, two vessels, each not exceeding like burden, and armed with like force.

On Lake Champlain, one vessel, not exceeding like burden, and armed with like force.

All other armed vessels on these lakes shall be forthwith dismantled, and no other vessel shall be built or armed.

The latter part of the proclamation contains the approval of these stipulations, and the announcement of their being finally carried into effect.

29. *Rome.*—His Holiness has announced a Consistory on the 4th of May next; he has signified his intention of deciding on the appointments of several Bishops in the Romish states, and of sixteen Neapolitan Bishops. Praffaele Mazio will then begin to officiate in his capacity of Secretary to the Members of the Consistory. This place, which, by custom, was always conferred upon an Italian prelate, is not superior in dignity; but it is very important, and affords much influence, because the Secretary to the Consistory is always appointed Secretary to the Conclave. His Holiness has refused to recognise the appointment of several Bishops proposed by the King of Bavaria; some on account of their doctrines, and others on account of their morals. This refusal has excited no very agreeable sensations at Munich.

30. *Naples.*—Ferdinand I., by the Grace of God, King of the Two Sicilies, of Jerusalem, &c.

Infant



Infant of Spain, Duke of Parma, Placentia, Castro, &c.

After a mature examination of the decree of the 18th of August, 1814, by which the French restored the ancient monetary system of the kingdom, common at all times to our dominions on both sides of the Faro (straits that divide Sicily from the Continent), and abolished the computation by livres and centimes established by them in 1811, we have seen that its dispositions regarding the gold coin, far from following had overturned it, and that no other system conformable to the sound principles of political economy had been substituted in its place. Therefore, desirous to form a monetary system complete in all its parts, and founded on the sacred principle of promoting the prosperity of our beloved subjects, and wishing likewise to consolidate into one law that part of the ancient ordinances which we think worthy of being preserved, we have resolved, on the proposition of our Minister of Finance, and with the recommendation of our Council of State, to sanction the following law, which we declare sanctioned accordingly:—

TITLE I.—*General Dispositions.*

Article 1. The monetary unit of our kingdom of the Two Sicilies, by which prices and every species of value in coin are computed, has the name of a ducat (*ducato*). The matter of which it consists is a piece of silver weighing 515 Neapolitan grains (*acini*), equal to 416 161-1,000th Sicilian grains (*cocci*), or 22 943-1,000th grammes, and of the fineness of 833 1-3rd parts of pure silver to 166 2-3rds

of alloy; or in other words, 5-6ths of pure silver and a 6th of alloy.

2. The ducat is divided into 100 parts, which have the name of *grana* in the part of our dominions on this side the Faro, and *bajocchi* on the other side. All the divisions of the ducat below ten centimes, or ten grana, have their value represented in copper coin. From ten centimes upwards their value is represented in silver coin. The multiples and sub-multiples in silver have always the same title, and their weight is geometrically proportioned.

3. The allowable variation is limited to 3-1,000th parts, more or less than the standard fineness. Silver coin exceeding or falling short of this standard more than 3-1,000th parts, shall not be put into circulation by the Mint.

4. Silver coin shall not be received by weight, nor can the pieces be refused as falling short of the standard, unless they are visibly *clipped*, understanding by that term an impairing of their legal contour (*contorno*).

5. All *agio* is prohibited in the exchange of silver pieces for silver pieces, though not in the exchange of gold and silver coins against each other respectively.

6. Every *grano* in copper is divided into ten parts. These tenths in Naples receive the name of *cavalli*, and in Sicily are denominated *piccioli*.

7. States the proportion of Neapolitan *acini*, and Sicilian *cocci*, in the *grano*.

8. The gold coin has the correspondent value which Government authorizes, and that which shall be subsequently coined will be raised to the fineness of 996 parts

parts of pure gold in the thousand, which corresponds according to the ancient mode of valuing the fineness of gold to 23 904-1,000ths in the carat of 24.

9. The new gold coin will not be issued with a greater variation than one thousandth part above or below the standard.

10. All the gold, silver, and copper coins that have issued up to the present time from our Mints of Naples or Palermo, shall remain in circulation according to their nominal value. Gold coins alone, as well old as new, shall be received by weight.

11. A constant and invariable permission is granted to export from the kingdom freely any sums in gold or silver coin.

12. A permission is likewise granted to melt it for exportation or otherwise.

13. The Spanish hard dollars are allowed to circulate at the rate of 12 *carlini*, and four *grana* of Naples. The prices of the divisions of the dollar are likewise fixed by this article.

14. States that the Minister of Finance will publish an ordinance to regulate the intrinsic value of foreign coins relatively to Neapolitan on the principles of this decree.

#### TITLE II.—*Silver Coin.*

15. From this day forward there shall be coined only in silver, the four following kinds of pieces:—1st, The *carlino*, of the weight of  $5\frac{1}{2}$  Neapolitan *accini*; fifty *carlini* will form a mark of the Mint; the variation allowed above or below the standard weight, is 41 *accini* in the mark; 2ndly, The piece of two Neapoli-

tan *carlini*, or Sicilian tari, with a proportionate weight, &c.; 3rdly, The piece of six *carlini*, weighing 309 *accini*, or 13,765 grammes; and 4thly, The piece of 12 *carlini*, weighing 618 *accini*, or 27,532 grammes, with an allowance of proportionate variations from the standard.

#### TITLE III.—*Gold Coin.*

16. There shall be coined in gold, henceforward, the following denominations of pieces, with proportionate weight:—1st, The *oncette*, of the weight of 85 Neapolitan *accini*, or 3,786 grammes, in value equal to three ducats; 2ndly, The piece of 5 *oncette*, weighing 425 *accini*, or 18,933 grammes of the value of 15 ducats; and 3rdly, The piece of ten *oncette*, with proportionate weight of the value of 30 ducats.

#### TITLE IV.—*Copper Coin.*

17. The copper-pieces shall be, 1st, the half *grano*, vulgarly called *tornese*, of 70 *accini*, or, according to its Sicilian denomination, the half-bajocco; 2ndly, the *grano*, or bajocco; 3rdly, the piece of  $2\frac{1}{2}$  *grana*; and, 4thly, the piece of 5 *grana*, or bajocchi.

The fifth title of this ordinance regulates the inscriptions to be struck on the different species of coin; and the 6th, the mode of assaying the metals at the Mint, and certifying by the proper officers the weight and fineness of the pieces.

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#### MAY.

The Prince of Wales revenue cruiser sailed from Brassa Sound, Shetland, on the 1st of May, and left

left there the four ships destined for the Arctic Expedition, all well, and were to sail in the course of two or three days.

On the evening of May 2, the Duke and Duchess of York gave a grand entertainment at York-house, St. James's Palace. Besides the Queen and Princess Augusta, there were present the Prince Regent, the Duke and Duchess of Gloucester, the Prince and Princess of Hesse-Hombourg, the Duke of Clarence, the Duke of Kent, the Princess Sophia of Gloucester, and several of the nobility. Her Majesty was suddenly taken ill about ten o'clock, while taking tea: she felt herself so very unwell that she wished to go home instantly, but neither her chair nor her carriage were in readiness, her Majesty not having ordered them till eleven o'clock; and it so happened that there was no Royal carriage in readiness. Lord and Lady Castle-reagh, however, who had just arrived, offered the use of their carriage, which was accepted, and the Queen got into it, accompanied by her daughters, the Duchess of Gloucester, the Princess Augusta, and the Princess of Hesse-Hombourg. Expresses were sent by special messengers, to call Sir Francis Milman and Sir Henry Halford, who repaired to the Palace in a short time. They remained with the Queen till past 12 o'clock, when they pronounced her Majesty better, and Sir H. Halford was deputed to convey the intelligence to the Prince Regent at Carlton-house. The indisposition with which the Queen was so suddenly seized was a spasmo-

dic attack. Early in the morning the following bulletin was issued:—

“The Queen was a good deal indisposed yesterday evening; but her Majesty has passed a good night, and is better this morning.

“FR. MILMAN.

“HENRY HALFORD.”

A melancholy catastrophe occurred on Saturday, May 2, near St. Agnes island, Scilly. Four men had put out for the purpose of fishing, to supply their families, when the boat sunk, from some unaccountable accident, and three of them were drowned. The other was shortly afterwards seen on a rock by some men passing in a fishing-boat. They exerted themselves, but in vain to extricate him from his perilous situation. Whilst waiting for the ebb tide, they conversed with the unhappy man for upwards of two hours. He informed them of the fate of his companions, and entreated them for God's sake to save his life; but a tremendous wave suddenly swept him off the rock, and he was seen no more. They have all left wives and children to lament their loss.

The following address, by the Jews of Leipsic, to their brethren of the same persuasion frequenting the fairs at Leipsic, has been published in the German and Hebrew languages, and extensively circulated throughout the continent:—

“It is notorious that Leipsic owes its internal prosperity and riches to its commercial gains alone; without its fairs, this city would be at the most an insignificant country town. The most numerous

numerous visiters of these celebrated fairs, and those who make the greatest traffic in them, are Jews who resort from Russia, Turkey, and all Europe; without them these fairs might be compared to a body without a soul. With an intolerance which is wholly contradictory to the liberal spirit of the age, a part of the inhabitants of Leipsic have again exerted themselves to seek out and to enforce a law originating in the darkest intolerance of ancient times, that the Jews shall not be permitted to expose their goods to sale, except in a very confined part of this city (in itself but small) which is assigned to them. The noble-minded King of Saxony is not to be blamed for an intolerance which is to be exercised towards the professors of the Jewish faith. It is the inhabitants of Leipsic themselves who, by the lapse of time, have forgotten by what means thousands of families in this little city must maintain themselves. Indignant that at a free fair, which, if not visited by our brethren, cannot and will not subsist, the inhabitants notwithstanding attempt to insult and oppress them; we hereby invite all our brethren to form a union for the purpose of respectfully petitioning the generous and tolerant Monarch of Prussia to allow two fairs to be annually held, at Easter and Michaelmas, at Naumburg, which is in the neighbourhood, and more conveniently situated for fairs; in return for which we engage entirely to abandon the fairs of Leipsic, and to assemble only at the fairs of Naumburg, under

the protection and mild government of Prussia. The Jewish inhabitants of Poland and Russia, out of true and sincere attachment to the adherents of their faith, and out of patriotism, will doubtless readily accede to the wish of their German brethren, that our desire may be fulfilled. A Berlin and Hamburgh house will willingly take the trouble, at the next Easter fair, of collecting signatures for such union; and this good cause, which speaks for the interests of humanity, requires no further recommendation, except that we join in imploring God for his protection and blessing."

2. *Leipsic*.—The Leipsic fair has been by no means so favourable as was expected, but at the same time, not so bad a one as the complaints made every where might lead us to conclude.

The buyers from the north, who are properly the soul of a Leipsic fair, were not so numerous, and as the fair was overstocked with goods of all kinds, many of the sellers did not find their advantage in it. It is indeed certain that the quantity of goods manufactured is much larger than the quantity consumed. The English were numerous, and threw away their goods at very low prices; and as the number of Jewish sellers increases every year, it is not to be wondered at that the German manufacturer did not meet with much demand. It cannot be affirmed that any article was eagerly sought after. In general there was not much done on a large scale, but the amount of goods sold in small quantities

was very considerable. The weather was very fine all the time of the fair, and attracted many purchasers from far and near. The number of country people who visited the fair was very great. Printed calicoes, of elegant patterns, met with a ready sale, and flannels were not to be had towards the end of the fair. Linens maintained the price; furs were in request. In general, all fashionable articles which united beauty and fineness were much sought after. Colonial goods were not in demand; coffee, however, was high, the pound being from 9 groschen to 9 groschen and 6 pfenning.

The book fair was so far good that the booksellers who were present paid ready money; but the sale of books on scientific subjects was extremely small; those who had the best sale were such as related to the politics of the day, almanacks, and such as concerned the secular festival of the reformation. Many old booksellers missed coming, but sent the balance of their accounts.

7. The Queen may be considered to be completely recovered from her late attack: Her Majesty had a select party yesterday evening.

*Spanish America.*—His Catholic Majesty having heard the opinion of his Supreme Council of War on the 27th of February last relative to foreigners who make common cause with the insurgents of Spanish America, has decreed that every foreigner who shall be taken with arms in his hand in his Majesty's dominions of America shall be treated as a rebel, and be subject to the

same punishment as natives, having a due regard to the different ranks in which they serve.

Madrid, May 8, 1818.

14. *Paris.*—In the night between Tuesday and Wednesday, his Serene Highness the Prince of Condé had reposed for two hours, but at three o'clock in the morning of yesterday the fever returned, and he died at a quarter before eight o'clock. At 11 o'clock, the body was exposed in state, in one of the halls of his palace. The cure of Sainte-Valere, and two vicars, read during the day the office for the dead, in presence of M. Hubert, the Prince's almoner. The body of his Serene Highness will be embalmed, put into a leaden coffin, &c. and exposed in the saloon of the palace till the funeral honours due to his rank as a Prince of the Blood Royal shall be paid him.

19. *Lausanne.*—A lake that has been lately formed in the valley de Bagne, in Valais, threatens with incalculable loss all the neighbouring country.

This valley, about five leagues above St. Branchier, presents a very narrow passage, commanded on the south by the side of Mauvoisin, which offers an extremely rapid declivity, and on the north by Mont-Pleureur, which has a much greater elevation. The lower part of the latter presents a line of rocks of about 500 feet in height, surmounted by the vast glacier of Chedroz, which mounts by stages to the very summit of the mountain.

From this glacier enormous blocks of ice frequently detach themselves, and fall into the valley,

valley, where they are accumulated against the line of rocks over which they precipitate themselves in cascades. The bed of the Drance is completely concealed, and this river, formed by the waters from the more distant glaciers, appears below this mass of ice and snow.

These masses of ice have singularly increased since 1815. The kind of vault or of natural gallery, under which the Drance once found its passage, was closed up during the last winter, and the waters, finding no passage, have accumulated behind the barrier of ice, and now actually form a considerable lake.

This barrier traverses the breadth of the valley, and rests upon the opposite sides of the two mountains. Its length, measured in the higher part, is about 500 feet; its breadth, taken at the base, is at least 900 feet; and its height, at the lowest part near the side of Mauvoisin, is about 220 feet, but it is much more considerable on the side of Mont Pleureur.

The lake, on the 14th instant, was 7,200 feet in length, about 360 feet in breadth, and its greatest depth 180 feet, and the waters are daily augmenting. On the 10th and 11th of May they have increased 8 inches in 24 hours.

The Government of the canton of Valais have wisely ordered measures of precaution to be taken in the places most exposed to danger. These measures, which are alone practicable in the existing state of things, consist in cutting a passage about 50 feet below the snow of the

lake, that time might be had to effect this work before the waters rise to this height.

24. *Bank of England.*—It appears, from the accounts just presented to the House of Commons, that the amount of the sums paid by the public to the Bank, as a remuneration for receiving the contributions on loans, independently of the annual expense of management, from the year 1793 to 1816 inclusive, is 397,086*l.* 7*s.* 3*d.*: that the number of notes discovered by the Bank to have been forged, from the 1st of June, 1812, to the 10th of April, 1818, distinguishing those from 1*l.* to 20*l.* and upwards, is one hundred and thirty-one thousand three hundred and sixty-one: that the total expense of prosecutions for forgeries, or uttering forged notes, from the 1st of March, 1797, to the 1st of April, 1818, amounts to the sum of 148,370*l.* 9*s.* 3*d.*: that the nominal value of the notes, of which payment was refused, from the 1st of January, 1816, to the 10th of April, 1818, is 74,760*l.*; and that the nominal value of forged notes paid by the Bank for the same period, which was afterwards recovered on the forgeries being detected, amounted only to 75*l.* To show the great and alarming increase of forgeries of Bank of England notes, the whole expense of their prosecutions in the year 1797 was only about 1,500*l.*; while, in the first three months of the present year, it amounted to the enormous sum of nineteen thousand eight hundred and ninety pounds.

The Royal yacht arrived at six o'clock on Monday evening 25th at Dover, from Calais, with their

their Royal Highnesses the Duke of Cambridge and his bride, the Princess of Hesse, on board. Their Royal Highnesses reached London yesterday. The royal couple had a rough passage from Calais, and the Duchess was much indisposed. They arrived at Cambridge-house a little before six, and were received with acclamations by a large assemblage of spectators. The Landgrave of Hesse-Cassel (the father of the Duchess) arrived at the same time, and was accommodated with a neighbouring house in South Audley-street. The Duke, immediately after dinner, went to pay his dutiful respects to his Royal mother.

BOARD OF EXCISE, MAY 27.

*Selling Ground Beans and Peas for Coffee.*

Rex v. Samuel Hallet.—The defendant Hallet, a grocer and dealer in tea and coffee, residing in New Compton-street, St. Giles's in-the-Fields, was charged with having seven pounds of the imitation of coffee in his possession, &c.

Charles Henry Lord, an officer of the Excise, being sworn, stated, that he and Spencer, an officer, went on the 28th of Feb. last to the shop of the defendant, and asked for an ounce of coffee, at three halfpence per ounce. He received the same, and having paid for it left the shop. He examined the same at a house near where the defendant lived, and found it was part coffee and part the imitation coffee, or what the defendant called vegetable powder, which is nothing more nor less than burnt beans

and peas ground in a mill. He went back to the defendant's shop, and asked him to show him some 2s. coffee, not ground, which, upon examination, he found genuine. He then told the defendant that he suspected that he commonly dealt in adulterated coffee, and asked him if he had any of the vegetable powder in his house: he replied, that he had a small quantity, and took a canister from a shelf, which contained 6 and a half pounds of the vegetable powder. He (witness) then searched the place, and found some other coffee mixed with the vegetable powder, which was in a state apparently prepared for sale.

Spencer, an officer of the excise, corroborated the above evidence.

The 6 lb. and a half were a mixture of beans and coffee, and the quarter of a lb. was the same kind of stuff ground and ready for sale.

The defendant said, that he did not know he was acting contrary to the excise laws by keeping "vegetable powder" in his possession, that he was obliged to sell the same at a low price, or he should lose his custom.

A commissioner stated, that he could not be ignorant that he was acting illegally; that by selling such abominable stuff, he was injuring the health of the public; and the Board of Excise was determined to punish those found dealing in the illicit manner described, with the utmost severity.

The defendant was convicted in the penalty of 50*l.*

A new Constitution for Bavaria, establishing



establishing representative assemblies, was published on the 28th of May. The preamble is remarkable for its extreme liberality, granting to the people liberty of conscience, with a scrupulous distinction between what belongs to the state, and what to the church; liberty of opinion, with restrictions by law against abuse; an equal right to all native subjects to every rank in the public service, and to all the distinctions due to merit; equality of laws, and of citizens before the law; impartiality and promptitude in the administration of justice; equality in the distribution and payment of imposts; and, as a security to the whole, "States-General formed from all classes of domiciled citizens."

The American Papers contained the following account of the capture of Pensacola.

"Head-Quarters, Division of the South, Pensacola, May 28.

"Major-general Andrew Jackson has found it necessary to take possession of Pensacola. He has not been prompted to this measure from a wish to extend the territorial limits of the United States, or from any unfriendly feeling on the part of the American Republic to the Spanish Government. The Seminole Indians inhabiting the territories of Spain have, for more than two years past, visited our frontier settlers with all the horrors of savage massacre: helpless women have been butchered, and the cradles stained with the blood of innocence. These atrocities, it was expected, would have early attracted the attention of the Spanish Government, and, faith-

ful to existing treaties, speedy remedies adopted for their suppression.

"The obligation to restrain them was acknowledged; but weakness was alleged, with a concession, that so far from being able to control, the Spanish authorities were often compelled, from policy or necessity, to issue munitions of war to these savages, thus enabling, if not exciting them, to raise the tomahawk against us. The immutable laws of self-defence, therefore, compelled the American Government to take possession of such parts of the Floridas in which the Spanish authority could not be maintained. Pensacola was found in that situation, and will be held until Spain can furnish military strength sufficient to enforce existing treaties. Spanish subjects will be respected; Spanish laws will govern in all cases affecting property and person; a free toleration to all religions guaranteed, and trade alike free to all nations.

"Col. King will assume the command of Pensacola as a Military and Civil Governor.

"The Spanish laws, so far as they affect personal rights and property, will be enforced. Colonel King will take possession of the archives of the province, and appoint some confidential individual to preserve them. It is all important that the records of titles and property should be carefully secured. He will cause an inquiry to be made into all the landed property belonging to the King of Spain, and have possession taken of it. The claims of property within the range of gunshot

shot of Fort Carlos de Barancas will be scrupulously examined into, and should they prove valid, a rent allowed, but possession in no wise given. This property is necessary to the United States, and under its laws may be held, an equivalent being paid.

“The revenue laws of the United States will be established, and Capt. Gadsden is appointed to act as collector, with full powers to nominate such sub-officers as in his opinion will be necessary to the faithful discharge of the trust imposed on him. He will apply to the Governor of Pensacola for military aid in all cases where it may be necessary to correct attempts at illicit trade.

(Signed) “AND. JACKSON,  
Major-Gen. Com.

It is announced in a paragraph from Cobourg, that the marriage of his Royal Highness the Duke of Kent with the Princess Dowager of Leiningen was celebrated in the evening of the 29th of May.

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## JUNE.

*Marriage of the Duke and Duchess of Cambridge.*—The marriage of the Duke and Duchess of Cambridge, according to the rites of the English church, took place June 1, the indisposition of the Queen having prevented an earlier solemnization of this necessary ceremony. On Saturday morning the Queen's Chamberlain issued the proper notices for the attendance of the Archbishop of Canterbury, the Bishop of London, the Cabinet Ministers, and the official persons whose presence is required

by law and custom on such occasions. The great Officers of State, and others, who are frequently invited for the purpose of giving additional splendor to the proceedings, were not summoned, it being the particular wish of the Queen that the marriage should be as private as possible, in order to spare her Majesty all unnecessary fatigue.

2. *Spires.*—The new Bavarian Constitution has been published in Rhenish Bavaria, and has excited general satisfaction. The proclamation of this constitution was made here with the greatest solemnity. At the same time arrived a Royal rescript, by which his Majesty maintains and guarantees the existing institutions of Rhenish Bavaria. Thus the inhabitants of this province are going to participate in the benefits of the general constitution, and to preserve at the same time their judicial organization, their jury, the publicity of their sittings, their councils, general, provincial, &c.

Buenos-Ayres Gazettes supply us with the following

### OFFICIAL DECREE.

*Department of State, June 3.*

In order to support the numerous charges upon the state, the funds of which have been applied to effect our political emancipation, while the arms of the enemy have intruded into our most productive provinces; and with the wish to pay off as soon as possible the national debt, increased by the generosity of the inhabitants; also to avoid as far as may be the evil of direct contributions; for these purposes,  
on

on the 13th of January, in the last year, I carried into operation the duties on imports which are now imposed, adopting the general system, as to their collection, which has been resorted to by the most polished nations of Europe, and incorporating with the arrangements the judicious provisions of the decree of the 29th of March, of the same year, as to public bills; and the 8 per cent reduction in the 8th article of that decree; (this diminution is in favour of American merchants, by whose assistance the public bills were put in circulation). Notwithstanding these prudent and moderate regulations, conformable with equity and justice, considerable clamour has been raised against the exorbitancy of the duties, the complainants not attending to the urgent necessity which required them, in the form of an indirect contribution, extending to all classes of consumers, and under this false pretext of exorbitancy, a contraband trade has been carried on, in defiance of all the precautions that have been introduced to prevent it.

Under these circumstances, to promote the increase and prosperity of commerce, and to remove every obstacle to its success, I have determined on a very large reduction in the duties of imports, and have informed the Custom-house of the capital of the same, which is to take effect from the present time, under the subsequent conditions:—

1. The payment of the duties is to be made, two-third parts in money, and one-third part in public bills; modifying this pay-

ment by the first article of the decree of the 29th of March, 1817.

2. The Custom-house is to receive for these two-third parts of the duty, all such of the public bills as have been issued by the Supreme Government, on which is expressed on the face of them that they are to be current instead of cash.

3. Credit for the duties is to be given to the importers, on taking possession of the goods, 20 days for the half amount, and 40 days for the remainder.

4. For the security of the state, the Custom-house officers are to have a guarantee, satisfactory to them, which is to be required without distinction of persons.

5. This article provides for the mode of payment, when the importer neglects the discharge of the duties.

6. The 8 per cent granted under the 8th article of the decree of the 29th of March, in favour of the natives of South America, is reduced to 4 per cent; and also with respect to others to whom the same favour was extended.

(A true copy)

JUAN MARTIN DE PUYPREDON,  
ESTEVAN AUGUSTIN GASCON.

*Buenos Ayres, June 1.*

The reduction adverted to in the second paragraph of the preceding decree is to the amount of 25 per cent upon all the existing duties.

The following letter, dated Gibraltar, June 4, relating to the plague at Oran, has been transmitted from the Council Office to the Commissioners of Customs,

toms, and by them to their Collectors:—

My Lord;—I have the honour to acquaint your lordship, that by a letter I have just received from Mr. Squitcovich, our Vice-Consul at Oran, dated the 27th ult. I am informed that the ravages of the plague in that city have been so extensive as already to have swept off one-half of the population. On the day on which he writes, 150 persons had died.

Mr. Squitcovich further adds, that the whole province of Oran was infected; and that the mortality was considerable in Tremesen, a town on the Morocco frontier, having a population of between 20,000 and 30,000 souls; and that the disease had already begun to show itself at Fez, the usual seat of Government of the Morocco dominions, and a city, from its numerous population, and the commercial spirit of its inhabitants, having the most extensive relations of any in the empire.

My last advices from Mr. M'Donnell, at Algiers, are dated the 23rd of May. The deaths, during the preceding week, had not exceeded 50 per diem, while previously to that they had in some instances amounted to 120. I fear, however, this decreased mortality is rather to be attributed to the reduced population than to any other cause.

Mr. M'Donnell states, that the crew of the frigate presented by the Emperor of Morocco to the Dey of Algiers, had, after remaining a month on shore, embarked about three months pre-

viously on board a hired vessel, to be landed at some port on the Morocco coast. We have not yet received any intelligence of its arrival. It is needless to observe that this crew must have the disease amongst them to a great extent.

In consequence of the above intelligence, I am employed in taking further measures for the security of the public health of the garrison.

(Signed) G. DON, General.  
To Earl Bathurst, K. B., &c.

6. *Winchester, (Virginia).*—This town and its vicinity have been visited by one of the most destructive floods known for many years. It commenced raining on Saturday night last, and continued at intervals during the whole of Saturday and Sunday night. All the water courses were raised to a height scarcely ever before known. The damage sustained is immense; but it is impossible for us to form any thing like a correct estimation. Mill-dams have been broken, fences swept away, meadows overflowed, and much grain in the low grounds destroyed. The injury done to property in this town alone is supposed to amount to 30 or 40,000 dollars—principally caused by the filling of cellars, where groceries were stored.

17. *Bourdeaux.*—We are now very much occupied with an incident which interests the whole of the reformed church of France. One of the deacons of our church has just been condemned to pay a fine by the Tribunal of Police for not having decorated

decorated the front of his house with the usual hangings, during the procession of the host on Corpus Christi day. This prosecution appears to us a manifest violation of the 5th article of the Charter; but what appears more surprising still are, the arguments employed by the public ministry (the law officers of the Crown) who demanded the condemnation. They rested these arguments on a regulation of 1757, which they cited at the audience as their authority, and which you will observe renewed the rigour of the persecutions against the Protestants, the exile of their pastors, interdiction of their assemblies, the annulling of their marriages, the declaration of bastardy on their infants, &c. What must we think, in the age in which we live, of seeing such atrocities dug up from their grave? No attempt is made, it is true, to bring them again into exercise at the present moment, and the attempt could not succeed though made; but it might be expected that shame would restrain them from recalling those barbarous decrees, especially as by so doing they violate existing laws, and aim a direct blow at rights consecrated by the charter.

Article 5 of the charter is thus expressed:—"Every man professes his religion with equal freedom, and obtains for his worship the same protection." It is evident that, if the Protestants can be compelled to put out hangings, then to bend the knee, &c., acts prohibited by their conscience, there is no longer any toleration in religion, and by

degrees we may expect the revival of former abuses. Attempts of the same kind appear to have been made in the whole of the South. We know of energetic representations made, addressed to the government by divers consistories, and we think it necessary to display zeal and firmness in the delicate circumstances in which we are with regard to the Concordat. The Concordat presented to the Chambers, but not discussed, threatens us with a revival of all the laws of the Church, and you are not ignorant what the ultra-montane party mean by these expressions. I know that some of the provisions of this charter may be amended, but is it not deplorable that the idea of proposing them should have been entertained? If we show weakness or indifference, can we tell how far our supineness or want of energy may be abused in the discussions of the approaching session of the Chambers, to extort from them concessions which may endanger our liberty of conscience?

A peculiar system of management appears to be adopted by those who move in these affairs. They appear to act in concert, as the same attempts have been made in different places. The condemned have demanded signed copies of their sentences; they have not received them, and probably never will. This mode of proceeding appears a tacit confession on the part of the Authorities that their decisions are not founded on law. It is to be remarked likewise, that though several Protestants resisted a compliance

compliance with the ceremony above-mentioned, only one (a Swiss pastrycook) was prosecuted, on a belief probably that he was without support: on the other hand, the Jews have been persecuted in great numbers.

21. *Paris.*—The Paris papers contain copies of the convention concluded between the King of France, and the Courts of Great Britain, Austria, Prussia, and Russia, respecting the appropriation of 14,040,000 francs annuities for liquidating the debts due by France to individuals on the Continent, and also of the separate convention concluded between Great Britain and France respecting the appropriation of 3,000,000 francs annuities by France, for satisfying the claims of British subjects. They are dated the 25th of April, and the first instalments were to have been made to the Commissioners of the respective Powers one month after the exchange of the ratifications.

The distribution of the sums is as follows:—

	Francs.
Anhalt Bernbourg .....	17,500
Anhalt Dessau.....	17,500
Austria .....	1,250,000
Baden .....	32,500
Bavaria . .....	500,000
Bremen .....	50,000
Denmark .....	350,000
Spain .....	850,000
Roman States .....	250,000
Frankfort .....	35,000
Hamburgh .....	1,000,000
Hanover .....	500,000
Electoral Hesse .....	25,000
Grand Duchy of Hesse, including Oldenburg	348,150
Ionian Isles, Isle of	

	Francs.
France, and other territories, under the dominion of his Britannic Majesty .....	150,000
Lubec .....	100,000
Mecklenburg Schwe- rin .....	25,000
Mecklenburg Strelitz	1,750
Nassau ... ..	6,000
Parma!.....	50,000
Netherlands .. ..	1,650,000
Portugal .....	40,900
Prussia .....	2,600,000
Sardinia .....	1,250,000
Saxony .....	225,000
Saxe Gotha .....	30,000
Saxe Meinungen .....	1,000
Saxe Weimar .....	9,250
Schwarzburg .....	7,500
Switzerland .....	250,000
Tuscany .....	225,000
Wurtemberg .....	20,000
Hanover, Brunswick, Electoral and Prus- sian Hesse .....	8,000
Electoral Hesse and Saxe Weimar .....	700
Grand Duchy of Hesse and Bavaria .....	8,000
Grand Duchy of Hesse, Bavaria, and Prussia	40,000
Saxony and Prussia...	110,000

The Queen was much indisposed early on Monday morning, the 22nd, and the Prince Regent, and the other branches of the Royal Family, went to Kew in consequence: her Majesty, however, recovered in the course of the morning, and soon after 1 o'clock was able to take the air in her chaise in Kew-gardens. Sir Francis Milman, after his visit to her Majesty yesterday morning, gave an account of her having had a good night, and being much better.

## JULY.

*Arrival of the Duke and Duchess of Kent.*—Yesterday morning, July 1, between 12 and 1 o'clock, their Royal Highnesses the Duke and Duchess of Kent arrived with their suite in four carriages at Claremont, the seat of the Duchess's brother, Prince Leopold, who was in readiness, with his attendants, to receive his Royal Sister and the Royal Duke.

2. *Paris.*—An accident of a very melancholy and fatal nature occurred yesterday evening at the Montagnes Beaujou. The Baron Dufresne, military Intendant, on leave at Paris, visited this garden with his family. It was his birth-day. Yielding to the wishes of his daughter, and young Ducros, his nephew, aged only eight years, he placed himself along with them in one of the cars, holding the latter on his knee. When they had descended about half way down the mountains, a wheel of the car broke; the young lady was thrown to some distance by the shock, fortunately without experiencing any injury, but M. Dufresne and his nephew were precipitated against the balustrade, which broke, and one of the supports of which passed through the body of the boy, and mortally wounded M. Dufresne himself. The spectacle was most shocking. The viscera of the unfortunate sufferers were laid open and torn in a dreadful manner. They died in great pain a few hours after the accident. M. Dufresne was aged 43, and has left a widow, and daughter aged 13, to lament his loss.

*Commerca. — Official Documents.*—The following letter, dated Custom-house, London, July 3, 1818, having for its object "to prevent prosecutions being commenced upon unfounded information against Persons and Vessels," has been transmitted to their Collectors:—

Gentlemen;—Deeming it highly material, in order to prevent prosecutions being commenced upon unfounded information against persons for having been concerned in offences against the laws of the revenue, and against vessels for having been employed in the contraband trade, that the officer receiving the information should, in the first instance, make the most minute and particular inquiries upon the spot, as far as the same is practicable, not only into all the facts and circumstances connected with the charges, but also into the character and probable motives of the informer, and his witnesses, as well as into the character, habits, and connexions of the parties accused; and that all these circumstances should be fully and confidentially reported to us, in order that we may be enabled to weigh and consider the nature of the evidence in each case, previous to our directing informations to be filed against persons, or proceedings to be had against vessels, for past offences; and that where the charge does not appear to be satisfactorily made out, we may direct further inquiry to be made, in order to enable us to determine on the propriety of commencing proceedings.

We direct you to govern yourselves accordingly, and to be very particular



particular when you transmit to us any information that may have been received by yourselves, or by any officer under your survey, to state to us the result of the previous inquiries you have made, in order to ascertain the truth of such information, and how far and by whom the facts can be satisfactorily proved and corroborated, in the event of proceedings being had thereon.

The *Queen*. — Her Majesty

took an airing on July 5 in her carriage. On her return to Kew Palace, she found herself indisposed from the fatigue of the journey. Sir Henry Halford shortly after attended her Majesty, and remained at Kew all night. Yesterday morning Sir Henry's report of her state was, that "the Queen was indisposed last evening," but concluded with, "she was better yesterday morning."

*Quantity of Porter Brewed.*

	Year ending 5th July, 1817.	Year ending 5th July, 1818.
	Barrels.	Barrels.
Barclay, Perkins, and Co. ....	281,484	340,560
Truman, Hanbury, and Co.....	168,756	185,412
Reid, and Co. ....	157,061	168,962
Whitbread, and Co. ....	151,887	151,107
Combe, Delafield, and Co. ....	110,776	130,217
Henry Meux, and Co. ....	124,468	118,481
Calvert, and Co. ....	98,301	97,920
Goodwyn, and Co. ....	60,307	60,247
Elliot, and Co. ....	54,176	52,161
Taylor, and Co. ....	42,980	47,775
Cocks and Campbell .....	25,756	35,702

The following is a statement of the quantity of Ale brewed by the six principal houses in London between the 5th July, 1817, and the 5th July, 1818 :

	Barrels.
Stretton and Co. ....	20,153
Wyatt and Co. ....	13,789
Charrington and Co.....	13,151
Thomas Goding .....	10,750
Ball and Co. ...	8,062
Hale and Co... ..	5,887

The melancholy loss of the *Cabalva* East Indiaman is fully confirmed, by accounts received at the East India-house yesterday, by the private ship *Windsor Castle*, which left Bombay on

the 3rd June, and the *Mauritius* June 17th. The *Cabalva*, it appears, sprung a leak off the Cape, in a severe gale on the 22nd June, when it was determined to bear up for Bombay, to dock the ship; in her passage thither she struck on the small island of *Cargados*, on the 7th of July, and was totally wrecked. The crew were landed in succession, by the long-boat, Capt. Dalrymple remaining on board till the last: he then embarked with Mr. Grant, the surgeon's-mate, and 15 men, but unfortunately, in the attempt to reach the shore, the long-boat was upset, and all were lost in

sight of their surviving companions. Captain Dalrymple, we understand, married only a few weeks before setting out on this disastrous voyage. Mr. Ayres, the purser, quitted the scene of the wreck in an open boat with the 6th Officer and eight men; and without the aid of a compass, or any other nautical instrument, arrived safe at the Isle of France, in three days. On the 14th July, his Majesty's ship *Magicienne*, with the *Challenger* sloop and a schooner, immediately put to sea, to bring away the crew; taking with them some practised divers, in the hope of recovering some part of the specie lost in the *Cabalva*. The ship and cargo were extremely valuable, and, by the best accounts, are estimated at 350,000*l*. A great proportion of this value belongs to the East-India Company, who never insure; but the remainder is far from being covered, the whole of the policies effected at Lloyd's not exceeding 60,000*l*.

*Madrid, July 9.*

*Note transmitted on the 12th of June last, to the High Allied Powers, by the Cabinet of Madrid, relative to the situation of South America.*

“ Since the period that unhappy events, by a natural consequence, disseminated the seeds of revolution in Spanish South America, and caused the most deplorable efforts to be exerted to separate our subjects from their legitimate Sovereign, his Catholic Majesty made the following principles the invariable rule of his conduct:—First, to employ all the means which

human wisdom could suggest, to recall the misled to the path of order and obedience; and secondly, to have recourse to diplomatic negotiation for political means of accomplishing this desire. The revolutionary enfranchisement of South America, or its return to legitimate authority, presents, indeed, considerations of so much importance in a political point of view, as to render it necessary that the eyes of Europe should be turned to events which may introduce a new order of things into its political and commercial relations.

“ The united efforts of the principal European Powers have already defeated this disastrous system which nurtured the American revolution; but it still remains for them to annihilate this system in America itself, where its effects are of the most alarming nature.

“ His Catholic Majesty having never lost sight of the two principles just stated, and being always animated with a desire of putting a period to the effusion of blood and devastations which are the deplorable consequences of a war of this nature, only waited an occasion to call the attention of the High Allied Powers to an object which has already been at different times the subject of several notes addressed to them, and recently of the negotiations opened in so amicable a manner with his Royal Highness the Prince Regent of Great Britain.

“ The insurrection of Pernambuco made a sensible impression upon the mind of his Catholic Majesty; and at the moment when

when he wished to recommend this event to the attention of the Sovereigns, his Allies, it was necessary to demonstrate its connexion with the general interests.

“ His Majesty received the answers of his High Allies with the greatest satisfaction. They cleared the way to very important negotiations, and led the Powers to interpose in the unfortunate circumstances in which America was placed, in order that measures of prudence and vigour might be adopted, to reduce the revolted provinces, and to put a period to the immorality and political contagion arising from such an order of things.

“ To follow up proceedings so happily commenced, his Majesty considers, that the moment is arrived when he ought solemnly and categorically to represent to his High Allies, the principles which he has prescribed to himself to produce the good he has in view, and such as from his sentiments of humanity, they ought to expect.

“ Accordingly, and in reference to the propositions he has already made, his Majesty now declares, that the following are the points on which he is invariably fixed :—

“ 1. General amnesty to the insurgents on their submission.

“ 2. Admission of native Americans, endowed with the requisite qualifications, to all offices in common with European Spaniards.

“ 3. Regulation of the commerce of the provinces with foreign States, according to free principles, and conformably to the present political situation of these countries and Europe.

“ 4. A sincere disposition on the part of his Catholic Majesty to accede to all measures which, in the course of the negotiations, may be proposed to him by his High Allies, and which shall be consistent with the support of his rights and dignity.

“ His Majesty is therefore persuaded, that there is no longer any opposition to the opening of negotiations upon the above bases, the principles of which he knows are conformable to the views already manifested by his august Allies.”

The following is a copy of a letter, addressed to the Commissioners of Customs, dated Treasury Chambers, to warn English subjects against embarking in the contest between Spain and the South Americans :—

*Treasury Chambers, 9th July.*

“ Gentlemen ; — The Lords Commissioners of his Majesty's Treasury, having received a communication from the Secretary of State for the Foreign Department, upon the subject of the preparations making at the different out-ports, and at the port of London, for sending out officers and men for the service of the Insurgent troops in the Spanish and American provinces ; their Lordships desire you will direct your officers employed at the different ports to take measures to make known to such persons as have been engaged in this service, by any Spanish American Agents, or others, that they are thereby rendering themselves obnoxious to the laws, as warned by his Royal Highness's Proclamation of the 27th November, 1817 ; also that you will adopt such other measures as may be

be best calculated to prevent any interruption of the strict neutrality declared by the Prince Regent to be the rule of his conduct in the contest between Spain and her insurgent provinces.

(Signed) "GEO. HARRISON.  
"Commissioners of Customs."

*Kew-palace, Saturday, July 11.*

This afternoon, at four o'clock, the solemnity of the marriage of his Royal Highness William Henry Duke of Clarence and St. Andrews, Admiral of the Fleet, third son of his Majesty, with her Serene Highness Adelaide-Amelia-Louisa-Theresa-Caroline Princess of Saxe Meiningen, eldest daughter of his Serene Highness the late reigning Duke of Saxe Meiningen, &c. was performed in the grand saloon at the palace at Kew, by his Grace the Archbishop of Canterbury, assisted by the Lord Bishop of London, in the presence of her Majesty the Queen, his Royal Highness the Prince Regent, their Royal Highnesses the Dukes of York, Kent, and Cambridge, his Serene Highness Frederick Landgrave of Hesse, her Royal Highness the Princess Augusta Sophia, her Royal Highness the Duchess of Gloucester, her Royal Highness the Duchess of York, her Royal Highness the Duchess of Kent, her Royal Highness the Duchess of Cambridge, her Royal Highness the Princess Sophia of Gloucester, and her Serene Highness the Duchess of Saxe Meiningen (the mother of the bride, and Regent of the Dukedom of Saxe Meiningen); the following Ministers of State, the Lord Chancellor, the Earl of Liverpool, Viscount Sidmouth, Count Mun-

ster, Minister of State for Hanover, and the Baron of Koenitz, Minister for the Dukedom of Saxe Meiningen, assisting at the ceremony.

The solemnity of the marriage of Field Marshal his Royal Highness Edward Duke of Kent and Strathern, 4th son of his Majesty, with her Serene Highness Victoria-Maria-Louisa, youngest daughter of his late Serene Highness Francis-Frederic-Anthony, reigning Duke of Saxe-Cobourg of Saalfeld, consort of his late Serene Highness Charles-Louis Prince of Leiningen, sister of his Serene Highness Ernest-Charles-Louis-Anthony, reigning Duke of Saxe-Cobourg, and of his Royal Highness Prince Leopold of Saxe-Cobourg (which marriage had been previously solemnized in due form at Cobourg, on the 29th day of May last), was also performed this evening in the grand saloon at the palace at Kew, by his Grace the Archbishop of Canterbury, in the presence of her Majesty the Queen, his Royal Highness the Prince Regent, and the other royal and illustrious personages above-mentioned; the same ministers of State also assisting at the ceremony.

An inquisition was taken on July 14, at St. Thomas's Hospital, before Thomas Shelton, Esq., Coroner, on the Body of George Saunders, a gardener, in the employ of B. Burder, Esq. of Tottenham.

Mr. Burder, of Wood-green farm, Tottenham, stated, that a short time ago his gardens were robbed nightly by thieves, and, to protect his property, he sent his

servant (the deceased) to borrow two spring-guns of a neighbour, for the purpose of placing on his premises. When he borrowed the guns, he inquired whether they were unloaded: he was assured they were, for he did not wish to have loaded guns on his premises: his object was to frighten the depredators, and to accomplish that, he was going to have a notice put up at the entrance of the gardens.

Juryman.—There was no notice put up at the time the accident happened?

Witness.—There was a board ordered to be put up the same day. The guns were frequently snapt in the lock, supposing that they were unloaded, and during the time persons have frequently stood before the muzzle of the guns. On Friday, the deceased was employed in fixing the guns; about 6 o'clock he left the deceased, and went to take his tea; and had not left him more than 10 minutes when he heard the report of fire arms: he ran into the garden, and saw the deceased bleeding in a most dreadful manner from the right arm: he asked him what was the matter? He said, "Oh, I am shot; the gun was loaded, and I did not know it." The blood ran in a stream from the arteries: he bound the wounds up with handkerchiefs as tight as possible, but he could not stop the bleeding. A surgeon at Tottenham ordered him to be sent immediately to St. Thomas's Hospital.

Thomas Peck, surgeon of St. Thomas's Hospital, said, that on Friday, about half-past 11 o'clock, the deceased was brought to the

hospital; he was apparently dying from the loss of blood; it was the opinion of himself and another surgeon that the deceased could not live five minutes. Upon examining the wounds he found the laceration so extensive that amputation was necessary. The deceased died at 4 o'clock next morning, from the loss of blood.

Mr. Shelton, in summing up the evidence, observed, that no person had a legal right to have spring-guns on their premises, it being an instrument which caused almost certain death to those who came in contact with it. The offence of robbing a garden was not punishable with death; and therefore, if a thief was to be shot by a spring-gun, and it was to produce death, the owner of it would be liable to punishment, and the jury who sat upon the body of the deceased would act properly in returning a verdict of manslaughter against the owner of the gun; indeed, he believed they would be justified in returning a verdict of wilful murder. In this case it appeared that the deceased was the servant of the owner of the gun, and that his death was purely accidental. Still the jury ought to mark their reprobation of having such illegal instruments placed in open premises, because it had produced the death of one of his Majesty's subjects.

Verdict — *Accidental death.* Deodand 20s., and the gun forfeited.

*Incendiaries.*—A short time since a number of fires broke out in the village of Exning, about two miles from Newmarket; there were no less than five fires in  
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in a month. One of them was at a barn attached to a house lately belonging to the Earl of Yarmouth, in which there was wool to the value of 400*l*. The parsonage house, and all the premises attached to it, were destroyed. Several cottages have been destroyed; and at all the fires very little property was saved. The frequent fires created a considerable degree of alarm in that part of the country, and there was very strong suspicion that the fires did not happen by accident. An investigation took place by some of the principal gentlemen of that part of the country, but without effect; they therefore applied to Bow-street for an officer, and Salmon was despatched. On his arrival at Exning, he received every possible assistance and information upon the subject of the recent alarming fires from Mr. Parr, the agent to the Phoenix Fire-office in that part of the country; in a short time he observed such suspicious circumstances against a man and his wife of the name of Webb, as to induce him to take them into custody; a meeting of magistrates was called in consequence, and Webb and his wife were examined before them. The examination lasted nine hours, at the close of which, the circumstances which came out against the prisoners were sufficient to induce the magistrates to commit them to Bury St. Edmunds prison. In a few days after, circumstances transpired which induced Salmon to apprehend John Webb, the son of the prisoners, who, upon being interrogated, confessed his guilt to Salmon, in the presence

of Mr. Fisin, a respectable farmer, and that his hand actually set fire to the premises with a candle, by desire of his mother. He was detained in custody, and was afterwards examined with his father and mother before the magistrates, when a son and brother of the prisoners, only 13 years of age, was produced as an evidence, and confirmed the confession of his brother John, and said he saw his brother John set fire to the premises, and that he did it by desire of his mother. At the close of the examination, no evidence appearing against Webb, sen., he was discharged, the whole of the infamous crime appearing to have been perpetrated by Mrs. Webb and her son John, who were both committed to Bury prison for trial, and the parties were bound over to prosecute. John Webb was committed into the custody of Mr. Horwich, the keeper of Bury prison, who was about conveying him there in a single-horse chaise, when just as he had proceeded about a mile on Newmarket-heath, John Webb was seized with a fit, and fell out of the chaise. Mr. Horwich thought it right to return with him, and a Doctor was sent for, who advised that he should not be removed on that night, and the prisoner was placed under the care of the parish constable at the poor-house; here he took an opportunity of eluding the attention of the constable, and escaped out of the poor-house. A number of persons were despatched in different directions in pursuit of him, and it was discovered that the cover of the well in the yard,

(60 feet deep) of the poor-house was open, and the rope of it moving: on looking down the well, he was observed nearly at the bottom, there being but little water in it. He was drawn up out of the well, and given into the custody of Salmon, whom the gentlemen there engaged to convey the culprit to Bury prison, not considering him safe in any other person's custody. The gentlemen were so much satisfied with Salmon's conduct and exertions, that they are about to reward him liberally.

The first fire broke out on Sunday afternoon, June 28, between the hours of one and two, in a barn belonging to Mr. G. Brooks, a farmer, and raged with great fury for a considerable time, laying waste several cottages, barns, stables, and other outbuildings, and burnt out no less than seven families, who had time to save but very little property. The second fire in the same village broke out on the Tuesday evening following the 30th of June, between the hours of seven and eight; it was discovered when it was breaking out in some stables belonging to Mr. Martin, which consumed several other buildings, and, besides a large quantity of wool, other property to a considerable amount. The flames also communicated to the Parsonage-house, and destroyed the whole of that building, together with the whole of the stables, coach-house, and other out-buildings, to a considerable amount. A third fire broke out at Exning, on Friday evening, the 17th of

July, which was discovered at the house of Mr. Charles Webb, a butcher, but happily, an early alarm being given, the fire was soon extinguished; but the incendiaries were so determined in their diabolical purpose, that they actually attempted to set fire again to the same premises on the following night, in two different parts at the same time.

19. *Mentz*.—Since Prussia has acquired several fine provinces on the two banks of the Rhine, the Government has been occupied with the execution of a general plan of defence for these territories. The old places have been repaired, great works have been continued, and on different points new strong places have been constructed. The Court of Berlin extends also its plans of defence to all the Western Provinces.

A fortress of the first class has been constructed at Minden, on the Weser, which will cover Lower Saxony, and command Westphalia. Several other fortifications are erecting in Westphalia, and towards the frontiers of Holland.

On the side of France, the works of Saarlouis have been repaired and strengthened. At Luxemburg works are continually carrying on, in order to make it one of the first fortresses in Europe.

Juliers, the works of which are very considerable, is to be a grand *place d'armes*.

On the banks of the Rhine three large fortresses are to be constructed between Holland and Bingen, forming a line with Mayence,



Mayence, Landau and the two new fortresses which are to be erected on the Upper Rhine.

The three grand Prussian fortresses on the Rhine will be Wesel, Cologne, and Coblentz. The last-mentioned place is to become a fortress of the first class; the works are to be extended to comprehend the *ci-devant chartreuse*, and all the neighbouring heights. The celebrated Fort of Ehrenbreitstein is to be completely repaired, and it will serve still further to protect the town of Coblentz.

Between Wesel and Coblentz, Cologne becomes a fortress of immense extent. The ancient solid walls of this city, on which numerous towers are erected, have been adapted to the present state of military science, and surrounded by a great number of bastions. New towers protect these bastions as advanced works.

Wesel is protected on the opposite side of the Rhine by Fort Blucher. Cologne will be further protected by the little town of Dentz, opposite which is to be made a regular fortress.

One of those melancholy events which have of late occurred but too frequently, happened on July 18, to the regular Hemel-Hempstead coach, belonging to Mr. Hearn, of the King's Arms, Snow-hill, which was overturned in passing the corner at Hunton-bridge, Herts, owing to the wanton behaviour of the coachman in endeavouring to make a fine angle, and literally ground to shivers by the horses subsequently drawing it after them. A woman on the outside was killed

on the spot; another outside passenger and the coachman are so mutilated that little hopes are entertained of their recovery; and eight or nine other passengers have been so severely cut and bruised, that a considerable time must elapse before they can again follow their usual occupations. The inside passengers, among whom was a gentleman of great property and consequence in the county of Herts, were more fortunate, but did not any of them escape without injury, though comparatively of a slight nature. There were no less than seventeen passengers on the outside at the time, which no doubt materially contributed to the fatal accident.

(From the Manchester papers July 18.)

*The Spinners.*—This great body of labourers still continue in idleness. Their conduct is peaceable, but marked by a steady adherence to the rules of combination. They meet daily, superintended by leaders and delegates, move in procession, and manage their pecuniary arrangements by special appointments. To obtain the necessary supplies for maintenance, they solicit subscriptions, and are also aided, we understand, by weekly levies upon other trades. Their plans are regularly organized. They watch those factories in which business is partially or wholly going on, by certain portions of turned out men placed as guards, by night and by day, who are relieved by others in due succession; and means are taken to seduce

seduce those away who are willingly at work. On two days in this week great numbers have marched in regular military files to the large factory of Messrs. Lee and Co. in Salford, to induce the females employed there to leave their duty. For this object they waited at the dinner hour, drawn up in line before the building; but we are happy to state, that very few of the women have yet followed the example of the men. The employers, we presume, feel it to be not merely a private, but a public duty to withstand this formidable illegal procedure; and we fear that many spinners and others, who do not think for themselves, but who are led by the evil counsel of others, will, in the end, draw down upon themselves consequences which may be very injurious to their future condition in life.

It would be a great pleasure to us to close our information here; but we are compelled to add, that in Stockport the public peace has been broken for two or three successive nights, by meetings of refractory work-people, powerloom weavers we believe, who assemble at the close of the day. These men will not allow others to fulfil their engagements, and have directed their vengeance against one particular factory, by attacking it, and demolishing the windows. On Wednesday night the riot act was read by Mr. Harrison, of Cheadle, the Magistrate, and part of the Cheshire yeomanry cavalry were called out to act; and such was the unrestrainable fury of the mob, that this gentleman and several of

the cavalry were wounded by stones and brickbats thrown. The police of the town is, however, determined on doing its duty, and additional constables are sworn in for aiding in this object; whilst their hands are strengthened by the arrival of troops from our barracks. More of the Cheshire yeomanry are also on their march for the same destination; and the most vigorous means will be used to ensure due obedience to the laws. Many offenders are in custody.

20. The Chancellor of the Exchequer has granted a sum of 500*l.* for the relief of the inhabitants of Scilly and Islands. It is stated, however, by the Cornwall Gazette, that 1,000*l.* at least are necessary to satisfy their present necessities; and from 2,000*l.* to 3,000*l.* to establish mackerel and pilchard fisheries, as the only measure of permanent support.

By intelligence received from Palmas (Canary Islands), we learn that the Buenos-Ayres privateers in that direction had been very successful. On the 22nd July three Spanish ships were captured by one of them, which were bound to the Canaries; the cargoes of two of them were taken out and put on board the third, which was manned; the others were given up to the prisoners. It appears also, by letters from the West Indies, that the cruisers from the river Plate have been very active among the Spanish traders. The American brig *Rachael* and *Sally*, from Port-au-Prince, was boarded on the 3rd of August off Arcadois by the Buenos-Ayres brig of war *General San Martin*, the Com-  
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mander of which stated, that he had made three captures.

The following is the patent conferring the title of Duke of Reichstadt on young Napoleon. It will be observed that no mention is made of his father.

“ We, Francis, I. &c. make known, &c.

“ As, in consequence of the act of the Vienna Congress, and of the negotiations entered into afterwards at Paris with our high Allies for its execution, it has devolved upon us to determine the title, the arms, the rank, and personal relations of Prince Francis-Joseph-Charles, son of our beloved daughter, Archduchess of Austria, Duchess of Parma, Placentia, and Guastalla, we have resolved as follows:—

“ 1. We confer upon the Prince Francis-Joseph-Charles, son of our beloved daughter the Archduchess Maria Louisa, the title of Duke of Reichstadt, and we order at the same time for the future all our authorities, and in general all individuals, to give him, in addressing him either by word or by writing, the title of Most Serene Duke at the head of the writing, and on the address and in the text, that of your Serene Highness.

“ 2. We permit him to have for arms two golden lions proceeding from the right, the one in advance of the other, upon an oval shield, field *gules*, divided transversely by a straight line *or*, surmounted by a ducal coronet and mantle. We give him for supporters two griffins, *sable* and *or*, with two banners, on which are to be repeated the ducal arms.

“ Prince Francis-Joseph-Charles, Duke of Reichstadt, shall take rank both at our Court and in the whole extent of our empire, immediately after the Princes of our family, and the Archdukes of Austria.

“ There have been prepared two copies, perfectly alike, and both signed by us, of the present ordinance and declaration, which shall be published for the knowledge of all, that they may conform to its provisions. One of these copies has been deposited in the private archives of our family; the other in the archives of State. Given at our capital and residence in Vienna, July 22, 1818, and in the year of our reign 27.

(Signed) “ FRANCIS.  
(Countersigned)

“ COUNT FRANCIS VON SAURAU,  
Grand Chancellor.”

A few months since the Duke and Duchess of Gloucester had made arrangements for going abroad for about three months; but the severe indisposition of her Majesty, together with her loss of the society of the Princess Elizabeth, induced the Duchess of Gloucester to relinquish the benefit and pleasure of travelling in company with her husband. On Thursday the 23rd at a quarter before 11 o'clock, the Royal Duke took an affectionate leave of his Duchess, and started from Gloucester-house in his travelling carriage to pursue his tour.

On Friday evening the 24th the Right Rev. the Lord Bishop of Salisbury landed at Jersey, under a salute from Elizabeth Castle. The next day he received congratulatory visits from the

Dean

Dean and clergy, the Lieutenant-Bailiff, the Lieutenant-Governor and staff, and the states of the island. On Sunday the Bishop and suite went to St. Helier's Church, where they heard a discourse by the Rev. Dr. Dupré, the dean; and in the afternoon his lordship's chaplain preached to the soldiers and English residents. The Bishop confirmed on Monday, Tuesday, Wednesday, and Thursday following, in the four parish churches of St. Hilier's, St. Saviour's, St. Lawrence, and St. Peter's, and about 4,000 persons underwent that ceremony. During his stay the Bishop dined with the Governor, the Dean, the Lieutenant-Bailiff, and some of the principal inhabitants; and on Monday the 27th, immediately after the confirmation at St. Hilier's, his lordship gave a sumptuous dinner to the Dean and clergy, and the constituted authorities of the island. He admired very much the natural beauties and picturesque and enchanting scenery of the island, together with the cleanliness and deportment of the inhabitants. This is the first Christian Bishop that ever visited these islands since they have been under the diocese of Winchester; and it is to be hoped that other bishops will hereafter follow so laudable an example. His lordship left Jersey on Saturday the 1st inst. for Sark, where he intends to hold a confirmation, as well as at Alderney, and he relanded at Weymouth, by the Tiber, Captain Dacres.—*Portsmouth Paper.*

28. *Hanover.*—Our Government has lately given a very important and long-expected

decision on the employment of the ecclesiastical goods belonging to the former chapters and foundations in the ancient Bishoprics of Osnaburgh and Hildesheim. Pursuant to the principles of public Germanic right, this property has, by the suppression of these Bishoprics and of their Chapters, become domains of State, and a great part of it has been sold under the preceding Government. These sales are supported; but a certain portion of the property has not yet been alienated; it is only farmed out. The Prince Regent of England has decided, that there shall be formed of all this property found in this see one and the same fund, which shall remain separated from the other domains, shall not be sold, and the proceeds of which shall go to augment the funds of public instruction and charity.

The trial of Hussey for the murder of Mr. Bird and his house-keeper took place at the Maidstone assizes on July 31, in the midst of a crowded court. Mr. Sergeant Lens, who sat as Judge in the Criminal Court, summed up the evidence to the Jury, who, without retiring, returned a verdict of Guilty. The judge then pronounced the sentence of the law with great solemnity and feeling.

31. *Stockholm.*—The States of the kingdom being yesterday assembled at the Castle, his Majesty addressed them in the following speech.—

“Gentlemen;—During the eight months that you have been assembled near the throne, I have constantly observed, with the most lively interest, the spirit of your  
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your deliberations. If some delays have retarded your progress, men of sagacity have felt that they owed their existence more to the difficulties with which you are surrounded, and the importance of the objects which come under your review, than to the defects of your social organization. But these delays have not been lost in their relation to the future and to experience. Let us hope that the future Diets of the kingdom will profit by them, by deriving from them that activity and perfection to their deliberations and their administrative march. During the course of this session, the people and their representatives have developed great public spirit; and I have the satisfaction of seeing, that in separating, you are all convinced that a nation which owes its political advancement to a glory justly acquired, to laws which consecrate the origin and the true legitimacy of its rights, can never renounce them but with honour or by ceasing to exist. Generations and empires succeed each other and disappear; but the principles of eternal truth are independent of time and events. If prejudices attempt to oppose and to extinguish them, the struggle serves only at last to give greater glory to their triumph.

“ The union with Norway is consolidating every day. The force of circumstances, the sacredness of oaths and mutual interests, guarantee its stability and duration. Passions disappear, because the people wish to live in tranquillity under the empire of the laws. Reason tells them

that the duration of their liberties and of their independence is founded on immovable and constitutional confidence between the two nations. I thank you, gentlemen, for having given to the Norwegian people a new pledge of the constancy of your attachment towards them. The law which you have adopted, without discussion, regarding the respect due to their rights and institutions, is an undeniable proof that you have no other wish, no other desire, than to maintain the political union between the two nations of the Peninsula. Since you have been assembled, two events, which cannot have escaped your observation, have given new force to those principles which serve as a basis to the compact which unites Scandinavia to its constitutional King. A great Monarch, supported in the ægis of his power, has given a country to a people, as interesting by their misfortunes as illustrious from their ancient glory. The Sovereign of one of the considerable states of the Germanic Confederation has conferred upon his country a representative constitution. These blessings bestowed upon nations are a striking homage rendered to people, who, in investing their Kings with a power founded on confidence, have, nevertheless, refused to abandon to chance or the caprice of the future, the prosperity, the honour, and the existence of their descendants.

“ Gentlemen, before parting with you, my heart still feels the necessity of declaring to you afresh its regrets for the loss of a beloved King, who was your father,

father, and who honoured me with the title of his son and friend. His fine spirit will never cease to inspire me; it will serve me as a guide in all my actions. I shall think of what he did, and of what he would have done, had Providence prolonged his days. His loss was followed by another, which must be sensibly felt by us. His spouse only survived him for a few months. During the whole period of their long union she constantly endeavoured to promote the happiness of her august husband. On this account her memory ought to be equally dear to us. There was joined likewise a sentiment of attachment and tenderness towards me, which heightens my regrets.

“Members of the Order of Nobility;—Your titles will suggest to you fine recollections and brilliant examples. You will march at the head of your fellow-citizens for the defence of the state, if it shall have need of your courage and your patriotism; and if it requires your counsels, you will give them with frankness and good faith.

“Gentlemen of the Clerical Order;—You will guide your brethren in the exercise of the Christian virtues, the chief productions of social order, and of the happiness of all. God will inspire you with the sentiments which must secure the triumph of your religious efforts. The illumination of the age widens more and more the empire of toleration. The Scandinavian clergy have given one of the first examples of it.

“Members of the Order of

Citizens,—The general peace gives a new activity to your industry and to your commercial relations; it must increase the resources of the state. In making your operations always proceed in concert with the national prosperity, you will procure for your fortunes a permanent stability, while by your patriotism you will secure for yourselves the finest recompense to which a good citizen can aspire.

“Good and honourable members of the Order of Peasants;—May Heaven bless the patient labours of the husbandman, and may the order which you represent live independent and happy under the shield of the laws. Depend upon the tender and paternal interest of your King. Preserve the courage, the loyalty, and the energy which distinguished your fathers, and Sweden will never reckon within her limits any subjects but men who enjoy freedom, and who deserve to enjoy it.

“Adieu, gentlemen, return to your families, and enjoy there all the happiness which your King can wish to good citizens. You know my anxiety for the prosperity of our country, but this prosperity cannot be durable till our monetary circulation has recovered its credit. This credit is the principal prop of social order. When maintained with discernment and wisdom, it enriches the state at the same time that it betters the condition of all classes of the citizens. You know, then, all that your country requires of us, and what are the useful and important resolutions which remain for us to take. No effort

effort shall appear to me painful to obtain that grand result. I shall never be happy till it is obtained; and to obtain it, I shall not hesitate, if circumstances require it, to surround myself with the national representation, even before the epoch fixed by the constitution."

In the afternoon grand deputations from the different orders, presented their homage to the King and the Prince Royal, and his Majesty answered each in an appropriate manner; but as these answers were merely echoes of the addresses presented to him, and contained only a repetition of the sentiments expressed in the above speech, it is unnecessary here to produce them.

#### AUGUST.

*The Queen.*—Arrangements were making on Saturday the first for her Majesty to take an airing out of Kew Palace, for which purpose some alterations were to be made in her chair; but the report of her state yesterday was, "her Majesty has had not quite so good a night, but is much the same as she has been for several days past."

*Publication addressed to the Young Men of the Country, studying at Gottingen, and to the students in general.*

"The multiplied excesses that have been committed by a certain number of the students of Gottingen, in contempt of all public order, and the respect due to all the authorities, determined us to cause an investigation to be made, by a Special Commission

sent to Gottingen, into the inexcusable transactions which have taken place, and the external instigations, which are, up to a certain point, of a nature to lessen the culpability of the disturbers of the public tranquillity. Unfortunately, this measure, dictated by the best intentions, has so little fulfilled its principal end, that a culpable resistance was opposed to the express orders of our commission, and a great number of students, industrious, innocent, and well-conducted, suffered a small number of the ill-intentioned to interrupt their studies, and to seduce them away with themselves; thus losing, to the detriment of their own fortune and that of their parents, a precious portion of time, to them irreparable. In truth, the splendor and prosperity of the University of Gottingen depend not on the number, but rather on the progress of the students in the sciences, on their good conduct, and docility towards their superiors; and we shall regard as a real benefit to it, that all the enemies of application, and disturbers who have left it, shall never return to seduce their companions in study.

"On the other side, we doubt not that those of the absent students, whether natives or foreigners, who love order and study, ardently desire to resume, as soon as possible, their accustomed occupations; which they may do without any inquietude, now that order is perfectly re-established, and that we still watch over its maintenance in the most rigorous manner, against whoever, student or other person,



would attempt to interrupt it. The care that we especially owe to our young subjects of the kingdom of Hanover, permits us not to see with an indifferent eye the prolongation of their absence, and the suspension of their labours. In consequence, we order all Hanoverian subjects of his Majesty, who study at Gottingen, to return forthwith to the University, in order to continue their studies there, to re-enter there quietly and singly, or at least in small numbers at a time; and it is enjoined to the Academic Senate to send us a list of those who shall not have obeyed this order. Those who shall not have hereto conformed, between the present and the 15th of August at the farthest, shall be declared, in punishment of their disobedience, incapable for ever to hold any employment in the service of the kingdom, of whatever description it be.

“The same order of re-entering before the 15th August, equally regards all the students, whether foreigners or natives, who are in the enjoyment of allowances established by the state at Gottingen.

“Every such student who shall not appear there within the above interval, shall lose for ever the allowance that has been conferred on him.

“We feel a confidence that none of the students, whom the present ordinance concerns, will slight the paternal intentions that have dictated it solely for his benefit, and that he will, on the contrary, hasten, by fulfilling his duty, to establish his welfare for

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the future, in the most solid and durable manner.

“The Governor-General and Privy Counsellor of the Cabinet,

“DECKEN.

“Hanover, Aug. 1, 1818.”

This morning, Aug. 3, about 8 o'clock, the Duke and Duchess of Clarence, attended by Sir John Borlase Warren, and the Baroness Duram and suite, left their residence in St. James's palace to proceed to Germany. Their Royal Highnesses were to go to Dover, and from there in a Royal yacht to Calais.

3. *Vienna*.—The Duchy of Reichstadt, recently conferred upon the son of the Arch-Duchess Maria Louisa, is situated in a Lordship of that name in Bohemia, 12 miles from Prague, towards the frontiers of Lusatia. A Duchess of Lauenburg transferred this freehold lordship to her daughter Maria Anne Caroline, wife of Duke Ferdinand of Bavaria. It remained the property of the Electoral House of Bavaria, until it lately passed to the Duke des Deux-Ponts, and afterwards to the Prince de Waldeck; it subsequently returned to Tuscany, and was erected into a Duchy. Its chief town is called by the same name, Reichstadt, and contains about 230 houses. There is, however, a borough-town on the Lordship, whose inhabitants support themselves by the productions of their spinning manufactories and the cultivation of an almost barren soil.

4. *Nuremberg*.—The Nuremberg Correspondent of this date

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contains the following article respecting Sweden:—

“The public prints mentioned some time ago a correspondence between the late King of Sweden and the present King. The occasion of this correspondence was the following:—The son of the deposed King had scarcely approached the age at which a Crown Prince of Sweden, according to the laws of that kingdom, may be declared of full age, with the permission of his father, when Gustavus the Fourth signified to him his intention to give him this permission, and at the same time that he expected him from Hirdeberg, at Hanau, where the ex-King at that time resided, in order to give him his paternal advice respecting the relations in which he might come forward in life. He believed that he ought to dissuade him from making any pretensions to the Swedish throne; but was, however, of opinion, that if the Prince entertained different notions on this subject from his father, who did not feel tempted to wish to govern a nation which had rejected him as its monarch, the Prince owed it, at all events, to his station, as soon as he was of age, publicly to declare himself respecting his pretensions to the Swedish throne, whether he was resolved to reserve them, or to bring them forward when time and opportunity offered, or wholly to renounce them. Prince Gustavus declined the permission to declare himself of age, and indeed all negotiation with his father on the subject. The latter, therefore, in a letter, dated Hanau, August 26, 1817,

acquainted the present King of Sweden with this affair. In the reply, which is without date, the King, then Crown Prince of Sweden, acknowledges the purity and conscientiousness of the ex-King's political principles, though the formality or renunciation of the Swedish throne, that might be made by Prince Gustavus, would merely recognise the right of the nation to choose a new dynasty, but would not give this right to the nation, which already possessed it, and had made use of it in three elections since the abdication of Gustavus IV. Should Prince Gustavus one day attempt to interfere with the rights and the tranquillity of the Swedish nation, Providence would protect, as it has hitherto done, the Scandinavian Peninsula; and the regard and inviolable alliance of the Emperor Alexander would disapprove of every intrigue against Sweden. The nation would not renounce the right of choosing its dynasty, as an hereditary privilege. At the last election, the King of Denmark, among others, was a candidate for the Swedish throne, and was supported by Napoleon. But no power had at that time supported its pretensions by force. The choice fell unanimously on the Crown Prince, whom the King adopted as his son. He has not considered the invitation to the throne as a happiness; for as Governor of a country conquered by France, he had learned how greatly Princes were to be pitied, who desired to perform in a worthy manner the duties of their station,

station, and were hindered by circumstances. He wished that his successors might constantly bear in mind the principle of all times and ages, that Princes are born for the good of the people, and that the latter are not the property of a few families."

On August the 6th, the following most lamentable and unfortunate occurrence took place, on Messrs. Horrell's premises, in the second Back lane, in Exeter. Three men, William Middlewick, Nicholas Eustace, and William Finnemore, were employed in making a pit, for the reception of the contents of a sewer. Middlewick, having nearly completed an adit, was in the act of ascending the ladder, when he dropped his shovel, and on his returning for the same, nearly the whole contents of the privy burst upon him, and caused instant suffocation. His companion, Eustace, immediately descended to his assistance, and ere he had got half way down the ladder, the noxious vapour precipitated him to the bottom, and he shared a similar fate. A third man, William Finnemore, then went down, and he fell in; and on a person, of the name of Giles Tozer, in the employ of Mr. G. Turner, silversmith, being apprized of the shocking circumstance, he volunteered his services, and he also fell from the ladder. Another man then went down, with a rope affixed round his body, who was immediately drawn up in a state of insensibility; in consequence of which no others could be found to undertake the hazardous task of descending the pit, until Mr. John Rouse, of Exeter, plumber,

having been informed of the melancholy event, instantly repaired to the spot, and with that humanity which ought never to be forgotten, went down the ladder, and succeeded in bringing up three of the unfortunate men, viz. Tozer, Finnemore, and Middlewick, and with the assistance of a person named Risewell, (Mr. Rouse being nearly exhausted with his humane efforts) got up the other poor fellow, Eustace, who, together with Middlewick, was lifeless; and every means used for their recovery by several professional gentlemen proved ineffectual. Finnemore and Tozer were immediately put to bed in a very dangerous state; and we are sorry to say, that on Monday morning, about six o'clock, the latter breathed his last, leaving a wife and one child, in the most indigent circumstances, to lament his unhappy decease. Finnemore, we are informed, still lies extremely ill. Thus three individuals lost their lives, two of them in the cause of humanity, in endeavouring to extricate a fellow-creature from a premature death.

6. *Bamberg*.—We have received circumstantial details on the new sect which was formed some time ago in Saxony, the fanaticism of which occasioned lately a frightful assassination. This sect is established principally in the circles of Leipsic and Misnia; it pretends to observe with the greatest rigour all the doctrines of the Old Testament, to reject the New, to destroy all those who do not follow the same system, and to proclaim the regeneration of the whole human

human race. It teaches and adopts a great number of superstitious tenets, and among others, thinks that it merits the favour of God by inflicting tortures on men and animals. The principal leader of the sect is one Kloos, a tailor, who has been continually going about near Leipsic, preaching his dangerous doctrines. He held numerous meetings in the open air; he then preached in the villages, and inspired his fanaticism into a great multitude of persons. This sect would not perhaps have excited so much public attention had it not been for its most fiery partisans, the miller, Fischer, of Beyersdorff, and his wife, who committed, from their fanaticism, a murder under horrible circumstances. The leader, Kloos, had been instilling his principles into them for several days. They were before persons of excellent character; but after remaining for some days on their knees in the open air, without taking any nourishment but a few roots, they believed themselves called upon to make sacrifices. They declared that they received a commission to bury some children alive; but happily they were unable to execute this frightful project. A servant, called Flor, arrived at their mill, at the instant when the fury of Fischer and his wife was in a state of the most perfect exaltation. They looked upon him as a victim whose sacrifice would be agreeable to God. They assassinated him in a horrible manner, cutting off his hands and feet, and then beginning immediately to sing and pray.

A young miller for whom they

had reserved the same fate escaped from their hands by flight. He described what passed—the miller and his wife were arrested—they boasted of the deed they had committed, and declared to the judge appointed to draw up their indictment, that God had given them a commission to exterminate all those who would not profess their doctrines, because they were children of the Devil. It will be observed that these principles bear a near resemblance to those which the famous Foeschl professed the last year in Austria. It is likewise known that other fanatics of the same sect projected fresh assassinations. As soon as the report of this event was carried to Dresden, the Government took measures adapted to the circumstances. Troops were despatched to take military possession of all the villages where the fanatics were established. Informations were taken against these who excited Kloos, for it is said he received his instructions from persons who belonged to a better class of society. As soon as Kloos heard they were in search of him, he took to flight, but he was seized in the city of Meissen, and has been for some days in prison.

*The Cotton-spinners' Address to the Public.*—"We, the Mule Cotton Spinners of Manchester, consider it a duty incumbent upon us to address the public at the present juncture, to contradict the many false statements and misrepresentations that have appeared in the public papers.

"We are stated in all the papers to have turned out for an  
advance

advance of wages ; this we admit to be in part true, but not absolutely so. Two years ago, when our employers demanded a reduction of ten hanks, they affirmed, that the state of the market imperiously called for such reduction ; but when the markets would admit of an advance, they would willingly give it. We depended on their honour, and continued to labour for more than 12 months at the reduction proposed. About 10 months since, on comparing the price of cotton and yarn, we found that the markets would allow our employers to fulfil their promise ; we therefore solicited them to that purpose, and only wished to be re-instated in the same prices we worked at previously to that reduction. Some declared they could not give it ; others they would not ; but the greater part, that they would, if others did, but they should not like to be the first. Thus we continued working and soliciting for the last eight months, though the demand for yarn has been unprecedented, and the consequent rise in twist great ; they have still refused our just request ; and in order to cause a belief that trade was in a declining state, gave notice, that their mills should only work three days in the week, which appeared so extremely ridiculous, that the very children employed in factories laughed at it.

“ It is asserted, that our average wages amount to 30s. or 40s. per week—it is evident, that this statement was made by some individual either ignorant or interested. In 1816, the average

clear wages of the spinners in Manchester was about 24s., they were then reduced from 20 to 25 per cent, and have ever since laboured under that reduction. And it is to be remarked, that spinners relieve their own sick, as well as subscribe to other casualties ; therefore, when their hours of labour, which are from 5 in the morning until 7 in the evening (and in some mills longer) of unremitting toil, in rooms heated from 70 to 90 degrees, are taken into consideration, we believe the public will say with us, that no body of workmen receive so inadequate a compensation for their labour.

“ The next thing we would advert to is, our employers have asserted, that if they submit to our present request (which they admit is reasonable) it would not be long before we demanded another advance of ten hanks more : whatever some individuals may have said, we know nothing of, but the great majority of spinners have never said or intended any such thing. And we hereby declare, ‘ That we are willing to enter into a treaty with our employers on fair and honourable terms.’

“ We believe there is no species of labour so fraught with the want of natural comforts as that the spinners have to contend with ; deprived of fresh air, and subjected to long confinement in the impure atmosphere of crowded rooms, continually inhaling the particles of metallic or vegetable dust, his physical powers become debilitated, his animal strength dwindles away, and few survive the meridian of life, and the grave

grave is often the welcome asylum of his woes. His children!—but let us draw a veil over the scene, our streets exhibit their cadaverous and decrepit forms, and any attempt to describe them would be impossible.

“Let it not be understood that we attach blame to our employers as applied to these calamities; they are, perhaps, inseparable from the very nature of the employment, and our masters may lament, but cannot redress them. All we ask is a fair and candid investigation into the grounds of our complaints, and we are confident that both justice and humanity will decide in our favour.

“We solemnly declare as men, as fathers, as loyal subjects, and well-wishers to a constitution the spirit and letter of which will not countenance any thing like slavery and oppression, that we cannot obtain with the greatest possible industry the common comforts and necessaries of life, at the present low prices; to labour hard is not an easy task, but to labour hard and want is impossible. Let our masters consult their own hearts, and as the seat of justice and humanity, they will not long hesitate to grant our just request.”

Letters from Riga state, that by an unanimous resolution of the Nobility of Livonia, the servitude of the peasants is abolished in that province, after the example previously given by the Nobility of Esthonia and Courland. This resolution will be laid before the Emperor Alexander for his approbation.

12. *Dresden*.—According to

an annual ordinance, the execution of which has lately been desired by the merchants of Leipsic, the Jewish merchants frequenting the fairs were prohibited from having open warehouses in the principal streets and quarters of the city. The revival of this ordinance having excited complaints, the King ordered the superior Chamber of Commerce to inquire into this subject. The result has been a decision of his Majesty to suppress this ancient ordinance, as not suitable to the present state of things, so that the Jewish merchants frequenting the fairs at Leipsic shall henceforward be allowed to hire and keep warehouses in whatever part of the city they shall think fit, and to sell there during the fairs, both wholesale and retail.

13. *Brussels*.—A very severe ordinance has just been issued at Milan, relative to the press. The following are the principal articles:—No book can appear without the permission of the Censure; even catalogues must be examined; a special commission must be obtained to reprint books already published in the Austrian monarchy. Dedications cannot be admitted to the Censure, unless they are provided with the authorization of the persons to whom the books are dedicated. No subject of his Majesty the Emperor and King can have a book printed in a foreign country, without having submitted it to the Austrian Censure.

13. *Madrid*.—The Pope has granted a Bull, a long time solicited by our Ambassador at the Court of Rome, on the subject

ject of the revenues of the clergy. The filling of vacant ecclesiastical dignities and benefices is suspended for two years; the revenues will be received into the public treasury to assist the payment of the public debt and its interest. His Holiness, touched with the representations of his Catholic Majesty, has been pleased to authorize this measure, which has not yet improved the state of our public funds, for our non-consolidated Royal vales constantly lose 84 per cent, the consolidated 40 per cent, and the vales ordinaires, that is to say, those that have not been presented for consolidation, 75 per cent; such is the state of our public credit.

They are slowly employed at Cadiz in the repairs of some vessels; the poorness of our treasury does not allow that activity to be bestowed on our labours which circumstances would require.

(From Wheeler's Manchester Chronicle of Saturday, August 15.)

“ We are sorry to observe that the question respecting wages, which has been so long pending between the masters and the operative spinners, still remains unsettled; and that the same spirit of hostility continues to be shown to those men who are disposed to return to their lawful employment, which has so repeatedly and daringly been offered in the course of this alarming contest. We have also noticed the various papers which have been circulated, and placarded upon our walls, to mislead the public, and to excite the men to

continue in their illegal combination; and we deem it necessary that the public should be correctly informed, and that statements void of truth should not remain uncontradicted. We have therefore taken some pains to procure correct information, and we can pledge ourselves that the facts we now state are authentic.

“ During the greatest part of the years 1816 and 1817 the weavers, and almost every other class of manufacturers and labourers in Lancashire, excepting spinners, suffered excessively from low wages and want of employment. The spinners had full and constant work, and high wages during the whole of the time. No class of people have had such constant and uniform employment for the last twenty-eight years as they have had; and this advantage the spinner enjoys at the risk and expense of his employer: for such is the nature of the trade, that when once a cotton-mill is completed, and fully set to work, it cannot be stopped, or even interrupted, without great loss to the proprietor. The interest of his sunk capital, his rent, insurance, salaries of principal servants, decay of machinery, &c., are nearly the same whether his mill be standing or going; and these amount to so heavy a loss, and he frequently finds himself in such a situation, that he must continue to employ all his people at full work, and for many months together, although he cannot sell to a profit.

“ The working spinners have not only enjoyed this constant employment, but they have had much higher wages than any other



other numerous class of manufacturers. At the time they turned-out for an advance, they were receiving the same wages that had regularly been paid them for nine months previous to that period; and we have ascertained that the net average of weekly wages paid to men spinners from the 1st of January last to the middle of June, when they turned out, was upwards of 31s.; and for boys and girls, spinners, upwards of 17s.; clear of all charges and deductions whatsoever.

“Contests of this kind, which have for their object an advance of wages, have generally defeated the end for which they were entered into; and where the operators have usurped the control of their employers, or where insubordination has prevailed, to the frequent interruption of business, those particular branches which have been thus exposed, and which in our several manufacturing districts have been localized, have gradually declined—the occupations by which thousands gained a comfortable subsistence have been lost to them. The present depressed state of the manufactures in which the hatters, the hosiers, silk-weavers, &c. were employed, and which had by ingenuity, industry, and perseverance, been raised to a pitch of great national importance, is chiefly owing to that kind of overbearing influence which is now most unjustly and illegally employed to deprive the master-spinners of the control of their own concerns, and must ultimately, if not successfully resisted, add another to the

melancholy catalogues of events most distressing and ruinous in their consequences.”

15. *Guernsey*.—Monday last the Bishop of Salisbury embarked for Alderney, on board Governor Le Messurier's yacht. Above 300 persons received confirmation in that small island. His Lordship was accompanied by Monsieur the Dean and Monsieur Arnold, who went to Alderney to inquire into the truth of complaints made for a long time by the inhabitants of that island against the Rev. John C. Ubilé. After having heard both parties, the Dean thought it his duty to suspend the Rev. Mons. Ubilé from his ecclesiastical functions. The Bishop returned on Wednesday, and embarked yesterday for England. His Lordship, on going on board the Tiber frigate, was received under a salute of thirteen guns.

16. *Dover*.—Yesterday evening, at half-past five, Prince Leopold of Saxe-Coburg, attended by Baron Hardenbrook, arrived at the York Hotel from London, and in ten minutes afterwards his Highness embarked in the barge of the Royal Sovereign yacht, which was waiting in the roads to convey him to France. The guns at the heights fired a salute, both on the arrival and departure of the Prince, and an immense assemblage of persons cheered him from the inn to the beach. The yacht returns to-morrow for their Royal Highnesses the Duke and Duchess of Cambridge.

The Committee of Physicians appointed on the 25th March last, to watch the further progress of the epidemic, have made their

their report on the subject, in which a heavy charge of neglect is brought against the Irish Government. It is dated Dublin, August 17, and commences thus:—

“ Since the appointment of your Committee more than 4 months have elapsed, and though in that interval the progress of the epidemic might have justified your Committee in convening the profession at a much earlier period, they were reluctant to adopt that step, until the efficacy of the measures, then relied upon by the Constituted Authorities, and by the public, for the suppression of Fever, had had a fair trial.

“ These measures have now been in full operation during the last ten months, and yet there is no decline of the epidemic; on the contrary, after sustaining a very trivial reduction in the number of sufferers during the months of March and April, it has advanced with such rapid strides, that in the last month more patients by one-half were admitted under the fever into the Cork-street and House of Industry Hospitals, than in February, when the fever of the winter season, was at its height. The mortality of the epidemic has, no doubt, abated; but a mortality, however great, constitutes a very small part of the many pernicious consequences flowing from the influence of a wide-spread epidemic upon the lower orders. The following tabular view, the correctness of which may be relied on, exhibits, in a distinct manner, the progress of this contagious epidemic, from the date

of its probable commencement in Dublin, to the present period.”

Here follows the table, in which the total amount of admissions into the Fever Hospitals of the House of Industry and Cork-street, from the 31st August, 1817, to the 1st August, 1818, is stated at 14,660. The report then proceeds to lament the inefficacy of the measures pursued, and adds—

“ But the physicians of Dublin did not condemn one plan as inefficient without suggesting another as more likely to succeed, for they did, most strongly, recommend to the attention of the government and of the public, the measures detailed in the Second Report of the Sub-Committee of Health, ‘ as alone ‘ competent to check the further ‘ progress of this formidable epidemic, and as measures which, if ‘ perseveringly executed, were, in ‘ their judgment, likely to subdue ‘ it within a reasonable time.’ Unfortunately for this city, and for the wretched sufferers from disease, the warning voice of those the most competent to judge on such a subject was disregarded, and Dublin has thereby to deplore a great increase of distress and poverty among her inhabitants, without any immediate prospect of checking the evil consequences flowing from a perseverance in measures at once expensive and inefficient.”

The Duke and Duchess of Cambridge, accompanied by Prince William and Prince Frederick of Hesse Cassel, left town for Dover, on their way, to Hanover. They set off about 9 o'clock.

18. *Manheim*.—Letters from Gottingen announce, as the final result of the events which have taken place in that city, that the University has lost nearly half of its students, the number of whom is reduced from 1,200 to about 600. In these 600 are comprised all those of the kingdom of Hanover, of the Duchy of Brunswick, and the major part of those of the Duchy of Nassau. The latter Duchy not having an university of its own, that of Gottingen has been marked out for a year as the one where the youth of Nassau should study. The number of foreign students who have returned to Gottingen does not exceed 100.

On the evening of the 19th, at seven o'clock, a most shocking accident happened in Furnival's-inn-court, Holborn. A great number of small children were playing in the court, when a wall, which the workmen were taking down in the old buildings, preparatory to the new improvements in the inn, suddenly gave way; happily those who observed it escaped; some were severely bruised; but the poor children, who were caught and buried in the mass of bricks and rubbish, were some of them taken out at eight o'clock in so bad a state they are not expected to survive; one child was quite dead. The number buried in the ruins was not known, but the workmen continued digging at a late hour last night.

In the course of last month, the Bishop of Dijon received the following Circular from the Minister of the Interior:—

“My Lord;—For some time past the reports of the Prefects have portrayed striking examples of the excesses to which superstitious ideas may lead. Pretended sorceries have occasioned crimes and misdemeanors, which now occupy the tribunals, and many individuals have been sentenced to ignominious punishments.

“You will doubtless perceive, my Lord, ‘that it is of the utmost ‘importance to instruct the ignorant and credulous, and especially the peasantry.’

“The Civil Authority is at this moment occupied in devising measures to dissipate similar errors. I request, on your part, that you will promulgate such instructions as you may deem requisite on a subject equally important to religion and public order.

“Receive, my Lord, the assurance of my high consideration.

“The Minister Secretary of State and Interior.

(Signed) “LAINE.”

On the Receipt of this letter, the Bishop addressed a pastoral letter to the different curates and inhabitants of the departments of the Cote d’Or and Haute Marne, in which he congratulated them, that the errors to which his instructions were especially applicable did not prevail in the communes under his jurisdiction.

*Constitution for the Grand Duchy of Baden*.—Charles, by the grace of God, Grand Duke of Baden, Duke of Zähringen, Landgrave of Nellenburgh, Count of Hanau, &c.

In the year 1816, when we once more announced to our subjects

subjects our intention to give to our Grand Duchy a representative constitution, we cherished the wish and the hope that all the members of the Confederation would agree upon a fixed and invariable basis for that institution, which has been promised to all the nations of Germany, and which, in the developement of the established principles only, each single state might, having regard to existing relations, apply to its particular wants.

As, however, after the last votes emitted on this object in the Diet, the period cannot be precisely foreseen when the form of the representative constitutions may become the subject of common deliberation, we consider ourselves bound to carry into effect the assurance given by us to our subjects, in the way and manner corresponding with our firm, free, and intimate conviction.

Penetrated by the most sincere desire of drawing still closer the bonds of confidence subsisting between us and our people, and of bringing, in the way pointed out in these presents, all our political institutions to a higher degree of perfection, we have granted the following constitutional act, and hereby solemnly promise, in our own name and in that of our successors, to maintain it, and cause it to be maintained, faithfully and religiously :—

#### I. *Of the Grand Duchy, and the Government in General.*

1. The Grand Duchy forms a constituent part of the German Federation.

2. All organic decrees of the

Diet, which relate to the constitutional relations of Germany, to the relations of German citizens in general, form a part of the Baden public law, and shall be binding on all classes after the same has been notified by the head of the Government.

3. The Grand Duchy is indivisible and inalienable in all its parts.

4. The Government is hereditary in the Grand Ducal family, according to the dispositions of the declaration of the 4th of October, 1817; which declaration, as the basis of the domestic code, forms an essential constituent part of the Constitution; and is to be considered as verbally adopted in the present act.

5. The Grand Duke unites in himself all the prerogatives of State authority, and exercises them under the provisions contained in the Constitutional Decree.

His person is sacred and inviolable.

6. The Grand Duchy has a Representative Constitution.

#### II. *Civil and Political Rights of the People of Baden, and particular Securities.*

7. The civil rights of the people of Baden are equal in every respect wherein the Constitution does not particularly and expressly make an exception.

The Grand Ducal Ministers of State, and the whole of the Administration, are responsible for their strict obedience to the Constitution.

8. All Badenese contribute, without distinction, to all public charges. All exemptions from

direct

direct or indirect taxes are repealed.

9. All citizens of the three Christian confessions have equal claims to all civil and military appointments, and all ecclesiastical offices.

All foreigners on whom we confer an office of state, obtain by that grant immediate naturalization.

10. Difference in birth and religion, along with the exceptions made by the Act of Federation for noble families, establishes no exception for military service.

11. The territorial charges and obligations declared redeemable, and the repealed duties on servitude shall be placed by a particular law on a regular footing of purchase.

12. The law of the 14th of August, 1817, respecting the freedom of transports, shall be considered an essential part of the Constitution.

13. With respect to personal liberty and property, all Badenese are placed on an equal footing under the protection of the Constitution.

14. The tribunals are independent within the limits of their competency.

15. In criminal affairs no man can be withdrawn from his regular judges; no one can be arrested otherwise than according to the legal forms, nor detained more than 48 hours in prison without a hearing on the grounds of his arrest.

The Grand Duke can mitigate or entirely annul sentences, but cannot render them more severe.

16. All confiscations of property are abolished.

17. The liberty of the press shall be exercised according to the future regulations of the Diet.

18. Every inhabitant enjoys undisturbed freedom of conscience, and equal protection with respect to his religious worship.

19. The political rights of the three Christian religions are equal.

20. Ecclesiastical property, and the property and revenues of institutions for education and charitable purposes, cannot be diverted from their object.

21. The dotations of both universities and other high literary establishments, whether consisting of particular estates and revenues, or of grants from the public treasury, shall not be diminished.

22. Every obligation of the State to its creditors is inviolable.

The establishment of the Sinking Fund will be maintained on its present system.

23. The privileges which were, by the Edict of the 23rd April, 1818, granted to the former States of the Empire belonging to the Grand Duchy and the immediate Imperial Knights, form an essential part of this Constitution.

24. The relative privileges of the servants of the State are guaranteed by the Constitution in the same manner as they are at present by law established.

25. The lay and clerical widow chests, and the fire insurance, shall subsist as hitherto established under the protection of the Constitution.

III. *The Diet—Rights and Duties of the Members.*

26. The Representatives, or States, form two Chambers.

27. The First Chamber consists—1. Of the princes of the Grand Ducal House. 2. Of the heads of the noble families of the former States. 3. Of the bishop of the Grand Duchy, and of a Protestant clergyman appointed for life by the Grand Duke, with the rank of a prelate. 4. Of eight deputies of the landed proprietors. 5. Of two deputies from the universities. 6. Of persons named members by the Grand Duke, independently of any claim on the grounds of rank or birth.

28. The princes of the Grand Ducal house and the other hereditary members, take their seats in the assembly on coming of age. With respect to those noble families which are divided into several branches, the head of each branch possessing a lordship of the empire is a member of the First Chamber.

The possessor of a lordship has no vote during his minority.

The heads of the noble families on whom the Grand Duke bestows the rank of High Nobility, take their seats also in the First Chamber, as hereditary members. They must, however, possess under the law of primogeniture and lineal descent, a family estate or fief, with revenues amounting to 300,000 guilders, after deduction of the taxes.

29. All the noble landed proprietors who have attained their 21st year, and reside in the country, have votes for the election

of territorial deputies. All of the same rank of 25 years of age are eligible. The election is for eight years, but every four years one-half of the territorial deputies go out.

The Grand Duke can give the right of suffrage and of eligibility to proprietors who possess a family estate, or fief, producing a revenue after deduction of the taxes, &c., of at least 60,000 guilders.

30. In default of the Bishop, the Administrator of the bishoprick supplies his place in the first Chamber.

31. Each of the two Universities make an election for four years, from among the Professors, men of learning or public officers. The regular Professors only have votes.

32. The number of Members appointed by the Grand Duke to the First Chamber must never exceed eight.

33. The Second Chamber consists of 63 Deputies from the towns and bailiwicks, returned according to the list of distribution annexed to this Constitutional Decree.

34. The Deputies are to be chosen by eligible electors.

35. Whoever is an actual Member of the first Chamber, or by the choice of the landed proprietors is qualified for electing or being elected to it, cannot either, by appointment of the electors, exercise the right of voting, or be chosen as Elector or Deputy for the Towns and Bailiwicks.

36. All remaining subjects of 25 years of age who are domiciled as citizens in the electoral district,

district, or are invested with a public office, obtain by the choice of the Electors the right of suffrage and eligibility.

37. Every person not excluded by Art. 35 can, without respect to the place of his residence, be appointed a Deputy, who—

1. Belongs to one of the three Christian confessions.—2nd. Who has attained his 30th year—and 3rd, who is entered in the cadastre of lands, houses and moveable property, for at least a capital of 10,000 guilders, or an annual life rent of at least 1,500 guilders, from a family estate or fief, or a permanent salary or ecclesiastical income of like amount.

District officers, beneficed clergymen, physicians, and other clerical and lay local authorities, cannot be chosen as deputies for the electoral circle to which their official district belongs.

38. The deputies for the towns and bailiwicks are to be nominated for eight years, but so that one-fourth of the Chambers shall be renewed every two years.

39. Every new election of a deputy, which may become necessary on account of the dissolution of the assembly, or the regular vacation of members, requires a new nomination of electors.

40. Every member, on vacating his seat, is again eligible.

41. Each Chamber decides respecting the due election of its own members.

42. The Grand Duke convokes, prorogues, and can dissolve the Chambers.

43. In consequence of the dissolution of the Chambers, all the elected members, the Deputies of

the landed proprietors, of the Universities, and of the towns and bailiwicks, lose their character of Representatives.

44. Should the dissolution take place before the question under consideration is exhausted, a new election must follow within the period of three months at the furthest.

45. The Grand Duke appoints the President of the First Chamber for each Diet; the Second Chamber chooses three candidates for the Presidency, the election of one of whom is ratified by the Grand Duke for the duration of the Diet.

46. A Diet must be held every two years.

47. The members of neither Chambers can vote by proxy.

48. The members are summoned to vote according to their own conviction. They must receive no instructions from their constituents.

49. During the session of the Diet, no member can be arrested without the express permission of the Chamber to which he belongs.

50. The Diet can only discuss the subjects referred to its deliberation by the present fundamental law, or especially brought under its consideration by the Grand Duke.

51. A commission of the representative body shall be formed of the President of the last sitting, three other members of the First, and six of the Second Chamber. The business of this commission is limited to the cases expressly mentioned in the present decree, or to subjects referred to it from the last Diet, with the consent of the Grand Duke.



The commission must be chosen before the close of the Diet, or before any prorogation thereof, in both Chambers; by a relative majority of votes.

52. The Chambers cannot assemble of their own accord, nor deliberate after their dissolution or prorogation.

#### IV. *Authority of the Representative Body.*

53. No tax can be imposed or levied without the consent of the Chambers.

54. The revenue law will be regularly passed for two years. Such duties, however, as in consequence of contracts are appropriated for a longer time, can undergo no alteration before the expiry of such contracts.

55. Along with the plan of the revenue law will be given the state budget, and a detailed view of the application of the sums granted for the previous years. No charge shall be made for secret expenditure, without a written assurance from the Grand Duke, countersigned by the State-Ministry, to certify that the sums are or shall be applied for the real interests of the State.

56. The Chambers cannot connect conditions to the levying of taxes.

57. No loan can be legal without the concurrence of the Chambers, except however those loans by which fixed receipts are anticipated for fixed expenditures, as well as the revenues of the sinking fund, which, according to its fundamental laws, are applied to that object.

In case of an extraordinary, unforeseen, and urgent state

necessity, the amount of which would not be equivalent to an extraordinary assembling of the Chambers, and to which a vote of credit could not extend, the consent of the majority of the Committee is sufficient to render the receipt legal. The necessary proceedings must be referred to the next Diet.

58. No domain can be alienated without the consent of the Chambers, except such alienations as have been already concluded for the liquidation of debts, the redemption of fiefs, hereditary property, &c. or the purchase of buildings and lands situated in neighbouring states; and all alienations which have been made with views of state economy, for the promotion of agriculture, or to remove a prejudicial management. The redemption must be applied to new acquisitions, or paid as interest to the liquidating fund.

59. Though the domains, according to the general and acknowledged principles of the State and Royal privileges, are indisputably the patrimonial property of the Sovereign and his family, and we, in virtue of our office as head of the family, hereby confirm them to be so, yet we will devote to the maintenance of the country's burdens the produce of the domains, besides the Civil List and other depending taxes, until by the restoration of the finances we shall be enabled to relieve our subjects according to our sincere wish.

The Civil List cannot be increased without the consent of the Chambers, nor diminished without the

the permission of the Grand Duke.

60. All plans of law relating to finance must, in the first place, be submitted to the Second Chamber, and if adopted there, must, without alteration, be laid before the First Chamber, to be finally accepted or rejected.

61. If the majority of the First Chamber should not agree to the decision of the Second, the assenting and dissenting voices of both Chambers must be added together, and the result decided by the majority of the united voices.

62. Old and not permanent taxes must be continued for 6 months after the stipulated time, if the Diet be dissolved, before a new budget can be brought forward, or if the State deliberations be delayed.

63. During preparations for war, or whilst a war is carrying on, the Grand Duke, for the speedy and effectual fulfilment of his federal duties, and even before he has obtained the consent of the Diet, may legally levy loans and war taxes. In that case the Diet will exercise a great influence and co-operation in the administration, for two members of the Representative Commission will be appointed to watch that the sums raised for carrying on the war be really and exclusively applied to that purpose.

64. No law included in the Constitutional Act can be extended or altered without the consent of a majority of two-thirds of the members present of both Chambers.

65. In all other laws concerning the freedom of persons or relative to State property, new general laws; or the alteration or

promulgation of the existing laws, the consent of the majority of each of the two Chambers is requisite.

66. The Grand Duke ratifies and promulgates the laws, and orders all that is necessary for their execution and maintenance.

67. The Chambers are allowed to make representations respecting ordinances in which dispositions have been introduced which they consider inimical to their right of consent, and which shall, on the complaints being known, immediately be rendered ineffectual. On stating grounds to the Grand Duke, they can solicit the proposal of a law. They have a right to point out to the Government abuses in the Administration which come within their knowledge. They have the right of lodging formal complaints against Ministers and members of the superior offices of State, for violations of the Constitution or of acknowledged constitutional privileges. A particular law shall determine the nature of the complaint, the degree of the punishment, and the deciding authority.

Complaints of individual citizens concerning the violation of their constitutional privileges cannot be received by the Chambers except in writing, and then not accepted unless the complainant shall prove that he has in vain appealed for redress to the proper local jurisdictions, and lastly to the Ministry of State.

No representation or complaint can be brought before the Grand Duke, without the consent of the majority of each of the two Chambers.

V. *Opening of the Sittings of the Diet.—Forms of Deliberation.*

68. Each Diet must be opened in the presence of the united Chambers, by the Grand Duke in person, or by a Commission appointed by him.

69. The members, on their first admission to the Diet, take the following oath:—

“I swear fidelity to the Grand Duke, and obedience to the laws; to observe and maintain the Constitution, and in the Diet only to advise the general welfare and advantage of the country, without respect to orders or classes, according to my sincere conviction.—So help me God and his sacred Gospel.”

70. No Government proposition can be discussed or submitted to a vote until it has been referred to a particular Committee, and a report thereupon has been made.

71. The Government Commissioners meet the Commissioners of the Diet for the previous examination of law projects, on all occasions in which either party judge such conferences necessary. No essential alteration can be made in the plan of any law, unless it has been discussed with the Government Commissioners in such a conference.

72. After a law project has been reported, the Chambers may again refer it to the Committee.

73. A law project or any other proposition brought from one Chamber to the other may, if not relative to financial objects, be, with amendments, previously considered according to article

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71 in a Committee, sent back to the Chamber whence it came.

74. Every valid decision of either Chamber requires, where no exception is expressly established, an absolute majority of the votes of the assembly. When there is an equal division, the President gives the casting vote. In financial questions, when the votes of both Chambers are counted, the President of the Second Chamber has the decision in the case of an equality of votes.

The vote is given by pronouncing with an audible voice, the word—“Content,” or “Non-content.” But, in the election of Candidates for the Presidency of the second Chamber, the members of the Representative Commission and of the Committees, the choice is decided by a majority of votes given by ballot.

In the first Chamber, 10 members; in the second, 35, including the Presidents, make complete Chambers for business. In both Chambers, to render valid deliberations respecting any change of the Constitution, three-fourths of the members must be present.

75. Both Chambers can either by the whole, or through Commissions, hold conferences together. Their ordinary relations to each other are limited to the communication of their respective decisions. Deputations can only be delegated after permission obtained from the Grand Duke.

76. The Ministers, Members of the Administration, and grand ducal Commissioner, have access to every public and private sitting of either Chamber, and must be

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heard

heard on all discussions if they desire it. If not members of the Chamber, they retire on a division, and the debate cannot be resumed in their absence.

77. No written speeches can be read except by the Government Commissioners, and the members of the representative Commission,

78. The sittings of both Chambers are public. They become secret on the request of the Government Commissioners, when they have communications to make which they are of opinion ought to be private, and on the desire of any three members, with whom, after the strangers have withdrawn, at least one fourth of the members must agree as to the necessity of a secret deliberation.

79. The order whereby the deputies of the landed proprietors, the towns, and the bailiwicks go out is determined by lot in the first meeting of the Diet. One half of the territorial deputies vacate their seats in the year 1823, and one half every subsequent four years. In 1821, one fourth of the deputies of the towns or bailiwicks are excluded, and, afterwards, one fourth every two years.

80. In the first elections, all contests respecting the validity of the returns will be determined by the Government Central Commission, which is charged with the execution of the Constitutional Law.

81. The opening of the first Diet will take place on the 1st of February, 1819.

82. At the opening of the Diet, when the Constitution is

put in activity, the existing state of things in all branches of administration and legislation will continue, till measures be taken on these subjects, in concert with the Diet. The first Budget will, in particular, be provisionally executed.

83. The present Constitution is placed under the guarantee of the German Confederation.

Given under our hand, and sealed with the Great Seal of the State. Griesbach, Aug. 22, 1818.

(L.S.) CHARLES.

By command of his

Royal Highness, WEISS.

(From the Carlsruhe Official Gazette of August 29.)

*The Queen.*—The Prince Regent arrived at Kew-palace on Tuesday evening from the Stud-house, Hampton-court, on a visit to her Majesty; his Royal Highness remained there a considerable time. Her Majesty was not so well yesterday as she was on the 25th, and was not able to take her usual airing in her garden chaise.

25. A Proclamation, in the name of the Prince Regent, was published here yesterday, respecting the students at Göttingen. It states, that his Royal Highness by no means intends to abridge the liberty which his subjects have hitherto enjoyed of studying at what University they please; but that, on account of the late events at Göttingen, his Royal Highness is pleased to order, that none of the nation of Hanover who have studied there in the summer half-year, from Easter to Michaelmas this year, shall

shall be allowed to go to another University without express permission; and those who shall transgress this order shall never be admitted to any office, or allowed to practise any profession, in the Hanoverian dominions.

26. *Christiania*.—Yesterday his Majesty the King and his Royal Highness the Crown Prince left this place for Dronndhiem, where they will arrive on the 2nd of September. On the 24th inst. the Storthing, in full assembly, had a solemn audience of leave. The President, on this occasion, addressed his Majesty in the following speech:—

“Your Majesty is quitting our assembly for the purpose of placing on your royal head, and in the ancient regal seat of Norway, that crown which the wise Swerre, and the brave Hager Adelsteen, the noble and constant friend of liberty, wore before you. We acknowledge with gratitude, under Divine Providence, that all the qualities which were the ornament of those ancient kings of Norway are united in your Majesty, and can refer to the unerring testimony of history for a confirmation of your Majesty’s virtues. This assembly entertains no higher wish than that of being present at the solemn act, when your Majesty shall put the seal to your oath, in the holy temple of God, to maintain the independence and the liberty of Norway; yet, we must renounce this our wish, in compliance with the wise determination of your Majesty, which ordains that we shall re-assume and finish as soon as possible the important business yet depending. Mean time,

however, some of our body will be present at the coronation of your Majesty, when they will reiterate to your Majesty, as the constitutional king of Norway, the assurance of our inextinguishable fidelity, of our firm attachment, and of our ardent love. We unite with the people in their prayers to Heaven, that it may bless and preserve your Majesty.”

The King replied to this speech nearly in the following manner:—

“Though I had greatly wished to be surrounded at the ceremony of my coronation by all the national representatives, I must sacrifice my desire to the important affairs still remaining for your attention, more particularly as they regard the equal partition of the public charges. But, in leaving you, I take with me the sure conviction, that you are all animated by the same patriotism. No people can be happy, unless an intimate union subsist between their representatives and the head of the government. Then alone will their rights be maintained, the liberty of the nation be preserved, and its name be honoured amongst foreigners. I shall renew with fervency in the face of Heaven that oath before sworn to you, that I will govern the empire according to its constitution and laws. I will implore Divine Providence to bestow on me the same wisdom and power by which the great kings you have named were directed, whose memory is preserved to us in the annals of Norway.”

The Imperial Proclamation of 26th August, O. S. ordering a levy of recruits, is as follows:—

“By the Grace of God, We,  
Alexander

Alexander the First, Emperor and Autocrat of all the Russias, &c.

“By our Proclamations of September 4, 1816, and August 25, 1817, we had twice successively the pleasure to dispense with the usual annual levy of recruits through the whole extent of our empire. As we have in this manner, for two successive years, not in the least called away our beloved subjects from their usual domestic occupations, they were able tranquilly to enjoy in the bosom of their families the fruits of the happy continuance of peace, and my cares for their welfare. At the same time that we afforded this relief to our dearly beloved subjects, we were no less impelled by justice to consider the services of our old warriors, and we annually give their discharge to all those of the inferior rank who had served out their legal number of years, or whom sickness or wounds rendered unfit for service. The diminution thence arising in our army and fleet has become disproportionally great in the space of two years, and at length deficiency of men in actual service has now become very considerable. We have therefore judged it necessary, for the usual completing of our army and navy to the *peace establishment*, and for keeping it in proper condition, to order, for this present year, a levy of recruits; and we ordain that in the whole extent of the Empire, two recruits shall be taken to every 500 souls, according to our special ukase of this day.

“Given at Zarskojisel, 26th August, in the year of our

Lord 1818, and of our reign the 18th. ALEXANDER.”

On the spot where Moreau was mortally wounded, near the village of Rechnitz, about a mile and a half from Dresden, the Emperor Alexander has erected a simple but solid monument to his memory. It consists of one large square stone of Saxon granite, on the top of which is a huge helmet of iron resting upon a sabre. On one side of the monument is this inscription:—

MOREAU,  
Der Held,  
Fiel hiel an der seite  
Alexanders,  
den 27 Aug.  
1813.

Moreau, the Hero, fell by the side of Alexander, 27th August, 1813.

27. *Paris*.—The day before yesterday, being the festival of St. Louis, was celebrated with great pomp.

At six o'clock in the morning salvoes of artillery and the beating of drums announced the solemnity of the day. The sun rose bright and serene; some light clouds seemed only to veil its light from time to time, that its heat might be tempered, and the movements of the people rendered more convenient.

At 10 o'clock the French Academy, with several other Members of the Institute, assembled in the church of St. Germain l'Auxerrois in Paris. According to ancient custom, the Abbé Guillon, professor of sacred eloquence, pronounced a panegyric on St. Louis. The most striking part of his discourse was that

that wherein he considered the famous question of the Crusades. He contended with force, that these wars were conformable to the interests of religion, policy, humanity, and France. He terminated his apology for the Crusades by a very elaborate imitation of the exclamation of Demosthenes in his speech "on the Crown:"—"No, great King, you were not wrong; I swear it by——." In the close the Abbé attributed to St. Louis, and to the protection he never ceased to bestow on France, the miracles lately performed, and the restoration of his august Family to the Throne.

After grand mass, which the King, and Princes and Princesses of the Royal Family, attended in the Royal chapel, their Excellencies the Ambassadors and Ministers of foreign Powers, among whom was the Duke of Wellington, went in grand state to the Tuileries to present their congratulations. His Majesty also received the homages of the Marshals, Generals, and numerous officers of all ranks.

At noon his Majesty entered an open chariot, accompanied by their Royal Highnesses Madame and the Duchess of Berri. The Dukes of Angoulême and Orleans were on horseback on the right side of his Majesty's carriage (which was preceded by the Herald at Arms), and the Dukes of Berri and Bourbon on the left. Each of the Princes appeared in the uniform of their respective regiments. Troops of the cavalry of the guard were drawn up on each side of the passage to the Place Vendome. Discharges of

artillery announced his Majesty's departure from the Tuileries. At the moment of his Majesty's arrival at the platform where the statue has recently been erected to the memory of Henry IV. the air resounded with the general exclamations of "Long live the King!" "Long live the Bourbons!" The King seated himself on a throne in front of the statue. The diplomatic corps, composed of their Excellencies the Ambassadors of England, Russia, Spain, Austria, Prussia, and Portugal were on the right of the throne. Lord Wellington was remarked with the English Legation. There were present also the civil and military authorities, the members of different public institutions, and multitudes of all classes, who were eager to manifest their love for their benevolent Monarch. The spectacle was most imposing and brilliant, and the greatest order and harmony prevailed. On a signal given, the statue was uncovered; at the same instant a spontaneous burst of applause was heard from all parts to the memory of the Great Henry.

The Marquis Barbe de Marbois, President of the Committee of Subscribers to the Statue, addressed his Majesty in an eloquent speech. He extolled the virtues of the great Sovereign whose fame they were assembled to commemorate, and dwelt with the most feeling energy upon the presence of his illustrious descendant, who had given his people a charter worthy of the Bourbon name, and which had the effect of confirming their happiness.

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The King replied to the President's address in the following terms:—

“ I am deeply sensible of the sentiments which you express towards me; I accept with gratitude this gift of the French nation, this monument, raised by the offerings of the rich and the mite of the widow. In contemplating this statue, Frenchmen will say—‘ He loved us, and ‘ his children love us also.’ The descendants of this good King will say—‘ Let us deserve to be ‘ loved like him.’ It will be the

pledge of the union of all parties, and the oblivion of all errors; it will be a symbol of the happiness of all France. May Heaven realize these hopes, which are most dear to my heart !”

These words of the King were pronounced in a manner too pleasing for us to attempt the description, or to convey a just idea of the enthusiasm they produced.

The following inscription appears on one side of the pedestal of the statue:—

HENRICI MAGNI  
OB PATERNUM IN POPULOS ANIMUM  
NOTISSIMI PRINCIPIS  
SACRAM EFFIGIEM  
INTER CIVILIUUM FURORUM PROCELLAS  
GALLIA INDIGNANTE  
DEJECTAM,  
POST OPTATISSIMUM LUDOVICI XVIII. REDITUM  
EX OMNIBUS ORDINIBUS CIVES  
ÆRE COLLATO  
RESTITUERUNT:  
NECNON ET ELOGIUM  
QUOD  
SIMUL CUM EFFIGIE  
ABOLITUM FUERAT  
LAPIDI RURSUS INSCRIBI  
CURAVERUNT.

At the conclusion of the ceremony, the King returned to the Tuileries, amidst the unanimous acclamations of the assembled multitude. In the evening illuminations took place, and great rejoicings pervaded all parts of the capital.

The number of troops under arms during the day was calculated at 30,000 men.

28. *Petersburgh*.—By the following Imperial Manifesto, which

appeared on the 16th of July, several false reports are contradicted:—

“ We, Alexander I, by the Grace of God, &c. hereby make known, that the peace with Persia gives tranquillity and security to the eastern frontiers of Russia. It was concluded at a decisive moment, at the time when the new destiny of Europe was fixed, and unanimity was crowned by victory. Since that memorable period

period the Powers have enjoyed the blessing of a general peace. The bonds of friendship, which were restored between Russia and Persia, have in the course of four years been drawn still closer, and are now by reciprocal and solemn embassies confirmed on a sure and lasting basis. At the same time that we notify to all our faithful subjects this happy event, which has already produced many fruits of a solid union and undisturbed repose, we order the publication of the treaty concluded with Persia in the Gulistan on the 12th of October, 1813.

“ Given at Petersburgh, 16th of July, 1818.

Signed, “ALEXANDER.  
Countersigned, “NESSELRODE.”

Here follows the treaty by which peace is concluded between Russia and Persia, on the basis of *status quo ad præsentem*. The boundary line is described, and several districts are enumerated by name, which the Padishaw of Persia specifically recognizes as belonging to Russia.—His Majesty the Emperor of Russia binds himself to support, if necessary, the succession of the son of the Schah, who may by him be nominated heir to the throne, and by the powerful assistance of the Russian Empire to prevent any foreign foe from interfering in the affairs of Persia. If, however, contests should arise between the sons of the Schah, respecting the concerns of the Persian empire, Russia will take no part therein, until invited for that purpose by the reigning Schah.—The Russian and Persian merchantmen have the right, as

formerly, to sail to, and land on the opposite coasts of the Caspian sea. No ships of war, except Russian, to be allowed on the Caspian sea. All prisoners on both sides, whether prisoners of war or inhabitants, who may have been carried away, to be restored within three months after the signing of the treaty, and supplied with provisions and the means of travelling to Caraklis.—Provision is made for the respectful treatment of the Ambassadors and Consuls of both Powers, and for the reciprocal protection of the subjects of either country when in the other.—Provision is also made for the security of merchants, and facilitating commercial intercourse between the two empires.—A duty not exceeding 5 per cent is payable on Russian goods imported into Persian towns or harbours, and the same on Persian goods conveyed to Russia.—On the arrival of merchandise on the coasts in the harbours or frontier towns, the respective contracting parties secure full freedom to the merchants in the sale of their goods, the purchase of other, or in their barter. Signed on the part of Russia by the Ambassador General Nicholas Krischtschew; and on the part of Persia, by Mirza Abdulla Hassan Khan.

“ Paris, Aug. 29.

“ ROYAL ORDINANCE.

“ LOUIS, &c. With reference to the law for fixing the peace establishment of the army.

“ Art. 1. Forty thousand men shall be ballotted out of each of the classes of 1816 and 1817.

“ 2. The quota of each department, to make up thus 80,000 men,

men, shall be fixed in proportion to the population.

" 3. Out of the 80,000, 20,000 men from each of the classes of 1816 and 1817 shall be at the disposal of the Minister at War, to be placed on active service.

" 4. The 40,000 men at the disposal of the Minister at War, to be placed on active service, shall be employed, 1st, in replacing the sub-officers and soldiers who shall have completed their term of service on the 31st December next; 2nd, to complete the first battalions of our legions, according to the organization fixed by our ordinance of the 3rd Aug. 1815.

" 5. Our Minister at War shall present to us, for the execution of Art. 4, a scheme of distribution of the 40,000 men amongst the 86 legions in which they are to be incorporated.

" Dated Aug. 26.

(Signed) " LOUIS.

(Countersigned)

" GOUVION ST. CYR,  
Minister at War."

29. On the 31st of July an ordinance was issued from Carlton-house respecting the changed and improved formation of the High Court of Appeal at Cette. It is increased to the number of one President, two Vice-presidents, and 18 Counsellors. The nomination of 6 Counsellors is reserved to the Sovereign; the 12 others are filled by the States; and in future those of Hildesheim, Osnaburgh, and East Friesland, each name one. The regulation that the members must be of the Lutheran religion is abolished; and, in conformity with the 16th article of the Act of Confedera-

tion, the Roman Catholics, as well as the professors of the Reformed religion, are declared admissible. Instead of the two divisions hitherto made, there are to be 34 votes, each consisting of one President and six Counsellors. With respect to the relations of the members among each other, it is ordered that, instead of the mode of voting by classes, hitherto employed, the senior of the Nobles shall vote first; then the senior of the Professional or Learned Class; then the second of the Nobles; then the second of the Professional Class; and so on.

*Gloucestershire Assizes, Monday, Aug. 31.*—It is well known that the assizes for this county ought to have been held some weeks ago, but that the lateness of the hour at which Mr. Baron Garrow had arrived from Monmouth made it necessary to renew the commission. That renewed commission was opened this morning at 9 o'clock by Mr. Justice Holroyd and Mr. Baron Garrow, the latter having arrived last night, and the former having been met at the nearest turnpike on the Tewkesbury road this morning by the High Sheriff and his men.

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## SEPTEMBER.

" The Queen has been very unwell the last two days. Her Majesty has had but little sleep in the night, and continues much indisposed this morning."

Sept. 1. " FR. MILLMAN,

" H. HALFORD."

" 2. *Manchester.*—This town has been in a sad state of confu-

sion

sion to-day. In the forenoon, numerous bodies of the refractory cotton-spinners, according to their daily custom, assembled about the factory of Messrs. Gray and Co., near Ancoat's-street, for the purpose of preventing any one going to work there. Whilst parading round the factory about noon, the spinners assert that stones were thrown at them from the interior of the mill. How far this assertion is true, and whether it be not a report made by the spinners to justify their proceedings, I cannot ascertain. They, however, began to demolish the windows of the factory, and broke numbers of them, and endeavoured to force their way into the mill, by breaking open the gates and lower windows. The persons in the inside, who were armed, being alarmed for their own safety, as their lives would be in great danger if the assailants succeeded in entering the mill, fired upon them from the windows. Several of the mob were severely wounded. The number is not known, but it is generally stated as being about six or seven. Four have been brought to the infirmary dangerously wounded: one of them mortally in the groin; another report says, died almost immediately.

“The mob was repulsed by this spirited conduct, and Messrs. Gray and Co. had time to send to the magistrates for assistance, who speedily arrived with a party of dragoons and infantry. The number of people then assembled was very great, probably about 10 or 12,000; some have estimated them at 30,000. The riot act was read, and after the expi-

ration of the hour, the military dispersed the mob.

2. *Drontheim*.—Yesterday, the solemn entry of the King and Crown Prince took place. They were met at Oust by two detachments of the volunteer cavalry and of the horse chasseurs. About half a mile from the place, a double row was formed by the country people of both sexes, who occupied both sides of the road, and strewed flowers in the way of the royal coach as it passed along. At the end of these ranks of peasants were assembled the Bailiff of the Chapter, Count Trampe, the chief of the troops of the district, Gen. Seyersted, and all the other civil and military functionaries of distinction. General Seyersted went to meet the King at the head of the high staff, and delivered to him the keys of the city on a velvet cushion. The streets were crowded by an innumerable multitude, and the expression of their joy was so loud and unanimous, that it almost overpowered the sound produced by the constant discharges of artillery which took place from the forts and the armed vessels in the harbour. At the great gate of the city a triumphal arch was erected, which had on one side the arms of the King, and this Latin inscription—“*Priscum restituit Nidarosæ decus* ;” and on the other, the arms of the Crown Prince, with the following—“*Regis et populû delicia.*”

His Majesty now alighted from his coach, and was received before the triumphal arch by the Bailiff of the Chapter, Count Trampe, who, at the head of the magistrates

magistrates and other civil functionaries, was posted at the right hand, and by Bishop Rugge, and the other members of the ecclesiastical body, at the left hand. Within the triumphal arch the King and the Crown Prince were received with songs suited to the occasion, performed by the Countess Trampe, and 12 other young ladies. His Majesty continued the remainder of the way on foot. Before the Palace another triumphal arch was erected, when a number of ladies, dressed in white habits, strewed flowers on their way. When arrived at the Palace, the King was again complimented by the Norwegian Council of State, and by the Deputies of the State of the Swedish empire. The acclamations of the joyful people did not subside till the King and the Crown Prince had retired to the apartments prepared for them.

4. *The German Roman Catholics.*—On the death of the late Prince Primate, who was also Bishop of Constance, the Baron Von Wessenberg, his General Vicar in the diocese of Constance, was nominated to succeed him. The Pope refused to confirm the nomination, but the Grand Duke of Baden, his Sovereign, maintains him in his situation, in defiance of the Pope's authority, and in so doing he is supported by all the Sovereigns of Germany.

The Grand Duke of Baden contends, that as Sovereign he is entitled to nominate to the vacant Diocese, and that such nomination ought to be held good till it be ascertained by competent judges *in partibus*, that an improper person has been chosen.

In this case, after the most rigorous inquiry, he has found the Baron Von Wessenberg's qualifications of the highest kind, and his conduct to have always been most exemplary; and the refusal on the part of the Pope is therefore an arbitrary act to which no deference ought to be paid.

The whole case is laid before the public in a memorial from the Court of Baden, accompanied by a number of very curious documents.

It appears that the Baron Von Wessenberg, in his capacity of Grand Vicar of Constance, sanctioned by the Prince Primate and the Chapter, has been the author of many important reforms in the church that have long given great umbrage to the Court of Rome.

Among his other reforms, it appears that he absolved Monks from the oaths of celibacy, quoting the well-known language of the Apostle Paul on the subject—that he caused the service to be translated into, and celebrated in, the mother tongue—that he dispensed with the use of the Breviary—that he altered a number of inconvenient forms with respect to baptism, &c.—that he appointed stated examinations of the clergy—that he abolished all but a few festivals, and prohibited all ringing of bells on the days and eves of those abolished; that he, with the consent of the civil authority, converted monasteries, &c. into places of education and hospitals, formed a new and more commodious division of parishes, and distributed the livings into classes, which were bestowed according to merit, and in which  
all

all extremes were avoided; that he discouraged pilgrimages, &c. It appears also that he protected a professor who had distinguished himself by his skill in liberal learning, after a mandate had been issued against him by the Pope, on the ground that he had ascertained the accusations in the mandate to be unfounded.

The Bishop is supported by all the clergy of his extensive diocese, and indeed by nearly all the clergy of Catholic Germany. Among the Lay Catholics there is but one opinion concerning him.

*Spring Guns.*—Yesterday morning died, Charles Grant, Esq., an eminent Russian broker, of Globe-road, Mile-end. On Sunday se'nnight, about 10 at night, he took his usual walk round his ground, previous to retiring to rest. Not being aware his servants had set the spring-gun which had recently been placed there, in consequence of the numerous depredations committed, he trod upon the wire, and received 5 slugs in the back part of his thigh. Sir W. Blizard extracted the slugs, and faint hopes were entertained of his recovery until Saturday night, the fifth, when a mortification ensued and terminated his existence. He has left a wife and two children.

7. *Dover.*—Their Royal Highnesses the Duke and Duchess of Kent, and suite, arrived here yesterday evening at 6 o'clock, and upon alighting immediately embarked on board the Royal Sovereign yacht, lying in the harbour, under a salute from the guns at the heights, the yards of the yacht being manned, and

a guard of honour drawn up along the quay.

8. *Brighton.*—The long continuance of a calm sea has enabled our fishermen to make a more accurate survey of the beds of oysters discovered off this coast about 2 years ago. From repeated trawlings they have calculated, that for an extent of 70 miles S. E. and S. W. this body of shell fish lie in prodigious quantities. The shortest breadth is seven miles. The oysters caught to the S. W. are of excellent flavour; several speculators have examined the line of coast, in order to find a spot for forming oyster beds. Shoreham-harbour is mentioned as a most desirable spot, as the bed of the river consists of a fine black sand. From the facility of carriage-conveyance to the metropolis, it is likely that this new source of trade will enable the proprietors to supply a vast proportion of the consumption of oysters in the London market in the course of another year.

“*Kew Palace, Sept. 14.*”

“The Queen has not had a good night, but her Majesty is the same as she was yesterday.”

“F. MILLMAN.”

“H. HALFORD.”

15. *Manchester.*—With the exception of a very few persons, we believe the spinners are once more following their respective employments; the mills now being in full motion. After so long an absence from all profitable employment, the workmen are convinced that they have neither the right nor the power to dictate, as a body, to their employers; and the latter, we fully believe, are sincerely disposed,

posed, now submission has been made, to pass over the attempt to take the management of their affairs out of their own hands; forgiving and forgetting the insults they received during the turn out, and the loss which so much capital, so long unemployed, had unavoidably occasioned. The major part of the weavers in this neighbourhood, we understand, are again at their looms, with advances of various rates on the prices lately paid for weaving; for it was impossible, however feasible the plan might seem, to raise the prices in one indiscriminate ratio. There are however some of this most valuable class of population still dissatisfied, who refuse to return to labour till the original demand of seven shillings in the pound is complied with. This feeling, we are told, operates in a great degree in the neighbourhood of Bolton, where dissatisfaction still prevails, although very considerable additions have been made by the manufacturers to the prices recently paid, and which, it is stated (viewing the present stocks on hand, and the present demand), cannot at the present moment be advanced farther, without increasing the privations of which weavers, in very many cases with too much justice, have complained; since the continued accumulation of stock, at a greater expense in manufacture, would induce, if not force, the holders to suspend the fabrication of particular articles; and many weavers, now employed, would of course be left for a time entirely without work.—*Manchester Herald*.

*The Jesuits*.—The following is

the proposition submitted by the Council of State of Fribourg to the Sovereign Council for the re-establishment of the Jesuits:—“The Grand Council had, in its last Session, and after two deliberations, acknowledged that the Company of Jesus had rendered great services to the religion and state of the Canton until their suppression, and the establishment of this company presented some essential advantages to education in assuring the unity of principles and the uniformity of instruction. For these considerations, a wish was expressed by a great majority that this company should be re-established in the College of St. Michael in that city, being fully convinced of the utility and necessity of this restoration. To promote the paternal views of the Sovereign Council, the Council of State has the honour of submitting to its examination the project of a decree, as follows:—

Article 1. The Company of Jesus shall be re-established in the College of St. Michael in this city, to pursue there a religious life, and to give public instruction, conformably to the institutions of its Holy Founder, approved by the Bull of the Pontiff, dated the 7th of August, 1814.

2. This company shall be put in possession of the property annexed to the College.

3. It shall project and present to the Government a plan of education and public instruction.

4. It shall enjoy the property annexed to the College, but without power, under any pretext, of alienating or of disposing of any of the funds without



out the express authority of the Government.

5. All the revenues of these funds shall be employed for the use and exclusive support of the house established at Fribourg, without the power of transferring them to other houses.

6, 7, 8, 9. These articles refer to internal regulations, respecting the admission of members, and the duties of professors and teachers.

10. After 30 years of instruction, they shall obtain a retired pension, which, out of the house, is fixed at 400 Swiss francs; and in the house, with lodging and board, at 160 francs.

11. The house established in the College of St. Michael shall be submitted to the ordinary.

It is known that this project was adopted on the 15th by the Sovereign Council of Fribourg.

“*Madrid, Sept. 17.*”

*Official Article.—Royal Decrees.*

“Having judged it expedient to remove D. Joseph Garcia Leon y Pizarro from his office of my Secretary of State and Despatches, I appoint as his successor, *par interim*, the Marquis de Caza Irujot, my Honorary Counsellor of State. By these presents it is made known, in order to be communicated to all whom it may concern.

“Signed by the King’s hand, at the Palace, the 14th Sept. 1818.

“To Don Francisco Eguia.”

“I have removed D. Joseph Vasquez Figueroa from his office of Secretary of State and the Marine, and by virtue hereof

appoint it to be filled by Lieut.-General D. Balthasar Hidalgo de Cisneros, Capt. General of the Department of Cadiz. Until his arrival in the capital this department is under your charge.

“Signed by the King’s hand, at the Palace, the 14th Sept. 1818.

“To Don Francois Eguia.”

“In consideration of the bad state of the health of D. Martin de Garay, and that he may be enabled to recover it, I have removed him from his office of Secretary of State, and of the Finances of Spain and the Indies. I appoint, as his successor, *par interim*, D. Joseph Imaz, my Counsellor of Finances, and First Director-General of Rentes. By these presents it is made known to you.

“Signed by the King’s hand, at the Palace, the 14th Sept. 1818.

“To Don Francois Eguia.”

“*Kew-palace, Sept. 18.*”

“The Queen has had a very bad night, and her Majesty continues very much indisposed this morning.”

A Privy Council was held at Dublin Castle on Saturday the 19th, when Mr. Charles Grant was sworn into office as Chief Secretary for Ireland. The Lord-Lieutenant presided, and after the ceremony was performed, Mr. Grant took his seat at the Council Board.

His Majesty the King has issued the following Cabinet Order, respecting the memorial of the two last wars, to be erected near Berlin:—

“*To*

“ *To the Defenders of the Country, in the Years 1813, 1814, and 1815.* ”

“ Now that monuments to the fallen heroes have been erected on the remarkable fields of battle, it is my wish to erect also a monument of iron, in the capital of the kingdom, to my faithful people, and in particular to all those who shared in the struggle for liberty and right, as a common acknowledgment of generous devotion to their King and country. The first stone of the foundation has been this day laid. The solemnity of this act was heightened by the presence of my august friend and ally, his Majesty the emperor of Russia. In the space of a year this monument will be completed, an honourable recollection for the valiant combatants of the memorable period, and a serious warning to the youth of the kingdom to emulate them in valour, and in true attachment to their king and country.

“ FREDERICK WILLIAM.”

“ *Berlin, Sept. 19.* ”

“ *Kew-palace, Sept. 20.* ”

“ The Queen has not slept quite so well last night as in the two preceding ones. The symptoms of her Majesty’s complaint are much the same as those of yesterday.

(Signed) “ F. MILLMAN,  
“ H. HALFORD.”

22. *Vienna,—From Turkey.*—The 13th of August was a day of terror for Constantinople. The fermentation and dissatisfaction which have prevailed for some time among the people,

were raised to the highest pitch by the late events in Siwas (Sebasti), by which some families of the Janissaries had suffered; and by the late promotion of the Aga, who was hated by that dangerous soldiery; and the citizens were already living in anxious terror of the near explosion of acts of violence, which was announced by several placards; when early in the morning of that day a fire broke out in the house of the former Kuscha Baschi, Lieutenant of the Police, and spreading with the rapidity of lightning, turned the gloomy expectations into certainty. The fire raged the whole day through, and till past midnight, and presented a most dreadful spectacle of the destruction of several quarters of the city. Some thousand houses, two Christian churches, and two small mosques, were laid in ashes. The presence of the Sultan and of all the Ministers, indeed, animated the zeal of the persons employed in extinguishing the flames; but the narrowness of the streets in that closely-built quarter of the city, the heat and fatigues of the day, increased by the smoke, impeded the attempts to save the houses, and delayed assistance. Meantime the commotion among the people became more and more alarming, and the fears of the tumult increased.

It is affirmed, that in the placards the instigators demanded the deposition of the Grand Vizier, of the High Admiral, the removal of the favourite, Halet Effendi, of the Dharabhana Emini, Abdurrahman Bey, and

of some others. Fears were entertained for the lives of these and several other persons.

The whole of the following day passed in anxious expectation, till at length towards the evening it was announced that the Siek Itsch-Ili-Ahmed Pacha (hitherto Captain Pacha) was removed to Brussa, and Hassan Pacha, Governor of that Place, sent for to fill the office of High Admiral.

During these events the Government doubled its vigilance, to which alone we owe the most perfect tranquillity and safety, especially in the quarter of the Franks, where not only the guards were augmented and ordered to patrol without interruption both night and day, but several suspicious persons were arrested and put into prison. It was in vain that some malicious persons endeavoured to terrify the public by fresh alarms of fire, and to delay the re-opening of the public market, which had been cleared of the goods on account of the threatening danger. All foreign legations were requested by the Porte strictly to enjoin all persons of their respective nations not to go out after dark without lanterns, in order to prevent unpleasant consequences.

On the 17th of August there was a great extraordinary meeting of the Council of State, in the house of the Mufti. After it broke up, an Imperial Firman was published, in which the people were exhorted to keep peace and order, and to re-open the shops that remained shut in the public markets; and the assurance was added, that the Govern-

ment, fully relying on the zeal and support of the well-disposed inhabitants of the capital and of the empire, had no apprehension from the intrigues of some disturbers of the public peace, and would know how to punish them with all the rigour of the laws.

The Chiefs of the several regiments of Janissaries also appeared, to exculpate those under their command from the accusation of having been concerned in causing the fire. They were dismissed, with injunctions to look after all such persons among their body as were suspicious and capable of incendiary plots, and in case of detection to punish them with all the rigour of the statute of the corps. Lastly, to indulge the prejudices of the people, who are accustomed to regard the elephant as an animal of ill omen, and to attribute all fires to the presence of these animals in Constantinople, it was resolved to banish all the elephants from the metropolis, which resolution has been already carried into effect.

That in all these troubles, over which the Government has with equal dexterity and prudence thrown a veil, the hand of a seditious party was at work, appears from the execution (on the 18th) of a public officer equally distinguished by his immoral character and his remarkable talent for legal subtleties, by name Kaubur Suleimann Effendi, of the Court of Justice at Galati. He had been several times exiled from Constantinople for his licentiousness, and had obtained towards the end of the Ramadan, as it is affirmed, on the intercession

intercession of the Janissaries, leave to return to Constantinople. He was suddenly summoned, under the pretence of reading a Firman, before the Bostangi Pacha and the Topdshi Pacha, delivered to the executioners, and strangled, and his body cast into the sea. The account of the quieting of the troubles in Siwas, and of the general pardon granted to the inhabitants of that important province, seem equally to have contributed to allay the ferment of the people's minds. The happy result is ascribed to the happy intervention of Tscheapan Ogla.

The new Captain Pacha arrived at Constantinople on the 19th of August, and was received and invested with his new dignity in the usual form.

On Aug. 20 there was a splendid entertainment given by the late Director of the Customs, now chief inspector of the kitchen, in honour of the Sultan, on his admission among the archers, who hit a mark at the distance of 1,100 paces. All the Ministers and Grandees of the empire, who prefer this gymnastic exercise to every other, were present, and were sumptuously entertained; a countless multitude surrounded the kitchens, where 160 cooks were employed. The Sultan remained till the evening, and presented Osman Aga, the giver of the feast, with a sable pelisse, and a dagger adorned with diamonds. The greatest order prevailed among the people, and the Monarch clearly showed, by this public and ceremonious appearance, how little he fears the traitorous plots of some malcon-

tents, and how secure he feels himself in the midst of his faithful subjects.

After the inhabitants of the capital had enjoyed for some weeks a good state of health, they were suddenly alarmed at the end of last month by some cases of plague. It appears among the Armenians and Islanders from the Archipelago, and it is to be feared that it will spread. — (Austrian Observer, Sept. 22.)

(From the Manchester Herald, Sept. 22.)

“ Although we this week have to record a circumstance which arose out of the discontents of the weavers at Burnley, in this county, yet it is coupled with the satisfaction, that all is now quiet and peaceable in that district.

“ Plain cotton fabrics, which require the least personal skill in weaving, are chiefly made in that neighbourhood; and when it is considered that three weeks are always deemed a sufficient length of time to teach a mere labourer, when committed for any offence to the New Bailey Prison, to weave calico, it cannot be wondered that competition is excessive, or that the price paid for weaving the article should be small, compared with that paid for goods which require superior skill. The weavers of Burnley, it appears, were not satisfied with the advance they had actually obtained on the price of their labour; and on Tuesday last they employed the bellman to give public notice of a meeting to enforce their claim for more. The Civil Authority, however, very

very properly interfered, and took the bellman into custody, as the active agent of the combination. This his employers, in great numbers, resented; and by the help of iron crowes, pickaxes, &c. they forced open the prison-door, and liberated the prisoner. Their success in this instance made them still more irregular, and their numbers on Wednesday became so great, and their menaces so violent, that the Magistrates did not deem it prudent to persist in the exercise of their duty, till they had more military assistance than six dragoons (all that could be spared from other duty within a day's march of Burnley) could afford.

“Informed of this circumstance, the Manchester and Salford Yeomanry Cavalry, in the handsomest manner, volunteered their services; and about twelve o'clock on Thursday, whilst the rain poured down in torrents, they marched under the command of Captain Hindley. The rain continued during the whole of the march, which was accomplished in six hours. The influence of their presence at Burnley was immediately felt, without their being reduced to the disagreeable alternative of applying force in order to disperse their fellow-countrymen.

“During the whole of the day, a great number of most turbulent characters had possession of the streets, in which all business was suspended. Placards, referring to the outrage of Tuesday, had been prepared by the proper authorities, but no one had dared to venture amongst the ill-directed populace in order to

post them, till the cavalry were descried approaching the town, when they were immediately made public; and on the arrival of the yeomanry, with a promptitude and vigour which did honour to the gentlemen who composed it, the civil power began to act, and in little more than an hour seven of the most violently active of the insurgents were taken into custody, without any resistance on the part of the crowd, which dispersed immediately on the approach of the patriotic corps; and at a very early hour that evening the town was perfectly at peace, and the prisoners conducted (through Padiham) to Blackburn prison, under the escort of the six dragoons already mentioned.

“The next day the yeomanry accompanied the Magistrates to Padiham, where a meeting had been announced; but the presence of the force broke the spirits of the refractory; and, instead of attending an unlawful meeting, the quiet, peaceable, and industrious weavers, who had been forcibly driven from their looms by threats of vengeance by the leaders, had resumed their daily labours, and the click of the fly-shuttle was heard in every loom-house. After a stay of two hours at Padiham, the cavalry returned to their hospitable quarters at Burnley, which on invitations so hearty that it was impossible to evade them, were in the private houses of the principal inhabitants, where they and their horses were treated in a manner which did honour both to the town and the individuals who so very handsomely performed

formed the rites of hospitality to the gentlemen who had, in so patriotic a manner, left their accustomed pursuits, and hastened to rescue them from the danger with which they were threatened by a body of men labouring under erroneous, but strongly excited impressions.

“On Saturday morning, order being perfectly restored, the proper authorities again respected, and the 6 dragoons increased to a sergeant’s guard by a detachment which had arrived to support the magistracy, the gentlemen of the yeomanry corps prepared to march homewards, when, immediately before they left the town, a testimonial of the estimation in which their valuable services were held, was hastily drawn up on the spur of the occasion, and signed by as many of the principal inhabitants of Burnley and its vicinity as were immediately on the spot.”

On Thursday afternoon last, the 23rd, about four o’clock, an alarming fire broke out in Hexham-abbey, the seat of T. R. Beaumont, Esq. The fire raged with the greatest fury, and spread with great rapidity through the front and north wing of the building. About 7 o’clock, the roofs of those parts fell in with a tremendous crash, and by our latest accounts, they are literally burnt to the ground; and though the flames were still raging, yet it was hoped that the great and praise-worthy exertions of the populace had succeeded in preventing their further progress, and that the remaining parts of the building would be saved. About 8 o’clock, an express

arrived in this town, requesting the assistance of the engines belonging to the Newcastle Fire-office, which were consequently despatched with the greatest expedition. The fire broke out in a part which had lately been added to the house, and was, indeed, but just finished; and we understand it originated in the flues, which had been lighted for the first time, for the purpose of trying their effect. That part of the building which has been consumed formed the principal part of the house, and being nearly all the modern built part of it, was of course that which was most in use, and the most elegant in its furniture and decorations, the greatest part of which, we are sorry to add, has been also consumed, and as is generally the case in calamities of this nature, that which has been saved from the fire is so much damaged as to be of comparatively little value. The family were from home at the time. Since writing the above, we have learnt that the engines arrived at Hexham between one and two o’clock, when the ruins were still in flames, but a plentiful supply of water being at hand, the engines were immediately set to work, and soon succeeded in extinguishing them. Fortunately the night was very calm; had it been otherwise, the consequences would have been most dreadful. —*Newcastle Chronicle.*

BANK-NOTES.—*Wexford*, Sept. 24.—The Governors and Company of the Bank of Ireland have judiciously despatched agents through the kingdom, for the purpose of distributing fac-similes  
of

of a Bank of Ireland note, with directions to detect forged notes. One of the gentlemen who has been through this country called at our office on Monday, and left a copy of the above. By paying attention to the rules there pointed out, no mistake can occur, as the difference between the genuine and forged note is very apparent. No expense or exertion on the part of the Bank is omitted, to prevent the circulation of fraudulent paper. A few months ago one of its agents attended the fairs in this county, and examined the notes for the country people. The present method, we have no doubt, will be equally beneficial to the community.

The following are the rules to which we have above alluded:—

The notes of the Bank of Ireland, of five pounds and under, may easily be distinguished from the forgeries now in circulation, by observing—

1. The general perfection which prevails in the execution of every part of the note.

2. The extreme regularity and identity of character prevailing throughout every part of the border: the scrolls of which it is composed being without the least perceptible variation.

3. The small black worm lines inserted on the white grounds in the scrolls of the border, which are, as to form, absolute fac-similies of each other.

4. The edging round the sum, of which the distinguishing characteristics are, extreme precision, uniformity, and perfect execution.

5. In the vignette—the correct delineation of the crown, riband, and female figure, and the distinct formation of the words “Bank of Ireland,” in black, and the Latin motto in white letters, which are inserted in the riband.—*Wexford Herald*.

26. *Mittau*.—The 30th of August, O. S. the fete of our beloved Sovereign was a day of great rejoicing for us, more memorable than any one in the annals of Courland, and memorable also in the annals of humanity.

About two hours after midnight, the Emperor arrived, on his way to Aix-la-Chapelle; according to his orders, no ceremonies took place.

Already, the day before, Divine service had been ordered in the principal church, when the abolition of vassalage in the Government of Courland, which had been resolved upon by the Emperor at the desire of the nobility, and the confirmation of the plan of the new Constitution for the peasants, were to be published. At seven in the morning, therefore, the Civil Governors, the authorities, the nobility, the citizens, and a great number of peasants, assembled to pour out their hearts to the formation of all that is good, and to thank him that the respectable class of their brethren who cultivate the soil of their country have also attained the rights of citizens.

The solemn Te Deum began after the arrival of his Excellency the Governor, Marquis Palucci; and never, probably, was this hymn chaunted with more feeling, than by the persons assembled on this day, on which above



400,000 of their brethren were to regain the rights and dignity of men.

After the *Te Deum*, the Governor addressed the assembly in an appropriate speech, declaring the abolition of the slavery of the peasants, by the decree of his Majesty, at the request of the nobility; and announcing the plan of the new ordinance relating to the peasants.

The clergyman then ascended the pulpit, and held a discourse in German, in which he showed the point of view in which the new constitution of the peasants was to be considered, and the importance of the present moment. He then addressed the peasants in Livonian, announced to them the benefits given them by the emperor, saluted them as freemen, and exhorted them to gratitude to the Emperor, love to their late masters, and a proper use of their freedom; recommending them to pursue the path of legal order and tranquillity which each of them had now to take. A solemn hymn concluded this memorable ceremony.

His Imperial Majesty, after divine service in the church of the Holy Trinity, went to the Greek church, amidst the acclamations of the people, and heard *Te Deum* performed. Meantime, the nobility, the public officers, and the peasants, who had been assembled in the church, went to the castle, whither the Emperor repaired from the church, and had the civil officers and the nobility presented to him.

A scene then succeeded, which represented the Russian Sove-

reign in the fairest light as the father of his people, or, as the world in its infancy called Princes, as the Shepherd of his people. He caused the assembled peasants to be brought before him, and discoursed to them in person, explaining what his goodness had given them, and the proper use of it. The worthy Deputy of the country, Count Charles Von Meden, interpreted the discourse of the Emperor, who graciously heard the reply of two of the peasants

In the afternoon the Emperor, at the invitation of the nobility of the province, partook of an elegant entertainment in the hall of the Equestrian Order, which was tastefully ornamented with flowers and shrubs. During the entertainment the Emperor gave as a toast, "The welfare of the Courland nobility," and Count Meden in return proposed the health of his Majesty. Immediately after the entertainment his Majesty continued his journey to Berlin and Aix-la-Chapelle, accompanied by the blessing of all the people of Courland.

*Aix-la-Chapelle, Sept. 29.*

"Yesterday and the day preceding will constitute a remarkable epoch in the annals of Aix-la-Chapelle. Three powerful monarchs, animated with the same wishes for the repose of the universe and the happiness of their people, made their solemn entry into the ancient city of Aix-la-Chapelle. On Sunday, about 5 o'clock in the afternoon, his Majesty the King of Prussia, our Sovereign, arrived first, and was welcomed with all the demonstrations of the most lively joy

joy by the inhabitants, and the troops who were assembled for his reception. The day following, his Majesty, accompanied by several Generals, went to meet his Majesty the Emperor of Austria, and their Majesties entered together in the same carriage. These Sovereigns were welcomed with testimonies of love and respect by the entire population of the city, and by the military, who formed the line, before which they proceeded to their palaces.

“About ten o'clock at night his Majesty the Emperor of Russia arrived, accompanied by our King. Notwithstanding the lateness of the hour, all the inhabitants went to meet His Majesty's august Ally, whose presence has excited the liveliest transports of joy and satisfaction. Numerous salutes of artillery and a brilliant illumination celebrated the arrival of the Sovereigns within our walls.”

29. *Nottingham.*—A dreadful accident occurred yesterday at the Canal Company's wharf, by the explosion of gunpowder in a boat. The vessel was lying in the basin under the arch of the Company's warehouse, and some men were employed in landing the cargo, when in an instant an explosion took place which threw the whole town into consternation, and spread the most extensive devastation throughout the neighbourhood. The report was so tremendous as to be heard at a distance of many miles, and every house in the town was shaken as if by an earthquake. The Company's warehouse, with all its contents, was completely

blown into the air, and not a vestige of the building remains. The fragments were scattered over the meadows to a considerable distance, and the boat was in part shivered to pieces, and the rest sunk. Several roofs were carried off from the adjoining buildings, lead and tiles torn off, window-frames blown out, and hundreds of windows demolished. But the most dreadful part of the calamity is the extensive destruction of human life, no less than eleven persons, already ascertained, having been precipitated into eternity, besides two taken to the hospital, who are not expected to survive. The mangled remains of eight men and a boy had been collected last night, and two more were known to be buried amongst the ruins. The bodies presented a shocking spectacle; two men were found lying on the edge of the boat, with their heads completely taken off; two others lay near the gateway of the yard, with their skulls dashed to pieces, and otherwise disfigured; two other bodies were found in the meadows, having been blown across the canal, one to a distance of about one hundred yards, and the other more than three hundred yards, and the limbs and flesh scattered about in different directions: another was taken out of the ruins a complete trunk, with both legs and arms blown off: and the remaining two mangled in a manner equally shocking. Most of them were married men, and had families. The accident (as related by a boatman belonging to another vessel lying near, and  
who

who happily escaped with a few light bruises) originated by a youth of the name of Cross, the son of a boat-owner, imprudently fetching a hot cinder from another boat, and applying it to some loose powder which lay scattered about, with a view of having a "flash," as he termed it. The consequence was, that the fire communicated instantly by a sort of train to the cask from whence it had dropped out, which ignited, and setting fire to five other barrels, the whole exploded with a most tremendous noise. The damage is estimated at many thousand pounds—some calculations go as high as 30,000*l.*, but certainly it is very great. Mr. Wilkes, the Agent of the Company, was fortunately from home on a journey, and the bookkeeper had only left the premises about some business not more than ten minutes before the accident happened. The explosion took place about 3 o'clock in the afternoon. Amongst the property destroyed was a large quantity of corn in the warehouse in sacks and loose. The papers and books were fortunately deposited in a counting-house at some distance from the warehouse, which escaped destruction. A waggon belonging to Mr. Hooton was standing in the yard, and the waggoner, who was near the shaft horse at the time lost his life; the waggon was utterly destroyed, and two of the horses in the team killed on the spot. The boy that was killed was a son of Mr Howell; he was going on board with the intent of gathering some of the loose powder when the explosion

took place; his two companions (boys), who were waiting for him at a short distance, happily escaped without other injury than being slightly struck in the face. The other sufferers were principally boatmen and labourers about the wharf. Mr. Wilkes's house, which stands near the gateway, sustained comparatively little injury; the windows and the furniture in the house were for the most part demolished: Mrs. Wilkes was thrown with great violence from a table to the other side of the house, but escaped without other injury than what arose from the suddenness of the shock and the fright. One person crawled out of the ruins unhurt, owing to several beams falling crossways over him, which fortunately preserved his life. The bodies of the sufferers now lie at the Navigation inn for the Coroner's inquest.

*Explosion at Nottingham.*— (Further particulars.)— This melancholy affair happened through a man named Musson, who was employed in one of the boats, observing a portion of gunpowder to have leaked from a cask, 21 of which were just delivering, he said he would have a flash, and went to get a hot cinder from a boat which lay near, which, as soon as it was placed upon the train, caused the whole to explode, and by which he was thrown the distance of 126 yards in the most dreadful condition, the building and several vessels being also destroyed. Mr. Howell's house, on the wharf, was much shattered, and every pane of glass broken. In Mr. Wilkes's house, every pane of glass

glass was broken, and the roof much injured; the carpets, curtains, and all the drapery, were torn to ribands, and the furniture broken. Mr. Pyatt's house in Canal-street is much damaged; and the roofs of all the warehouses on the canal are dreadfully shattered. Miss Barnsdell's house is much injured; the doors are torn off, and every pane of glass broken. There are numberless instances in the town of furniture, and goods of great weight, having been thrown down with every appearance of an earthquake; the shock was so tremendous, as to be heard many miles distant from Nottingham.

The loss must be very great, and sets present calculation at defiance, as a great quantity of goods of every description, which were in course of delivery, comprising paper, whalebone, oil, oil of vitriol, wool, cheese, and many thousand quarters of corn, with a great quantity of almost every description of property, are thereby destroyed.

Only ten of the victims of this catastrophe have yet been found. Several are missing; and this day (Thursday) they are letting off the water, to discover any bodies that may be in the canal, and also in hopes of finding some of the valuable merchandise, which it is thought may have been thrown into it by the concussion.

Mr. Faubert, a book-keeper, was just sent on an errand in time to escape the death that must have befallen him; Mr. Pyatt was on the wharf only about 30 yards from the building when it blew up, and had at that moment despatched two of his men to

another part of the wharf to remove a cart, which was destroyed, and both men were killed; one of Mr. Hooton's waggon was loading, when part of the building was thrown on it, and crushed it to pieces, killing the waggoner, and the shaft horse. A boy, son of Mr. Howell, who was fishing in the canal, was killed; a man who was hauling a boat on the opposite side of the canal, was blown into the meadows; three men that were in the boat under the warehouse were killed; and Mr. Hall, stone-mason, was blown into one of them, where he was nearly killed, but was extricated by Mr. Pyatt, just in time to save his life before the boat filled; he is so much hurt, that his life is despaired of.

The ground-floor of the warehouse was of stone, and such was the power of the explosion, that a large portion of the pavement was driven six or seven feet into the solid earth.

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## OCTOBER.

At the University of Moscow almost all the public courses have recommenced, and it is remarked, that the very disasters of that city have had a favourable influence on the state of the sciences. The appointments of the professors have been augmented, the different branches of the sciences have received a greater development, and the number of students is augmenting. The Gymnasium has been opened anew, and perfected in several of its parts. It is the same with the schools in the country. After the example  
of

of the Emperor and Empress-Dowager, the grandees and wealthy individuals study to contribute to the progress of instruction, by donations, and very considerable foundations. The Count de Schouwaloff has given a sum of 150,000 roubles for the formation of a Gymnasium at Moscow. The Counsellor of the Mines, M. Demidow, has given a sum of 100,000 roubles to the University of Moscow, and a similar sum to the seminaries of Kieff and Yarosloff. The Count de Scheremetjew has granted for the foundation of an establishment for poor persons, a fund of a million and a half of roubles, and another very considerable sum to the University of Moscow.

*Extract of a Report upon the state of the Islands of Scilly, which has been made to the Council of his Royal Highness the Prince of Wales and Duke of Cornwall, by Benjamin Tucker, Esq., the Surveyor-General of the Duchy of Cornwall.*

"I cannot conclude this Report, without entreating of the Council to direct their most serious attention to a subject of the highest import to these islands and to the empire at large. In the former part I have shown that the Trinity Board receive a profit of full 3,000*l.* per annum from the light upon St. Agnes, without either the proprietor or his lessee deriving the least benefit therefrom.

"In my former report upon the Scilly islands, I have shown (page 21) that the tide does not, under any circumstance of

wind or weather, either at flood or ebb, set upon any one of the rocks, or islands, from the sea, but forms a complete circle round the group; it is, therefore, scarcely possible that a ship can be wrecked upon Scilly, in her approach from the westward, if she can have the least intimation of danger before she has actually struck upon the rocks; which (as I have stated in that report) was proved by Sir George Byng, in the Royal Anne, one of Sir Cloudesley Shovel's fleet, who, after the signal of danger had been made, got some sail upon his ship, and weathered the islands; and in like manner did Lord Dursley succeed in saving the St. George, even after she had struck upon the same rock with the Admiral: nevertheless, what a fearful picture of calamity and distress is exhibited in the annexed list of vessels, which have got entangled amongst the western rocks, in thick weather, when they have not been able, at the distance of between three and four miles to see either the land of the islands by day, or the light upon St. Agnes by night; it however, happens, that the westernmost rock, the Bishop (see the Chart in former report), which extends more than a mile beyond all the rest into the Western Ocean, as if there placed by Providence for the express purpose of receiving the first beacon to warn the mariner of his approach to the entrance of the British Channel—it providentially happens, that that rock has a large  
base

“base, and is dry at half tide ;  
 “and I am authorized by that  
 “eminent engineer, Mr. Rennie, to  
 “inform the Council, that he will  
 “pledge himself to build a light  
 “house thereupon (similar to  
 “that upon the Edystone), which  
 “will greatly tend to secure from  
 “accident all ships coming from  
 “the westward, even if they  
 “should approach within a few  
 “hundred yards of the light-  
 “house, by day or night, before  
 “it should be seen. Sir Clou-  
 “desley Shovel’s fleet, and almost  
 “all the vessels enumerated in  
 “the annexed list, would in all  
 “probability have been saved, if  
 “there had been a light-house  
 “upon the Bishop! Surely it  
 “will be superfluous in me to  
 “add another syllable, either on  
 “the score of humanity, or on  
 “the momentous and vital im-  
 “portance of the object to the  
 “empire at large, and to those  
 “islands in particular, to induce  
 “the Council to make such re-  
 “presentations to the Trinity-  
 “Board as shall not fail to call  
 “their immediate attention to  
 “the subject.”

*Kew Palace, Oct. 2.*

“The Queen has again had  
 several hours’ sleep, but it does  
 not appear to have produced any  
 visible effect on the state of her  
 Majesty’s complaint.

(Signed) “F. MILLMAN.

“H. HALFORD.”

*Treasury Order relating to the  
 Duty on Foreign Books and  
 Maps.*

“Treasury Chambers, Oct. 3.

“Gentlemen;—I am com-  
 manded by the Lords Commis-  
 sioners of his Majesty’s Treasury  
 to acquaint you, they are pleased

to approve of the regulations  
 proposed in your report of the  
 29th ultimo; in order to prevent  
 Foreign Books and Maps, the  
 property of individuals, and  
 brought over by passengers from  
 abroad, from being charged with  
 duty more than once; and I am,  
 therefore, to desire you will im-  
 mediately give the necessary  
 orders for carrying the same into  
 effect.

(Signed) “GEO. HARRISON.

“Commissioners of Customs.”

Note—In furtherance of the  
 above, the following directions  
 have been sent by the Com-  
 missioners of Customs to Col-  
 lectors and Comptrollers:—

“*Custom-house, London,*  
*Oct. 8, 1818.*

“Let the Collector and Comp-  
 troller take care that the direc-  
 tions of the Lords Commissioners  
 of his Majesty’s Treasury, con-  
 tained in the foregoing copy of  
 a letter from Mr. Harrison, be  
 duly obeyed, under the following  
 regulations, viz:—That the pro-  
 prietor, shall, on each importa-  
 tion of such books or maps, sub-  
 sequent to the original importa-  
 tion, make oath that the duties  
 were paid upon such books or  
 maps on their original importa-  
 tion; or that he purchased them  
 in this country, in a fair way of  
 trade; that they are the identical  
 books or maps which he exported  
 from hence, and that they are  
 now brought back for his private  
 use, and not for the purpose of  
 sale in this country.

“By order of the Commis-  
 sioners.”

*Glasgow Circuit.*—Saturday,  
 the 3rd Matthew Clydesdale, a  
 collier, was tried at the Court  
 of

of Justiciary, at Glasgow, for the murder of Andrew Love, in the parish of New Monkland, in the county of Lanark. From the evidence adduced in support of the charge, it appeared that the prisoner had for some time borne malice of the strongest nature against the deceased, who was eighty years of age, and a man of the most peaceful and industrious habits. One Sunday morning they chanced to meet near a coal-pit in the neighbourhood, when the prisoner attacked the deceased with a pick-axe, such as are used in collieries, and gave him some dreadful wounds on different parts of the head and body, under which he languished till the Thursday following, and then died. The son of the deceased was the principal witness; but the whole of the evidence was so conclusive, that the Jury, without a moment's hesitation, found him guilty.

Lord Gillies, the presiding Judge, then gave the prisoner a most impressive address on the enormity of the crime of which he had been so justly convicted by the Jury. The learned Judge sentenced the prisoner to be taken back to the prison, to be fed on bread and water, and to be executed on Wednesday, the 4th day of November, at 3 o'clock in the afternoon, his body to be then delivered to Dr. Jeffray, Professor of Anatomy in the University, for public dissection. The prisoner heard this awful sentence with the utmost apathy. He kept his eye constantly fixed on the Judge, and heard the solemn address without in the least being moved.

(From the Richmond Compiler, American paper, of Oct. 5.)

*Naval force of Buenos Ayres.*—The following list comprises all the vessels of war regularly commissioned by the Republic of Buenos-Ayres, and destined to cruise in the Atlantic Ocean. There possibly may be other cruisers, which have obtained, and still hold commissions from the Buenos-Ayrean Government; but having subsequently procured others from Artigas, to qualify them for capturing Portuguese vessels, they have forfeited the former; nor dare they show themselves in any port within the jurisdiction of Buenos Ayres, and are liable to be captured when fallen in with by the regular armed vessels of that Government. These are the pirates of whose infamous proceedings we have had so many accounts; it is with vessels of this stamp that the lawfully constituted cruisers of Buenos Ayres have been unjustly associated in the public mind, and it is for their crimes that the flag of the new republic has been so long and so cruelly stigmatised. Besides the vessels here enumerated, there are many others cruising in the Pacific and Indian Oceans, some of which are of a large class:—

	Guns.
Ship Vigilencia, Ross .....	16
Union, Brown .....	14
Brig Invincible, Jewett .....	20
Rio de la Plata, Davy...	16
Independencia del Sud,	
Grinnals .....	15
Creolio, Paul .....	12
Pueyrredon, Franklin...	13
Scho. Buenos-Ayres, Diotor ..	10
Julia des Forrest, Wilson	8
Corso,	



Guns.  
Corso, Chaytor ..... 12  
Congressio, ——— ..... 10

*Vinegar Act.*—Some proceedings having been instituted by the Commissioners of Excise, under the 7th clause of this Act, of a nature not contemplated by the framers of the law, a memorial was addressed to the Lords of the Treasury, by certain respectable merchants and others who were affected by that construction of the clause. To this memorial the following reply has been given :—

To Messrs. A. B. and Co.

Gentlemen;—The Lords Commissioners of his Majesty's Treasury having had under consideration the Memorial signed by yourselves and others, complaining of the vexatious operation of the 7th clause of the act of last session, cap. 65, I have it in command to acquaint you, that my Lords, under the circumstances stated in your Memorial, have been pleased to direct the commissioners of Excise to suspend any proceedings for enforcing the observance of the said clause, by any persons other than persons engaged or concerned in the manufacture of Verjuice, Vinegar, or Acetous Acid, or dealing therein; and I am to request you will communicate the above information to the several persons who signed the said Memorial.

I am, Gentlemen,  
your obedient servant,

(Signed) GEO. HARRISON.  
*Treasury Chambers, Oct. 6.*

There are at this time in the port of Bristol, a greater number of vessels in the harbour, for unloading, than ever was remem-

bered at one period in the memory of the oldest merchant.

The port of Hull has participated greatly in the general increase of the trade and revenue of this country during the last year. The following is a statement of the number of ships, &c. and amount of duties in the corresponding quarters of 1817 and 1818, ending the 10th of October, viz. :—

Vessels with cargo from foreign ports...	1817.	1818.
	£.	£.
No. of entries of goods and shipping in and out.....	230	620
Gross receipt of Customs.....	5,800	7,500
	131,900	180,600

The following Circular was on Saturday last sent from the Adjutant-General's office to the Commanding Officer of every regiment which it is not in the contemplation of Government to entirely reduce :—

(CIRCULAR.)

*Horse Guards, Oct. 10, 1818.*

Sir;—I am directed by the Commander-in-Chief to desire you will transmit a nominal return of such non-commissioned officers and privates of the regiment under your command, as you would recommend being discharged in the event of permission being given for that purpose.

His Royal Highness is desirous that this return should be prepared as accurately, and furnished as soon, as possible; and that it should contain a distinct specification,

cation, opposite each man's name, of the reason\* for recommending his discharge.

(Signed) J. MACDONALD,  
Deputy Adjutant-General.

Saturday morning, the 10th, as Mr. Bowles, of Spalding, and his nephew, were taking the diversion of shooting, near Crowland, the dog sprung a covey of partridges, which flew into an adjoining field. The nephew, in his eagerness to follow them, jumped over a hedge. The uncle, Mr. B., following very quick, unfortunately his piece went off, and lodged the contents in the body of the youth, who is only 16 years of age. Surgical assistance was immediately obtained, but he died in a few hours afterwards.

"The Queen has not had a good night; and her Majesty feels a want of that refreshment which she has lately derived from sleep.

"F. MILLMAN,  
"Oct. 12. HENRY HALFORD."

*Murder at Chelsea.*—Yesterday evening the 12th an inquisition was taken at the Triumphant Chariot, Pembroke-mews, Grosvenor-place, on view of the body of Mary Ann Losch:—

Mrs. Ann Daynan, of Lawrence court, Jews'-row, Chelsea, stated, that on Friday night, while she was conversing with the deceased, the husband of the latter, who was standing near them, came forward, and said to her, "Come home, you are drunk." She replied, "If I am drunk, it is by prostituting myself to support an

idle fellow like you." She had no sooner uttered these words than he struck her with something. She staggered and fell on her back, exclaiming, "I am murdered; pull the knife out of me." The husband appeared sober.

Richard Clark, in addition to what he stated at Queen-square police-office, said, that he had a distinct view of the husband by the light of a candle in a hair-dresser's shop; he did not observe him have any knife, but saw him fumbling in his pockets before he struck the deceased; after he struck her, and before she fell to the ground, she exclaimed, "O my God, I am murdered; will any one take the knife out of me?" Witness stepped forward to keep her up, but she fell before he reached her, and then uttered the same exclamation; don't know who pulled the knife out: conceives that neither she nor the husband were intoxicated.

Mr. William Treadaway, 2, George-street, Sloane-square, coal-merchant, was present at the horrid transaction; just as the deceased fell, he heard a scream of murder; he stepped towards her, and saw part of her bowels; she said, "take the knife out of me." Elizabeth Harrison cried out to the husband, You have murdered your wife: saw no knife; but the husband was standing by her; he said, "I am the murderer, take me." The husband had kicked her before, during the evening, very violently.

The evidence of Elizabeth Harrison and the watch-house-keeper corroborated the above.

Mr. John

\* Age, under size, wounds, disease, long services.

Mr. John Kitchen, house surgeon at St. George's Hospital.—The deceased was brought to the hospital on Friday evening a little past 8 o'clock; she was in excruciating pain. She had a wound on the right side of the abdomen about 6 inches in length, apparently inflicted with a sharp instrument. The greater part of the bowels and part of the stomach protruded. The bowels were cut through. She lingered until 5 o'clock the following morning. The bowels had been wounded in four different places.

The jury instantly returned a verdict of wilful and deliberate murder against Francis Losch, the deceased's husband, who is in custody.

On Thursday the fifteenth, Mr. Fisher, an officer belonging to the Dorothea, Capt. Buchan, arrived at the Admiralty with dispatches, announcing the return of that ship and her consort, the Trent sloop, from the North Pole. It appears that the highest latitude the ships ever attained was about 80° 30', longitude 12 east. They attempted proceeding to the westward, but, as in the case of Captain Phipps, in the Racehorse, in 1773, they found an impenetrable barrier of ice. The ships proceeded nearly over the same space as Captain Phipps did, and met with similar impediments as experienced by that officer. The Dorothea and the Trent are on their way to Deptford.

22. *Clausthal in the Hartz*.—Yesterday afternoon a powder-magazine, containing 20 cwt. of gunpowder, unhappily blew up. By this explosion, the cause of

which it is not easy to discover, two overseers, who were just delivering out powder, 18 miners, one woman, and three children, were blown to pieces and burnt, and four miners and one child mortally wounded, at least so that their recovery is despaired of. The unhappy persons have most of them left families unprovided for.

A Coroner's inquest was held on Oct. 27th, before Roger Callaway, Esq. Coroner, of Portsmouth, on the body of Thomas Huntingford, aged 71, a shipwright in this dock-yard, who was found dead in his bed, covered with blood, early on the morning of Saturday last, at his lodgings in Orange-street, Portsea. A verdict of *wilful murder* was returned against his wife, Sarah Huntingford, aged about 60, who has been consequently committed for trial.

Huntingford and his wife retired to their bed-room, being the front garret, at their usual hour on Friday night; it did not appear that either of them was intoxicated. About three o'clock on Saturday morning, Samuel Bately, a superannuated shipwright, who occupies the back part of the same house, was awoken by the steps of some person coming down stairs, which person he heard go out at the back door. He immediately threw open his window, when he discovered a female in the yard walking to and fro, with some garment wrapped round her head. He called but received no answer; he saw the person return into the house. He put on part of his clothes, and opened his door, when he discovered Mrs. Huntingford

tingford going up into her own room, with a lighted candle. She appeared alarmed, shook much, and, on his speaking to her, she dropped her candle, which went out, and she exclaimed, "I am murdered and robbed." Bately took up the candle, and went into the land-lady's (Mrs. Jennings's) room, the front room on the first floor, where he lighted the candle. Mrs. Jennings and Mrs. Huntingford went up stairs; Bately followed so soon as he had dressed himself, and also went into the room, when the deceased was discovered lying in the bed, covered with clotted blood; a great profusion of blood was upon the bed, and blood was also spattered on the wall at the head of the bed, and on the floor. Bately immediately called some neighbours, and went for a Surgeon, who on seeing the deceased, pronounced he had died from bursting a blood vessel—the idea of his having been murdered not at all being then presumed; but before he went away, he desired that a handkerchief, which was tied round the deceased's throat and head, might be removed, to ascertain if he might not have been strangled; on removing which five wounds were found in the forehead, four of which had fractured the skull; several other wounds were also found on the head, particularly one on the left temple, where the bone was so depressed, that a finger could reach the brain, all of which appeared to have been made with a heavy cutting instrument. When Mrs. Jennings and Bately went into the room, and discovering the dead body, Mrs. Hunting-

ford said, that two men had been there and murdered her husband. The truth of this assertion was instantly denied by all the inmates of the house, who had heard no noise whatever, and who found no violence had been used on the doors. In reply, Mrs. Huntingford said, her husband had been down the yard before he went to bed, and had forgotten to fasten the door on his return. She was asked why she had not made a noise; she replied, they had threatened her with death if she did so; that one was tall, and had a tomahawk in his hand, and one a short man, who had a lantern; and both their faces were blacked. She also said, that she was in bed at the time; that they asked for money, and on her husband's making resistance, the tall man struck him and killed him: that they made no noise, because, she said, they had no shoes on. Upon being asked why she should have gone into the yard without giving alarm, she denied she had been into the yard; but Bately swore positively to her being in the yard, and to his having met her in the way going up stairs from the yard to her own room; that she remained on the second step from the first landing-place, while Bately lit the candle she had dropped, by the candle which was in Mrs. Jennings's possession; who also saw her at the same time. An instrument, of the shape of a common bill-hook, but heavier and more sharp, was found in the coal-hole at the foot of the stairs; and past which spot Mrs. Huntingford went on her going and returning from her  
garret

garret to the yard. This instrument accorded with the wounds, and was bloody. In further proof of her guilt, it appeared, in examining of the bed in the first moment of the discovery, by Mrs. Turnbull (a midwife) and another neighbour, that only one person had lain in it that night; there was no second impression, and the deceased was lying in the middle of the bed, perfectly dead and stiff; and from the appearance of the blood, must have been dead some hours. Mrs. Huntingford, upon this contradiction to her statement being observed, acknowledged she had not been to bed, though, in the first instance, she stated she had jumped out of bed on the first appearance of the men in her room. Upon her person there was not much blood; upon her pockets and one of her petticoats there were some small spots. The deceased's pockets had been turned inside out, but were not bloody; and a small box, in which the deceased at times had kept money, had been opened, but without violence; no money, however, was in it, nor could any be found upon the wife. It appeared this wretched woman had, previously to this shocking discovery, pawned some spoons and her husband's best coat, which he had that day asked her for; and as she had been long addicted to sottish drunken habits, it is presumed the fear of detection, from having made away with his property, and the hope of finding money in his box, led her to the perpetration of this most depraved and horrid deed, which must

have been effected shortly after they had retired for the night. The prisoner, formerly, many years kept a grocer's shop at Portsea. The deceased had been upwards of sixty years a shipwright in his Majesty's Dock-yard; he was of a remarkably quiet inoffensive disposition; they had been married upwards of 40 years. It is not the least shocking part of this horrid transaction, that the woman throughout the proceeding, showed the most callous insensibility.

24. *Woolwich.*—His Majesty's ship *Dorothea*, Captain Buchan, and the *Trent*, Lieutenant Franklin, have arrived in Gallions from an unsuccessful expedition to the North Pole. The crews of both ships are well, which is rather surprising, when the *Dorothea* is viewed; for on the larboard side, from about 2 feet before the main-channel, and the length of about 15 feet aft, the ice has stove in the side so dreadfully, that had it not been for the steady and seamanlike conduct of Captain Buchan, assisted by Lieutenant Franklin and their ships' companies, who rendered every assistance at the pumps, while the carpenters were stoking the great hole made by the ice, they must have been lost. There is hardly one bit in the sides or deck but what has opened, some three inches wide, others more or less; also a great number of her timbers have broke quite through, so that they were obliged to place large planks upon the broken part, and well bolt them with extra beams, and planking inside.

OFFICIAL DOCUMENTS RELATING TO THE PLAGUE AT TANGIERS.

*Council-office, Whitehall, October 28.*

Sir;—The Lords of his Majesty's Most Honourable Privy Council having had under their consideration a letter from Mr. Goulburn, transmitting copy of a despatch from General Don, with intelligence of the progress of the plague in Morocco, I am directed to transmit copies of the said papers, to be laid before the Commissioners of his Majesty's Customs for their information.

(Signed) BULLER.

George Delavaud, Esq.  
Secretary.

*Gibraltar, Sept. 26.*

My Lord;—I beg leave to acquaint your Lordship, that I have received letters from Tangiers up to the 23d instant, and am sorry to inform you that the plague has considerably increased in that town during the last fortnight.

By the inclosed list your Lordship will perceive, that from the 8th to the 21st instant inclusive, the deaths amounted to 134.

The plague continues to rage in the villages in the vicinity of Tangiers; and by accounts from Tetuan, I find that the disease prevails in all the villages in that neighbourhood, particularly in those of the mountains of Sesnau, opposite to the town; indeed, there can be little doubt but that the contagion exists in it, as a muleteer, who arrived at Tangiers from Tetuan on the 23rd instant, stated that 23 persons died in the

town on the 21st instant, and two suddenly.

Some muleteers, who arrived at Tangiers on the 23rd instant, from Mequinez, stated verbally, that the plague had broken out in that town. The Emperor had removed to Fez.

By letters from Fez, up to the 6th instant, and from Larache up to the 20th instant, the public health is stated to be good in these towns; but the disease had broken out at Homan, five miles from Larache.

At Uzda the plague continues to rage.

I do not trouble your Lordship with the details Mr. Simpson has sent me respecting the vessels in all the Barbary ports; but I circulate them to the Spanish Generals on the coasts, to apprize them of the danger they are exposed to, should any of these vessels attempt to enter any of the Spanish ports or creeks.

Our quarantine vessels here are also on their guard against them. (Signed)

GEORGE DON, General.

Earl Bathurst.

Daily List of Deaths in Tangiers, from the 8th to the 21st of September, 1818:—

Sept. 8 .....	6	Sept. 15 .....	11
9 .....	12	16 .....	9
10 .....	7	17 .....	10
11 .....	14	18 .....	4
12 .....	6	19 .....	5
13 .....	9	20 .....	23
14 .....	5	21 .....	13

The Commissioners of Customs, in pursuance of the above, sent on the 29th ultimo, directions to Collectors and Comptrollers of out ports,

out-ports, to pay strict attention, and apprise them of any matter that may arise fit for the cognizance of the Board.

(From Barbadoes Papers, Oct.)

By arrivals from Dominica and Martinique, we are informed (as, indeed, was naturally to be expected), that those islands experienced the tempestuous weather with which we were recently visited. It had been more severely felt in the former of those settlements; for, according to the statement of a Dominica paper, provisions of every kind had been laid waste—plantains especially, throughout every quarter; and on many estates, the canes, that were previously in a forward state, had been levelled with the earth; the coffee trees were also severely shaken. In consequence of this alarming state of the colony, there being the prospect of a want of food for the inhabitants of every description, the House of Assembly had wisely applied to his Excellency Governor Maxwell, to open the ports of that island, for the admission of supplies, in vessels of any country, for a limited period; and with the advice of his Privy Council, the Governor issued a Proclamation on the 30th ult. to that effect.

#### NOVEMBER.

The Bulletin respecting the Queen was as follows:—

“ *Kew-palace, Nov. 1.*

“ The Queen’s symptoms have not improved since our last report. Her Majesty has not had a good night.”

An immense bank covered with

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cod-fish has been discovered, extending from Papa Westra, in Orkney, along the west coast of the Shetland islands. Already the fishing has been great. The fishermen report that from 150 to 200 sail of vessels can fish on it, and out of sight of each other.

#### *Protocol of Nov. 3.*

The Duke of Richelieu represented at the Conference, that the terms for the payment of the 165 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 value of the inscriptions, equally injurious to the interests of all the contracting parties. To remedy this evil the Duke of Richelieu proposes—

1. That the 165 millions which France was to discharge by monthly instalments, from the 6th of January to the 6th of September, be discharged in twelve months, by monthly payments from the 6th of January to the 6th of December, inclusive: the interest for the delay of three months being made good at the rate of 5 per cent.

2. That the 100 millions in inscriptions, for which the different Governments have treated with MM. Baring and Hope, shall be realized by payments made at the same epochs, with the same bonus of interest, in proportion to the delay of three months.

3. That arrangements shall be adopted with the abovementioned houses, in order that the bills

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drawn upon them, conformably to Article 6, may be paid in assets at the different places which may suit the convenience of the Governments interested, by avoiding the removal of too great a mass of specie.

MM. the Ministers Plenipotentiary of Austria, Great Britain, Prussia, and Russia, were unanimously of opinion to admit the proposition of the Duke of Richelieu, saving the entering, with respect to Article 3, into particular arrangements with Messrs. Baring and Hope, to fix the terms at which the effects in foreign funds should be accepted; and also that, in order to facilitate these arrangements, Mr. Baring should be requested to come to Aix-la-Chapelle to take measures for that purpose, in concert with the persons charged with this business. Prince Hardenberg, besides, presented to the protocol the subjoined observations in reserve, relative to the arrangement which the Prussian Government entered into with Mr. Baring for the part of the payments stipulated by the convention of October 9, which accrue to the said Government.

(Signed) METTERNICH,  
RICHELIEU,  
CASTLEREAGH,  
WELLINGTON,  
HARDENBERG,  
BERNSTORFF,  
NESSELRODE,  
CAPO D'ISTRIA.

*Sir Samuel Romilly.*—Yesterday morning, Nov. 3, at 11 o'clock, an inquest was held at the Colonnade public-house, Bernard-street, Russell-square, before Thomas Stirling, Esq. Co-

roner for the county of Middlesex, on the body of the above much lamented gentleman. The utmost anxiety prevailed in the neighbourhood, and gloom pervaded every countenance. The names of the persons summoned on the jury having been called over, and the members sworn, the Coroner proceeded to call the evidence.

C. Maybrey, surgeon, residing in Great Russell-street, deposed, that yesterday, the 2nd instant, at 2 o'clock in the afternoon, he was sent for to attend the deceased, whose complaint, he was given to understand by the messenger, was an internal hemorrhage. On entering the bed-chamber, he found Dr. Roget leaning over the deceased, who was on the floor; the servants were supporting him. The deceased held in one hand a sheet of paper, and a pen in the other, and appeared making an attempt to write. The hemorrhage from the wound had ceased, and likewise pulsation; but a slight vibration was perceptible in the region of the heart. The witness examined the incision, which was on the throat, and found it very deep, from which, and the considerable flow of blood, witness was of opinion death ensued.

A French gentleman (Dr. Dumont) here begged to interrupt the deposition, and, addressing himself to the Coroner, stated, that he had just received a note, which it was material should be instantly attended to. He handed it to the Coroner, who read it to the jury. It was hastily written, in French, by Mr. Brougham, dated St. James's-square, entreating

ing Mr. Dumont instantly to come to him, as he (Mr. Brougham) was unable to leave his room; but it was of the utmost and most pressing importance that he should communicate with Mr. Dumont before the inquest should be proceeded in. The latter gentleman stated himself to have been upon terms of the strictest intimacy with the deceased, and begged he might have time allowed him to attend to the solicitation of Mr. Brougham. The Coroner recommended Mr. Dumont to use all possible expedition in visiting Mr. Brougham, and observed, that in his absence they could continue the examination of the intermediate witnesses.

The above witness (Surgeon Maybrey), in continuation, said, that there was a great quantity of blood on the floor, and a portion of it in a basin. The wound appeared to have been inflicted with a sharp instrument. There was a bloody razor lying by his side. This witness pulled from his pocket the sheet of paper, which he deposed as that held by the deceased. It was in different places smeared with blood. At the sight of it, a start of distressing horror pervaded the inquest-chamber. The paper was blotted with ink; the words Sir, witness, or wishes might be traced; but so illegibly, that much doubt prevailed as to the correct indication of the characters so construed. The remaining marks of the pen were feebly traced, and might be compared to those an infant would produce for its amusement.

John Knox, surgeon, residing 65, Great Russell-street, deposed,

that he was sent for to the residence of the deceased at half-past 2 o'clock p. m. Mr. Maybrey, the former witness, had previously arrived. On witness's entrance into the bedchamber, he found the deceased lying on his back on the floor. He examined the body, and found a large wound in the upper part of the throat, which had completely severed the wind-pipe. The blood had then ceased to flow, as also circulation in the wrist; respiration continued in an imperfect state until 3 o'clock. Witness was of opinion that deceased's death was occasioned by loss of blood, and the obstruction of breathing, from the separation of the wind-pipe. A considerable quantity of blood was on the floor, and some in a basin; a razor lay near the deceased, stained with blood.

Coroner.—Did he appear to have been shaving?

Witness.—Judging from circumstances, I should conclude that he had left his bed to commit the deed.

A notice was here read by the Coroner, signed Dr. Alex. Marcet, stating that such was the agony of mind of Dr. Roget, from the melancholy event, that it was impossible that he could attend the inquest relative to the death of his late uncle.

The Coroner and Jury then proceeded from the inquest-room to the residence of the deceased, in Russell-street, for the purpose of viewing the body.

[Upon the arrival of the Jury at the house of the deceased, a considerable anxiety was manifested to gain admittance to view

the body. Some of the reporters, of course, were among the number; but the Coroner prevented the intrusion, by threatening to commit any person who entered, except the Jury.]

Thomas Bowen said he was footman to Sir Samuel Romilly. He did not see his master from the middle of August last, until Sunday afternoon, when he arrived in town from the Isle of Wight. He looked well, and appeared in good health at the time: much better than could have been expected, from the domestic affliction which had taken place, and hearing that he had been unwell. Soon after he came in, he lay down on the sofa in the library, which was between four and five o'clock. Witness heard that the deceased was unwell from the loss of Lady Romilly, who died on Thursday night last; he had been unwell for a long time, and had a daughter and six sons; the eldest, the daughter, was about 20 years of age; the youngest boy between 8 and 9. Sir Samuel appeared always exceedingly happy in his family; but the multiplicity of his avocations prevented his being much with them; he had scarce any time for enjoyment. Witness did not attend him on Monday morning, but knew he was indisposed and confined to his bed: when well, his general hour of rising was 6 o'clock, and of going to bed 11. Miss Romilly, Mr. William Romilly, Dr. Roget, and Mrs. Davies (sister of Lady Romilly), were in the house on Monday morning, as were also some of the servants (part being in the country); he could not

tell who it was that attended Sir Samuel in his bed-room, with his breakfast on that morning. Witness about 2 o'clock heard a noise, like somebody falling on the floor, up two pair of stairs, and went up to ascertain the cause. The bed-room door of his master was open, and Dr. Roget was standing outside: witness was about to enter, and saw Sir Samuel (as he thought) coming towards the door, in the act of driving the Doctor out. It appeared, however, it was to keep him out, for he raised both his hands and fastened the door; he was then bleeding profusely. Witness did not then observe any instrument in his hand. The door was instantly burst open, and Sir Samuel was found leaning over the wash-hand-stand, his throat being cut, and the blood flowing from him profusely; a shirt and a blanket were about him; he was quite speechless, but he had made several signs with his hand; he was given a sheet of paper, and pen and ink. Previous to entering the room, Dr. Roget told witness that the deceased had cut his throat. Miss Romilly, previous to the fatal act committed by the deceased, had been with him in the room, but he sent her down to the drawing-room, desiring to see Dr. Roget. It was during this interval he cut his throat. He kept a case of razors, in the ordinary way, in his room. There were two beds in his room, in one of which Dr. Roget slept. Witness asked the Doctor if he saw the deceased do the deed; and he replied, that he thought upon going into the room when  
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sent for, he was just throwing away the razor after inflicting the wound. Witness assisted his master together with Dr. Roget, until Mr. Maybrey, the surgeon, arrived.

Upon the Rev. Mr. Dumont being called upon to give his evidence, he said he thought it was of the last importance to hear the testimony of some of the medical gentlemen who had attended Sir Samuel Romilly previous to his death.

The Coroner and jury were of the same opinion; the former stating, that to learn as accurately as possible every circumstance which could throw light on the cause that unhappily led to the death of such a man as Sir Samuel Romilly, was indeed matter of the last importance.

Mr. Stephen Dumont, of Geneva, then stated, that he was one of the Representatives of the Council at Geneva, but had been in England previous to the restoration. I have (he said) been connected with Sir Samuel Romilly a great many years; my intention was to have spent the summer with my best friend, Sir Samuel, and his lady; but the state of Lady Romilly's health was such that she was removed to Cowes, in the Isle of Wight.

[Here the witness, in great anguish, said it would be better that he should read the letters he had then received from Sir Samuel. A letter was then read from Sir Samuel, dated from Cowes, 27th Sept. inviting Dr. Dumont to visit him there; saying, that he could not promise him any pleasure, as he considered

Lady Romilly in a very perilous state, as the physicians did not say she was out of danger; and concluded thus:—"She is considered by her medical attendants in some danger. She is for the present a little better, and I take care neither to let her nor the poor children see the anxiety I feel, but it costs me a great deal; with all this, do not suppose I have not resolution to undergo every thing to preserve my health for my children's sake."

This letter was followed by two others, informing Mr. Dumont of the state of Lady Romilly's health. And he then resumed his evidence as follows:—I arrived in the Isle of Wight on the 3rd of October, and Lady Romilly was well enough to spend a few hours in company; but Sir Samuel seemed to have no confidence, and notwithstanding that recovery he was in the same state of anxiety. Lady Romilly had a relapse, and was for some days in a great state of suffering. During that time nothing could equal the excruciating pains of Sir Samuel, but his fortitude and resignation. He was almost entirely deprived of sleep, and I saw he began to entertain the greatest apprehensions from that circumstance. Twice or three times he has expressed to me his fears of mental derangement. Once he sent for me in the middle of the night, at least at two o'clock in the morning, and spoke to me of a dream he had had full of horrors, and said that an impression had remained upon his mind as if the dream had been a reality. He asked me if I did not consider that as a proof that  
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his mind was broken, and his faculties impaired. Conversations about his children generally restored a certain degree of peace to his mind, and sometimes he proposed plans for their education and future establishment. On Thursday, the 29th of October, about 10 o'clock, while at Cowes, in the Isle of Wight, he was informed by his nephew, Dr. Roget, for whom he always showed the same attachment as for one of his sons, that his lady was no more. I have omitted to say that the two sisters of Lady Romilly came on the Tuesday previous, and he said he could shed no tears when he saw them. He told me his brains were burning hot. He left Cowes with great reluctance the next day (Friday), but he declared that he would be governed entirely by Dr. Roget and his friends. I accompanied him, and on Friday we slept at Winchester. He felt extremely exhausted. Dr. Roget slept in the same room, and Sir Samuel's night was extremely restless. The next morning I observed marks of great agitation, which he tried to subdue; he was constantly tearing his gloves, or the palm of his hand, scratching his fingers and his nose, and some blood came from his nose. When we arrived at an inn on the road, he was so weak that he could proceed no further. We slept there, and Dr. Roget still slept in the same room with him. I had proposed to him not to come to Russell-square, but to take some other house for the present. He answered, that he was likely to be laid up for some time, and he

was desirous of getting home, and he proceeded; but I observed more violent signs of agitation still, more tearing of his hands and of his nose. In a moment that he was shutting his eyes and wringing his hands, I took the hand of his daughter and placed it in his hand; upon which, opening his eyes, and having perceived what I had done, he cast upon me an unutterable look of gratitude, and embraced his daughter. When we arrived in Russell-square, he made great efforts to compose himself, and went to his library, and threw himself upon a sofa, quite in a manner that was alarming to me: then for some moments he was joining his hands, as in a state of delirium, but he spoke nothing. A moment after he got up, took my arm, went round the two rooms, and appeared to me to be in the state of a man dying of an internal wound. One or two hours after, he desired to see Dr. Marcet, saying his nephew, Dr. Roget, suffered too much, and that he would give him the comfort of some medical friend's assistance. He wanted to consult him, particularly about a shower bath, thinking that would relieve the heat of his head; still he declared he had no head-ache. I have nothing more to say upon that subject. After Dr. Marcet (it was Sunday when we arrived in town, about five o'clock) arrived, he would not quit him the whole night, but slept in the room; I slept in a room above him. About seven in the morning (Monday) Dr. Roget came to me in a state of extreme anxiety, telling me that his uncle was  
much

much worse, with a violent fever, uttering some expressions in a state of perturbation, and complaining that he was distracted. Dr. Roget immediately called Dr. Marcet, who came instantly, and they sent for Dr. Babington to join in a consultation. I asked Dr. Marcet and Dr. Roget if I could go and see my friend, and they desired me not to do it, saying the greatest quiet was necessary for him, and that he was only to have one person to attend him in the room. I went then to Holland-house, at Kensington, to see his three youngest children, whom Lord Holland had taken from school to his house, and to make some arrangements with respect to them. When I returned to Russell-square about half-past three, I found one of the servants in tears, and Dr. Roget in a state approaching to despair. My first feeling was stupor and astonishment, for I had never, during the whole month that I had passed with Sir Samuel, and dining most constantly with him and his son—and during the time the ladies were employed in business (during which time we had intimate conversations)—I never had any apprehension of the act by which he had lost his life. The intimate knowledge that I had of his high principles of duty—of his moral and religious fortitude—of his love for his country—and of his—(much affected)—of his parental affection, totally excluded from my mind every suspicion, or idea, of the catastrophe that has happened.

*Coroner.*—I dare say the gentlemen are fully impressed with

the state of Sir Samuel Romilly's mind, from the very clear evidence you have given, Sir. Indeed, it is impossible to conceive that a great mind like his could be directed by any thing but the immense weight of affliction which appears to have oppressed him. The circumstance of a mind like his, resting for so great a length of time upon the same melancholy subject, was sufficient, and likely to occasion mental derangement; and it is likely produced an inflammation on the brain, which led to the deplorable catastrophe, but we shall hear this from the medical gentlemen.

Alexander Marcet, of 23, Russell-square, Doctor of Medicine, said, he was in habits of intimacy with Sir Samuel Romilly, but did not attend him professionally. On Sunday evening, about half-past nine o'clock, he went to his house to see his nephew, Dr. Roget: Sir Samuel was sitting in the parlour with his family, and witness entered into conversation with him about his health. He complained of an extreme degree of lassitude, particularly about the extremities, where he suffered frequent and severe muscular pains. No attitude afforded him any comfort, and he sat in his chair in a state of great agitation. Although he refrained from describing the anguish of his mind, or giving vent to his feelings, it was obvious from his manner, as well as what he uttered, that he despaired of his recovery, in spite of all that was said to inspire him with hope and comfort. Various steps were recommended in order to allay his extreme state of irritation,

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but he objected to all in succession. He ultimately insisted on being allowed to go to bed, without making an attempt to produce relief, upon the ground that he felt he must have a wretched night; and that if he were to use medicines, it would only have the effect of taking away all confidence from his medical friends. Next morning, witness attended the deceased, with Doctors Roget and Babington; he found him considerably altered—his skin, which the night before was quite dry, was then bedewed with moisture. His mind appeared much better, and he seemed more free from bodily agitation. He was remarkably concise in his answers to all questions, and uttered nothing from whence any thing very unfavourable could be deduced as to the state of his mind. On the contrary, from all that witness and the other medical gentlemen could learn, it was evident that there had been increased and violent agitation of the body in the night. From the tranquillity of mind he appeared to enjoy in the early part of the night, Dr. Roget thought he had had some hours of sleep, but upon inquiry, the deceased himself declared he had none. Witness thought it was impossible to say to what consequences such a state as that in which he had found Sir Samuel might lead a man; but knowing him so well, and relying with such firmness upon his mind, he never could foresee the probability of the deceased being led to the commission of such an act. Such a catastrophe never occurred to his mind, but he nevertheless con-

templated the symptom of his disorder with great alarm.

William Babington, M. D. of Aldermanbury, said he was sent for to attend at the house of Sir Samuel Romilly, in consequence of an urgent note he had received from Dr. Marcet. He arrived between 10 and 11 o'clock. Previously to his going up to the room of Sir S. Romilly, he had learned from Drs. Marcet and Roget all that had antecedently occurred; his visit to Sir Samuel was therefore short, and he found him in a situation corresponding exactly with the account he had heard. He had however a few questions to ask Sir Samuel, and those he answered with perfect distinctness, although he appeared thoughtful and reserved. He expressed to him his hopes, that from the change which had taken place in his situation, more especially the apparent quietude he had enjoyed in the night, and the perspiration he was under, that he would recover. He hoped a still further improvement would be manifested in the evening, when they would again visit him. Witness had applied his mind to a consideration, whether the circumstances of Sir Samuel Romilly's health and the state of his family—of his wife's decease, and the anguish this gave him—his unbroken rest—his own health and feverish state, together with all that had been related to him in the house, by his friends and relations, would lead to derangement; and was of opinion that, under all these sufferings, he must have been in a state of mental distraction.

The Coroner summed up the evidence,



evidence, and put it to the Jury to say whether the evidence they had heard was not sufficiently strong to convince them that the deceased must have been in a state of mental derangement at the time he committed the fatal act which terminated his valuable life?

The Jury, without hesitation, returned the following verdict:—“We are unanimously of opinion that the deceased cut his throat while in a state of mental temporary derangement.”

5. *Venice*.—My Lord;—I am sorry to acquaint your Lordship, that a circular letter, which I received yesterday from the Venetian Health Office, confirms the fears which have been for some days past entertained here, of the plague having appeared in the lazarette of this port. On the 6th ultimo, the Austrian *Pieligo St. Giovanni* arrived at Venice, from Valloan, in Albania, and the passengers having removed to the lazarette, one of them showed symptoms of fever on the 20th, and died two days after. On the 22nd, three other passengers fell successively ill on the 23rd, 24th, and 26th, and died, the first on the 26th, the second on the 27th, and the third on the 30th ultimo; since which, another has been attacked, and died yesterday morning. The greatest precautions have been immediately adopted by the Board of Health: the vessel was instantly removed into a separate canal, and all communication strictly interdicted between the passengers of the *St. Giovanni*, and the other individuals at present in quarantine; and as this alarming malady has hitherto been entirely confined to

the first, great hopes are entertained that it will be kept within the walls of the lazarette, around which for greater security, sentinels have been placed to prevent all approach. There are no English vessels at present in this port, and only one under British colours belonging to Malta.

I have the honour to remain, my Lord, Your Lordship's most obedient humble servant,

(Signed) R. B. HOPPNER,  
Consul-General.

The Right Hon. Viscount  
Castlereagh, K. G. &c.

On Friday night, the 6th of November last, a most desperate gang of poachers (about twenty in number), known by the name of the Bedfordshire poachers, or Robin Hood's gang, headed by a farmer named Field, of New Inn, near Silsoe, who called himself Robin Hood, attacked the woods and estate of Joseph Latour, Esq., of Hixton, near Hitchin. The keeper, Dalby, and his assistant, Godfrey, on finding Field and his companions advancing near them, concealed themselves in a hedge; the gang, however, crossing the hedge near the spot, discovered them, when, without any attack or provocation whatever on the part of the keepers, they formed a line around them, when four or five of the party most cruelly beat them, leaving them for dead. Field held his dog by the ear, while it licked the blood from the head of Godfrey. Much credit is due to Mr. Latour, for his spirited exertions in sending immediately to Bow-street for assistance, when an active officer of the name of Holyland was sent down, who soon ascertained that the gang consisted

consisted of at least 40 men, with Field at their head, and that they were encouraged by a number of gentlemen and farmers. Two of the men, Senly and Brown, were speedily apprehended, and sworn to by the keepers, but neither of them would impeach his accomplices. About a week after, the officer had information of one of the party, named Usher, whom he succeeded in taking after four days and nights severe labour; in a ditch, where he had a violent struggle for nearly half an hour; when a young man came to his assistance, and they handcuffed him. Usher is a very stout bony man, six feet one inch high; he defended himself with a spade, till the officer wrested it from him, who was much hurt by the blows he received. In less than an hour, Usher gave a clue to the whole gang, when Holyland proceeded to apprehend Field as the ringleader, in doing which he was exposed to great danger, as he found him at a public-house surrounded by 20 of his colleagues, who had pledged themselves to die to a man rather than suffer Field to be taken. He entered the room, assisted by two of Lady de Gray's keepers, who, to their credit, stood by him until Field was taken. The officer was much assaulted, and had his warrant torn from him, when he drew his cutlass, and by a spirited and well-timed plan he carried Field off. Three of the ringleaders in the assault have been sent to Bedford gaol to take their trials at the ensuing sessions. Field, Usher, Senly, Brown, and Roberts, are committed for trial to Hertford gaol; and the officer is now in pursuit of the others. This

gang has been for some time a terror to the whole neighbourhood, and Field has frequently given notice to the gentleman whose park he was going to attack. Some idea may be formed of the depredations committed by Field's gang, when it is pretty correctly ascertained that Field has paid from 60*l.* to 70*l.* a week to his men, and employed a cart to convey away the plunder.—*Nor-thampton Mercury.*

7. *Exportation of Slaves forbidden.*—The Legislature of New Jersey, now in session at Trenton, passed an act last Thursday, prohibiting the exportation of slaves or servants of colour out of that State. It makes it penal in the sum of 2,000 dollars, or imprisonment at hard labour for any term not less than two, or more than four years, at the discretion of the Court, for any person to send to sea, or export, or attempt to export, from that State, or to carry out of it, any slave or servant. And it also enacts, that every slave or servant so exported or carried out of that State, or attempted to be exported or carried out of that state, or sent to sea, shall be free. All persons aiding and abetting are deemed equally guilty as the owner of a slave. It also ordains, that if any person fits out, equips, or mans, or otherwise prepares any vessel to sail from any port or harbour in that State, for the purpose of exporting slaves, such vessel and cargo shall be forfeited to the State. It compels the masters of vessels, in case they discover, after they have got to sea, any slaves on board, to return them to the port from whence they took them, under the penalty  
of

of 2,000 dollars, or imprisonment for four years.

7. *Brussels.* — Lieutenant-General G. Murray, Chief of the Staff of the English Army of Occupation, published on the 1st of this month, at the Head-Quarters at Cambray, the following

*Order of the Day.*

“Field-Marshal the Duke of Wellington cannot take leave of the troops whom he had the honour to command, without expressing to them his gratitude for the good conduct which has distinguished them during the time they have been under his orders. It is now nearly three years since the Allied Sovereigns confided to the Field-Marshal the chief command of that part of their forces which circumstances rendered it necessary to keep in France. If the measures which their Majesties commanded have been executed in a manner to give them satisfaction, this result must be wholly attributed to the prudent and enlightened conduct manifested on all occasions by their excellencies the Generals commanding in chief, to the good example which they have given to the other Generals and officers who were subordinate to them, as well as to the efforts of these latter to second them, and lastly, to the excellent discipline which has always prevailed in the contingents.

“It is with regret that the General has seen the moment arrive when the dissolution of this army was to put an end to his public connexions, and his private relations with the commanders and other officers of the

corps of the army. The Field-Marshal deeply feels how agreeable these relations have been to him. He begs the Generals commanding in chief to receive and make known to the troops under their orders, the assurance that he shall never cease to take the most lively interest in every thing that may concern them; and that the remembrance of the three years during which he has had the honour to be at their head, will be always dear to him.

(Signed) “G. MURRAY,  
“Lieut.-General, and Chief of  
the Staff of the Allied Army.”

“*Kew palace, Nov. 8.*

“The Queen passed the evening of yesterday very uncomfortably, and has had a restless night; but there is no material alteration in her Majesty’s symptoms.

“F. MILLMAN.

“H. HALFORD.”

9. This day being Lord Mayor’s-day, Alderman Atkins was sworn in, at Westminster, with the usual forms.

*Extraordinary Suicide.*—(From a Newcastle paper.)—It has fallen to our lot, as journalists, to record one of the most lamentable and most singular occurrences of self-destruction we ever heard or ever read of. It is entirely without parallel. The names of the unhappy men are John and Lancelot Younghusband. We know not whether they are more to be lamented as useful members of society, or for the unprecedented attachment which subsisted between them, as brothers. In business, they were most respectable farmers, and had resided, as tenants, at Heckley-grange,

near

near Alnwick, from their childhood. The eldest was verging on 70 years of age, and the youngest not less than 60. They were always together, never known to be at variance; their thoughts were similar, their feelings and actions the same. Since the catastrophe, the following are the circumstances which have transpired. On the morning of Tuesday se'night, the tenth, between nine and ten o'clock, while one of them was giving instructions to a boy ploughing in one of their fields, the other brother approached, and asked, "Are you ready?" Being answered in the affirmative, they left the field together. At dinner they were missing; but this created little alarm, as accident or some unexpected business relative to the farm might have occasioned their absence. Evening arrived, and they did not appear. This naturally excited fearful apprehensions; and a servant was sent the way they had been seen walking; when the dreadful discovery was made, that they were no longer in existence. They were lying distant from each other only a few yards, near a ditch, each having his throat cut, and a razor near his body. A watch was also found beside one of them, from which it may be inferred that they had resolved to die at the same moment. There was not the least appearance of scuffle, nor any room for suspicion that they had been murdered by others. A Jury was summoned that night, and continued to hold inquest, adjournments intervening, till Thursday night, when a verdict

of *felo de se* was returned. The farming stock and utensils were then valued, and the bodies were buried at midnight on Saturday in the cross-roads, near the church. Unseasonable as the hour was, the interment was numerously attended. All seemed to allow the justice of the verdict, though all seemed to lament it. The friends of the deceased attempted to prove insanity, but failed entirely; their greatest efforts being unable even to establish previous melancholy. The act appears to have been some time premeditated. A hair-dresser who was called before the Jury identified the razors found near the bodies as having been brought to him to sharpen on the Saturday before. This melancholy event, for which no satisfactory cause has been assigned, will long remain in the recollection of all.

Yesterday morning the 10th, advices were received in town of the return of Capt. Ross, in the *Isabella*, with his companion, the *Alexander* sloop, Lieut. Parry, to Shetland, after a fruitless attempt to penetrate through Behring's Straits past the American continent. It is said that Capt. Ross almost reached the latitude of 78°, and traversed the whole of Davis's Straits, and found inhabitants, but could not discover the smallest opening sufficient to admit the entrance of a ship. Science has, however, derived some advantage, as he has been enabled to trace the line of coast with greater accuracy, and to alter the positions which had been assigned to it in all the charts.

*Extract of a letter from Leith, dated Nov. 10.*—"A melancholy accident occurred here yesterday morning. One of the Kirkaldy pinnaces sailed from this port about 11 o'clock, and when half way between Leith and its place of destination, the boat shipped a heavy sea, and immediately went down. Every person on board was drowned; but the exact number has not yet been ascertained. Eight hats have been picked up, belonging to the unfortunate sufferers. There were one or two, if not more, women on board. A dog, belonging to the boat, swam on shore."

#### OFFICIAL DOCUMENTS.

*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 Nov., 1815.*

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 upon, by Article 5 of the treaty of the 20th of Nov. 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; and had to be also directed to the execution of the engagements contracted by the French Government, with 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 intimately 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

Plenipotentiary of his Most Christian Majesty has addressed to the Ministers of the other Powers 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 at having 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.

“ 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 completement of the general peace.

“ Considering now, as the first of their duties, to preserve to their people the benefits which that peace assures to them, and to maintain in all 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 recognized 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 fidelity 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

of their very particular consideration.

(Signed) "METTERNICH.  
"CASTLEREAGH.  
"WELLINGTON.  
"HARDENBERG.  
"BERNSTORFF.  
"NESSELRODE.  
"CAPO D'ISTRIA.

"*Aix-la-Chapelle, Nov. 4, 1818.*"

*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.*

"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, no other nation has been able to fulfil with a more 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 governs 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 assents to the proposal made to him of uniting his councils and his efforts with those of their Majesties the Emperor of Austria, the King of Great Britain, the King of Prussia, and the Emperor of all the Russias, 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



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 of offering them the assurance of his highest consideration.

(Signed) “ RICHELIEU.  
“ *Aix-la-Chapelle, Nov. 12, 1818.*”

#### PROTOCOL

*Signed at Aix-la-Chapelle, on the 15th Nov. 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, as a consequence of the exchange of the ratifications of the convention signed on the 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 subjoined, have assembled in conference to take into consideration the relations which ought to be established, in the existing state of things, between France and the co-subscribing Powers of the treaty of peace of the 20th of November, 1815—relations which, by securing to France the place that belongs to her in the system of Europe, 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 inves-

tigated the conservative principles of the great interests which constitute the order of things established, under the auspices of Divine Providence, in Europe, by the treaty of Paris of the 30th of May, 1814, the *reces* of Vienna, and the treaty of Peace of the year 1815, the Courts subscribing the present act, do, in consequence, unanimously acknowledge and declare—

“ 1. That they are firmly resolved never to depart, neither in their mutual relations, nor in those which connect them with other states, from the principles of intimate union which has hitherto decided 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, inasmuch 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 assured its duration.

“ 4. That if, for the better attaining the above declared object, the Powers which have concurred

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, to treat in common of their proper 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 consequence 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 subjoined 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.

(Signed) “ METTERNICH.  
 “ RICHELIEU.  
 “ CASTLEREAGH.  
 “ WELLINGTON.  
 “ HARDENBERG.  
 “ BERNSTORFF.  
 “ NESSELRODE.  
 “ CAPO D'ISTRIA.

“ *Aix-la-Chapelle, Nov. 15, 1818.*”  
 VOL. LX.

DECLARATION.

“ Now that the pacification of Europe is accomplished, by the resolution of withdrawing the foreign troops from the French territory; and now that there is an end of those measures of precaution which deplorable events 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 definitively 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

maintenance of peace, and the security 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 it shall be their object to discuss in common their own interests, or whether they take cognizance of questions in which other governments shall formally claim their interference. The same spirit which will direct their councils, and reign in their diplomatic communications, shall preside also at these meetings; and the repose of the world shall be constantly their motive and their end.

“ It is with such sentiments that the Sovereigns have consummated the work to which they were called. They will not cease to 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 in their power, an example of justice, of concord, of moderation; happy in the power of consecrating, from henceforth, all their efforts to the protection of the acts of peace, to the increase of the internal prosperity of their States, and to the awakening of those sentiments of religion and morality, whose empire has been but too much enfeebled by the misfortune of the times.

(Signed) “ METTERNICH.

“ RICHELIEU.

“ CASTLEREAGH.

“ WELLINGTON.

“ HARDENBERG.

“ BERNSTORFF.

“ NESSELRODE.

“ CAPO D'ISTRIA.

“ *Aix-la-Chapelle, Nov. 15, 1818.*”

This document bears the signature of M. Gentz, the Secretary to the Congress.

15. *Munich.*—The Act of Union, of the Lutheran and reformed Confessions, in the Bavarian circle of the Rhine, was confirmed by his Majesty on the 10th of October. The chief contents of this document relate to the following points:—

A. General Regulations.—The two confessions are fraternally united, under the name of Protestant Evangelical Christian church. It has no other basis of faith than the Holy Scriptures.

B. Religious Doctrine.—It declares the holy sacrament of the Lord's Supper to be a festival of remembrance of Jesus Christ, and of the most blessed union with him.

Confession is a self-examination before partaking of the Lord's Supper; it is therefore no longer called

called Confession, but Preparation.

With respect to Predestination and Elective Grace, this church expresses its conviction that God has destined all men for salvation, and does not withhold from them the means of attaining it.

It recognises no necessary baptism. These are the few main fundamental principles from which all the other rules for the practice of Divine worship are deduced, viz.

C. Rites and Liturgy.

D. Religious scholastic instruction.

E. Property of the Church, its union, administration, and application.

F. Constitution of the Church.

G. Religious Discipline.—

Upon these principles, the Royal Rescript of Oct. 10, declares the union of the Protestant confessions in the circle of the Rhine to be accomplished.

“*Kew-palace, Nov. 17.*”

“The Queen’s state last night was one of great and imminent danger. Her Majesty continues very ill this morning.

(Signed) “F. MILLMAN.

“H. HALFORD.”

Her Majesty expired about one o’clock on Tuesday, November 17, 1818, in the 75th year of her age. Her death was owing to a gradual accumulation of water in her limbs and on her chest, which no medicines could relieve, and which, after a long illness which she bore with great fortitude and resignation, closed her life.

On Saturday evening, about half past 8 o’clock, the leaden coffin for the late Queen was removed from the dining parlour

at Kew-palace, by one of the undertakers and his assistants, to the chamber where she breathed her last, on the east end of the palace, where it was placed on trestles. The remains of the Queen were then placed in the coffin, under the immediate direction and superintendence of Mr. Mash of the Lord Chamberlain’s office, and Mr. A. E. Brande, the apothecary to the King’s person, in the presence of Mrs. Beckendorff, Miss Beckendorff, and the other females who have been the constant attendants of the Queen, during her long and painful illness, both at the Queen’s and Kew Palaces. The body was wrapped in a white satin sheet. Mr. Brande, agreeably to the duty of his office, then proceeded to fill up the coffin with spices; after this, the plumber and his assistants were admitted, and the cover was soldered to the coffin, in the presence of the above-named official persons.

19. The following decree has been issued under the authority of the Grand Inquisitor, who is also private confessor to Ferdinand VII:—

ROYAL DECREE.

In the name of the Holy Trinity, &c.

Whereas it has been made known to us that various publications of an heretical, irreligious, and seditious tendency are in circulation among the subjects of this kingdom; and whereas it is of the last importance that their progress should be arrested, and the authors, publishers, and circulators duly punished, it has been determined that such measures shall be taken instantly as

will most effectually accomplish this purpose.

All persons having in their possession works bearing the following titles shall be brought before the Holy Office, and such punishment inflicted as the case shall seem to require, provided it be not less than solitary imprisonment under the authority of the Holy Office for three months, and the payment of a fine of not less than 25 doubloons. The works prohibited are—"The History of the Inquisition;" "Reasons why the Inquisition should be abolished;" "A few Remarks upon the re-establishment of the Brotherhood of the Order of Jesus;" "The Theory of the Cortes;" "The Necessity of National Representation;" "Observations on the Conduct of several of the Courts of Europe;" "Patriotic Songs;" "The Difficulties at present to be Encountered."

The greater number of these heretical and seditious productions have been printed in foreign countries, in the Spanish language, and secretly introduced into this kingdom.

A proportionate punishment will be inflicted upon such individuals as have in their custody any foreign journals, newspapers, &c. containing matter against the Government and Institutions of Spain.

Given from Madrid, this 19th day of Nov. A. D. 1818.

A PROCLAMATION.

*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.*

GEORGE, P. R.—Whereas by an act passed in the 51st year of his Majesty's reign, intituled "An Act to provide for the Administration of the Royal Authority, and for the Care of his Majesty's Royal Person, during the continuance of his Majesty's Illness, and for the Resumption of the Exercise of the Royal Authority by his Majesty, it was amongst other things enacted, that if her Majesty, the Queen, should depart this life during the time that the care of his Majesty's royal person should be committed to her Majesty, according to the provisions of the said Act, the Regent should forthwith order and direct a Proclamation under the Great Seal of the United Kingdom of Great Britain and Ireland, to be issued and published, declaring the same. And whereas, by another Act, passed in the last Session of Parliament, intituled "An Act to alter and amend certain of the provisions of an Act, passed in the 51st year of his Majesty's reign, intituled 'An Act to provide for the administration of the Royal Authority, and for the care of his Majesty's Royal Person, during the continuance of his Majesty's Illness, and for the resumption of the exercise of the Royal Authority by his Majesty,'" it was, amongst other things, enacted, that if the case should happen in which it was enacted by the said Act passed in the 51st year of his Majesty, that the Regent should forthwith order and direct such Proclamation to be issued and published as aforesaid, and the same should happen upon or after the day appointed

appointed by any writ or summons then issued for calling and assembling a new Parliament, and before such new Parliament should have met and sat as a Parliament, then and in such case the Regent should forthwith cause such a Proclamation as aforesaid to be issued and published, declaring that such case had happened, and requiring the new Parliament either to convene and sit at Westminster immediately after such Proclamation should have been published, or upon some day to be mentioned in such Proclamation, and being within sixty days, to be computed from the date of the said Proclamation; and in such case the Parliament so convening and sitting should be and be deemed a Parliament to all intents and purposes, under the provisions of the said last-mentioned Acts: And whereas, the Parliament which was summoned to meet at Westminster on the fourth day of August last, hath not yet met and sat as a Parliament, but stands prorogued to the 29th day of December now next ensuing: and whereas her Majesty the Queen departed this life on the 17th day of November instant, during the time that the care of his Majesty's Royal person was committed to her Majesty: Now we do hereby by this Proclamation (ordered and directed to be issued and published, and issued and published under the Great Seal of the united kingdom of Great Britain and Ireland) declare, that her Majesty the Queen departed this life on the 17th day of November instant; and we do, in the name and on

the behalf of his Majesty, by and with the advice of his Majesty's Privy Council, publish, declare, and require, that the new Parliament shall be held, convene, and sit at Westminster on the 14th day of January now next ensuing, for the despatch of divers urgent and important affairs; and the Lords spiritual and temporal, and the Knights, Citizens, and Burgesses of the House of Commons, are hereby required and commanded to give their attendance accordingly on the said 14th day of January now next ensuing: and we do hereby farther publish and declare, in the name and on the behalf of his Majesty, and by and with the advice of his Majesty's Privy Council, that the said Parliament shall, on the 29th day of December now next ensuing, be further prorogued to the said 14th day of January now next ensuing: and we have, in the name and on the behalf of his Majesty, given order to the Chancellor of that part of the united kingdom called Great Britain, to prepare a writ patent, under the Great Seal of the United Kingdom, for proroguing the same accordingly.

Given at the Court at Carlton-house, this 19th day of November, 1818, in the 59th year of his Majesty's reign.

GOD SAVE THE KING.

On Saturday afternoon, the 21st, at half past three o'clock, an accident of a very serious nature occurred in Lombard-street, arising out of the fire which took place the preceding night, at the house of Mr. Carrol, the lottery-office keeper, which had  
been

been consumed. The flames extended their ravages to the premises of Messrs. Smith and Co., cutlers, in Lombard-street, the greatest part of which was destroyed. The front wall remained standing, but in a perilous situation. The firemen, who were actively employed on the spot, repeatedly warned the passengers to keep at a distance; but such is the temerity which attends the gratification of curiosity, that this notification of danger had but little effect. At half-past three, that part of the wall which extended from the second floor to the attics, fell into Lombard-street, overwhelming, on its reaching the ground, no less than seven persons, including two boys. The unfortunate victims of their own incaution were carried to St. Bartholomew's hospital. It is not ascertained that any lives were sacrificed on the spot, although this may not be improbable. The two boys are since dead.

24. *Hanover*.—The nineteenth number of the Collection of the Laws contains the following ordinance:—

GEORGE, Prince Regent, &c.

In the efforts which, since the happy deliverance of our German territories from foreign domination, we have constantly employed to heal the wounds thereby received, and particularly to restore the much deranged finances, the question which chiefly presented itself was, what arrangement was to be made respecting the future payment of the arrears of interest which have accrued on sums borrowed on our domains and faithful provinces during the

period of the usurpation of the enemy. Now, though serious doubts exist whether and in how far our domains and faithful provinces may be bound to the liquidation of the said arrears, after the domain and provincial revenues dedicated to the discharge of the same, have become the prey of the enemy; yet it is our wish that the creditors who have been deprived of their interests may be compensated, in as far as is possible consistently with the resources of our domains, and without imposing too heavy a burthen on our faithful subjects. But while we cherish a confident hope that the creditors will obtain at least a part of the said arrears of interest, it is at the same time still found impracticable to take any such step, on account of the various investigations which must previously be completed, in order to fix with greater precision the amount and terms of the payment. Until, however, this arrangement be made, we cannot permit particular creditors, by availing themselves of judicial proceedings against our domains and faithful provinces, to procure payment of the said arrears in detached cases, and thereby to obtain an undue preference for themselves over others. We therefore consider ourselves bound to order as follows:—

1. No judicial process shall be brought against the treasuries of our domains or faithful provinces, on account of arrears of interest on debts of the said domains and provinces due during the usurpation of the enemy.

2. This rule holds with respect to the arrears of interest of every capital



capital charged upon our domains or our faithful provinces, whether the loan may have been made before, or during the existence of the hostile occupation.

3. The said regulation is, however, applicable only to interests on the said capitals which have become due after the introduction of the French Intendantship, and also from the 1st of January, 1807, to the 1st of November, 1813, and which remain unpaid.

4. We therefore prohibit all and every tribunal of our kingdom to hear any complaint against our domain and our faithful provinces, on account of arrears of interest falling due during the above-mentioned period, or to make any order of payment against the same, or to allow any depending process for the recovery of the

payment of these arrears to proceed further.

5. The present ordinance shall remain in force until we issue a further ordinance on the manner in which the claims for payment of the said arrears shall be adjusted.

We hereby give our assurance, that the issuing of this ordinance shall be hastened as much as possible, and have ordered our Cabinet Ministers to proceed with the greatest activity in the necessary investigations.

*Carlton-house, Nov. 10, 1818.*

A letter from Rome, dated Nov. 30, and published in the Religious Chronicle, states,—  
“It appears that the Court of France has agreed with that of Rome, to a tacit suspension of the Concordat of 1817.”

*The following is given by the Courier, as the Account of the Reductions, &c. in the Army.*

REDUCTIONS.

20th Light Dragoons .....	464
21st Ditto .....	648
22nd Light Dragoons .....	648
Staff Corps of Cavalry .....	216
112 Men per Regiment in the two Regiments of Life Guards, and 104 men in the Royal Regiment of Horse Guards .....	328
Ten Men per Troop in each of the Regiments of Dragoon Guards, and Dragoons serving in Great Britain and Ireland .....	1,700
Difference of establishment between the six Regiments of Cavalry returning from France, and that now fixed .....	1,104
Sixteen Boys per Regiment in the Royal Regiment of Horse Guards, Dragoon Guards, and Dragoons, ditto .....	356
Three Troops of the Royal Waggon Train .....	536
	6,000*

\* One sergeant per troop in each of the regiments of Dragoon Guards, Dragoons, and Light Dragoons serving in Great Britain and Ireland.

Brought forward .....	6,000
Ten Men per Company in each of the Regiments of Foot Guards, 72 Companies .....	720
	720
94th, 95th, 96th, and 97th Regiments, each at 800 Rank and File .....	3,200
3rd and 4th Battalion of the 60th .....	1,600
Third Battalion Rifle Brigade .....	810
Two West India Regiments .....	1,600
The Royal York Rangers .....	1,000
The Royal West India Rangers .....	1,000
The Loyal African Corps .....	1,000
The York Chasseurs .....	800
Two Black Garrison Companies for service at the Bahamas .....	200
Recruiting Companies of 18 Regiments.....	144
Fifteen Privates per Company in every Regiment of Infantry, exclusive of India .....	12,600
Royal Staff Corps, two Companies .....	120
Difference of establishment between the 84th and 86th Regiments ordered home from India, and that now fixed .....	603
	24,682
Total Cavalry, Foot Guards, and Infantry .....	31,402*

The Supernumerary Lieutenant-Colonels of the two regiments of Life Guards, to be discontinued upon the strength of these corps, and their pay to be placed under the head of allowances, &c.

The Supernumerary Lieutenant-Colonels of five Regiments of Infantry.

The Officers of Recruiting Companies of 18 Regiments.

The third Subaltern per Company in the Regiments of Foot Guards.

The additional Lieutenant per Company in Regiments of Light Infantry and Rifle Battalions, and Corps serving in the West Indies and Ceylon.

\* One sergeant per company in every regiment of Infantry, exclusive of those serving in the East Indies.

The Second Assistant Surgeons of Regiments of Cavalry, Foot Guards, and Infantry.

*Reduced Establishment of all Regiments at Home and Abroad, except those in the East Indies.*

Cavalry—(Light and Heavy.)  
Eight Troops.

- 1 Colonel
- 1 Lieutenant-colonel
- 2 Majors
- 8 Captains
- 8 Lieutenants
- 8 Cornets.

The usual Staff.

- 29 Sergeants
- 24 Corporals
- 8 Trumpeters
- 8 Farriers

336 Privates  
 273 Horses—16 privates in each Troop to be dismounted.  
 Infantry.  
 Ten Companies.  
 1 Colonel  
 1 Lieutenant-colonel  
 2 Majors  
 10 Captains  
 12 Lieutenants  
 8 Ensigns.  
 The usual Staff.  
 35 Sergeants  
 30 Corporals  
 22 Drummers  
 620 Privates

The 2nd Dragoon Guards, 3rd Dragoons, 3rd, 7th, 23rd, 29th, 43rd, and 57th Regiments of Infantry, now on their return from France, to proceed to Ireland.

It is understood the 11th and 13th Dragoons are to proceed to the East Indies.

These reductions will *bona fide* amount to more than 33,000 men.

The following reduction is to take place in the Life-Guards, 1st and 2nd: we give the present and future establishment:—

Future.	Present.
2 Majors .....	2
8 Captains .....	8

1st, or Grenadiers.....8	Lieut.-Capts. 24	Ensign-Lieutenants.
2nd, or Coldstream .....	4 ditto .....	16 ditto.
3rd Reg. of Foot-Guards, 4	ditto .....	16 ditto.

16

56—72

8 Lieutenants .....	8
8 Sub-Lieutenants .....	8
1 Adjutant .....	1
1 Surgeon .....	1
1 Assistant-surgeon.....	2
1 Veterinary Surgeon .....	2
8 Quartermasters.....	8
8 Trumpeters .....	16
1 Kettle-drum .....	1
1 Corporal-major .....	1
1 Schoolmaster-corporal..	1
1 Hospital ditto .....	1
1 Tailor ditto .....	1
1 Saddler ditto.....	1
40 Corporals .....	40
336 Privates.....	408
274 Horses .....	508

Present strength per troop,  
 Men.....53 and 4—future, 44.  
 Horses...23 and 4—future, 34.

Being a reduction of 234 horses and 72 men. The dismounted men are intended to fill the situation of tradesmen, as tailors, saddlers, shoemakers, and battmen, so many to a troop. The horses being the strength of these regiments, they are consequently much reduced, as the 8 troops will only form three squadrons. The officers liable to be reduced will be placed on half-pay, commencing on the 25th of December next. The Foot-Guards will lose 72 officers as follows:

DECEMBER.

1. *Vienna*.—The Gazette of Venice of the 20th of November contains a notice respecting the

plague, which broke out in the Lazaretto of that city, and of which, at the publication of the first account, 5 passengers had died. All went on well till the  
 13th

13th of November, when one of the guards and two of the servants of the Lazaretto were seized, and in spite of every assistance, died on the 14th, 15th, and 16th. They caught the infection from their want of precaution; happily the passengers from the vessel which brought the infection enjoy perfect health, in the separate building in which they were at first placed, and the infection has not passed the bounds within which the board of health had confined it. New

military posts are placed, and every precaution taken to prevent communication between the infected and not infected part of the Lazaretto. Several guardships are stationed without. The danger is now more for the very few who are in the division of the very suspicious patients; but we may hope, with the aid of Heaven, that the various precautions which have been adopted, and are strictly enforced, will not be ineffectual even for these.

*Ceremonial for the Interment of her late Most Excellent Majesty Queen Charlotte of blessed Memory, in the Royal Chapel of St. George at Windsor, on Wednesday Evening, the 2nd day of December, 1818.*

PROCESSION FROM KEW-PALACE TO WINDSOR-CASTLE.

The Royal body, having lain in State privately at Kew-palace during the day and night previous to the interment, will be removed from thence to Windsor on Wednesday next, in a hearse adorned with ten escutcheons and drawn by eight of her late Majesty's horses, preceded by the Knights Marshal's men on horseback with black staves, and followed by the carriages of her late Majesty, of his Majesty, the Prince Regent, and the Royal Family; the whole escorted by a party of Lancers.

Upon arrival at Frogmore, the procession will halt for the purpose of receiving the Chief Mourner, his supporters and train-bearers, and the Princes of the Blood Royal, when the procession will be joined by the servants and grooms of the King, of her late Majesty, of the Prince Regent, and of the Royal Family, in deep mourning (each bearing a flambeau); 40 Yeomen of the Guard, the trumpets and kettle-drums of the Horse Guards mounted, and the drums and fifes of the Foot Guards.

ORDER OF THE PROCESSION FROM FROGMORE.

Servants and Grooms of the Royal Family,  
 Servants and Grooms of the Prince Regent,  
 Servants and Grooms of his Majesty,  
 Servants and Grooms of her late Majesty, } each bearing  
 } a Flambeau.  
 Trumpets and Kettle Drums mounted, and the Drums and Fifes of  
 the Foot Guards.  
 Knight Marshal's Men on foot (with Black Staves).

**THE HEARSE.**

Drawn by Eight of her late Majesty's Horses, driven by her late Majesty's Body Coachman.

One of his Majesty's Carriages, drawn by a full Set of his Majesty's Black Horses, conveying the CHIEF MOURNER and his two Supporters.

One of his Majesty's Carriages, drawn by Six Horses, conveying the Train-bearers of the Chief Mourner.

Carriages of his Majesty, drawn by Six Horses, conveying the Princes of the Blood Royal.

Twenty Yeomen of the Guard in Mourning, with Partisans reversed  
 Escort of Lancers.  
 Foot Guards, stationary, every Sixth Man bearing a Flambeau, to line the Procession from Frogmore to St. George's-chapel.

Twenty Yeomen of the Guard in Mourning with Partisans reversed.  
 Escort of Lancers.  
 Foot Guards, stationary, every Sixth Man bearing a Flambeau, to line the Procession from Frogmore to St. George's-chapel.

Carriages of his Majesty conveying the Train-bearers of the Princes of the Blood Royal.

Carriages of her late Majesty which attended in the procession from Kew.

Guard of Lancers, which attended the hearse to Datchet-bridge, to close the procession.

Upon arrival at the south door of St. George's-chapel the servants and grooms, the trumpets and drums, and the Knight Marshal's men, will file off without the door. The Royal body will be removed from the hearse, and carried by ten yeomen of the guard, and followed by the Chief Mourner, his supporters, train bearers, and the Princes of the Blood Royal with their train-bearers, into the space prepared to receive them in the procession (previously formed); when the whole will move forward into the choir.

The Yeomen of the Guard attending the hearse, and those attending the carriage conveying the Chief Mourner, will close the procession to the entrance of the choir within the chapel.

CEREMONIAL WITHIN THE ROYAL CHAPEL.

Poor Knights of Windsor.

Pages of the Royal Family.

Pages of the Prince Regent.

Pages of the King.

Pages of her late Majesty.

Gentlemen Ushers, Quarterly Waiters to his Majesty.

Gentlemen

Gentlemen Ushers, Quarterly Waiters to her late Majesty.

Pages of Honour to his Majesty.

Pages of Honour to her late Majesty.

Apothecaries to the  
Prince Regent.

Surgeons to the  
Prince Regent.

Apothecaries to the  
King.

Surgeons to the  
King.

Apothecaries to her  
late Majesty.

Surgeons to her  
late Majesty.

The Curate and Rector of Kew.

The Curate and Rector of Windsor.

Grooms of the Privy Chamber to his Majesty.

Grooms of the Privy Chamber to her late Majesty.

Gentlemen Ushers, Daily Waiters, to his Majesty.

Third Gentleman Usher, Daily Waiter to her late Majesty.

Sergeant Surgeons to the King.

Physicians to the Prince Regent.

Physicians to the King.

Physicians to her late Majesty.

Clerks of the Closet to the Prince Regent.

Household Chaplain (at Windsor) to his Majesty.

Equerries to the Royal Family.

Military Secretary to the Commander in Chief.

Equerries to the Prince Regent.

Clerk Marshal and First Equerry to the Prince Regent.

Quarter-Master-General.

Adjutant-General.

Equerries to the King.

Clerk Marshal and First Equerry to the King.

Equerries to her late Majesty.

Gentlemen Ushers of the Privy Chamber to his Majesty.

Gentlemen Ushers of the Privy Chamber to her late Majesty.

Officers of the Duchy of Cornwall.

Chamberlain to the Great Steward of Scotland.

Grooms of the Bed-Chamber to his Majesty.

Master of the Robes to his Majesty.

Pursuivants.

King's Solicitor-General.

King's Attorney-General.

Her late Majesty's Solicitor-  
General.

Her late Majesty's Attorney-  
General.

Comptroller of his Majesty's  
Household.

Treasurer of his Majesty's  
Household.

Heralds.

Privy Purse and Private Secretary to the Prince Regent.

Private Secretary and Treasurer to her late Majesty.

Lord Chief-Baron.

Lord Chief-Justice of the Common Pleas.

Vice-Chancellor.

Master of the Rolls.

Lord Chief-Justice of the King's-Bench.

Lords

Lords of the Bedchamber to his Majesty.  
 Master of the Household to his Majesty and Secretary to the Groom of the Stole (on the Windsor Establishment).  
 Groom of the Stole to His Majesty (on the Windsor Establishment).  
 Vice-Chamberlain to His Majesty (on the Windsor Establishment).  
 Bishop of Exeter, Clerk of the Closet to the King.  
 Bishop of London.  
 Bishop of Salisbury, Chancellor of the Order of the Garter.

## Heralds.

The Minister of the State of Hanover.

The Deputy Earl Marshal.

His Majesty's Ministers.

The Archbishop of York.

The Lord Chancellor.

The Archbishop of Canterbury.

Norroy King of Arms.

Captain of the Yeomen of the Guard.

Captain of the Band of Gentlemen Pensioners.

Master of the Horse to his Majesty.

Groom of the Stole to his Majesty.

Master of the Horse to her late Majesty.

Secretary to the Lord Steward,

The Lord Steward of His Majesty's Household. Choir of Windsor.

Master of his Majesty's Household.

Prebendaries.

Dean.

## Supporter.

Second Gentleman Usher, Daily Waiter to her late Majesty.

The CROWN of her late MAJESTY borne on a Black Velvet Cushion by Clarenceux King of Arms.

## Supporter.

First Gentleman Usher, Daily Waiter to her late Majesty.

Secretary to the Lord Chamberlain.

The Lord Chamberlain of his Majesty's Household.

The Vice-Chamberlain to his Majesty.

First Gentleman Usher, Daily Waiter to his Majesty.

Garter Principal King of Arms.

Gentleman Usher, of the Black Rod.

The Lord Chamberlain to her late Majesty.

THE ROYAL BODY, covered with a fine Holland sheet, and a black velvet pall, adorned with ten escutcheons, carried by ten yeomen of the guard, under a canopy of black velvet.

Supporters of the canopy, 5 gentlemen of the Privy Chamber.

Supporters of the pall, 3 Dukes.

Supporters of the pall, 3 Dukes.

Supporters of the canopy, 5 gentlemen of the Privy Chamber.



Supporter.

THE CHIEF MOURNER.

Supporter.

Train-bearers.

Assistants to the Chief Mourner.

Princes of the blood Royal.

Train-bearers.

The Vice-Chamberlain to her late Majesty.

Mistress of the Robes.

Ladies of the Bedchamber.

Keeper of the Robes.

Women of the Bedchamber to her late Majesty.

Maids of Honour.

Women Attendants to her late Majesty.

Ten Gentlemen Pensioners, with their axes reversed.

Forty Yeomen of the Guard, with their partizans reversed.

Upon entering the Choir, the Royal Body will be placed on a platform, and the Crown and Cushion laid on the Coffin.

The Chief Mourner will sit on a chair at the head of the Corpse. The Supporters on either side.

The Princes of the Blood Royal will sit near the Chief Mourner.

The Lord Chamberlain of her late Majesty will take his place at the feet of the corpse, and the Supporters of the Pall their places near the Royal body.

During the service the Knights of the Garter present will occupy their respective stalls; the Judges, Ministers of State, Nobility, and Great Officers of the Household, will be placed in the vacant and intermediate stalls; the Ladies Attendants in the seat below the stalls on the north side nearest the altar; the officers of the Duchy of Cornwall, the Grooms of the Bedchamber, Law officers, &c. in the seat below the stalls on the south side nearest the altar; the Physicians, Equerries, &c. in the front seats on either side; the Gentlemen Ushers, Pages, &c. will be arranged on either side, below the altar.

The part of the service before the interment, and the Anthem being performed, the Royal Body will be deposited in the vault; and the Service concluded, Sir Isaac Heard, Garter, will pronounce, near the grave, the styles of her late Majesty.

N. B. The Knights of the several Orders who walk in the procession will wear their respective Collars.

The procession from the entrance to the choir, within the Chapel, will be flanked by the Grenadiers of the Foot Guards, every fourth man bearing a flambeau.

HENRY HOWARD-MOLYNEUX-HOWARD, Dep. Earl Marshal.  
*Herald's-college, Nov. 26, 1818.*

(Copied from the Times Newspaper, December 2).

Soon after nine o'clock, the Lancers, who were to conduct the Royal remains, assembled in front of the Palace at Kew; and half an hour after, the hearse, with eight horses, was drawn up and received the coffin, when the procession began to move in the following order:—

Two lancers mounted to clear the way.

Twenty ditto mounted, two and two.

Eight of the late Queen's Servants, in full scarlet livery, on horseback, with black scarves and hatbands.

The Beadle of Kew Parish, on foot, with silk scarf and hatband.

Eight Assistants, on horseback, in deep mourning.

### THE HEARSE,

Covered with black velvet, profusely decorated with Plumes of ostrich feathers, and ornamented by seven escutcheons (three on each side, and one at the back), drawn by eight black horses, bearing ostrich plumes, an escutcheon being affixed to the black velvet covering of each horse. There was nothing remarkable in its appearance.

A party of Lancers.  
Assistants on horseback,  
in deep mourning.

Assistants on horseback,  
in deep mourning.  
A party of Lancers.

Eight Assistants on horseback, in deep mourning.

Seven private carriages of her Majesty, each drawn by six chesnut horses. The coachmen and footmen in deep mourning. The usual hammer cloth of scarlet and gold was retained. The first six carriages had the Royal arms emblazoned on them, and the letters C. R. in a small cipher, inserted in a compartment above them. The last had only the Crown, surmounting the letters C. R. in a very large cipher.

A party of Lancers, six abreast, and about 60 in number, closed the cavalcade.

This was the whole of the procession at its starting; it occupied in length about 300 yards. It was just 6 minutes (at the rate it travelled, about 2 miles an hour), in passing any given object.

The procession entered Hounslow-heath at a few minutes past 12 o'clock, when most of the London visitors left it, and returned to town. There were no other soldiers to be seen, except the few that preceded and followed in procession. No carriages

belonging to the living members of the Royal Family then followed in the procession, nor any carriages of the nobility. The Queen's carriages had not the blinds drawn up, but were all open; and each contained two or three persons, some of whom were females.

The procession, thus meagre, when compared with what public expectation had anticipated, arrived at Frogmore about 7 o'clock, where it received an addition both in numbers and pomp. The people of Windsor, and the numerous visitors who had flocked from London, began about the same time to move from the town to meet the funeral; and the whole foot-path, nearly a mile, was filled with spectators. From St. George's Chapel to the extremity of Windsor the road was lined with foot-guards; from thence to Frogmore lines of cavalry kept the ground, and instead of every sixth man bearing a torch, there was one in almost every hand. At length, soon after 7 o'clock, the advance

of

of a party of horse showed that the funeral was coming; and the spectators, who had been pacing backwards and forwards, now stood still to view it. First marched a squadron of Life-guards, then came seven carriages of the Queen, with the blinds up, drawn by six horses covered with black saddle-cloths: but the great object of attention was the hearse, which next followed, drawn by eight black Hanoverian horses, well known to those who have been in the habit of observing the Royal stud. A large body of Life-guards immediately preceded and followed it. This part of the procession was certainly very imposing, though the splendor of its covering, added to the glittering bustle of a military escort, took away all that solemnity which a hearse is in general calculated to inspire. After the hearse, came the carriage of the Chief Mourner, the Prince Regent; and his Royal Highness was very visible, notwithstanding the cloud of cavalry that hovered round his coach. He seemed in good health. We understood that the Duke of York rode in the same carriage with his Royal brother, but we did not see him: at any rate his carriage and six moved next in the procession: after which followed the carriages of the Dukes of Sussex and Gloucester, and of Prince Leopold, all full. There was no carriage, so far as we could see, of either of the other Royal Dukes; but the funeral pomp concluded with about a dozen coaches, belonging, we believe, to the nobility and gentry connected with the

household; and the rear consisted of a large body of Life-guards intermixed with Lancers. The grandest effect in the procession was, the appearance of the military when the torches were lighted: the illumination extended nearly a mile, and the rich glow of their scarlet uniforms, together with their splendid helmets and caparisoned horses, gleaming along the lines, formed a picture that would at once have excited the transport and baffled the skill of the finest artists: but it will be seen from this account that even with the large accession acquired at Frogmore, the procession was neither so numerous nor so splendid as had been expected.

The procession, we believe, arrived at St. George's-chapel nearly an hour sooner than had been expected; and some inconvenience resulted from this unusual excess of punctuality. We understood that several persons, whose business it was to form part of the chapel procession, arrived too late to gain admittance. The Chancellor of the Exchequer and Lord Bathurst were excluded; some of the higher officers of the Queen's Household gained admittance with great difficulty; and it was asserted, though we cannot vouch for the fact, that the Duke of Northumberland, appointed to be one of the pall-bearers, could not enter to perform his allotted functions. Either from this circumstance, or the limited number invited, the chapel had certainly a meagre and empty appearance. There was also a want of policy in the paucity of admission-tickets

tickets issued for the ante-chapel; for a procession without spectators is, of all things, the most uninteresting; and yet this was the case yesterday. That grand and ample space which would have contained several hundreds of spectators had only a few soldiers, whose torches scarcely illuminated the place, and only served to show the dreary solitude over which they were scantily scattered. Before we dismiss this part of the subject, it may be fit to say a word as to the conduct of the numerous bodies of military, who, with a selection not apparently well suited to the occasion, formed a principal part of the procession to conduct a Queen to her tomb. The cavalry, without any exception, behaved with the utmost propriety, and performed their civil duties of maintaining order with much good temper and courtesy. The behaviour of the Foot-guards was less conciliatory—less gentle; but it is merely common justice to say that the officers, whenever applied to, listened to every complaint of those who thought themselves aggrieved, with the most ready, polite, and anxious attention.

We now proceed to describe the ceremonial as it took place within the walls of St. George's Chapel. The number of persons admitted as visitors on this occasion, and not forming part of the preparation itself, was very small, being limited to fifty-four, who were allowed, by means of tickets, to pass by the eastern door of the chapel, adjoining to the deanery, and to take their station in the organ-loft, from

whence a tolerable view both of the entrance of the procession and the solemn concluding ceremony could be obtained. These visitors were admitted soon after 6 o'clock, at which time the chapel was still so dimly lighted as scarcely to render objects visible. The scene, however, soon began to assume the appearance of illumination in a slight degree, as the soldiers who were stationed in the ante-chapel were gradually supplied with torches. The choir, though lighted in the usual manner, from the effect of the black cloth with which it was covered, still remained gloomy and indistinct. At 7 o'clock the bell of the chapel began to toll, as an intimation that the procession had moved from Frogmore, while the marshals and the persons belonging to the Lord Chamberlain's office began to call over and to form those who were to precede the procession into the choir. This was managed with great decorum, and so as scarcely to disturb the general silence that reigned throughout the arcades of this noble building. The interval till eight o'clock was thus occupied, when the quick moving of lights and general bustle discovered through the windows announced the arrival of the funeral cavalcade. At this moment the notes of the organ were heard, and the choir entered, each singer bearing a lighted taper in his hand, and singing the well-known anthem from Croft's burial service. The strength and completeness of this choral band, at least treble the usual number allotted to the cathedral service,

and the select members of the principal choirs in and near the metropolis, breaking in upon the silence which before prevailed, produced an effect truly solemn and impressive. The procession then entered by the south door of the chapel, nearly in the same order as given in the ceremonial previously arranged for the obsequies of her Majesty. The pall which covered the Royal body was supported on each side by three Dukes; the Dukes of Northumberland, Dorset, and St. Alban's, on one side; of Newcastle, Montrose, and Beaufort on the other. The Royal body was followed by the Prince Regent, as chief-mourner, supported by the Marquisses of Buckingham and Winchester, and attended by the Marquisses of Bath, Salisbury, Headfort, Cornwallis, and Camden, as train-bearers: next followed, as assistants to the chief-mourner, Earl Delawarr, Viscounts Lake and Bulkeley, Lords Boston, Amherst, Arden, Graves, Longford, Beresford, Rivers, Grenville, St. Helen's, Henley, and Hill. As these severally entered the chapel, the van of the procession moved forwards into the choir, the Windsor knights, pages, ushers, and other officers ranging themselves around, and on the steps of the altar. The members of the Royal Family, of whom we perceived to be present the Dukes of York and Sussex, and those noblemen on whom the Order of the Garter had been conferred, stationed themselves in their respective stalls: the great dignitaries of the church, of whom were present the Archbishops of

York and Canterbury, with the Bishops of London and Salisbury, occupied their respective places within the choir. The Royal body having been carried to the steps of the altar, was placed on the platform prepared to receive it; the pall was removed, and the crown and cushion placed on the coffin. The Prince Regent, as chief mourner, being seated in a chair at the head of the corpse, surrounded by his supporters and train-bearers, standing, the funeral service commenced in the usual manner, as performed at cathedrals, and at the demise of great and illustrious persons. The first Psalm having been chanted by the choir, in the same finished manner as the anthem with which the ceremony commenced; the service was read by the Dean of Windsor, in that unaffected and impressive manner which is required by this sublime portion of our rubric. At the end of the first part the celebrated anthem by Kent, "Hear my Prayer," was introduced, and executed in a very finished manner. The body of her Majesty was then let down into the vault prepared for it, and the solemnity was closed in the manner usual on these occasions, by the venerable Sir Isaac Heard, who pronounced in a distinct voice, and standing near the grave, the style and titles of her late Majesty. As the mourners and attendants on this striking ceremony began slowly to separate and to quit the chapel, the notes of the organ again filled the edifice, and produced at once the richest and most soothing effect. The numerous company separated without  
the

the least disorder or inconvenience; and in a few minutes after the obsequies of her late Majesty had closed, no vestige remained of the solemn pageantry which had just passed before the eyes of the spectators.

The whole ceremony was conducted in a manner that reflects great credit on all concerned in its management: no confusion or difficulty arose in its progress; nor did the different persons who formed the procession appear at all embarrassed, or at a loss to discover the situations in which they were to be placed.

It is impossible to dismiss this subject without noticing the limited attendance and homage paid by the peerage on this occasion, as well as by other persons who occupy a distinguished rank in the State: neither was there, we believe, any female of rank who honoured the ceremony with her presence. The funerals of Sovereigns are a part of their state, and should be attended with the same marks of exterior respect as any scene over which they may be called, when living, to preside. The choir was by no means filled by the numbers who were in attendance.

Of his Majesty's Ministers the following were present: Lords Liverpool, Sidmouth; the Lord Privy Seal, the Lord President, the Hon. C. Bathurst, G. Canning, and W. W. Pole.

*The late Queen's Will.*—The Will of her late Majesty was yesterday proved in Doctors' Commons, by Lord Arden and General Taylor, the executors. The personal property is sworn to as being under £140,000.

The will is in substance as follows:—

Her Majesty directs her debts, and the legacies and annuities given by her will, to be paid out of the personalty, or out of the sale of personals, if there is not sufficient in her Majesty's treasury to provide for those payments.

Her Majesty states her property to consist of a real estate in New Windsor, called the Lower Lodge, and of personals of various descriptions; those of the greatest value being her jewels, which are classed as follows:—

1. Those which the King purchased for £.50,000 and presented to her (supposed on her marriage.)

2. Those presented to her by the Nabob of Arcot.

3. Those purchased by herself, or being presents made on birthdays or other occasions.

In the event of the King surviving, and being restored from his malady, her Majesty bequeaths to him the jewels which he purchased and gave her; but if he should not survive, or should not be restored to a sound state of mind, she then gives those jewels to the House of Hanover as an heir-loom.

Her Majesty then alludes to the Queen of Wurtemberg being so handsomely provided for, and gives the jewels presented by the Nabob of Arcot to her four remaining daughters, directing those jewels to be sold, and the produce divided amongst the four daughters, subject to the charge of debts, &c.

The remaining jewels she gives  
N 2  
equally

equally amongst the four daughters just mentioned, to be divided according to a valuation to be made of them.

The house and ground at Frogmore, and the Shawe establishment, her Majesty gives to the Princess Augusta Sophia; but if she should find living in it and keeping it up too expensive, it is directed to revert to the Crown, upon a valuation being made and given for it to the Princess Augusta Sophia, with due consideration to the improvements: whether it shall please the Prince Regent, to reserve the possession of it as an appendage to Windsor-castle, or to authorize any other disposal of it.

Her Majesty gives the fixtures, articles of common household furniture, and live and dead stock in the house at Frogmore, or on the estates, to her daughter Augusta Sophia.

She gives the real estate in New Windsor, purchased of the late Duke of St. Alban's, and commonly called the Lower Lodge, with its appendages, to her youngest daughter Sophia.

Her books, plate, house linen, china, pictures, drawings, prints, all articles of ornamental furniture, and all other valuables and personals, she directs to be divided in equal shares, accord-

ing to a valuation to be made, amongst her four younger daughters.

Her Majesty states, that she brought various property from Mecklenburg, as specified in a list, No. 1, to be annexed to her will; and she desires, that that property shall revert to the House of Mecklenburg-Strelitz, and be sent back to the senior branch of that House.

Her Majesty then expresses her intention of giving several legacies, as specified in a list, No. 2, to be annexed to her will, to be paid out of her personal property, within six months after her death; but no such lists as these were annexed to her will, or made out by her Majesty.

Her Majesty appoints Lord Arden and General Taylor, Trustees for the property bequeathed to her daughters Elizabeth and Mary; stating that property to be left to them for their sole benefit, and independent of any husbands they have or may have, and she also appoints Lord Arden and General Taylor her Executors.

The will is dated Nov. 16, 1818 (the day before her Majesty's death.) It is in the handwriting of General Taylor; and two of the attesting witnesses are Sir Francis Millman and Sir Henry Halford.

STATE OF NEWGATE, DEC. 4.

	<i>Males.</i>	<i>Females.</i>
Convicts under sentence of death.....	50	10
Ditto whose judgment had been respited .....	3	2
Ditto under sentence of transportation for life .....	7	10
Ditto ditto for 14 years .....	3	11
		Ditto



			<i>Males.</i>	<i>Females.</i>
		Brought forward .....	63	33
Ditto	ditto	for 7 years .....	52	30
Ditto	ditto	imprisonment for felony and misdemeanors .....	36	16
Prisoners for trial, &c. ....			110	30
			261	109
			261	261
			Total 370	

Of the prisoners for trial, there are—

For bigamy .....	1	Highway robbery .....	7
For burglary .....	2	Horse-stealing .....	3
Stealing from the person .....	8	Stealing in a dwelling-house	13
House-breaking .....	3	Receiving stolen goods .....	2
Offences for the county assizes	2	Larcenies .....	78
Forgery .....	3	Embezzlement ...	1
Uttering forged notes.....	12	Stealing in a shop .....	5

7. *Florence.*—His Excellency Osman Aga, General in the service of the Viceroy of Egypt, has received a despatch containing the following intelligence:—

“ *Cairo, October 16.*

“ Notwithstanding the fall of their capital, and the defeat of their army, the Wechabites were enabled once more to unite in sufficient force to try the fate of arms; but a new defeat, which completes their ruin, has been the result of their audacity. This battle was fought in the environs of the city of Derych. The Wechabites fought with desperation, but they were compelled to submit to the talents of Ibrahim Pacha, and the disciplined valour of his troops.

“ By a stratagem worthy a great General, Ibrahim Pacha seized upon the person of Abdallah, Prince of the Wechabites, and all his family, consisting of forty individuals. This blow seems to have put an end for

ever to the power of the Wechabites. Prince Abdallah, the Princes and Princesses of his family, are expected in Cairo, where triumphal fetes are preparing for their arrival. They will be transferred to Constantinople under a good guard.”

8. *Frankfort.*—The treaty of commerce lately concluded between Denmark and Prussia contains a stipulation, which is the more praiseworthy, as it re-establishes a right of nations which unhappily has been frequently disregarded in the wars which have broken out since the French Revolution. It is, that in case of war between the two powers, the merchants on both sides shall be respected.

OLD BAILEY, TUESDAY, DEC. 8.

*Bank Forgeries.*—John Williams was put to the bar this morning, charged under an indictment for uttering a forged 1*l.* note, with intent to defraud James Chalmers.

It will be recollected that this prisoner was tried on Saturday last, upon an indictment charging him with having sold several forged Bank-notes to a person of the name of Underwood. The jury upon that occasion refused to convict the prisoner, upon two grounds—1st, the disbelief of the testimony of the principal witness, Underwood; and 2ndly, the deficiency of proof that the notes thus sold by the prisoner were actually forgeries.

Mr. Sergeant Bosanquet, on the part of the prosecution, now addressed the jury, and observed, that it was determined not to adduce any evidence against the prisoner on this charge. The testimony which could be brought forward was so mingled with that which on a former occasion the jury had declared their unwillingness to believe, that he would not now trespass upon their time in detailing the facts of the case. The legal advisers of the Bank had been consulted upon this occasion, and the ultimate determination was to relinquish the prosecution.

No evidence having been adduced, the prisoner was of course acquitted.

This is the fourth prosecution of the Bank for uttering forged notes, all of which have failed.

10. *Paris*.—His Majesty on the 5th instant addressed to the Vicars-general of the metropolitan chapter of Paris, the following letter:—“It having pleased Divine Providence this year to fulfil the desires which we have never ceased to offer up, to the end that He would vouchsafe to second our constant efforts to

augment the happiness and prosperity of our faithful subjects, you will feel with us that our renewed benedictions are due to Him who directs the actions of kings, and who causes them to find a recompense for their labours in the attachment and love of their people. We have therefore resolved, at the opening of the two Chambers, to unite our prayers with those of all France, in order to obtain the gracious help of God, and that wisdom and moderation may preside during the important deliberations which are on the eve of commencing.

“By virtue of these causes, our intention therefore is, that on receipt of these presents, you should ordain public prayers, and that on the eve of the opening of the session you would cause a solemn Mass of the Holy Ghost to be celebrated, at which we propose to be present, accompanied by the Princes of our family, the Peers of the kingdom, and the Deputies of the Departments.

“This letter having no other end, we pray God, gentlemen Vicars-general, that he will have you in his holy keeping.

“LOUIS.

“*Paris, Dec. 5, 1818.*”

The following is a copy of the King of France’s speech, delivered at the opening of the Chambers, on the 10th.

“Gentlemen;—At the commencement of the last Session, at the same time that I deplored the evils which afflicted our country, I had the satisfaction of pointing out to your view their approaching termination. A generous effort, and one of which I have

I have the noble pride to say no other nation has offered a fairer example, has enabled me to realize these hopes, and they are so. My troops alone occupy all our strong places. One of my sons, who hastened to join in the first transports of joy of our delivered provinces, hoisted, with his own hands, and amidst the acclamations of my people, the French standard on the ramparts of Thionville. This standard now floats on all the territory of France. The day on which those of my children, who have borne with so much courage the burthen of an occupation of more than three years, have been delivered from it, will be one of the fairest days of my life, and my French heart has enjoyed no less the end of their distresses than the liberation of the country. The provinces which have so painfully occupied my thoughts till this day, deserve to fix those of the nation, which has admired, as I have done, their heroic resignation.

“ The noble unanimity of heart and of sentiments which you manifested when I called upon you, for the means to fulfil our engagements, was a brilliant proof of the attachment of the French to their country, of the confidence of the nation in its King ; and Europe has eagerly received France replaced in the rank which belongs to her.

“ The declaration which announces to the world the principles on which the union of the five powers is founded, sufficiently shows the friendship which reigns among the Sovereigns. This salutary union, dictated by

justice, and consolidated by morality and religion, has for its object to prevent the scourge of war by the maintenance of treaties, by the guarantee of existing rights, and permits us to fix our eyes on the long days of peace which such an alliance promises to Europe.

“ I have awaited in silence this happy epoch, to turn my thoughts to the national solemnity in which religion concentrates the intimate union of the people with their King ; when receiving the Royal unction in the midst of you, I shall take to witness the God by whom Kings reign, the God of Clovis, of Charlemagne, of St. Louis ; I shall renew at the altar the oath to confirm the institutions founded on that Charter, which I cherish more since the French, by an unanimous sentiment, have frankly rallied round it. In the laws which will be proposed to you, I shall take care that its spirit shall be always consulted, in order to secure more and more the public rights of the French, and to preserve to the monarchy the force which it must have to preserve all the liberties which are dear to my people.

“ In seconding my wishes and my efforts, you will not forget, gentlemen, that this charter, delivering France from despotism, has put an end to revolutions. I depend on your concurrence to repel those pernicious principles, which, under the mask of liberty, attack social order, conduct by anarchy to absolute power, and whose fatal success has cost the world so much blood and so many tears.

“ My

“ My Ministers will lay before you the budget of the expenses which the public service requires.

“ The protracted effects of events, the consequence of which we have been forced to bear or to accept, have not yet allowed me to propose to you a diminution of the burthens imposed upon my people; but I have the consolation to perceive, at no great distance, the moment when I shall be able to satisfy this desire of my heart. From this moment a limit is fixed to the increase of our debt—we have the certainty that it will diminish in a rapid progression.

“ This certainty, and the loyalty of France in the fulfilment of her engagements, will establish on an immovable foundation the public credit; which some transitory circumstances common to other States had seemed to affect for a moment.

“ The French youth have just given a noble proof of love to their country and their King. The recruiting law has been executed with submission, and often with joy: while the young soldiers enter the ranks of the army, their brothers who are released remain in the bosom of their families, and the veterans, who have fulfilled their engagements, return to their homes. They are both living examples of a fidelity henceforth inviolable in executing the laws.

“ After the calamities of a scarcity, the remembrance of which still afflicts my soul, Providence this year, lavish of its benefits, has covered our fields with abundant harvests. They

will serve to revive commerce, whose vessels visit every sea, and show the French flag to the most remote nations. Industry and the arts also extending their empire, will add to the sweets of general peace. To the independence of the country, to public plenty, is added private liberty, which France has never so entirely enjoyed. Let us, therefore, unite our sentiments and our expressions of gratitude to the author of so many blessings, and let us know how to render them durable. They will be so; it banishes every sad remembrance, and stifling every resentment, the French thoroughly persuade themselves that their liberties are inseparable from order, which itself rests upon the throne, their sole palladium. My duty is to defend them against their common enemies. I shall fulfil it, and I shall find in you, gentlemen, that support which I have never yet invoked in vain.”

*Murder and Robbery at Hornsey.*—A dreadful murder was committed on Thursday last, on Mr. John Thomas Taylor, a young gentleman about 20 years of age, a surgeon by profession, of a very respectable family, who left his home, 74, Goswell-street, to see some friends at Southgate. In consequence of his not returning home at night, according to his usual custom, his friends were very uneasy, and sat up till late on Friday morning, the 11th. On his still failing to return, his friends became very much distressed. They waited in anxious suspense during the whole of Friday, and their fears increased.

Early on Saturday morning several of the deceased's friends set off to Southgate; on their arrival there, they learned that the deceased had been there, at the house of an acquaintance named Pearce, and left it about seven o'clock on Thursday night: before he left Southgate, he informed Mrs. Pearce that he had to meet a particular friend at the Jolly Butchers, at Wood-green, in the parish of Tottenham, which house was on his way home; his friends hastened to that place, and upon inquiry found that the deceased was there on Thursday night; he sat in the bar with Mrs. Watson, the landlady, and took tea with her, and expressed his disappointment at his friend not coming according to promise. He left the Jolly Butchers a little after ten at night, intending to go through Hornsey-wood. His friends made inquiries at every house on the road, but could learn no tidings of the deceased. On their arrival upon the iron bridge of the New River, they observed the marks of some footsteps which were very deeply impressed in the ground, and there were appearances of persons having struggled near the edge of the river. Upon further inquiry, they learned that the house of a gentleman near the wood was attacked by three men on the Thursday night, but the family fortunately being up, they foiled them in their attempts and pursued them, and it is supposed the robbers took refuge in the Wood. On Thursday night, a short time after the deceased left the Jolly Butchers, a person who resides in the neighbourhood heard cries

of murder, the sound of which appeared to proceed from near the iron bridge, over the New River. Inquiries were made at the Queen's Head and the Half Moon public houses in the neighbourhood, but nothing could be learned of him there. Drags were procured and the river drawn, and after some time the body was discovered on Sunday morning, in such a dreadful situation as left no doubt upon the minds of every one present that he had been robbed and strangled, and then thrown into the river. He had been robbed of his watch and money. The position of his body was such, that it was evident he had made great resistance; he had grasped at the grass on the river side, which was evident from his hands being clinched, and grass in the inside of them. The body was removed to the Woodhouse, at Hornsey. Upon further examination it appeared that his small-clothes were torn, his hat was found near the river, and an umbrella, which the deceased had on Thursday night, was found near the iron bridge; it had been recently torn. Information of the horrid act was given at the different police-offices, and to the Coroner for Middlesex, who immediately issued his precepts for holding an inquisition on the deceased.

18. *Hanover*.—The assembly of the States of the kingdom has decided in one of its first sittings, that the torture shall be abolished, and it has been also proposed that exculpatory oaths in criminal examinations shall be abolished as wholly useless.

## ORDINANCE OF THE KING.

“ LOUIS, by the grace of God, &c. To all those to whom these presents shall come, health.

“ Considering the message of the 18th of this month, by which the Chamber of the Deputies of the Departments has presented to us as candidates for the presidency during the present session, MM. Ravez, De Serre, Daugier (Vice-Admiral), Dupont (General), Planelli Lavalette; We have named, and do name, M. Ravez President of the Chamber of Deputies.

“ LOUIS.

“ LAINE.

“ December 18, 1818.”

We have the satisfaction to announce, that Mrs. Horsley has received, by the Hamburg mail of yesterday, letters from Mr. Horsley of the 25th ult., in full confirmation of the intelligence received a few days ago, *via* Holland, of the safety of the child, and the apprehension of the villain who stole it; which took place on the 23rd ult., at Braka, near Bremen. The clothes of the child were changed; but it was in perfect health, and was safely lodged in the house of the British Consul, until due authority could be received from the Government of the country where Braka is situated, for delivering him to his father. The perpetrator of this atrocious act could not be surrendered for the purpose of removal, to take his trial in this country, until an application was received from our Government.

The Queen of Spain, Maria Isabella Frances, born at Lisbon the 19th of May, 1797, was daughter of John IV, King of Portugal, and of Charlotte Joachim de Bourbon, Infanta of Spain, sister of King Ferdinand VII, and consequently his niece.

The following is the official account of this event, published in Madrid, Dec. 27:—

“ The 26th of Dec. of this year will be a day of eternal sorrow for the Spanish Monarchy, in consequence of the loss of a Queen endowed with the most eminent qualities, and who was at the same time the ornament of the Spanish throne, and the example of every domestic virtue.

“ About nine o'clock in the evening, her Majesty the Queen being in bed, and conversing with some persons in attendance on her, was suddenly seized by a convulsion which seemed to leave her in two or three minutes. Her Majesty recovered her senses, but remained in a state of anxiety, which was followed quickly by another convulsion. From that moment the attacks continued without interruption, in spite of the most proper remedies which were instantly administered to save her Majesty's precious life. Every thing was in vain: the convulsions having lasted about 22 minutes, the best of Queens expired.

“ The deplorable death of her Majesty having been certified, by the King's permission the Cæsarian operation was performed. The child, which was that of an Infanta, was baptized, and every means were made use of

to preserve its life; they, however, proved ineffectual, for in a few minutes it expired.

“These melancholy events have plunged into the most profound grief the King our master, who loved the Queen with all the tenderness due to her virtues and her qualities. The calamity has not less affected with consternation the Most Serene the Infants, and particularly the Most Serene Infanta Donna Maria Frances d’Assise, who has lost in the Queen a most virtuous sister. All the Court, on learning the afflicting intelligence, testified the most profound grief for the loss of a Sovereign who constituted its charm. The unhappy mourn an august and benevolent mother, who with a liberal hand administered to their succour. The arts have lost an illustrious protectress, who delighted to support and encourage them. In short, there is no class of the people for whom this day is not a day of sorrow and lamentation.

“These afflicting circumstances have induced the King our master to order that the Court shall put on mourning for six months, counting from the 27th. During the three first months, full mourning shall be worn; for the three following, half mourning.” — *Gazette Extraordinary of Madrid.*

31. *Edinburgh.*—We have this day to record one of the most disgraceful scenes that ever took place in this city.

The unfortunate man, whose name was Johnstone, was convicted and sentenced to die for robbing Mr. Charles, candle-

maker: his two accomplices, Galloway and Lee, were sentenced, the former to fourteen, and the latter to seven years’ transportation.

Day-light yesterday exhibited the new apparatus for the melancholy catastrophe. The place fixed upon was before the northmost window on the west side of the New North Church, a few yards from the High-street. Numerous groups of people continued to assemble about the fatal spot to examine the dreadful preparation, and as the hour approached the crowd was very great.

The unhappy criminal walked from the Lock-up-house to the scaffold, which he ascended with a firm step, at 20 minutes before 3 o’clock. After spending a quarter of an hour in prayer, he shook hands with the reverend gentlemen who attended him, and mounted the platform with fortitude.

The executioner occupying a longer time in adjusting the rope than appeared to a great part of the spectators to be necessary, much disapprobation was expressed: the platform sunk about a minute before three. Unfortunately the rope was too long, or the height from the scaffold to the beam from which the sufferer was suspended insufficient; in consequence of one or other of these causes, or both, his toes rested on the floor of the scaffold. At that moment a policeman in front, resisting the encroachment of the crowd, pushed one with his baton, who cried out “murder!” It is probable those at a distance



distance imagined the exclamation to be occasioned by the pitiable situation of Johnstone, and therefore joined in it. Stones began to fly towards the scaffold of which, unluckily, the state of the ground afforded an ample supply; and the Magistrates and their attendants were compelled to make a precipitate retreat. It was well for the executioner that he escaped at the same time, for at such a moment the consequences to him must have been fatal. The mob continued to throw stones, some of which struck the unhappy object of punishment, and others the church windows. At five minutes past 3 a person very deliberately stepped from the crowd on the High-street, leaned on the scaffold with a knife ready open, distinguishable from its brightness (or, as we have been informed, a surgical instrument taken from a case on the instant), cut the rope, and with seeming unconcern returned to the crowd. The body fell with the head to the front of the scaffold, a sight harrowing to the feelings of all possessed of the least sensibility.

Missiles still continued to fly, chiefly directed against the windows of the church, almost every pane of which was destroyed. One large stone struck the inanimate head of Johnstone a heavy blow. A lame person, with a crutch, next climbed the scaffold, and then a general rush took place. The body was raised up, and the rope unloosed, with which the lame man exultingly descended; the cap was taken

off, and thrown among the crowd—at the same moment a cheer was given by those around the body, meaning, it is supposed, to announce that life remained, which was received by loud clapping. The coffin, light in its materials, was thrown among the crowd, and in less than a minute broken to atoms. The body was then borne off in the direction of the Lawn-market; Baillie Patison, who was proceeding to the Castle, protected by a strong body of the police, to obtain the aid of the military force, caused the bearers of the body to change their course, and they wheeled about and arrived almost unperceived on the opposite side of the street to the Police-office, evidently without knowing what to do with it; here, on being attacked by the police-officers, they dropped the body, divested of clothes from the waist upwards in the process of carrying (the most appalling sight of the whole), which was then taken into the Police-office.

A detachment of the 88th regiment arrived soon after, followed by another headed by Major Graham, which were posted across the Lawnmarket, at the well, and in a similar manner, from the High Church to the Exchange.

Various reports were current about the state of the unfortunate man as to his re-animation; however, he was again carried to the drop, and at five minutes before 4 o'clock was launched into eternity. The military remained until the whole apparatus was removed, and we are happy to state no further disturbance took place.

place. The shops in the neighbourhood were closed on the first disposition to riot, and many of them were not re-opened that night.

We have not heard that any persons were seriously injured; but many inconsiderate women,

with children in their arms, were thrown down and trampled on.

No appearance of preconcerted riot was visible; on the contrary, it arose, we believe, from the untoward circumstances of the instant.

## BIRTHS.

*February.**January.*

The wife of Major-gen. George Cookson, a son.

The lady of Major-gen. Sir William Anson, a daughter.

The lady of Sir John Salisbury Prozzi Salisbury, a son and heir.

Right Hon. Alicia, lady Trimblestown, a son.

Right Hon. Lady Leving, a son.

The lady of Lord Huntingfield, a son.

Lady Liddell, a son.

The Countess of Surrey, a son.

Viscountess Hereford, a son.

The wife of Hon. J. W. King, a son.

Lady St. John, a daughter.

Lady Louisa Lambton, a son and heir.

The lady of Sir Godfrey Webster, a son.

Lady Caroline Wrottesley, a daughter.

The wife of Hon. H. Grey Bennet, a daughter.

The wife of Rear-adm. Lindsay, a daughter.

The wife of R. S. Carew, Esq. M. P. a son and heir.

The wife of John Maberly, Esq. M. P., a daughter.

The lady of Sir L. W. Palk, a son and heir.

The wife of J. H. Tremayne, Esq. M. P. a son.

The lady of Col. Sir R. C. Hill, a son.

The Countess of Aberdeen, a son.

Rt. Hon. Lady E. Perceval, a daughter.

Viscountess Ranelagh, a son.  
The lady of Hon. Drummond

Burrell, a son and heir.

The lady of Sir A. Hood, bart. a daughter.

The lady of the late Sir John Carmichael Anstruther, bart. a posthumous son.

The wife of Major-gen. John Hope, a son.

The lady of Sir Alex. Mackenzie, a son and heir.

The wife of Paul Methuen, Esq. M. P. a son.

The lady of Tho. Orde Powlett, a son.

The Countess of March, a son and heir.

Lady Ogilvy, a daughter.

Lady Oswald, a daughter.

*March.*

The Countess of Clonmell, a son.

The Countess of Cavan, a son.

Lady Elizabeth Norman, a son.

Hon. Mrs. Boothby, a son.

The lady of Sir Arth. Grey Hesilridge, a son.

The Marchioness of Anglesey, a son.

The lady of Adm. Sir C. H. Knowles, bart. a son.

The Countess of Waldegrave, a daughter.

Right Hon. Lady Bridport, a daughter.

The lady of Sir James Fellowes, a daughter.

Hon. Mrs. Ramsden, a daughter.

The lady of Sir Will. Hoste, bart. a son and heir.

Hon. Mrs. Grey, a son.

Lady Eleanor Lowther, a son and heir.

The

The Countess of Warwick, a son and heir.

The wife of Hon. Geo. John Tucket, a daughter.

*April.*

The lady of Sir Charles Dalrymple, a son.

Viscountess Ebrington, a son.

The lady of Sir F. G. Fowke; bart. a son.

Lady George Will. Russell, a daughter.

The Countess of Euston, a daughter.

The Right Hon. Mrs. Lawley, a son and heir.

Viscountess Gort, a son.

Viscountess Jocelyn, a son.

The Marchioness of Tweedale, a daughter.

Viscountess Strangford (Stockholm), a son and heir.

The lady of Major-gen. Sir Hussey Vivian, a son.

The lady of Sir John Courtenay Honeywood, bart. a daughter.

The wife of Hon. Capt. Napier, a daughter.

Right Hon. Lady Kennedy, a son.

Lady Jane Taylor, a son.

*May.*

Lady Walpole, a son.

Hon. Mrs. Beamish, a daughter.

Hon. Lady Harriet Bagot, a son.

Lady Fitzherbert, a son.

Lady Harriet Drummond, a daughter.

The wife of Hon. D. M. Erskine, a daughter.

The wife of Hon. and Rev. P. A. Irby, a son.

The wife of Wilbraham Eger-ton, Esq. M. P. a son.

The wife of G. Holford, Esq. M. P. a son.

The wife of Long Wellesley, Esq. M. P. a daughter.

The lady of Sir A. O. Molesworth, bart. a son.

The Hon. Mrs. Stewart Mackenzie, a son and heir.

*June.*

Lady Katherine Halkett, a son.

Lady Amelia-Sophia Drummond, a daughter.

Hon. Mrs. Wellington, a daughter.

The Right Hon. Lady Sarah Lyttleton, a son.

Hon. Mrs. P. Pleydell Bouverie, a son.

*July.*

Right Hon. Lady Charlotte Neville, a son.

The wife of Thomas Tyrwhit Drake, Esq. M. P. a son.

The lady of Sir Tho. Butler, bart. a daughter.

Viscountess Torrington, a son.

The wife of Tho. Knox, Esq. M. P. a daughter.

The Marchioness of Waterford, a daughter.

Lady Anne Wardlow, a daughter.

The wife of Major-gen. Darby Griffiths, a daughter.

Lady Caroline D'Arce, a son.

The lady of Sir Oswald Mosley, bart. a daughter.

Lady John Somerset, a daughter.

The wife of Major-gen. Darling, a daughter.

*August.*

The lady of Sir Rich. Paul Jodrell, a son and heir.

Lady

Lady Lindsay, a daughter.

The lady of Sir Thomas Tanced, bart. a son.

Lady Harriet W. Wynn, a daughter.

The lady of Sir Francis Ford, bart. a son and heir.

Hon. Lady Palmer, a son.

The lady of the Right Hon. Lord Manners, lord chancellor of Ireland, a son and heir.

Lady Amelia-Sophia Boyce, a son.

The Countess of Errol, a daughter.

The Countess Compton, a son.

The Countess of Huntingdon, a son.

Rt. Hon. Lady Stourton, a son.

Lady Frances Cole, a daughter.

Hon. Mrs. Ryder, lady of the Bishop of Gloucester, a son.

The Duchess of Newcastle, a daughter.

Right Hon. Lady Eliz. Smyth, a daughter.

The lady of Sir Henry Bunbury, a daughter.

The Right Hon. lady Sarah Murray, a son.

*September.*

The wife of Joseph Phillimore, LL. D. and M. P. a son.

Lady Gardiner, a son.

The lady of Rear-Adm. Sir J. Gore, a daughter.

Hon. Mrs. Denny, a son.

The Right Hon. Lady Sinclair, a daughter.

The wife of Hon. and Rev. H. C. Cust, a daughter.

The lady of the Earl of Northampton, a son and heir.

Right Hon. Lady James Hay, a daughter.

Lady Jane Pym, a son.

Lady Eleanor Balfour, a son and heir.

The Countess De la Warr, a daughter.

The lady of Sir John A. Macconochie, a son.

The Marchioness of Lothian, a son.

Lady Charlotte St. Leger, a son and heir.

The lady of Sir James Duberly, a daughter.

*October.*

The Countess of Verulam, a son.

The lady of Sir R. Gifford, a daughter.

The lady of Lord Graves, a son.

Lady Berkeley, a son.

Right Hon. the Countess of Shannon, a son.

Lady George Anson, a son.

Hon. Mrs. Lysaght, a son.

The Countess of Disart, a son and heir.

Lady Ridley, a son.

The lady of Sir Henry Carew, bart. a son.

The lady of Sir W. T. Pole, bart. a son.

The wife of R. Bernal, Esq. M. P. a daughter.

The lady of Sir James Langham, bart. a daughter.

The lady of Major-gen. Sir John Lambert, a son.

The wife of Thomas Denman, Esq. M. P. a son.

Countess Munster, of twin daughters.

The lady of Sir John J. Fitzgerald, bart. a daughter.

*November.*

The wife of Hon. J. T. Leslie Melville, a son.

Right

Right Hon. Lady Lucy Clive,  
a son.

The lady of Sir William Mel-  
liken Napier, bart. a son.

The lady of Sir Hew D. Ross,  
a daughter.

The wife of the Hon. Fleet-  
wood Pellew, a son.

The lady of the Hon. Lieut.-  
gen. Sir C. Colville, a son and  
heir.

The lady of Sir George Denys,  
bart. a daughter

The Countess of Westmeath,  
a son and heir.

The wife of Adm. Lukin, a son.

The wife of the Hon. and Rev.  
T. L. Dundas, a son.

*December.*

The Countess of Aberdeen, a  
daughter.

The lady of Sir T. Troubridge,  
a son.

Hon. Lady Levinge, a daughter.

Lady Minto, a son.

Hon. Mrs. Repton, a son.

The lady of Sir James Lake,  
bart. a daughter.

Lady Desanges, a son.

The Duchess of St. Alban's, a  
son.

The Duchess of Rutland, a son.

Lady Blantyre, a son.

Lady Wilson, a son and heir.

MARRIAGES.

*February.*

Right Hon. Lord Clive, to  
Lady Lucy Graham, 3rd daughter  
of the Duke of Montrose.

Lieut.-gen. the Hon. Sir G.  
Colville, to Jane, eldest daughter  
of W. Mure, Esq.

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*March.*

Sir Egleton Kent, bart. to  
Lady Sophia Lygon, daughter of  
the late Earl of Beauchamp.

Viscount Newport, eldest son  
of the Earl of Bradford, to Geor-  
giana Elizabeth, only daughter  
of Sir Thomas Moncrieffe, bart.

Charles Gordon Ashley, Esq.,  
to the Hon. Jane Newcomen.

Sir Jeremiah Dickson, to Je-  
mima, youngest daughter to the  
late Thos. Langford Brooke, Esq.

The Earl of Athlone, to Miss  
Hope, daughter of the late John  
Williams Hope, Esq.

Major-gen. Ashworth, to Mary  
Anne, 3rd daughter to the late  
Mr. Justice Rooke.

Alex. Maddox, Esq. M. P. to  
Eliza Anne, widow of Roderick  
Gwynne, Esq.

*April.*

Sir Gregory-Osborn-Page Tur-  
ner, bart., to Helen Eliza, only  
daughter of John Woolsey Bay-  
field, Esq.

*May.*

Hon. G. L. Proby, second son  
of the Earl of Carysfort, to Isa-  
bella, second daughter of Hon.  
Col. Howard,

Major-gen. Sir Manley Power,  
to Anne, third daughter of the  
late Kingsmill Evans, Esq.

Horace, third son of the late  
Lord Hugh Seymour, to Eliza-  
beth Mallet, eldest daughter of  
the late Sir Laurence Palk, bart.

Sir Will. Cunningham Fairlie,  
bart. to Anne, only daughter of  
the late Robert Cooper, Esq.

O

Right

Right Hon. Henry Manvers Pierrepont, to Lady Sophia Cecil, only daughter of the late Marquis of Exeter.

only daughter of Thomas Weld, Esq.

*September.*

*June.*

Major-gen. Sir T. Bradford, to Mary-Anne, widow of the late Lieut.-col. Ainslie.

Sir George Sitwell, bart. to Susan, eldest daughter of Craufurd Tait, Esq.

The Duke of Leinster, to Lady Charlotte-Augusta Stanhope, youngest daughter of the Earl of Harrington.

Right Hon. Lord George Lenox, to Louisa-Frederica, daughter of Hon. John Rodney.

Lord Cochrane, to Miss Catherine Corbett Barnes.

Charles Newcomen, Esq., to the Hon. Katharine Newcomen, youngest daughter of the late Viscount Newcomen.

Earl Brownlow, to Caroline, second daughter of George Fludyer, Esq. M. P.

Sir John Boyd, bart. to Harriet, second daughter of the late Hugh Boyd, Esq.

*October.*

Right Hon. Col. Will. Odell, to Miss Anna Maria Finucane.

Gerard Callaghan, Esq. M. P., to Louisa-Margaretta, eldest daughter of J. C. Clarke, Esq.

Lieut.-gen. Vansittart, to Miss Copsom Harris.

Lieut.-col. Sir Will. Gomm, to Sophia, eldest daughter of Granville Penn, Esq.

*July.*

Lord James Stuart, brother to the Marquis of Bute, to Miss Tighe, only daughter of the late William Tighe, Esq.

Viscount Cranley, eldest son of Earl Onslow, to Mary, eldest daughter of George Fludyer, Esq. M. P.

The Marquis of Bute, to Lady Maria North, eldest daughter of the late Earl of Guildford.

*November.*

Sir John Palmer Ackland, bart. to Martha, relict of Philip Gibbes, Esq.

Capt. Sir Charles Sullivan, bart. to Jean Anne, only daughter of Robert Taylor, Esq.

Hon. Peter Boyle de Blaqueire, to Eliza, second daughter of Will. Roper, Esq.

*August.*

Viscount Normanby, eldest son to the Earl of Mulgrave, to Maria, eldest daughter of Sir Thomas Henry Liddell, bart.

Hon. A. Annesley, to Sarah, eldest daughter of B. Ainsworth, Esq.

Hon. Mr. Clifford, eldest son of Lord Clifford, to Miss Weld,

*December.*

Rear-Adm. Monkton, to Eliz. Patience, only daughter of the late T. Phipps, Esq.

Sir J. J. Burgoyne, bart. to Charlotte, daughter of the late Michael Head, Esq.

PROMOTIONS.



PROMOTIONS.

Mr. Isaac Hadwen, Russian Consul at Gibraltar.

*January.*

*March.*

General Sir Peregrine Maitland, Lieut. Governór of Upper Canada.

Sir Thomas Plumer, Master of the Rolls, *vice* Sir W. Grant, resigned.

Admiral Sir Richard Bickerton, Lieutenant-General of the Marines, *vice* Sir R. Onslow, deceased.

Admiral Sir George Hope, Major-General of the same.

Right Hon. Sir John Leach, Knt. Vice-Chancellor of England, *vice* Sir Thomas Plumer.

Major-Gen. Sir John Keane, Governor and Commander-in-Chief of St. Lucia, *vice* Major-General Seymour, deceased.

Right Hon. F. J. Robinson; and in his absence, Right Hon. T. Wallace; President of the Committee of Council for Trade and Plantations.

*February.*

Right Hon. F. John Robinson, Treasurer of his Majesty's Navy, *vice* Rose, deceased.

Vice-Admiral Sir W. Domett, and Major-Gen. Sir John Oswald, Knights Commanders of the Bath.

Thomas Philip Weddell Lord Grantham, Lieut. of the county of Bedford, *vice* Earl of Upper Ossory, deceased.

The undermentioned Knights Commanders, to be Knights Grand Crosses of the Bath: Admiral Sir C. M. Pole, Bart.; Rear-Adm. Sir T. F. Fremantle; and Rear-Adm. Sir G. Cockburn.

Right Hon. Robert Visc. Melville; Sir George Warrender, Bart; John Osborn, Esq.; Sir Graham Moore, Rear Admiral of the Red; Henry Somerset, Esq. commonly called Marquis of Worcester; Sir George Cockburn, Rear-Admiral of the Red; and Hon. Sir Henry Hotham, Rear-Admiral of the White; to be his Majesty's Commissioners for executing the office of High Admiral.

General the Duke of Richmond, Captain General and Governor in Chief of the provinces of Lower and Upper Canada, Nova Scotia, New Brunswick, and the Islands of Prince Edward and Cape Breton.

*April.*

Right Hon. George Henry Rose, sworn in a Member of the Privy Council.

*May.*

Right Hon. William Earl of Errol, Commissioner to the General Assembly of the Church of Scotland.

Sir Richard Goodwin Keats, Major-General of his Majesty's Royal Marine Forces.

Sir Charles Hamilton, Bart. Governor and Commander-in-Chief of Newfoundland and its dependencies.

Lewis Cameron, Esq. Consul at Cagliari.

*June.*

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## June.

Lord Cranborne, and Lord Walpole, Commissioners to the Board of Control.

## July.

J. B. Gilpin, Esq. Consul for Rhode Island.

C. Rushworth, Esq. Commissioner of Taxes.

Charles Dawson, Esq. Consul for the provinces of Biscay and Guipuscoa.

## August.

Donald Mackintosh, Esq. Consul for New Hampshire and the district of Maine.

## September.

Sir T. Hislop, a Knight Commander of the Order of the Bath.

## October.

The dignity of a Baronet granted to the following persons: The Hon. Alexander Maitland; Henry Johnson, Esq.; Anthony Farrington, Esq.; Sir Henry Calvert; James Campbell, Esq.; Sir James Willoughby Gordon; Felton Elwill Bathurst Hervey, Esq.; John Powell, Esq.; John Acland, Esq.; Anthony Letchmere, Esq.; Sir Edmond Lacon, Knight; John Shelley Sidney, Esq.; Thos. Hare, Esq.; Edward Stracey, Esq.; George Shiffner, Esq.; John Croft, Esq.; Robert Bateson, Esq.; Matthew John Tierney, Doctor of Physic, Physician in ordinary to the Prince Regent; Sir Humphrey Davy, Knight.

Francis Marquis of Hastings, a Knight Grand Cross of the Order of the Bath.

## November.

Mr. Justice Abbott, Lord Chief Justice of the Court of King's Bench, *vice* Lord Ellenborough, resigned.

Mr. Justice Dallas, Chief Justice of the Court of Common Pleas, *vice* Sir Vicary Gibbs, resigned.

George Carvagh, Esq. created a Baron by the title of Baron Garvagh.

Earl of Dalhousie Governor-Gen. and Commander-in-Chief at the Cape of Good Hope, *vice* Lord Chas. Somerset.

## December.

The dignity of Baronet granted to the following persons: Sir E. Hamilton; R. Mahon, Esq.; Hugh Innes, Esq.

William Draper Best, Esq. a Judge of the Court of King's Bench.

R. Richardson, Esq. a Judge of the Court of Common Pleas.

His Grace the Duke of Wellington created Master-General of his Majesty's Ordnance.

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## DEATHS.

### December, 1817.

27. At Southampton, aged 77, *Sir Richard Onslow, Bart.* Admiral of the Red, and Lieut.-Gen. of the Royal Marines. He was second

second in command of the fleet under Lord Duncan in the North Seas, where he distinguished himself in the *Monarch*, in the defeat of the Dutch fleet, and for his gallant conduct was created a Baronet, and received the thanks of both Houses of Parliament.

January, 1818.

1. In Duke-street, St. James's, in his 56th year, *Count Zenobio*, descended from the first family among the noblesse in Europe. As a man of fashion and gallantry he took the lead at Versailles, when under the ancient regime.

9. At York, aged 88, the *Dowager Lady Vavasour*, a lineal descendant of the ancient family of Vavasour, of Spaldington, Yorkshire.

10. Of the gout in his stomach, *Lieut.-General Floyd*, Colonel of the 8th dragoons, and Governor of Gravesend and Tilbury.

27. *John James Hamilton, Marquis of Abercorn*, in his 64th year.

29. *Sir Claude Champion de Crespigny, Bart.* aged 83.

February.

1. Died at his seat of Ampt-hill Park, co. Bedford, in his 73rd year, *The Right Hon. John Fitzpatrick, Earl of Upper Ossory in the English Peerage, and the same, together with Baron Gowran, in Ireland.* He was educated at Eton and Oxford; and married the Hon. Anne Liddell, only child and heiress of Henry Lord Ravensworth, in 1769, by whom he had two daughters. His Lordship was uniformly and highly esteemed, and his death will long

be felt by a numerous tenantry, both in England and Ireland. His remains were interred in the family vault in Bedfordshire, the Marquis of Lansdowne, and Lord Holland, both children of his two sisters, attending the funeral. His valuable estates in Ireland are left to his two daughters.

2. *Thomas Cogan, M. D.* after nearly completing his 82nd year. This distinguished person was born at Rowel, in Northampton, and passed two or three years at the school of Mr. (afterwards Dr.) Aikin, of whom he always spoke in terms of great respect. His first profession was that of a Dissenting Minister, which he in part pursued in Holland, where he married Miss Green, daughter of a merchant in Amsterdam. In this place he first directed the attention of his countrymen to the possibility of recovering persons apparently drowned; and for this purpose he translated the memoirs of the Society established at Amsterdam for that benevolent purpose. Returning at that time to England, he joined Dr. Hawes in instituting the Royal Humane Society, which was afterwards the parent of several others. Mr. Cogan, it is to be observed, changed his profession, for physic, and studied at Leyden, where he took the degree of M. D. He returned to Holland in 1780, where he resigned his new profession; and visiting Germany he wrote his entertaining tour upon the Rhine. Revisiting England, he devoted his time chiefly to the study of Moral Philosophy, in which he obtained  
great

great eminence. His publications in this class were, a Philosophical Treatise on the Passions: An Ethical Treatise on the Passions: Theological Disquisitions; or an Enquiry into those Principles of Religion which are most influential in directing and regulating the Passions and Affections of the Mind: A Theological Disquisition on the characteristic Excellencies of Christianity: A Treatise of the Passions and Affections of the Mind, Philosophical, Ethical, and Theological, Letters to William Wilberforce, Esq. M.P. on the Doctrine of Hereditary Depravity, by a Layman: Ethical Questions. Dr. Cogan also translated from the Dutch, The Works of Professor Camper, on the connexion between Anatomy, and the Arts of Drawing, Painting, &c. He was a man of uncommon vivacity, and supported his spirits almost to the closing scene. He died at the house of his brother, the Rev. E. Cogan, at Walthamstow.

5. *Charles Dudley Pater, Esq.* Rear-Admiral of the White, aged 56.

6. In Holles - street, Dublin, *Sir Richard Musgrave, Bart.*

11. *Lady Mary Ker*, sister of the late Duke of Roxburgh, aged 72.

13. At Dunnichen, co. Forfar, in his 86th year, *George Dempster, Esq.* born at Dundee, where his grandfather and father acquired considerable fortunes by trade. Chusing the Scotch law for his profession, he was admitted a member of the faculty of advocates in Edinburgh. In 1762 he quitted that profession for the senate; and having been elected

representative of the district of boroughs with which his family were particularly connected, he became so acceptable to his constituents, that he was returned for four successive parliaments, and did not voluntarily withdraw till 1790. As a member of the House of Commons, he was always heard with extraordinary attention, principally owing to the integrity of his character, which impressed his hearers that he was not influenced by any mean or paltry consideration. He was always eager to embark in any scheme that promised to promote the prosperity of his native land; and he was one of the first to engage in a society for extending the fisheries of Scotland, in which he was chosen one of the directors. He was also the first person who taught his countrymen the art of packing their fresh salmon in ice, by which means it may be sent to a good market in the British metropolis. As a scholar, a man of science, and a man of true benevolence, few men are entitled to higher claims than Mr. Dempster, of Dunnichen.

25. *Sir George Cranfield Berkeley*, Admiral of the White, born in 1753, and only brother of the late Earl of Berkeley. One of his first important naval engagements was his commanding the Marlborough of 74 guns in the battle fought by Lord Howe against the French republic in 1794, in which, after defeating two ships of the enemy, he suffered severely from a French ship of 120 guns, who lay under the broadside of the Marlborough, and among other mischief, gave the

the captain two wounds, which obliged him to quit the quarter deck. For his conduct on this day he received high encomiums from the commander-in-chief, as well as from both Houses of Parliament; and he was afterwards promoted to the appointment of Colonel of Marines. In process of time he was honoured with other promotions; and he represented the county of Gloucester in parliament from 1781 to 1812. He married in 1784 Emily Charlotte, daughter of Lord George Lenox, by whom he left five children.

*March.*

3. Near Melton Mowbray, co. Leicester, *Richard Meyler, Esq. M.P.* for the city of Winchester.

4. The *Dowager Viscountess Arbuthnot.*

7. *Lady Caroline Wrottesley*, wife of Sir John W., Bart. and eldest daughter of the Earl of Tankerville.

19. *General the Hon. Chappel Norton*, Col. of the 56th regiment, and Governor of Charlemont, in his 72nd year. He was third son of Sir Fletcher Norton, afterwards Lord Grantly. He several times represented in parliament the town of Guildford.

20. At his house in Cheltenham, in the 84th year of his age, *Alexander Gaffray, Esq.* formerly an eminent merchant in the city of Dublin, and the first elected Governor of the Bank of Ireland. He was descended from an ancient and respectable family in the co. of Aberdeen, and was one of the surviving great grandsons of Robert Barclay, of Urie,

in Scotland, author of the learned Apology for the people called Quakers, in the principles of which sect he was educated. When he arrived at an age to form his own decisions, he renounced their peculiarities, and became a member of the Established Church; but through life he retained that simplicity and integrity of mind and conduct, for which they have been justly celebrated. To these were added a cultivated understanding, a generous and affectionate heart. Perhaps there never existed a more truly benevolent man. Of him it might with propriety be observed that "his right hand knew not the actions of his left." He despised ostentation, and conscientiously avoided selfish indulgence; but he largely contributed to the wants of all those who had any claims upon his bounty, and was a liberal patron to the poor and friendless. He was a just and faithful steward of his possessions, seeking to do that which was right, in every action of his long and eminently useful life. He cherished no private resentments, but freely forgiving all those who injured him, exemplified those feelings which actuate the conduct, and adorn the character of a genuine Christian. He courted not the world's applause, but, in his own breast, he found "that peace which passeth all understanding," and which, through infinite mercy, enabled him, in the awful moment of dissolution, to resign his soul to Him who gave it, without a struggle or a sigh.

—(*Sent by a correspondent*).

24. At Hare-street, near Romford,

ford, *Humphrey Repton, Esq.* long known by his taste in landscape scenery and picturesque gardening, on which he published several esteemed works.

*April.*

1. *Lady Ann, wife of H. Hudson, Esq.* and daughter of the Marquis of Townshend.

4. *Hon. Gen. Henry St. John*, Colonel of the 36th regiment, and brother of the late Viscount Bolingbroke.

6. At Melbourne House, *Viscountess Melbourne*, daughter of Sir Ralph Milbanke, aged 66.

8. In her 66th year, *Emily Countess of Bellamont*, daughter of James Duke of Leinster, and sister to the late Duke, and to Lady Charlotte Strutt.

9. *Sir Richard Gamon, Bart.* long member for Winchester.

10. *Rev. Sir William Henry Clerke, Bart.* rector of Bury, co. Lancaster, aged 66.

*May.*

2. *Sir George Hope*, Rear-Adm. of the Red, Major-General of the Marines, and M. P. for East Grinstead, in his 52nd year.

18. *Louis Joseph de Bourbon-Condé*, Grand Master of France, at the age of 82. After distinguishing his valour in different wars, he quitted France in July, 1789, on the breaking out of the first civil disturbances, and raising a small army on the frontiers of Germany, he exhausted all his finances in supporting them. His son, the Duke d'Enghien, joined him in the Black Forest; and several encounters signalized these

heroes. Austria having made peace with France in 1796, the Prince of Condé passed into the service of Russia, where he was treated with a hearty welcome by Paul I. After the campaign of 1800, he visited England, and resided at the Abbey of Amesbury. Here he received the fatal tidings of the death of his grandson, then Duke d'Enghien, which affected his mind with a deep tinge of sorrow. In 1814 he made his entry to Paris along with the King, whom he accompanied to Ghent in 1815, and returned with him in the same year. His time was chiefly spent at Chantilly after his second return, where he inhabited a small building, the wreck of his own magnificent palais. His town residence was the Palais Bourbon. He was carried off by a disease which attacked him but three days before.

19. *Hon. Mrs. Grenfell*, lady of P. Grenfell, Esq. M. P. and sister of Viscount Doneraile.

21. At Rome, in his 46th year, *George Montague, sixth Earl of Sandwich*.

28. *Augusta Georgiana Elizabeth*, widow of the late Thomas Lord Walsingham, and only daughter of William first Lord Boston.

30. *Isaac Hawkins Browne, Esq.* near thirty years one of the representatives of Bridgnorth, in his 73rd year.

*June.*

4. *Lady Twysden*, relict of the late Sir W. Twysden, Bart. aged 87.

5. *Right Hon. John Leslie, Baron*

*Baron Lord Newark*, at Exmouth, in his 76th year.

11. *Right Hon. Viscountess Althorp.*

*Right Hon. J. Hiley Addington*, late M. P. for Harwick.

19. *Patrick Brydone, Esq.* He was travelling Preceptor to Mr. Beckford, of Somerly, to whom he addressed the Letters of which his "Tour through Sicily and Malta," consists. He was also the author of some papers in the *Philosophical Transactions*.

25. At Springfield Castle, co. Limerick, in his 73rd year, the *Right Hon. Robert Tilson Deane, Lord Muskerry*, a Privy Counsellor in Ireland, Governor and Custos Rotulorum of the co. of Limerick.

In Dublin, the *Countess of Bective*.

29. At Chicksands Priory, *Sir George Osborn, Bart.* a General in the army, and Colonel of the 40th regiment, in his 77th year. He left one son, now a representative for the county of Bedford, and a Lord of the Admiralty.

*Sir Thomas Moncrieffe, Bart.* Lincolnshire.

*Right Hon. Lady Catherine Frances Feilding*, daughter of the late Viscount Feilding.

*Sir Robert Lynche Blossie, Bart.* of Cabalva, Glamorganshire.

*Sir John Anstruther, Bart.* M.P. Edinburgh.

heir-male, *Henry Petty, Marquis of Lansdowne*.

6. *Right Hon. Lady Elizabeth Richardson*, wife of F. Richardson, Esq. and youngest daughter of the late Earl of Winterton.

7. *Lady Lindsay*, widow of Gen. Sir David Lindsay.

29. In Grosvenor place, at the age of 74, the *Right Hon. Lowther Pennington, Lord Muncaster*, a General in the army, and Col. of the 4th Royal Veteran Battalion. By his marriage, after the death of an elder brother, he left an only son, who has succeeded him.

*Hon. Andrew Foley*, M. P. for Droitwich, brother of the late Lord Foley.

30. *Mrs. Pope*, aged 75, formerly of Drury-lane Theatre, to the duties of which she remained constant during more than half a century. Her talents for the stage were first cultivated by the celebrated Mrs. Clive; and she rose to eminence under the patronage of Garrick. Good sense, good humour, vivacity, and accurate knowledge of her profession, were her distinguishing merits, and her private character was not less estimable than her public appearance. A numerous train of friends lamented the loss of one who took care to act well in every relation of life. She died in her 75th year.

31. *George Viscount Anson*.

July.

4. In his 78th year, the *Right Hon. Francis Thomas Fitzmaurice, third Earl of Kerry*. His Lordship married in 1768, but had no issue by her ladyship, and is succeeded in his honours by his cousin and

August.

5. *Sir John Barrington, Bart.* in his 66th year.

11. *Sir Gilbert King, Bart.* Ireland, aged 72.

16. *John Palmer, Esq.* of Bath, late Comptroller-General of the

Post-



Post-Office. This gentleman first became proprietor of the Theatre of his native place, which, by great exertion, he liberated from its confinement, and procured it to be the first Royal Theatre established out of the metropolis. This, however, was a small part of the benefits which he conferred upon his country, for he brought into effect an entire change of the mode of conveying the post through these kingdoms, notwithstanding all the opposition made under the former system, with their several establishments of proprietors and innkeepers. Mr. Palmer was besides long obliged to submit to a great defalcation of the compensation to which he justly laid claim; and it was not till the ministry themselves thought proper to bring in a bill granting him 50,000*l.* as a kind of acknowledgment, for his merits. Mr. Palmer twice represented his native city in parliament, and upon his resignation was succeeded by his son, Col. Palmer, who is one of the present members.

20. *Hon. H. A. Annesley*, only brother of the Earl of Mountnorris, drowned in bathing at Blackpool.

22. At his seat, Daylesford house, Worcestershire, the *Right Hon. Warren Hastings*, formerly Governor-General of Bengal, in his 86th year. He was educated at Westminster-school, from which, at the age of 16, he was nominated to a writership in the service of the East India company, for which he embarked. After a residence in that country upwards of fourteen years, during

which he rose to the rank of Member of the Council at Calcutta, he returned to England. In process of time, the Court of Directors wishing for a person of ability to succeed to the government of Madras, they prevailed upon Mr. Hastings to undertake the office; and he had not been long in the place, before a more important occasion called for the exercise of his talents. The affairs of Bengal had become much embarrassed, and the Court of Directors, thinking no one so capable of retrieving them as Mr. Hastings, sent orders directing him to proceed immediately to Bengal, and take upon himself the Government of that settlement. This took place in 1772. In 1774 Parliament changed the whole system of management of the East India Company, appointing a Supreme Council at Bengal, which was to control all the other settlements in India. The legislature appointed Mr. Hastings the first Governor General, and conferred the same appointment on him three several times afterwards, between that year, and his final departure in 1785. During his absence, a varied and multiplied war was conducted against France, Hyder Aly, and the Mahrattas.

Mr. Hastings returned to England, and not long after, an impeachment was raised against him, by several persons distinguished for their eloquence. He was kept on his trial during seven years; but whether the length of time wearied the House of Lords, or they became convinced of his innocence, it so happened, that  
 although

although many found him guilty under various charges, not one individual agreed in convicting him of the whole. The India Company liberally paid a great part of the expence of this tedious process, but his own fortune defrayed the rest. In private life he is painted as one of the most amiable of human beings, with a nature "full of the milk of human kindness," and without a tincture of gall in its composition.

24. At Sandridge-lodge, Wilts, *George Lord Audley*, in his 61st year.

*September.*

17. At Uffington-house, near Stamford, *Right Hon. Albemarle Bertie, Earl of Lindsey*, a General of his Majesty's forces, aged 74. He married in 1809 the daughter of the very Rev. Dr. Layard, dean of Bristol, by whom he left two sons and one daughter.

27. In Rutland-square, Dublin, *Right Hon. William Howard, Earl of Wicklow*, a Privy Counsellor of Ireland. He married in 1787 Eleanor, the only daughter of the Hon. Francis Caulfield, by whom he had issue three sons and five daughters. He is succeeded by his eldest son, William Lord Clonmore.

*Miss Sarah Sophia Banks*, sister of Sir Joseph Banks, aged 74. In common with her brother, she was zealous for the study of the sciences and of natural history; and by the direction of Sir Joseph, such of her collections of books and coins as the British Museum does not already possess, have been presented to that National Institution.

*October.*

3. At Northwick Park, Worcestershire, the *Right Hon. Lady Northwick*, widow of the late, and mother of the present, Lord Northwick.

19. Near Dublin, in her 56th year, *Catherine Baroness Mount Sandford*, widow of Henry the late Baron Mount Sandford.

29. At Mount Edgécumbe, the *Right Hon. Wm. Richard Viscount Valletort*, aged 24.

*November.*

2. The death of Lady Romilly, October 29, was particularly unfortunate in throwing her husband, *Sir Samuel Romilly*, into a condition which plunged him in a paroxysm of grief, whereby he was driven to raise his hand against his own life; and in about an hour after the deed, he sunk under the stroke, leaving no doubt in the minds of the jury called to enquire into the nature of the act, that it was committed during a state of derangement, over which he had no power. Long brought into public notice as a lawyer of first rate abilities, and placed in a conspicuous station as a member of the House of Commons, in which his virtues shone with peculiar lustre, it could scarcely be supposed that such would have been the termination of his life. But rarely does it happen that human life passes without a struggle; and to meet death with perfect resignation may be considered as a peculiar blessing. Having already twice mentioned Sir S. Romilly, both

both in the history of his transactions, and in his unhappy fall, we shall now put a close to the scene.

At Hatfield, co. York, *Sir Hector Maclean, Bart.*

At Dungannon Park, co. of Tyrone, in his 90th year, the *Right Hon. Thomas Knox, Visc. Northland*, a Governor and Custos Rotulorum of the county of Tyrone.

12. At Ashted Park, Surrey, at the age of 86, *Richard Howard, Esq.* brother of the late and uncle of the present, Lord Bagot, whose name he originally bore.

*Charlotte Dowager Countess of Dunmore*, daughter of Alexander Earl of Galloway, at a very advanced age.

#### December.

1. *Sir Edward Leslie, Bart.* of Tarbert-house, co. Kerry, in his 74th year.

13. In St. James's-square, the *Right Hon. Edward Lord Ellenborough*, who for sixteen years had filled the second rank in the judicial office of this country, that of Chief Justice of the King's Bench. He was born in 1750, and was the fourth child of Dr. Edmund Law, Bishop of Carlisle. After receiving an excellent education, chiefly at the Charter-house, he was removed to Peter-house, Cambridge, where he distinguished himself by his classical attainments. Upon leaving college, he commenced the study of the law, and for some time practised as a special pleader. When he arrived at the bar, he got into business first in the Northern circuit, where, it is said,

he exercised unbounded control over the juries. In fact, he frequently displayed much warmth of temper; and on many occasions, his intemperance of language was not more conspicuous than his legal abilities. In his progress towards professional advancement he received assistance from some eminent lawyers, but on the other hand, he incurred the strong dislike of Lord Chief Justice Kenyon, who was scarcely able to treat him with common civility. His rise, however, was finally rapid; and after he had been engaged in the seven years contest in favour of Warren Hastings, he found himself possessed of a great accession of reputation. The French Revolution broke out about this time; in which Mr. Law was in general retained for the Crown. In Lord Sidmouth's administration he was first appointed to the office of Attorney General in 1801, and in 1802 he was raised to the Chief Justiceship of the King's Bench, and to the Peerage. His conduct in the latter place was perhaps not free from reproach, yet for the most part it bore the marks of sincerity, and his language was remarkable for its force. In 1782 he married Miss Towry, the daughter of George Phillips Towry, Esq. by whom he had a numerous family. His remains were removed for interment in the Charter-house, where they were deposited by the side of those of Mr. Sutton, the founder.

22. Died at his house in St. James's-square, after a long illness to which he was a martyr, *Sir Philip Francis*, aged 78. He was born in Dublin in 1740, and was the

the son of Dr. Francis, the translator of Horace. He received the rudiments of education in Ireland, but came to England for further instruction, and was placed at St. Paul's School. In 1758 he was appointed secretary to Gen. Bligh, and was present at the demolition of Cherburgh. In 1763 he was nominated to a considerable post in the War-Office, which he afterwards resigned on account of a difference with Viscount Barrington. He then travelled to the continent, and on his return to England, was recommended to Lord North. At that period the affairs of the East Indies became a matter of anxious deliberation in the Cabinet; and it being made a question to whom the territorial sovereignty of the newly acquired dominions should appertain, it was decided that our Cabinet should have permanent jurisdiction. The British Government determining to give a new form to our Eastern possessions, it was resolved to establish a central authority at Calcutta, to which Madras and the other presidencies should be subject. A bill was therefore framed in 1773 by Lord North, by which the civil government of Bengal was to be vested in a Governor General and Council; and it was determined to send out three persons of known integrity, both to enforce the act, and to constitute a majority in the council. The persons chosen were the Commander-in-Chief, Sir John Clavering; Colonel Monson; and Mr. Philip Francis; and the last, as a man of business, was to organize the plan, and direct the proceed-

ings. The death of the two first, in 1776 and 1777, totally changed the state of affairs, and Mr. Francis being now left in a minority, in which Mr. Hastings and Mr. Barwell adopted the old system, the faith and stability of the councils in England was utterly disregarded. The quarrel between Hastings and Francis occasioned a duel in August 1780, in which the former shot the latter through the body. Mr. Francis found himself able to leave Bengal in December 1780; and after passing five months in St. Helena, he returned to England in Oct. 1781. When, in the session of 1788, Mr. Hastings delivered in his answer to the articles of impeachment, the Commons proceeded to the appointment of a Committee who should propose a reply. When the name of Mr. Francis was put, a division ensued, in which the Ayes were 23, and the Noes 97; an augury which gave small hopes to the party of Ayes. These, however, by the weight of uncommon abilities, supported themselves beyond expectation; and when Mr. Francis received a letter written by Mr. Burke, and signed by all the managers, requesting his assistance and advice in the important business on which they were engaged, it was remarked, "that an exact knowledge of the affairs of Bengal was requisite in every step of their proceedings, and it was necessary that their information should come from sources, not only competent, but unsuspected. They had perused with great attention the records of the Company, and they had found there inculcated, on the part of Mr. Francis,

Mr. Francis, wise and steady principles of government, an exact obedience to the authority placed over him, an inflexible integrity in himself, and a firm resistance to all corrupt practices in others; crowned by that uniform benevolent attention to the rights, properties, and welfare of the Natives, which had been the leading objects in his appointment."

Mr. Francis was occasionally a member of Parliament, though sometimes he failed. In 1806, at the recommendation of Lord Grenville, his Majesty invested him with the Order of the Bath, and added Sir Philip to

his titles. In person he was thin, well formed, and above the ordinary stature. His features were regular, and his eye keen, quick, and intelligent. Till within a few years of his decease, he possessed a remarkable degree of bodily activity. He left behind him a son and two daughters. When between 70 and 80 he married the daughter of a clergyman; but though the disparity of years was great, his sole motive was to procure a companion worthy of his society, which object he accomplished to the utmost gratification of his hopes.

## SHERIFFS

*For the Year 1818.*

*Bedfordshire*, J. Pedley, Esq. of Eaton Bray.  
*Berkshire*, R. Palmer, Esq. of Holme-Park.  
*Buckinghamshire*, G. Hassell, Esq. of Cholesbury.  
*Cambridgeshire*, and *Huntingdonshire*, postponed.  
*Cheshire*, H. H. Aston, Esq. of Aston.  
*Cumberland*, M. Hartley, Esq. of Rose-hill.  
*Derbyshire*, John Charles Girardot, Esq. of Allestree.  
*Devonshire*, Sir W. T. Pole, Bart. of Shute.  
*Dorsetshire*, J. Disney, Esq. of Corscombe.  
*Essex*, J. T. Daubuz, Esq. of Layton.  
*Gloucestershire*, D. Ricardo, Esq. of Gatcomb-Park.  
*Herefordshire*, J. Williams, Esq. of Willcroft.  
*Herts*, Geo. Palmer, Esq. of Much Hadham.  
*Kent*, W. H. Baldock, Esq. of Petham.  
*Lancashire*, J. Fedden, Esq. of Wetton-house.  
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*Lincolnshire*, J. C. L. Calcraft, Esq. of Ancaster.  
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*Norfolk*, E. Lomb, Esq. of Great-Melton.  
*Northamptonshire*, J. Booth, Esq. of Glendon.  
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*Nottinghamshire*, H. Walker, Esq. of Blyth.  
*Oxfordshire*, P. L. Powis, Esq. of Hardwick.  
*Rutlandshire*, R. Peach, Esq. of Lyddington.  
*Salop*, T. Botfield, Esq. of Hopton-Court.  
*Somersetshire*, J. Evered, Esq. of Hill.  
*Staffordshire*, E. T. Nichols, Esq. of Swithamley-Park.  
*Southampton*, R. Goodlad, Esq. Hill-place.  
*Suffolk*, C. Berners, Esq. of Wolverstone.  
*Surrey*, H. Peters, Esq. of Betchworth-Castle.  
*Sussex*, J. King, Esq. of Loxwood.  
*Warwickshire*, R. Vyner, Esq. of Eathorpe.  
*Wilts*, Alex. Powel, Esq. of Hurdcott-house.  
*Worcestershire*, S. Wall, Esq. of Hallow-Park.  
*Yorkshire*, J. York, Esq. of Richmond.

BY THE PRINCE OF WALES'S COUNCIL.

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## SOUTH WALES.

*Breconshire*, John Wilkins, Esq. of Cue.

*Cardiganshire*, John Jones, Esq. of Derry Ormond.

*Carmarthenshire*, Lewis Price Jones, Esq. of Glannyranel.

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*Denbighshire*, Edward Lloyd, Esq. of Berth.

*Flintshire*, John Wynn Eaton, Esq. of Leeswood.

*Merionethshire*, John Edwards, Esq. of Tiny Coed.

*Montgomeryshire*, John Edwards, Esq. of Machynlleth



A

## LIST

## OF THE MEMBERS OF THE HOUSE OF COMMONS,

RETURNED FOR THE

SIXTH IMPERIAL PARLIAMENT OF GREAT BRITAIN,

AUGUST 4, 1818.



\* \* \* Those printed in *ITALICS* are new Members. Those marked thus (\*) are for OTHER PLACES than they before served for.



SPEAKER, Right Hon. C. M. Sutton.

## ENGLAND AND WALES.

*Abingdon*---John Maberley.  
*Alban's, St.*---Wm. Tierney Roberts, Lord Charles Spencer Churchill.  
*Aldborough*---Henry Fynes, Granville Venables Vernon.  
*Aldeburgh*---Sam. Walker, Josh. Walker.  
*Amersham*---T. T. Drake, W. T. Drake.  
*Andover*---Hon. N. Fellowes, T. A. Smith.  
*Anglesea*---Hon. Berkeley Paget.  
*Appleby*---G. Fludger, L. Concannon.  
*Arundel*---\*Lord Henry Thos. Howard Molyneux Howard, \*Sir A. Piggott, kt.  
*Ashburton*---Sir Laurence Vaughan Palk, bart. \*John Singleton Copley.  
*Aylesbury*---G. Lord Nugent, William Rickford.  
*Banbury*---Hon. F. S. N. Douglas.  
*Barnstaple*---Sir Manasseh-Masseh Lopes, bart. Francis Molineux Ommaney.  
*Bath*---\*Lord John Thynne, C. Palmer.  
*Beaumaris*---T. Frankland Lewis.  
*Bedfordshire*---Francis Marquis of Tavistock, \*Sir John Osborn, bart.  
*Bedford*, Lord G. W. Russell, William Henry Whitbread.  
*Bedwin*---Right Hon. Sir John Nicholl, knt. John Jacob Buxton.  
*Beralston*---G. Lord Lovaine, Hon. J. Percy.  
*Berkshire*---C. Dundas, Hon. R. Neville.  
*Berwick*---A. Allan, H. H. St. Paul.  
*Beoverley*---J. Wharton, R. C. Burton.

*Bewdley*---W. A. Roberts, Jun.  
*Bishop's Castle*---William Clive, Lieut.-gen. John Robinson.  
*Blechingly*---\*M. Russel, G. Tennyson.  
*Bodmin*---D. Gilbert, Thomas Braddyll.  
*Boroughbridge*---Marmaduke Lawson, Capt. George Mundy, R. N.  
*Bossiney*---Sir Compton Domville, bart. J. Arch. Stuart Wortley.  
*Boston*---Hon. Peter Robert Drummond Burrell, William Alex. Madocks.  
*Brackley*---R. H. Bradshaw, H. Wrottesley.  
*Bramber*---John Irving, Wm. Wilberforce.  
*Breconshire*---Thomas Wood, Jun.  
*Brecon*---George Gould Morgan.  
*Bridgenorth*---T. Whitmore, Sir T. J. Tyrwhitt Jones, bart.  
*Bridgewater*---Geo. Pocock, W. T. Astell.  
*Bridport*---Sir Horace David Cholwell St. Paul, bart. Henry Charles Sturt.  
*Bristol*---R. H. Davis, Edw. Protheroe.  
*Buckinghamshire*---Richard Earl Temple, William Selby Lowndes.  
*Buckingham*---Sir George Nugent, bart. G. C. B. William Henry Fremantle.  
*Callington*---Hon. E. P. Lygon, Sir Christopher Robinson, knt.  
*Calne*---Hon. J. Abercromby, J. Macdonald.  
*Cambridgeshire*---Lord Charles Somerset Manners, Lord F. G. Osborne.  
*Cambridge University*---Right Hon. Henry John Visc. Palmerston, J. H. Smyth.

P

Cambridge

VOL. LX.

- Cambridge Borough*—Hon. Lieut.-gen. Edward Finch, Gen. Robert Manners.
- Camelford*—*M. Milbank, J. B. Maitland.*
- Canterbury*—S. R. Lushington, Edward Lord Clifton.
- Cardiff*—Lord P. J. H. C. Stuart.
- Cardiganshire*—W. E. Powell.
- Cardigan*—*Pryse Pryse.*
- Carlisle*—Sir. J. Graham, bart. J. C. Curwen.
- Carmarthenshire*—Lord Robert Seymour.
- Carmarthen*—Hon. J. F. R. Campbell.
- Carnarvonshire*—Sir Robt. Williams, bart.
- Carnarvon*—Hon. Capt. C. Paget, R. N.
- Castle Rising*—George Horatio, Earl of Rocksavage, Hon. Col. F. G. Howard.
- Cheshire*—D. Davenport, W. Egerton.
- Chester*—*Richard Visc. Belgrave*, Lieut.-gen. Thomas Grosvenor.
- Chichester*—Rt. Hon. William Huskisson, Charles Earl of March.
- Chippenham*—*William Miles, Geo. Marquis of Blandford.*
- Christchurch*—Rt. Hon. G. H. Rose, \*Rt. Hon. William Sturges Bourne.
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- Clithero*—Hon. R. Curzon, \*Hon. W. Cust.
- Cockermouth*—J. H. Lowther, *Right Hon. John Beckett.*
- Colchester*—J. B. Wildman, *D. W. Harvey.*
- Corfe Castle*—H. Bankes, G. Bankes.
- Cornwall*—Sir W. Lemon, J; H. Tremayne.
- Coventry*—P. Moore, *Edward Ellice.*
- Cricklade*—Joseph Pitt, \*Robert Gordon.
- Cumberland*—John Lowther, Right Hon. George Viscount Morpeth.
- Dartmouth*—Arthur Howe Holdsworth, Capt. John Bastard, R. N.
- Denbighshire*—Sir. W. W. Wynn, bart.
- Denbigh*—*John Wynne Griffiths.*
- Derbyshire*—Lord G. A. H. Cavendish, Edward Miller Mundy.
- Derby*—H. F. C. Cavendish, T. W. Coke, jun.
- Devizes*—*J. Pearse, T. G. Estcourt.*
- Devonshire*—E. P. Bastard, *Viscount Ebrington.*
- Dorsetshire*—W. M. Pitt, E. B. Portman.
- Dorchester*—Robert Williams, Sir S. Shepherd, knt.
- Dover*—Sir John Jackson, bart. \*Edward Bootle Wilbraham.
- Downton*—\*William Visc. Folkstone—\*Sir William Scott, knt.
- Droitwich*—William Philip, Earl of Sef-ton, Hon. Andrew Foley, (since deceased.)
- Dunwich*—J. Lord Huntingfield, M. Barne.
- Durham County*—John George Lambton, Hon. Wm. John Fred. Vane Powlett.
- Durham*—R. Wharton, \*Michael Angelo Taylor.
- East Looe*—Sir. E. Buller, bart. T. P. Macqueen.
- Edmundsbury*—*Henry Earl of Euston, Hon. Col. Arthur Percy Upton.*
- Essex*—J. A. Houblon, C. C. Western.
- Evesham*—H. Howorth, *W. E. R. Boughton.*
- Exeter*—W. Courtenay, \*R. W. Newman.
- Eye*—Sir R. Gifford, M. Singleton.
- Flintshire*—Sir Thomas Mostyn, bart.
- Flint*—Sir E. P. Lloyd, bart.
- Fowey*—*G. Lucy, \*Hon. Col. J. H. Stanhope.*
- Gutton*—*A. R. Dottin, J. Fleming, M. D.*
- Germains, St.*—*Hon. S. T. Bathurst, \*Right Hon. C. Arbuthnot.*
- Glamorganshire*—*John Edwards.*
- Gloucestershire*—Lord R. E. H. Somerset, Sir B. W. Guise, bart.
- Gloucester*—E. Webb, *R. B. Cooper.*
- Grampound*—*J. Innis, A. Robertson.*
- Grantham*—Sir W. E. Welby, bart. *Hon. Edward Cust.*
- Grimby*—\*J. N. Fazakerley, *C. Ten-nyson.*
- Grinstead*—Lord Strathaven, \*Hon. C. C. C. Jenkinson.
- Guildford*—A. Onslow, *W. D. Best.*
- Hampshire*—W. Chute, T. F. Heathcote.
- Harwich*—Right Hon. N. Vansittart, \*Rt. Hon. C. Bathurst.
- Haslemere*—Right Hon. C. Long, R. Ward.
- Hastings*—J. Dawkins, *G. Holford.*
- Haverfordwest*—*W. H. Scourfield.*
- Hellestone*—*Lord J. N. B. B. Townshend, H. Hudson.*
- Herefordshire*—Sir J. G. Cotterell, bart. *Robert Price.*
- Hereford*—T. P. Symonds, \*Hon. J. S. Cocks.
- Hertfordshire*—Hon. T. Brand, Sir J. S. Sebright, bart.
- Hertford*—N. Calvert, Visc. Cranborne.
- Heydon*—*E. Turton, R. Farrand.*
- Heytesbury*—*Hon. G. J. W. A. Ellis, Hon. W. H. J. Scott.*
- Higham Ferrers*—W. Plumer.

- Hindon*—Hon. F. G. Calthorpe, W. Beckford.
- Honiton*—Hon. P. F. Cust, S. Crawley.
- Horsham*—R. Hurst, G. R. Philips.
- Huntingdonshire*—Lord F. Montagu, W. H. Fellowes.
- Huntingdon*—W. A. Montagu, J. Calvert.
- Hythe*—Sir J. Perring, bart. J. B. Taylor.
- Ilchester*—Sir I. Coffin, bart. J. W. D. Merest.
- Ipswich*—R. A. Crickitt, W. Newton.
- Ives, St.*—Sir W. Stirling, bart. S. Stephens.
- Kent*—Sir E. Knatchbull, bart. W. P. Honeywood.
- King's Lynn*—H. Lord Walpole, Sir M. B. Folkes, bart.
- Kings-ton-upon-Hull*—J. Mitchell, J. R. G. Graham.
- Knaresborough*—\*Right Hon. G. Tierney, \*Sir J. Mackintosh, knt.
- Lancashire*—E. Lord Stanley, J. Blackburne.
- Lancaster*—G. Doveton, J. Gladstone.
- Launceston*—J. Brogden, Hon. Capt. P. B. Pellew, R. N.
- Leicestershire*—Lord R. W. Manners, C. M. Phillips.
- Leicester*—J. Mansfield, T. Pares, jun.
- Leominster*—Sir J. W. Lubbock, bart. Sir W. C. Fairlie, bart.
- Lewes*—Sir J. Shelley, bart. G. Shiffner.
- Lichfield*—Major-general Sir G. Anson, K.C.B. G. G. V. Vernon.
- Lime Regis*—John T. Fane, Vere Fane.
- Lincolnshire*—Hon. C. A. Pelham, C. Chaplin.
- Lincoln*—C. W. Sibthorp, R. Bernal.
- Liskeard*—Hon. W. Eliot (since deceased), \*Major-general Sir W. H. Pringle, K. C. B.
- Liverpool*—Right Hon. G. Canning, Lieut.-gen. Isaac Gascoyne.
- London*—M. Wood, T. Wilson, R. Waithman, J. T. Thorp.
- Lostwithiel*—\*Sir R. Wigram, knt. \*A. C. Grant.
- Ludgershall*—Henry Earl of Carhampton, Sandford Graham.
- Ludlow*—E. Visc. Clive, Hon. R. H. Clive.
- Lymington*—Sir H. B. Neale, bart. \*Wm. Manning.
- Maidstone*—A. W. Robarts, G. Longman.
- Malden*—J. H. Strutt, B. Gaskell.
- Malmsbury*—\*C. Forbes, \*K. Finlay.
- Malton*—J. W. Viscount Duncannon, J. C. Ramsden.
- Marlborough*—Hon. J. Wodehouse, J. T. Lord Brudenell.
- Marlow*—O. Williams, P. Grenfell.
- Maves*—Sir S. B. Morland, bart. Joseph Phillimore.
- Merionethshire*—Sir R. W. Vaughan, bart.
- Michael, St.*—Sir G. Staunton, bart. W. Leake.
- Middlesex*—W. Mellish, G. Byng.
- Midhurst*—\*Samuel Smith, \*John Smith.
- Milborne port*—Hon. Sir E. Paget, K.C.B. R. M. Casberd.
- Minehead*—J. F. Luttrell, H. F. Luttrell.
- Monmouthshire*—Ld. G. C. H. Somerset, Sir C. Morgan, bart.
- Monmouth*—Henry Marq. of Worcester.
- Montgomeryshire*—C. W. W. Wynn.
- Montgomery*—\*Henry Clive.
- Morpeth*—W. Ord, Hon. W. Howard.
- Newark*—\*Lieut.-gen. Sir W. H. Clinton, K. C. B. Henry Willoughby.
- Newcastle-under-Line*—W. S. Kinnersley, R. J. Wilmot.
- Newcastle-upon-Tyne*—Sir M. W. Ridley, bart. Cuthbert Ellison.
- Newport, Cornwall*—W. Northey, J. Raine.
- Newport, Hants*—Sir L. T. W. Holmes, bart. \*Charles Duncombe.
- Newton, Lancashire*—T. Legh, T. Cloughton.
- Newtown, Hants*—Hon. G. A. Pelham, \*Hudson Gurney.
- Norfolk*—T. W. Coke, E. Wodehouse.
- Northallerton*—H. Peirse, \*Visc. Lascelles.
- Northamptonshire*—W. R. Cartwright, J. C. Viscount Althorp.
- Northampton*—S. J. Earl Compton, \*Sir E. Kerrison, K. C. B.
- Northumberland*—Sir C. M. L. Monck, bart. T. W. Beaumont.
- Norwich*—W. Smith, R. H. Gurney.
- Nottinghamshire*—Lord W. H. C. Bentinck, G. C. B.; Frank Frank.
- Nottingham*—G. A. Lord Rancliffe, \*Joseph Birch (since deceased.)
- Oakhampton*—A. Savile, C. Savile.
- Orford*—E. A. Macnaghten, J. Douglas.
- Oxfordshire*—J. Fane, W. H. Ashurst.
- Oxford University*—Right Hon. Sir Wm. Scott, knt. Right Hon. R. Peel.
- Oxford*—J. A. Wright, Hon. Gen. F. St. John.
- Pembrokeshire*—Sir John Owen, bart.
- Penbroke*—J. H. Allen
- Penryn*—Sir C. Hawkins, bart. H. Swan.

- Peterborough*---Right Hon. W. Elliot, Hon. W. Lamb.  
*Petersfield*---H. Jolliffe, G. Canning.  
*Plymouth*---Sir W. Congreve, bart. *Sir T. B. Martin, K. C. B.*  
*Plympton*---R. G. Macdonald, A. Boswell.  
*Pontefract*---Visc. Pollington, *T. Houldsworth.*  
*Poole*---B. L. Lester, *J. Dent.*  
*Portsmouth*---J. Carter, *Sir G. Cockburn, K. C. B.*  
*Preston*---S. Horrocks, E. Hornby.  
*Queenborough*---\*Hon. E. Phipps, Sir R. Moorsom, K. C. B.  
*Radnorshire*---Walter Wilkins.  
*Radnor*---Richard Price.  
*Reading*---C. S. Lefevre, *C. F. Palmer.*  
*Retford*---*W. Evans, S. Crompton.*  
*Richmond*---*J. Visc. Maitland, T. Dundas.*  
*Ripon*---Right Hon. F. J. Robinson, G. Gipps.  
*Rochester*---\*Rt. Hon. Lord Binning, J. Barnet.  
*Romney*---\*A. Strahan, *R. E. Drax Grosvenor.*  
*Rutland*---Sir G. Heathcote, bart. Sir G. N. Noel, bart.  
*Rye*---\*Rt. Hon. C. Arbuthnot, *P. Brown.*  
*Ryegate*---\*Sir J. S. York, K. C. B. *Hon. J. S. Cocks.*  
*Saltash*---M. Russell, *J. Blair.*  
*Sandwich*---J. Marryat, \*Sir G. Warren-der, bart.  
*Sarum, New*---W. Visc. Folkestone, *W. Wyndham.*  
*Sarum, Old*---J. Alexander, *A. J. Crawford.*  
*Scarborough*---Right Hon. C. M. Sutton, *H. C. Viscount Normanby.*  
*Seaford*---C. R. Ellis, \*G. W. Taylor.  
*Shaftesbury*---\*J. B. S. Morrill, *J. H. Shepherd.*  
*Shoreham*---Sir C. M. Burrell, bart. *J. M. Lloyd.*  
*Shrewsbury*---Hon. H. G. Bennet, R. Lyster.  
*Shropshire*---J. K. Powell, John Cotes.  
*Somersetshire*---Wm. Dickinson, W. G. Langton.  
*Southampton*---W. Chamberlayne, *Sir Wm. Champion de Crespigny, bart.*  
*Southwark*---C. Calvert, *Sir R. Wilson, kt.*  
*Staffordshire*---Earl Gower, E. J. Littleton.  
*Stafford*---B. Benyon, *S. Homfray.*  
*Stamford*---Lord T. Cecil, *Hon. W. H. Percy.*  
*Steyning*---Sir J. Aubrey, bt. \*G. Phillips.
- Stockbridge*---J. F. Barnham, G. Porter.  
*Sudbury*---*W. Heygate, \*J. Broadhurst.*  
*Suffolk*---T. S. Gooch, Sir W. Rowley, bt.  
*Surrey*---G. H. Sumner, *W. J. Dennison.*  
*Sussex*---Sir G. Webster, bt. W. Burrell.  
*Tamworth*---Sir R. Peel, bt. \*W. Y. Peel.  
*Tavistock*---Lord Wm. Russell, *Lord J. Russell.*  
*Taunton*---A. Baring, \*Sir W. Burroughs, bart.  
*Tewkesbury*---J. E. Dowdeswell, J. Martin.  
*Thetford*---Lord C. Fitzroy, jun. *N. W. R. Colborne.*  
*Thirsk*---R. Frankland, R. Greenhill-Russell.  
*Tiverton*---Rt. Hon. R. Ryder, W. Fitzhugh.  
*Totness*---T. P. Courtenay, \*W. Holmes.  
*Tregony*---\*Viscount Barnard, *J. O'Callaghan.*  
*Truro*---Lord F. J. H. Somerset, *K. C. B. \*W. E. Tomline.*  
*Wallingford*---W. L. Hughes, E. F. Maitland.  
*Wareham*---\*J. Calcraft, *T. Denman.*  
*Warwickshire*---Sir C. Mordaunt, bart. D. S. Dugdale.  
*Warwick*---C. Mills, Hon. Sir C. J. Greville, K. C. B.  
*Wells*---C. W. Taylor, J. P. Tudway.  
*Wendover*---Hon. R. Smith, G. Smith.  
*Wenlock*---C. W. Forester, Hon. J. B. Simpson.  
*Weobley*---Viscount Weymouth, Lord F. C. Bentinck.  
*Westbury*---R. Franco, *Lord F. N. Conyngham.*  
*West Looe*---Sir C. Hulse, bt. \*H. Goulburn.  
*Westminster*---\*Sir S. Romilly, knt. (since deceased), Sir F. Burdett, bart.  
*Westmorland*---Wm. Viscount Lowther, Hon. H. C. Lowther.  
*Weymouth & Melcombe Regis*---\*Rt. Hon. T. Wallace, M. Ure, *W. Williams, T. F. Buxton.*  
*Whitchurch*---Hon. H. G. P. Townshend, \*Samuel Scott.  
*Wigan*---Sir R. H. Leigh, bart. J. Hodson.  
*Wilton*---Visc. Fitz-Harris, R. Sheldon.  
*Wiltshire*---P. Methuen, \*W. P. T. L. Wellesley.  
*Winchester*---\*J. H. Leigh, *Paulet St. John Mildmay.*  
*Winchelsea*---H. Brougham, *G. Mills.*  
*Windsor*---E. Disbrow, J. Ramsbottom, junior.

*Woodstock*—\*Rt. Hon. Lord R. Spencer,  
Sir H. W. Dashwood, bart.  
*Worcestershire*—Hon. H. B. Lygon, Hon.  
W. H. Lytton.  
*Worcester*—Visc. Deerhurst, T. H. H.  
Davies.  
*Wootton-Basset*—R. Ellison, W. T.  
Money.  
*Wycombe*—Sir J. D. King, bt. Sir T.  
Baring, bart.  
*Yarmouth, Norfolk*—Hon. T. W. Anson,  
(now Visc. Anson, by the death of his  
father), C. E. Rumbold.  
*Yarmouth, Hants*—\*J. Taylor, W. Mount.  
*Yorkshire*—Viscount Milton, \*J. A. S.  
Wortley.  
*York*—Hon. L. Dundas, Sir M. M. Sykes,  
bart.

*Kinross and Clackmannan Counties*—T.  
Graham.  
*Kirkcudbright Stewartry*—J. Dunlop.  
*Kirkwall, Wick, &c.*—Hugh Innes.  
*Lanarkshire*—Lord A. Hamilton.  
*Linlithgow*—Hon. Sir A. Hope, G. C. B.  
*Orkney and Shetland Counties*—Hon. Cap-  
tain G. H. L. Dundas, R. N.  
*Peebles-shire*—Sir J. Montgomery, bart.  
*Perthshire*—J. Drummond.  
*Renfrewshire*—John Maxwell, jun.  
*Ross-shire*—Thomas Mackenzie, jun.  
*Roxburghshire*—Sir A. Don, bart.  
*Selkirkshire*—W. E. Lockhart.  
*Selkirk, Peebles, &c.*—Sir J. B. Riddell,  
bart.  
*Stirlingshire*—Sir C. Edmondstone, bart.  
*Sutherlandshire*—G. M'Pherson Grant.  
*Wigtonshire*—J. H. Blair.  
*Wigton, Stranraer, &c.*—Hon. J. H. K.  
Stewart.

SCOTLAND.

*Aberdeenshire*—James Ferguson.  
*Aberdeen, Inverbervie, Montrose, Aber-  
brothock, and Brechin*—Joseph Hume.  
*Argyleshire*—Lord J. D. E. H. Campbell.  
*Ayrshire*—Lieut.-general James Mont-  
gomery  
*Ayr, Irvine, Rothesay, &c.*—T. F. Kennedy.  
*Banffshire*—James Earl of Fife.  
*Berwickshire*—\*Sir J. Marjoribanks, bt.  
*Bute and Caithness-shire*—Geo. Sinclair.  
*Cromarty & Nairnshires*—R. M'Leod, jun.  
*Crail, Kiltrenny, &c.*—Right Hon. A. Ma-  
canochie.  
*Dumbartonshire*—Rt. Hon. A. Colquhoun.  
*Dumfries Co.*—Sir W. J. Hope, K. C. B.  
*Dumfries, Sanquhar, Annan, &c.*—W. R.  
K. Douglas.  
*Dysart, Kircaldy, &c.*—Sir R. C. Fergu-  
son, K. C. B.  
*Edinburgh Co.*—Sir George Clerk, bart.  
*Edinburgh*—Right Hon. W. Dundas.  
*Elginshire*—F. W. Grant.  
*Elgin, Cullen, Banff, &c.*—Robert Grant.  
*Fifehire*—General William Wemyss.  
*Forfarshire*—Hon. W. R. Maule.  
*Forfar, Perth, Dundee, &c.*—A. Campbell.  
*Fortrose, Inverness, &c.*—G. Cumming.  
*Glasgow, Renfrew, &c.*—A. Houston.  
*Haddingtonshire*—Sir James Suttie, bt.  
*Haddington, Dunbar, &c.*—\*Dudley  
North.  
*Inverkeithing, Dunfermline, &c.*—John  
Campbell.  
*Inverness-shire*—\*Charles Grant, jun.  
*Kincardineshire*—G. H. Drummond.

IRELAND.

*Antrim*—Hon. J. R. B. O'Neil, H. Sey-  
mour.  
*Armagh*—C. Brownlow, jun. W. Richard-  
son.  
*Armagh Borough*—\*J. L. Foster.  
*Athlone*—John Gordon.  
*Bandon-Bridge*—A. W. J. Clifford.  
*Belfast*—\*Arthur Chichester.  
*Carlowshire*—H. Bruen, Sir U. B. Burgh,  
K. C. B.  
*Carlow Bo.*—\*Charles Harvey.  
*Carrickfergus*—George Earl of Belfast.  
*Cashel*—Richard Pennefather.  
*Cavanshire*—N. Sneyd, Right Hon. J. M.  
Barry.  
*Clare*—Sir E. O'Brien, bt. \*Right Hon.  
W. V. Fitzgerald.  
*Clonmel*—Right Hon. William Bagwell.  
*Coleraine*—Sir J. P. Beresford, bart.  
*Cork Co.*—Hon. R. Hare, Visc. Kings-  
borough.  
*Cork City*—Sir N. C. Colthurst, bt. Hon.  
C. H. Hutchinson.  
*Donegalshire*—Lieut.-gen. G. V. Hart,  
Henry Earl Mount-Charles.  
*Downshire*—Right Hon. R. Viscount Cas-  
tlereagh, Lord Arthur Hill.  
*Downpatrick*—W. Viscount Glerawley.  
*Drogheda*—Henry Mead Ogle.  
*Dublinshire*—H. Hamilton, R. W. Talbot.  
*Dublin City*—Right Hon. Henry Grattan,  
Robert Shaw.

Dublin

- Dublin University*—Right Hon. W. C. Plunkett.
- Dundalk*—Gerard Callaghan.
- Dungannon*—\*Thomas Knox.
- Dungarvan*—Hon. George Walpole.
- Ennis*—Spencer Perceval.
- Enniskillen Bo.*—Richard Maginnis, sen.
- Fermanaghshire*—Hon. Sir G. Lowry Cole, G. C. B. Lieut.-gen. M. Archdall.
- Galwayshire*—Jas. Daly, Richard Martin.
- Galway Town*—Valentine Blake.
- Kerryshire*—Right Hon. M. Fitzgerald, James Crosbie.
- Kildareshire*—Lord W. C. O'Brien Fitzgerald, Robert Latouche.
- Kilkennyshire*—Hon. J. W. Butler, Hon. F. C. Ponsonby.
- Kilkenny Bo.*—Hon. C. H. Butler.
- King's County*—T. Bernard, J. Parsons.
- Kinsale*—G. Coussmaker.
- Leitrimshire*—J. Latouche, L. White.
- Limerickshire*—Hon. R. Fitzgibbon, Hon. W. H. W. Quin.
- Limerick City*—Hon. J. P. Vereker.
- Lisburn*—\*John Leslie Foster.
- Londonderry*—G. R. Dawson, A. R. Stewart.
- Londonderry City*—Rt. Hon. Sir George Fitzgerald Hill, bart.
- Longfordshire*—Sir T. Fetherston, bart. G. J. Viscount Forbes.
- Louthshire*—Right Hon. John Foster, Rt. Hon. R. Viscount Jocelyn.
- Mallow*—William Wrixon Becher.
- Mayo*—D. Browne, J. Browne.
- Meathshire*—Thomas Earl of Bective, Sir M. Somerville, bart.
- Monaghan*—C. P. Leslie, Hon. H. R. Westenra.
- Newry*—Hon. General Francis Needham.
- Portarlington*—Richard Sharp.
- Queen's County*—Rt. Hon. W. W. Pole, Sir Henry Parnell, bart.
- Roscommonshire*—A. French, Hon. S. Mahon.
- Ross, New*—John Carroll.
- Sligo*—C. O'Hara, E. S. Cooper.
- Sligo Borough*—John Bent.
- Tipperary*—Richard Viscount Cahir, Hon. Montague Mathew.
- Tralee*—Edward Denny.
- Tyrone*—Rt. Hon. Sir John Stewart, bart. William Stewart.
- Waterfordshire*—Richard Power, Lord G. T. Beresford.
- Waterford City*—Right Hon. Sir John Newport, bart.
- Westmeath*—Hon. H. R. Pakenham, G. H. Rochfort.
- Wexfordshire*—Robert Shapland Carew, C. Colclough.
- Wexford*—Richard Neville.
- Wicklow*—Hon. G. L. Proby, \*W. H. Parnell.
- Youghall*—\*James Viscount Bernard.

## APPENDIX TO CHRONICLE.

*TREATY between his Britannic Majesty and his Catholic Majesty, for preventing their subjects from engaging in any illicit traffic in Slaves. Signed at Madrid the 23rd of September 1817.*

**I**N the Name of the Most Holy Trinity;—It having been stated, in the second additional article of the treaty signed at Madrid on the 5th of July 1814, between his majesty the king of the united kingdom of Great Britain and Ireland, and his majesty the king of Spain and the Indies, that “his Catholic Majesty concurs, in the fullest manner, in the sentiments of his Britannic Majesty, with respect to the injustice and inhumanity of the traffic in slaves, and promises to take into consideration, with the deliberation which the state of his possessions in America demands, the means of acting in conformity with those sentiments; and engages, moreover, to prohibit his subjects from carrying on the slave trade, for the purpose of supplying any islands or possessions, excepting those appertaining to Spain; and to prevent, by effectual measures and regulations, the protection of

the Spanish flag being given to foreigners who may engage in this traffic, whether subjects of his Britannic Majesty, or of any other state or power.

And his Catholic Majesty, conformably to the spirit of this article, and to the principles of humanity with which he is animated, having never lost sight of an object so interesting to him, and being desirous of hastening the moment of its attainment, has resolved to co-operate with his Britannic Majesty in the cause of humanity, by adopting, in concert with his said majesty, efficacious means for bringing about the abolition of the slave trade; for effectually suppressing illicit traffic in slaves, on the part of their respective subjects, and for preventing Spanish ships trading in slaves, conformably to law and to treaty, from being molested or subjected to losses from British cruizers; the two high contracting parties have accordingly named as their plenipotentiaries, viz: his majesty the king of the united kingdom of Great Britain and Ireland, the right hon. sir Henry Wellesley, a member of his majesty's most honourable privy council, knight grand



cross of the most honourable order of the Bath, and his majesty's ambassador extraordinary and plenipotentiary to his Catholic Majesty; and his majesty the king of Spain and the Indies, Don Josef Garcia de Leon y Pizarro, knight grand cross of the royal and distinguished Spanish order of Charles 3rd, of that of Saint Ferdinand and of Merit, of Naples, of those of Saint Alexander Newsky and of Saint Anne of Russia, and of that of the Red Eagle of Prussia, counsellor of state, and first secretary of state and of the general dispatch; who, having exchanged their respective full powers, found to be in good and due form, have agreed upon the following Articles:—

Art. 1. His Catholic Majesty engages, that the slave trade shall be abolished throughout the entire dominions of Spain, on the 30th day of May 1820, and that, from and after that period, it shall not be lawful for any of the subjects of the crown of Spain to purchase slaves, or to carry on the slave trade, on any part of the coast of Africa, upon any pretext or in any manner whatever; provided, however, that a term of five months, from the said date of the 30th of May 1820, shall be allowed for completing the voyages of vessels, which shall have cleared out lawfully previously to the said 30th of May.

Art. 2. It is hereby agreed, that from and after the exchange of the ratifications of the present treaty, it shall not be lawful for any of the subjects of the crown of Spain to purchase slaves, or to carry on the slave trade on any

part of the coast of Africa to the north of the equator, upon any pretext or in any manner whatever; provided, however, that a term of six months, from the date of the exchange of the ratifications of this treaty, shall be allowed for completing the voyages of vessels which shall have cleared out from Spanish ports for the said coast, previously to the exchange of the said ratifications.

Art. 3. His Britannic Majesty engages to pay in London, on the 20th of February 1818, the sum of 400,000*l.* sterling, to such person as his Catholic Majesty shall appoint to receive the same.

Art. 4. The said sum of 400,000*l.* sterling is to be considered as a full compensation for all losses sustained by the subjects of his Catholic Majesty engaged in this traffic, on account of vessels captured previously to the exchange of the ratifications of the present treaty, as also for the losses, which are a necessary consequence of the abolition of the said traffic.

Art. 5. One of the objects of this treaty on the part of the two governments, being mutually to prevent their respective subjects from carrying on an illicit slave trade; the two high contracting parties declare, that they consider as illicit, any traffic in slaves carried on under the following circumstances. 1st. Either by British ships, and under the British flag, or for the account of British subjects, by any vessel or under any flag whatsoever. 2nd. By Spanish ships, upon any part of the coast of Africa north of the equator, after the exchange  
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of the ratifications of the present treaty; provided, however, that six months shall be allowed for completing the voyages of vessels, conformably to the tenor of the second article of this treaty. 3rd. Either by Spanish ships, and under the Spanish flag, or for the account of Spanish subjects, by any vessel or under any flag whatsoever, after the 30th of May 1820, when the traffic in slaves, on the part of Spain, is to cease entirely; provided always, that five months shall be allowed for the completion of voyages commenced in due time, conformably to the first article of this treaty. 4th. Under the British or Spanish flag, for the account of the subjects of any other government. 5th. By Spanish vessels bound for any port not in the dominions of his Catholic Majesty.

Art. 6. His Catholic Majesty will adopt, in conformity to the spirit of this treaty, the measures which are best calculated to give full and complete effect to the laudable objects which the high contracting parties have in view.

Art. 7. Every Spanish vessel which shall be destined for the slave trade, on any part of the coast of Africa where this traffic still continues to be lawful, must be provided with a royal passport, conformable to the model annexed to the present treaty, and which model forms an integral part of the same. This passport must be written in the Spanish language, with an authentic translation in English annexed thereto; and it must be signed by his Catholic Majesty, and countersigned by the minister of

marine, and also by the principal naval authority of the district, station, or port from whence the vessel clears out, whether in Spain, or in the colonial possessions of his Catholic Majesty.

Art. 8. It is to be understood that this passport, for rendering lawful the voyages of slave ships, is required only for the continuation of the traffic to the south of the line; those passports which are now issued, signed by the first secretary of state of his Catholic Majesty, and in the form prescribed by the order of the 16th of December 1816, remaining in full force for all vessels which may have cleared out for the coast of Africa, as well to the north as to the south of the Line, previously to the exchange of the ratifications of the present treaty.

Art. 9. The two high contracting parties, for the more complete attainment of the object of preventing all illicit traffic in slaves, on the part of their respective subjects, mutually consent, that the ships of war of their royal navies, which shall be provided with special instructions for this purpose, as hereinafter mentioned, may visit such merchant vessels of the two nations as may be suspected, upon reasonable grounds, of having slaves on board, acquired by an illicit traffic and in the event only, of their finding slaves on board, may detain and bring away such vessels, in order that they may be brought to trial before the tribunals established for this purpose, as shall hereinafter be specified. Provided always that the commanders of the ships of war of the two royal navies, who shall be employed on  
this

this service shall adhere strictly to the exact tenor of the instructions which they shall receive for this purpose. As this article is entirely reciprocal, the two high contracting parties engage mutually, to make good any losses which their respective subjects may incur unjustly by the arbitrary and illegal detention of their vessels. It being understood that this indemnity shall invariably be borne by the government whose cruiser shall have been guilty of the arbitrary detention; provided always, that the visit and detention of slave ships, specified in this article, shall only be effected by those British or Spanish vessels, which may form part of the two royal navies, and by those only of such vessels which are provided with the special instructions annexed to the present treaty.

Art. 10. No British or Spanish cruiser shall detain any slave ship, not having slaves actually on board; and in order to render lawful the detention of any ship, whether British or Spanish, the slaves found on board such vessel must have been brought there for the express purpose of the traffic; and those on board of Spanish ships must have been taken from that part of the coast of Africa where the slave trade is prohibited, conformably to the tenor of the present treaty.

Art. 11. All ships of war of the two nations, which shall hereafter be destined to prevent the illicit traffic in slaves, shall be furnished by their own government with a copy of the instructions annexed to the present treaty, and which shall be con-

sidered as an integral part thereof. These instructions shall be written in Spanish and English, and signed for the vessels of each of the two powers, by the minister of their respective marine. The two high contracting parties reserve the faculty of altering the said instructions, in whole or in part, according to circumstances; it being, however, well understood, that the said alterations cannot take place but by the common agreement, and by the consent of the two high contracting parties.

Art. 12. In order to bring to adjudication with the least delay and inconvenience, the vessels which may be detained for having been engaged in an illicit traffic of slaves, there shall be established, within the space of a year at farthest, from the exchange of the ratifications of the present treaty, two mixed commissions, formed of an equal number of individuals of the two nations, named for this purpose by their respective sovereigns. These commissions shall reside—one in a possession belonging to his Britannic Majesty—the other within the territories of his Catholic Majesty; and the two governments, at the period of the exchange of the ratifications of the present treaty, shall declare, each for its own dominions, in what places the commissions shall respectively reside. Each of the two high contracting parties reserving to itself the right of changing, at its pleasure, the place of residence of the commission held within its own dominions; provided, however, that one of the two commissions shall

shall always be held upon the coast of Africa, and the other in one of the colonial possessions of his Catholic Majesty. These commissions shall judge the causes submitted to them without appeal, and according to the regulation and instructions annexed to the present treaty, of which they shall be considered as an integral part.

Art. 13. The acts or instruments annexed to this treaty, and which form an integral part thereof, are as follows: No. 1. Form of passport for the Spanish merchant ships, destined for the lawful traffic in slaves. No. 2. Instructions for the ships of war of both nations, destined to prevent the illicit traffic in slaves. No. 3. Regulation for the mixed commissions, which are to hold their sittings on the coast of Africa, and in one of the colonial possessions of his Catholic Majesty.

Art. 14. The present treaty, consisting of fourteen articles, shall be ratified, and the ratifications exchanged at Madrid, within the space of two 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 Madrid, this 23rd September, 1817. (Signed)

JOSE PIZARRO. (L. S.)  
HENRY WELLESLEY. (L. S.)

No. 1.—Form of passport for Spanish vessels destined for the lawful traffic in slaves.

Ferdinand by the Grace of God, king of Castille, of Leon, of Aragon, of the Two Sicilies, of

Jerusalem, of Navarre, of Granada, of Toledo, of Valencia, of Galicia, of Majorca, of Minorca, of Seville, of Sardinia, of Cordova, of Corsica, of Murcia, of Jaen, of the Algarves, of Algeciras, of Gibraltar, of the Canary Islands, of the East and West Indies, Isles, and Terra Firma of the ocean; archduke of Austria; duke of Burgundy, of Brabant, and of Milan; count of Apsburgh, Flanders, Tirol, and Barcelona; lord of Biscay and of Molina, &c.

Whereas I have granted permission for the vessel called of tons, and carrying men and passengers; master and owner, both Spaniards and subjects of my crown, to proceed bound to the ports of and coast of Africa, from whence she is to return to the said master and owner having previously taken the required oath before the tribunal of marine of the proper naval division from whence the said vessel sails, and legally proved that no foreigner has any share in the above vessel and cargo, as appears by the certificate annexed to this passport; which certificate is given by the same tribunal, in consequence of the steps taken in pursuance of the directions contained in the ordinance of matriculation of 1802.

The said captain, and owner of the said vessel being under an obligation to enter solely such ports on the coast of Africa as are to the south of the line; and to return from thence to any of the ports of my dominions, where alone they shall be permitted to land the

the slaves whom they carry, after going through the proper forms, to show that they have, in every respect, complied with the provisions of my royal decree of

1817, by which the mode of conveying slaves from the coast of Africa to my colonial dominions is regulated; and should they fail in any of these conditions, they shall be liable to the penalties denounced by the said decree against those who shall carry on the slave trade in an illicit manner.

I therefore command all general and other officers commanding my squadrons and ships; the captain generals of the departments of marine, the military commandants of the provinces of the same, their subalterns, captains of the ports, and all other officers and persons belonging to the navy; the viceroys, captain generals or commandants of kingdoms and provinces; the governors, mayors, and justices of the towns upon the sea-coast of my dominions of the Indies; the royal officers or Judges of entries therein established; and all others of my subjects to whom it belongs, or may belong, not to give her any obstruction, nor to occasion her any inconvenience or detention, but rather to aid her and to furnish her with whatever she may want for her regular navigation: and of the vassals and subjects of kings, princes, and republics in friendship and alliance with me; of the commanders, governors, or chiefs of their provinces, fortresses, squadrons, and vessels, I require that they likewise shall not impede her in her free navigation, entry, departure,

or detention in the ports to which, by any accident she may be carried; but permit her to provide and supply herself therein with whatever she may be in need of, for which purpose I have commanded this passport to be made out, which, being signed for its validity by my secretary of state for the dispatch of marine, shall serve for the time that a voyage, going and returning, may last; after the conclusion of which, it shall be returned to the commandant of marine, governor or other person by whom it may have been issued; adding, for its proper use, the corresponding note.

Given at Madrid, on

I, THE KING.

(Here the signature of the secretary of state and of the dispatch of marine.)

Note. This passport, No. \_\_\_\_\_, authorizes any number of slaves, not exceeding \_\_\_\_\_ being in the proportion of five slaves for every two tons (as permitted by the royal decree of \_\_\_\_\_ 1817) excepting always such slaves employed as sailors or domestics, and children born on board during the voyage; and the same is issued by me the undersigned \_\_\_\_\_ on the day of this date, made out in favour of \_\_\_\_\_ who has previously conformed with all the formalities required by the royal decree of \_\_\_\_\_ 1817, and is bound to return it immediately upon his return from the voyage.

Given at \_\_\_\_\_ on the \_\_\_\_\_ of the year \_\_\_\_\_

(Here the signature of the principal marine authority of the naval division, station, \_\_\_\_\_ province,

province, or port from whence the vessel clears out.)

No. 2.—Instructions for the British and Spanish ships of war employed to prevent the illicit traffic in slaves.

Art. 1. Every British or Spanish ship of war shall, in conformity with article 9 of the treaty of this date, have a right to visit the merchant ships of either of the two powers actually engaged, or suspected to be engaged in the slave trade; and should any slaves be found on board, according to the tenor of the 10th article of the aforesaid treaty:— and as to what regards the Spanish vessels, should there be ground to suspect that the said slaves have been embarked on a part of the coast of Africa where the traffic is no longer permitted, conformably to the articles 1 and 2 of the treaty of this date: in these cases alone, the commander of the said ship of war may detain them: and having detained them, he is to bring them, as soon as possible, for judgment, before that of the two mixed commissions appointed by the 12th article of the treaty of this date, which shall be the nearest, or which the commander of the capturing ship shall, upon his own responsibility, think he can soonest reach from the spot where the slave ship shall have been detained. Ships, on board of which no slaves shall be found, intended for purposes of traffic, shall not be detained on any account or pretence whatever. Negro servants or sailors that may be found on board the said vessels, cannot, in any case be

deemed a sufficient cause for detention.

Art. 2. No Spanish merchantman or slave ship shall, on any pretence whatever be detained, which shall be found any where near the land or on the high seas, south of the equator, during the period for which the traffic is to remain lawful according to the stipulations subsisting between the high contracting parties, unless after a chase that shall have commenced north of the equator.

Art. 3. Spanish vessels, furnished with a regular passport, having slaves on board, shipped at those parts of the coast of Africa where the trade is permitted to Spanish subjects, and which shall afterwards be found north of the equator, shall not be detained by the ships of war of the two nations, though furnished with the present instructions, provided the same can account for their course either in conformity with the practice of the Spanish navigation, by steering some degrees to the northward in search of fair winds, or for other legitimate causes, such as the dangers of the sea, duly proved; provided always, that, with regard to all slave ships detained to the north of the equator, after the expiration of the term allowed, the proof of the legality of the voyage is to be furnished by the vessel so detained. On the other hand, with respect to slave ships detained to the south of the equator, in conformity with the stipulations of the preceding article, the proof of the illegality of the voyage is to be exhibited by the captor. It is in like manner stipulated,

stipulated, that the number of slaves found on board a slave ship by the cruizers, even should the number not agree with that contained in their passport, shall not be sufficient reason to justify the detention of the ship; but the captain and the proprietor shall be denounced in the Spanish tribunals, in order to their being punished according to the laws of the country.

Art. 4. Every Spanish vessel intended to be employed in the legal traffic in slaves, in conformity with the principles laid down in the treaty of this date, shall be commanded by a native Spaniard, and two-thirds, at least, of the crew shall likewise be Spaniards; provided always, that its Spanish or foreign construction shall, in no wise, affect its nationality, and that the negro sailors shall always be reckoned as Spaniards, provided they belong, as slaves, to subjects of the crown of Spain, or that they have been enfranchised in the dominions of his Catholic Majesty.

Art. 5. Whenever a ship of war shall meet a merchantman liable to be searched, it shall be done in the most mild manner, and with every attention which is due between allied and friendly nations; and in no case shall the search be made by an officer holding a rank inferior to that of lieutenant in the navy of Great Britain, or of ensign of a ship of the line in the Spanish navy.

Art. 6. The ships of war which may detain any slave ship, in pursuance of the principles laid down in the present instructions, shall leave on board all the cargo of negroes untouched, as well as

the captain and a part, at least, of the crew of the above-mentioned slave ship; the captain shall draw up in writing, an authentic declaration, which shall exhibit the state in which he found the detained ship, and the changes which may have taken place in it; he shall deliver to the captain of the slave ship a signed certificate of the papers seized on board the said vessel, as well as of the number of slaves found on board at the moment of detention.—The negroes shall not be disembarked till after the vessels which contain them shall be arrived at the place where the legality of the capture is to be tried by one of the two mixed commissions, in order that in the event of their not being adjudged legal prize, the loss of the proprietors may be more easily repaired. If, however, urgent motives, deduced from the length of the voyage, the state of health of the negroes or other causes, required that they should be disembarked entirely, or in part, before the vessel could arrive at the place of residence of one of the said commissions, the commander of the capturing ship may take on himself the responsibility of such disembarkation, provided that the necessity be stated in a certificate in proper form.

Art. 7. No conveyance of slaves from one port in the Spanish possessions to another shall take place, except in ships provided with passports from the government on the spot, *ad hoc*.

No. 3. REGULATIONS for the Mixed Commissions, which are to reside on the Coast of Africa,



Africa, and in a Colonial Possession of his Catholic Majesty.

Art. 1. The mixed commissions to be established by the treaty of this date, upon the Coast of Africa and in a Colonial Possession of his Catholic Majesty, are appointed to decide upon the legality of the detention of such slave vessels as the cruizers of both nations shall detain, in pursuance of this same treaty, for carrying on an illicit commerce in slaves. The above-mentioned commissions shall judge, without appeal, according to the letter and spirit of the treaty of this date.—The commissions shall give sentence as summarily as possible, and they are required to decide (as far as they shall find it practicable), within the space of twenty days, to be dated from that on which every detained vessel shall have been brought into the port where they shall reside; first, upon the legality of the capture; second, in the case in which the captured vessel shall have been liberated, as to the indemnification which she is to receive.—And it is hereby provided, that in all cases, the final sentence shall not be delayed, on account of the absence of witnesses, or for want of other proofs, beyond the period of two months; except upon the application of any of the parties interested, when upon their giving satisfactory security to charge themselves with the expense and risks of the delay, the commissioners may, at their discretion, grant an additional delay, not exceeding four months.

Art. 2. Each of the above-mentioned commissions which

are to reside on the coast of Africa, and in a colonial possession of his Catholic Majesty, shall be composed in the following manner:—The two high contracting parties shall each of them name a commissary judge, and a commissioner of arbitration, who shall be authorized to hear and to decide, without appeal, all cases of capture of slave vessels which, in pursuance of the stipulations of the treaty of this date, may be laid before them. All the essential parts of the proceedings carried on before these mixed commissions, shall be written down in the legal language of the country in which the commission may reside.—The commissary judges and the commissioners of arbitration, shall make oath, in presence of the principal magistrate of the place in which the commission may reside, to judge fairly and faithfully, to have no preference either for the claimants or the captors, and to act, in all their decisions, in pursuance of the stipulations of the treaty of this date.—There shall be attached to each commission a secretary or registrar, appointed by the sovereign of the country in which the commission may reside, who shall register all its acts, and who, previous to his taking charge of his post, shall make oath, in presence of at least one of the commissary judges, to conduct himself with respect for their authority, and to act with fidelity in all the affairs which may belong to his charge.

Art. 3. The form of the process shall be as follows:—The commissary judges of the two nations shall, in the first place, proceed

to the examination of the papers of the vessel, and to receive the depositions on oath of the captain and of two or three, at least, of the principal individuals on board of the detained vessel, as well as the declaration on oath of the captor, should it appear necessary, in order to be able to judge and to pronounce if the said vessel has been justly detained or not, according to the stipulations of the treaty of this date, and in order that, according to this judgment, it may be condemned or liberated. And in the event of the two commissary judges not agreeing on the sentence they ought to pronounce, whether as to the legality of the detention, or the indemnification to be allowed, or on any other question which might result from the stipulations of the treaty of this date,—they shall draw by lot the name of one of the two commissioners of arbitration, who, after having considered the documents of the process, shall consult with the above-mentioned commissary judges on the case in question, and the final sentence shall be pronounced conformably to the opinion of the majority of the above-mentioned commissary judges, and of the above-mentioned commissioner of arbitration.

Art. 4. As often as the cargo of slaves found on board of a Spanish slave ship, shall have been embarked on any point whatever of the coast of Africa where the slave trade continues to be lawful, such slave ship shall not be detained on pretext that the above-mentioned slaves have been brought originally by land

from any other part whatever of the continent.

Art. 5. In the authenticated declaration which the captor shall make before the commission, as well as in the certificate of the papers seized, which shall be delivered to the captain of the captured vessel at the time of the detention, the above-mentioned captor shall be bound to declare his name, the name of his vessel, as well as the latitude and longitude of the place where the detention shall have taken place, and the number of slaves found living on board of the slave ship at the time of the detention.

Art. 6. As soon as sentence shall have been passed, the detained vessel, if liberated and what remains of the cargo, shall be restored to the proprietors, who may before the same commission, claim a valuation of the damages, which they may have a right to demand; the captor himself, and in his default, his government, shall remain responsible for the above-mentioned damages.—The two high contracting parties bind themselves to defray, within the term of a year from the date of the sentence, the indemnifications which may be granted by the above-named commissions, it being understood that these indemnifications shall be at the expense of the power of which the captor shall be a subject.

Art. 7. In case of the condemnation of a vessel for unlawful voyage, she shall be declared lawful prize, as well as her cargo, of whatever description it may be, with the exception of the slaves who may be on board as objects of commerce: and the said

said vessel, as well as her cargo, shall be sold by public sale for the profit of the two governments: and as to the slaves, they shall receive from the mixed commission a certificate of emancipation, and shall be delivered over to the government on whose territory the commission, which shall have so judged them, shall be established, to be employed as servants or free labourers. Each of the two governments binds itself to guarantee the liberty of such portion of these individuals as shall be respectively consigned to it.

Art. 8. Every claim for compensation of losses occasioned to ships suspected of carrying on an illicit trade in slaves, not condemned as lawful prize by the mixed commissions, shall be also heard and judged by the above-named commissions, in the form provided by the third article of the present regulation. And in all cases wherein restitution shall be so decreed, the commission shall award to the claimant or claimants, or his or their lawful attorney or attorneys, for his or their use, a just and complete indemnification, for all costs of suit, and for all losses and damages which the claimant or claimants may have actually sustained by such capture and detention; that is to say, in case of total loss, the claimant or claimants shall be indemnified, first for the ship, her tackle, apparel, and stores; secondly, for all freight due and payable; thirdly, for the value of the cargo or merchandize, if any; fourthly, for the slaves on board at the time of detention, accord-

ing to the computed value of such slaves at the place of destination, deducting therefrom the usual fair average mortality for the unexpired period of the regular voyage; deducting also for all charges and expenses payable upon the sale of such cargoes, including commission of sale; and fifthly, for all other regular charges in such cases of total loss; and in all other cases not of total loss, the claimant or claimants shall be indemnified; first, for all special damages and expenses occasioned to the ship by the detention, and for loss of freight when due or payable; secondly a demurrage, when due, according to the schedule annexed to the present article; thirdly, a daily allowance for the subsistence of slaves, of one shilling or four reals and half de Vn. for each person, without distinction of sex or age, for so many days as it shall appear to the commission that the voyage has been or may be delayed by reason of such detention; as likewise; fourthly, for any deterioration of cargo or slaves; fifthly, for any diminution in the value of the cargo of slaves, proceeding from an increased mortality beyond the average amount of the voyage, or from sickness occasioned by detention; this value to be ascertained by their computed price at the place of destination, as in the above case of total loss; sixthly, an allowance of five per cent on the amount of the capital employed in the purchase and maintenance of cargo, for the period of delay occasioned by the detention; and seventhly, for all premium of insurance

insurance on additional risks.— The claimant or claimants shall likewise be entitled to interest, at the rate of 5 per cent per annum on the sum awarded, until paid by the government to which the capturing ship belongs; the whole amount of such indemnifications being calculated in the money of the country to which the captured ship belongs, and to be liquidated at the exchange current at the time of award, excepting the sum for the subsistence of slaves, which shall be paid at par, as above stipulated.—The two high contracting parties wishing to avoid, as much as possible, every species of fraud in the execution of the treaty of this date, have agreed, that if it should be proved, in a manner evident to the conviction of the commissary judges of the two nations, and without having recourse to the decision of a commissioner of arbitration, that the captor has been led into error by a voluntary and reprehensible fault on the part of the captain of the detained ship; in that case only, the detained ship shall not have the right of receiving, during the days of her detention, the demurrage stipulated by the present article.

Schedule of demurrage, or daily allowance for a vessel of

100 tons to 120 inclusive,	£. 5	} per diem.
121 — 150 ————	6	
151 — 170 ————	8	
171 — 200 ————	10	
201 — 220 ————	11	
221 — 250 ————	12	
251 — 270 ————	14	
271 — 300 ————	15	

and so on in proportion.

Art. 9. When the proprietor of a ship, suspected of carrying on an illicit trade in slaves, released in consequence of a sentence of one of the mixed commissions (or in the case, as above-mentioned, of total loss), shall claim indemnification for the loss of slaves which he may have suffered, he shall in no case be entitled to claim for more than the number of slaves which his vessel by the Spanish laws, was authorized to carry, which number shall always be stated in his passport.

Art. 10. Neither the judges, nor the arbitrators, nor the secretary of the mixed commissions shall be permitted to demand or receive, from any of the parties concerned in the sentences which they shall pronounce, any emolument, under any pretext whatsoever, for the performance of the duties which are imposed upon them by the present regulations.

Art. 11. When the parties interested, shall imagine they have cause to complain of any evident injustice on the part of the mixed commissions, they may represent it to their respective governments, who reserve to themselves the right of mutual correspondence for the purpose of removing, when they think fit, the individuals who may compose these commissions.

Art. 12. In case of a vessel being improperly detained, under pretence of the stipulations of the treaty of this date, and the captor not being enabled to justify himself, either by the tenor of the said treaty, or of the instructions annexed to it, the government to which the detained vessel may belong, shall be entitled

titled to demand reparation; and, in such case, the government to which the captor may belong, binds itself to cause inquiry to be made into the subject of the complaint, and to inflict upon the captor, if he be found to have deserved it, a punishment proportioned to the transgression which may have been committed.

Art. 13. The two high contracting parties have agreed, that, in the event of the death of one or more of the commissary judges, or the commissioners of arbitration, composing the above-mentioned mixed commissions, their posts shall be supplied, *ad interim*, in the following manner:—On the part of the British government, the vacancies shall be filled successively, in the commission which shall sit within the possessions of his Britannic Majesty, by the governor or lieutenant governor resident in that colony, by the principal magistrate of the same, and by the secretary; and in that which shall sit within the possessions of his Catholic Majesty, it is agreed, that, in case of the death of the British judge or arbitrator there, the remaining individuals of the said commission shall proceed equally to the judgment of such slave ships as may be brought before them, and to the execution of their sentence. In this case alone, however, the parties interested shall have the right of appealing from the sentence if they think fit, to the commission resident upon the coast of Africa; and the government to which the captor shall belong, shall be bound fully to make good the compensation which shall be due to them, in case the appeal be decided in

favour of the claimants; but the vessel and cargo shall remain, during such appeal, in the place of residence of the first commission before which they shall have been carried.—On the part of Spain the vacancies shall be supplied in the possession of his Catholic Majesty, by such persons of trust as the principal authority of the country shall appoint, and upon the coast of Africa, in case of the death of any Spanish judge or arbitrator, the commission shall proceed to judgment in the same manner as above specified for the commission resident in the possession of his Catholic Majesty, in the event of the death of the British judge or arbitrator; an appeal being, in this case likewise allowed to the commission resident in the possession of his Catholic Majesty; and, in general, all the provisions of the former case being to be applied to the present.—The high contracting parties have agreed to supply, as soon as possible, the vacancies that may arise in the above-mentioned commissions, from death or any other cause; and in case that the vacancy of any of the Spanish commissioners in the British possessions, or of the British commissioners in the Spanish possession, be not supplied at the end of the term of seven months for America, and of twelve for Africa, the vessels, which shall be brought to the said possessions respectively, shall cease to have the right of appeal above stipulated.

Done at Madrid, the 23rd September, 1817.

(L. S.) HENRY WELLESLEY.  
(L. S.) JOSE PIZARRO.

TREATY

TREATY between his Britannic Majesty and his Majesty the King of the Netherlands, for preventing their subjects from engaging in any Traffic in Slaves. Signed at the Hague, May 4th, 1818.

In the name of the Most Holy Trinity:—His majesty the king of the united kingdom of Great Britain and Ireland, and his majesty the king of the Netherlands, animated with a mutual desire to adopt the most effectual measures for putting a stop to the carrying on of the slave-trade by their respective subjects, and for preventing their respective flags from being made use of as a protection to this nefarious traffic, by the people of other countries who may engage therein; their said majesties have accordingly resolved to proceed to the arrangement of a convention for the attainment of their objects, and have therefore named as plenipotentiaries, *ad hoc*,

His majesty the king of the united kingdom of Great Britain and Ireland, the right hon. Richard earl of Clancarty, viscount Dunlo, baron Kilconnel, baron Trench of Garbally, in the united kingdom of Great Britain and Ireland, one of his majesty's most hon. privy council in Great Britain and also in Ireland, member of the committee of the first for the affairs of commerce and colonies, colonel of the regiment of militia of the county of Galway, knight Grand Cross of the most hon. order of the Bath, ambassador extraordinary and plenipotentiary of his said majesty to his majesty the king of the Netherlands, grand duke of Luxemburg; and his

majesty the king of the Netherlands, Anne, William Charles baron de Nagell d'Ampsen, member of the body of Nobles of the province of Guelderland, knight Grand Cross of the order of the Belgic Lion and of that of Charles the Third, chamberlain and minister of state, holding the department of Foreign Affairs; and Cornelius Felix van Maanen, commander of the order of the Belgic Lion, and minister of state, holding the department of Justice; who, having exchanged their full powers, found in good and due form, have agreed on the following Articles:

Art. 1. The laws of the united kingdom of Great Britain and Ireland rendering it already highly penal for the subjects of his Britannic Majesty to carry on, or to be in any way engaged in trade in slaves, his majesty the king of the Netherlands, referring to the 8th Article of the Convention entered into with his Britannic Majesty on the 13th August 1814, engages in pursuance thereof, and within eight months from the ratification of these presents, or sooner, if possible, to prohibit all his subjects, in the most effectual manner, and especially by penal law the most formal, to take any part whatever in the trade of slaves; and in the event of the measures already taken by the British government, and to be taken by that of the Netherlands, being found ineffectual or insufficient, the high contracting parties mutually engage to adopt such further measures, whether by legal provision or otherwise, as may from time to time appear to be best calculated, in

in the most effectual manner, to prevent all their respective subjects from taking any share whatever in this nefarious traffic.

Art. 2. The two high contracting parties, for the more complete attainment of the object of preventing all traffic in slaves, on the part of their respective subjects, mutually consent that the ships of their royal navies, which shall be provided with special instructions for this purpose, as herein-after mentioned, may visit such merchant vessels of the two nations, as may be suspected, upon reasonable grounds, of having slaves on board for an illicit traffic; and in the event only of their finding such slaves on board, may detain and bring away such vessels, in order that they may be brought to trial before the tribunals established for this purpose, as shall herein-after be specified.

Art. 3. In the intention of explaining the mode of execution of the preceding Article it is agreed; 1st, That such reciprocal right of visit and detention shall not be exercised within the Mediterranean sea, or within the seas in Europe lying without the Straits of Gibraltar, and which lie to the northward of the thirty-seventh parallel of north latitude, and also within, and to the eastward of the meridian of longitude twenty degrees west of Greenwich. 2d. That the names of the several vessels furnished with such instructions, the force of each, and the names of their several commanders shall be, from time to time, immediately upon their issue, communicated by the power is-

suing the same to the other high contracting party. 3rd. That the number of ships of each of the royal navies authorized to make such visit as aforesaid, shall not exceed the number of twelve, belonging to either of the high contracting parties, without the special consent of the other high contracting party being first had and obtained. 4th. That if at any time it should be deemed expedient that any ship of the royal navy of either of the two high contracting parties authorized to make such visit as aforesaid, should proceed to visit any merchant ship or ships under the flag, and proceeding under the convoy of any vessel or vessels of the royal navy of the other high contracting party, that the commanding officer of the ship duly authorized and instructed to make such visit, shall proceed to effect the same in communication with the commanding officer of the convoy, who, it is hereby agreed, shall give every facility to such visit, and to the eventual detainer of the merchant ship or ships so visited, and in all things assist to the utmost of his power in the due execution of the present convention, according to the true intent and meaning thereof. 5th. It is further mutually agreed, that the commanders of the ships of the two royal navies, who shall be employed on this service, shall adhere strictly to the exact tenor of the instructions which they shall receive for this purpose.

Art. 4. As the two preceding Articles are entirely reciprocal, the two high contracting parties engage mutually to make good any losses which their respective

**subjects**



subjects may incur unjustly, by the arbitrary and illegal detention of their vessels; it being understood that this indemnity shall invariably be borne by the government whose cruizer shall have been guilty of the arbitrary detention; and that the visit and detention of ships specified in this Article shall only be effected by those British or Netherland vessels which may form part of the two royal navies, and by those only of such vessels which are provided with the special instructions annexed to the present treaty, in pursuance of the provisions thereof.

Art. 5. No British or Netherland cruizer shall detain any ship whatever not having slaves actually on board; and in order to render lawful the detention of any ship, whether British or Netherland, the slaves found on board such vessel must have been brought there for the express purpose of the traffic.

Art. 6. All ships of the royal navies of the two nations, which shall hereafter be destined to prevent the traffic in slaves, shall be furnished by their respective governments with a copy of the instructions annexed to the present treaty, and which shall be considered as an integral part thereof. These instructions shall be written in the Dutch and English languages, and signed for the vessels of each of the two powers, by the minister of their respective marine. The two high contracting parties reserve the faculty of altering the said instructions, in whole or in part, according to circumstances; it being, however, well understood,

that the said alterations cannot take place but by the common agreement, and by the consent of the two high contracting parties.

Art. 7. In order to bring to adjudication, with the least delay and inconvenience, the vessels which may be detained for having been engaged in a traffic of slaves, according to the tenor of the fifth Article of this treaty, there shall be established, within the space of a year at furthest from the exchange of the ratifications of the present treaty, two mixed courts of justice, formed of an equal number of individuals of the two nations, named for this purpose by their respective sovereigns. These courts shall reside—one in the possession belonging to his Britannic Majesty, the other within the territories of his majesty the king of the Netherlands; and the two governments, at the period of the exchange of the ratifications of the present treaty, shall declare, each for its own dominions, in what places the courts shall respectively reside. Each of the two high contracting parties reserving to itself the right of changing, at its pleasure, the place of residence of the court held within its own dominions: provided, however, that one of the two courts shall always be held upon the coast of Africa, and the other in one of the colonial possessions of his majesty the king of the Netherlands.—These courts shall judge the causes submitted to them according to the terms of the present treaty, without appeal, and according to the regulations and instructions annexed to the present treaty, of which they shall

shall be considered as an integral part.

Art. 8. In case the commanding officer of any of the ships of the royal navies of Great Britain, and of the Netherlands, commissioned under the second Article of this treaty, shall deviate in any respect from the dispositions of the said treaty, and shall not be enabled to justify himself, either by the tenor of the said treaty, or of the instructions annexed to it; the government which shall conceive itself to be wronged by such conduct shall be entitled to demand reparation, and in such case the government, to which the captor may belong, binds itself to cause inquiry to be made into the subject of the complaint, and to inflict upon the captor, if he be found to have deserved it, a punishment proportioned to the transgression which may have been committed.

Art. 9. The acts or instruments annexed to this treaty, and which form an integral part thereof, are as follows: *A.* Instructions for the ships of the royal navies of both nations, destined to prevent the traffic in slaves. *B.* Regulation for the mixed courts of justice, which are to hold their sittings on the coast of Africa, and in one of the colonial possessions of his majesty the king of the Netherlands.

Art. 10. The present treaty, consisting of ten articles, shall be ratified, and the ratifications exchanged within the space of one month from this date; or sooner, if possible. In witness whereof the respective plenipotentiaries have signed the same, and thereunto affixed the seal of their

arms.—Done at the Hague, this 4th day of May, 1818.

(Signed)

CLANCARTY.	{L.S.}
A. W. C. DE NAGELL.	{L.S.}
VAN MAANEN.	{L.S.}

ANNEXES.

*A.* Instructions for the Ships of the British and Netherland Royal Navies, employed to prevent the Traffic in Slaves.

Art. 1. Every ship of the royal British or Netherland navy, which, furnished with these instructions, shall, in conformity with the second Article of the Treaty of this date, have a right to visit the merchant ships of either of the two powers actually engaged, or suspected to be engaged in the slave trade, may, except in the seas exempted by the third Article of the said Treaty, proceed to such visit; and should any slaves be found on board, brought there for the express purposes of the traffic, the commander of the said ship of the royal navy may detain them, and having detained them, he is to bring them as soon as possible for judgment, before that of the two mixed courts of justice, appointed by the seventh Article of the Treaty of this date, which shall be the nearest, or which the commander of the capturing ship shall, upon his own responsibility, think he can soonest reach from the spot where the ship shall have been detained. Ships, on board of which no slaves shall be found, intended for purposes of traffic, shall not be detained on any account or pretence whatever. Negro servants or sailors that may be found

found on board the said vessels cannot in any case be deemed a sufficient cause for detention.

Art. 2. Whenever a ship of the royal navy, so commissioned, shall meet a merchantman liable to be searched, it shall be done in the mildest manner, and with every attention which is due between allied and friendly nations; and in no case shall the search be made by an officer holding a rank inferior to that of lieutenant in the navies of Great Britain and of the Netherlands.

Art. 3. The ships of the royal navies so commissioned, which may detain any merchant ship, in pursuance of the tenor of the present instructions, shall leave on board all the cargo, as well as the master, and a part at least of the crew of the above-mentioned ship: the captor shall draw up in writing an authentic declaration, which shall exhibit the state in which he found the detained ship, and the changes which may have taken place in it. He shall deliver to the master of the detained ship, a signed certificate of the papers seized on board the said vessel, as well as of the number of slaves found on board at the moment of detention. The negroes shall not be disembarked till after the vessels which contain them shall be arrived at the place where the legality of the capture is to be tried by one of the two mixed courts, in order that in the event of their not being adjudged legal prize, the loss of the proprietors may be more easily repaired. If, however, urgent motives, deduced from the length of the voyage, the state of health of the negroes,

or other causes, required that they should be disembarked entirely, or in part, before the vessel could arrive at the place of residence of one of the said courts, the commander of the capturing ship may take on himself the responsibility of such disembarkation, provided that the necessity be stated in a certificate in proper form.

*B.* Regulations for the Mixed Courts of Justice, which are to reside on the Coast of Africa, and in a Colonial Possession of his Majesty the King of the Netherlands.

Art. 1. The mixed courts of justice, to be established by the Treaty of this date, upon the coast of Africa and in a colonial possession of his majesty the king of the Netherlands, are appointed to decide upon the legality of the detention of such vessels as the cruisers of both nations shall detain in pursuance of this same treaty. The above-mentioned courts shall judge definitively and without appeal, according to the present treaty. The proceeding shall take place as summarily as possible; the courts are required to decide (as far as they shall find it practicable), within the space of twenty days, to be dated from that on which every detained vessel shall have been brought into the port where they shall reside;—First, upon the legality of the capture; Secondly, in the cases in which the captured vessel shall have been liberated, as to the indemnification which the said vessel is to receive. And it is hereby provided, that in all cases the  
final

final sentence shall not be delayed on account of the absence of witnesses, or for want of other proofs, beyond the period of two months, except upon the application of any of the parties interested, when, upon their giving satisfactory security to charge themselves with the expense and risks of the delay, the courts may at their discretion grant an additional delay not exceeding four months.

Art. 2. Each of the above mentioned mixed courts, which are to reside on the coast of Africa, and in a colonial possession of his majesty the king of the Netherlands, shall be composed in the following manner:— The two high contracting parties shall each of them name a judge and an arbitrator, who shall be authorized to hear and to decide without appeal all cases of capture of vessels which, in pursuance of the stipulations of the treaty of this date, shall be brought before them. All the essential parts of the proceedings carried on before these mixed courts shall be written down in the legal language of the country in which the court may reside. The judges and the arbitrators shall make oath before the principal magistrate of the place in which the courts may reside, to judge fairly and faithfully, to have no preference either for the claimants or the captors, and to act in all their decisions, in pursuance of the stipulations of the treaty of this date. There shall be attached to each court a secretary or registrar, appointed by the sovereign of the country in which the court may reside, who shall register all its acts, and

who, previous to his taking charge of his post, shall make oath before the court to conduct himself with respect for their authority, and to act with fidelity in all the affairs which may belong to his charge.

Art. 3. The form of the process shall be as follows: The judges of the two nations shall, in the first place, proceed to the examination of the papers of the vessels, and to receive the depositions of the captain and of two or three at least of the principal individuals on board of the detained vessel, as well as the declaration on oath of the captor, should it appear necessary, in order to be able to judge and to pronounce whether the said vessel has been justly detained or not, according to the stipulations of the present treaty, and in order that according to this judgment it may be condemned or liberated. And in the event of the two judges not agreeing in the sentence they ought to pronounce, whether as to the legality of the detention, or the indemnification to be allowed, or any other question which might result from the stipulations of the present treaty, they shall draw by lot the name of one of the two arbitrators, who, after having considered the documents of the process, shall consult with the above-mentioned judges on the case in question, and the final sentence shall be pronounced conformably to the opinion of the majority of the above-mentioned judges, and of the above-mentioned arbitrator.

Art. 4. In the authenticated declaration, which the captor shall make before the court, as well

well as in the certificate of the papers seized, which shall be delivered to the captain of the captured vessel, at the time of the detention, the above-mentioned captor shall be bound to declare his name, the name of his vessel, as well as the latitude and longitude of the place where the detention shall have taken place, and the number of slaves found on board of the ship at the time of the detention.

Art. 5. As soon as sentence shall have been pronounced, the detained vessel, if liberated, and the cargo, in the state in which it shall then be found, shall be restored to the master, or the person who represents him, who may, before the same court, claim a valuation of the damages, which they may have a right to demand; the captor himself, and, in his default, his government, shall remain responsible for the above-mentioned damages. The two high contracting parties bind themselves to pay, within the term of a year from the date of the sentence, the costs and damages which may be granted by the above-named court, it being understood that these costs and damages shall be at the expense of the power of which the captor shall be a subject.

Art. 6.—In case of the condemnation of a vessel, she shall be declared lawful prize, as well as her cargo, of whatever description it may be, with the exception of the slaves who may be on board as objects of commerce; and the said vessel, as well as her cargo, shall be sold by public sale, for the profit of the two governments; and as to the

slaves, they shall receive from the mixed court a certificate of emancipation, and shall be delivered over to the government on whose territory the court which shall have so judged them shall be established, to be employed as servants or free labourers. Each of the two governments binds itself to guarantee the liberty of such portion of these individuals as shall be respectively consigned to it.

Art. 7. The mixed courts shall also take cognizance, and decide according to the third article of this regulation, on all claims for compensation, on account of losses occasioned to vessels detained under suspicion of having been engaged in the slave trade, but which shall not have been condemned as legal prize by the said courts; and in all cases wherein restitution shall be decreed, the court shall award to the claimant or claimants, his or their lawful attorney or attorneys, for his or their use, a just and complete indemnification for all costs of suit, and for all losses and damages which the claimant or claimants may have actually sustained by such capture and detention; that is to say, first, in case of total loss, the claimant or claimants shall be indemnified: *A.* For the ship, her tackle, apparel and stores. *B.* For all freights due and payable. *C.* For the value of the cargo of merchandize, if any; deducting for all charges and expenses payable upon the sale of such cargoes, including commission of sale. *D.* For all other regular charges, in such cases of total loss; and secondly, in all other cases not  
of

of total loss, the claimant or claimants shall be indemnified:

*A.* For all special damages and expenses occasioned to the ship by the detention, and for loss of freight, when due or payable. *B.* A demurrage when due, according to the schedule annexed to the present article. *C.* For any deterioration of cargo. *D.*

An allowance of five per cent on the amount of the capital employed in the purchase of cargo, for the period of delay occasioned by the detention; and *E.* For all premium of insurance on additional risks.—The claimant or claimants shall in all cases be entitled to interest, at the rate of five per cent per annum on the sum awarded, until paid by the government to which the capturing ship belongs: the whole amount of such indemnifications being calculated in the money of the country to which the captured ship belongs: and to be liquidated at the exchange current at the time of the award.—The two high contracting parties, wishing however to avoid, as much as possible, every species of fraud in the execution of the treaty of this date, have agreed, that if it should be proved, in a manner evident to the conviction of the judges of the two nations, and without having recourse to the decision of an arbitrator, that the captor has been led into error by a voluntary and reprehensible fault on the part of the captain of the detained ship; in that case only, the detained ship shall not have the right of receiving, during the days of her detention, the demurrage stipulated by the present Article.

Schedule of demurrage or daily allowance for a vessel of

100 tons to 120 inclusive, £.5	} per diem.
121 — 150 — 6	
151 — 170 — 8	
171 — 200 — 10	
201 — 220 — 11	
221 — 250 — 12	
251 — 270 — 14	
271 — 300 — 15	

and so on in proportion.

Art. 8. Neither the judges nor the arbitrators, nor the secretary of the mixed court, shall be permitted to demand, or receive from any of the parties concerned in the sentences which they shall pronounce, any emolument, under any pretext whatsoever, for the performance of the duties which are imposed upon them by the present regulation.

Art. 9. The two high contracting parties have agreed that in the event of the death or legal impeachment of one or more of the judges or arbitrators composing the above-mentioned mixed courts, their posts shall be supplied, *ad interim*, in the following manner:—On the part of the British government, the vacancies shall be filled successively in the court, which shall sit within the possessions of his Britannic majesty, by the governor or lieutenant-governor resident in that colony; by the principal magistrate of the same, and by the secretary; and in that which shall sit within the possessions of his majesty the king of the Netherlands, it is agreed that, in case of the death of the British judge or arbitrator there, the surviving individuals of the said court shall proceed equally to the

the judgment of such ships as may be brought before them, and to the execution of their sentence.—On the part of the Netherlands, the vacancies shall be supplied, in the possessions of his majesty the king of the Netherlands, successively by the governor or lieutenant governor, the principal magistrate and secretary of government; and upon the coast of Africa, in case of the death of any Netherland judge or arbitrator, the surviving members of the court shall proceed to judgment in the same manner as above specified for the court resident, in the possession of his majesty the king of the Netherlands, in the event of the death of the British judge or arbitrator.—The high contracting parties have further agreed, that the governor or lieutenant governor of the settlement, wherein either of the mixed courts shall sit, in the event of a vacancy arising, either of the judge or arbitrator of the other high contracting party, shall forthwith give notice of the same to the governor or lieutenant governor of the nearest settlement of such high contracting party, in order that the loss may be supplied at the earliest possible period; and each of the high contracting parties agrees to supply definitively, as soon as possible, the vacancies that may arise in the above-mentioned courts, from death or any other cause whatever.

*TREATY of Commerce between Sweden and the United States of America.*

In the name of the most Holy and undivided Trinity.

His Majesty the King of Sweden and Norway, and the United States of America, equally animated with the sincere desire of maintaining and consolidating the relations of friendship and commerce which have hitherto subsisted between the two States, and being convinced that this object cannot be better fulfilled than by reciprocally establishing the commerce between the two States on the solid basis of liberal and equitable principles, equally advantageous to both countries, have for this purpose nominated Plenipotentiaries, and have furnished them with the necessary powers for treating and concluding in their name, viz. his Majesty the King of Sweden and Norway, Count Laurent Engestrom, his Minister of State and of Foreign Affairs, &c., and Count Adolphus George Morner, his Counsellor of State, &c.; and the President of the United States, Mr. Jonathan Russell, citizen of the said states, and their Minister Plenipotentiary to Sweden; who, after producing and exchanging their full powers, which were found in good and due form, have agreed to the following articles:—

Article 1. There should be reciprocal liberty of commerce between the countries under the dominion of his Majesty the King of Sweden and Norway, and the United States of America. The inhabitants of either country may, with perfect safety for their persons and cargoes, freely land in the ports, places, and rivers of the territories of the other, wherever the vessels of the most favoured nation are admitted. They may stop there, and reside  
on



on whatever part of the said territories they please. They may rent and occupy houses and magazines for their trade; and generally the merchants and traders of each of the two nations shall enjoy the most entire security and protection in the other, with regard to their commercial affairs, being merely held to conform to the laws and ordinances of the respective countries.

Art. 2. There shall be imposed no higher duties on goods of the manufacture or produce of the United States imported into Sweden and Norway, nor on goods of the manufacture or produce of Sweden and Norway imported into the United States, than those to which the same articles would be subject in each of the States respectively, if they were the produce of the soil or manufactures of any other country. The same principle shall be observed with regard to exportations. There shall be no impost or prohibition on the importations or exportations of the two countries respectively, which does not also extend to all other nations. Swedish and Norwegian vessels arriving in ballast, and importing into the United States goods the produce or manufacture of Sweden and Norway, shall be liable to no other charges than those paid in the like case by vessels of the United States; and, *vice versa*, the same rule shall apply to vessels of the United States arriving in Sweden and Norway.—The above regulations shall equally apply to the Swedish colony of St. Bartholomew.

Art. 3. The King of Sweden and Norway consents that all the

articles of the produce of the West Indies, the importation of which into his States is permitted in Swedish and Norwegian vessels, whether coming indirectly or directly from the said West Indies, may also be imported by vessels of the United States, and that in such case the said vessels shall not pay higher duties than would in similar circumstances be paid by Swedish or Norwegian vessels, except solely an addition of 10 per cent on the import duties. To avoid all misunderstanding on this point, it is expressly declared, that the denomination of West Indies extends to and includes all that part of the world, whether islands or continent, which has always been called West Indies, in contradistinction to that other part called East Indies.

Art. 4. On their part, the United States consent that all articles of the produce or manufactures of the countries on the coast of the Baltic, the importation of which is permitted into the United States by the vessels of the said States, may likewise be imported by Swedish and Norwegian vessels; and, in that case, no higher duties shall be charged than those paid by vessels of the United States, except the addition of ten per cent.

In the case of mixed cargoes, consisting partly of goods of the produce or manufacture of the respective countries, and of other countries of which the importation is permitted, it is agreed, that the vessel shall always be charged according to the nature of that part of the cargo which is  
liable

liable to the highest duty, as if the vessel had imported only that single kind of merchandise.

Art. 5. The high contracting parties mutually grant the right of maintaining consuls, vice-consuls, or agents in each other's ports and commercial towns, who shall enjoy full protection, and receive every assistance necessary to enable them duly to execute their functions; but it is hereby expressly declared, that in the case of illegal or improper conduct against the laws or government of the country, to which any such consul, vice-consul, or agent is sent, he may be punished conformably to the laws, be deprived of his functions, or dismissed by the offended government; the said government giving an account of the transaction to the other; it being, however, well understood, that the archives and documents relative to the affairs of the Consulate shall be subject to no examination, but shall be carefully preserved, being placed under the seals of the said Consul and of the Authority of the place where he shall have resided.

The Consuls, or their substitutes, shall, as such, have the right of acting as judges or arbiters in all cases of differences which may arise between the captains and crews of the vessels of the nation whose affairs are intrusted to their care. The respective Governments shall have no right to interfere in these sort of affairs, except in the case of the conduct of the crews disturbing public order and tranquillity in the country in which the vessel may happen to be, or in

which the Consul of the place may be obliged to call for the intervention and support of the executive power, in order to cause his decision to be respected; it being, however, well understood that this sort of judgment or arbitration cannot deprive the contending parties of their right of appealing on their return to the judicial authorities of their country.

Art. 6. To remove all disputes or uncertainty with respect to what ought to be reputed the produce of the soil or manufactures of the contracting parties respectively, it is agreed that all articles shall be regarded as of this description which may be certified as such in the clearance which may be given to vessels that sail from the ports of the said high contracting parties.

Art. 7. Ships of either country arriving on the coasts or in the ports of the other, and not wishing to break bulk or unload, may prosecute their voyage without molestation, or being obliged to give any account of their cargo, and without paying any duties except those of pilotage, if a pilot have been employed; or duties for lights, &c., if such be paid by the ships of the country in the like case. It being, however, well understood, that when the vessels of either party are within the jurisdiction of the other, they shall conform themselves to the rules and ordinances relative to navigation which are established in the ports into which they may enter, and which are in force with regard to the most favoured nations; and it shall be permitted to the officers

of the customs in the districts within which the said vessels may be, to visit them, to remain on board, and to take all such precautions as may be necessary to prevent all illicit communication during the stay of the said vessels.

Art. 8. It is agreed that the vessels of one contracting party, on entering the ports of the other, may confine themselves to discharging only a part of their cargoes according as the captains or owners shall think fit, and that they may freely depart with the rest without paying duty, except for the part unloaded. They may then sail to other ports of the same country, and discharge other portions of their cargo in like manner. It being understood that the shipping duties, whatever they may be, shall be paid at the first port in which a vessel breaks bulk, and shall not be demanded in any others in which she may unload part of her cargo, unless additional duties be there paid, in the like case, by vessels belonging to the country.

Art. 9. The citizens and subjects of either country shall enjoy in the ports of the other, as well for their vessels as for their merchandise, all the duties and facilities of entrepot which the most favoured nations enjoy in the same ports.

Art. 10. In the case that any vessel belonging to one of the two states, or to their citizens or subjects, has suffered any damage on the coasts of the states of the other, every assistance shall be afforded to the persons shipwrecked. The ships and merchandise, or what they have produced, if sold, on being claimed

within a year and day by the owners or their agents, shall be restored on paying the same expenses of salvage as the natives would in like case pay.

Art. 11. It is agreed that Swedish and Norwegian ships arriving direct from Europe to the United States, or vessels of the said states arriving direct to Sweden or Norway, and furnished with certificates of health from the competent officer of the port whence they sailed, shall be subject to no quarantine, except such as may be necessary to give the officer of health of the port at which the vessel arrives the opportunity of visiting her, unless it shall appear that during the voyage some person on board has been attacked with a malignant or contagious malady, or that the country whence the vessel comes has been regarded as infected, and has been made the subject of a previous ordinance, directing all vessels arriving from it to be regarded as suspected, and subject to quarantine.

Art. 12. The Treaty of Friendship and Commerce, concluded at Paris in 1783, by the Plenipotentiaries of Sweden and the United States, shall be renewed and put in force by the present treaty, with respect to what is contained in Articles 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, and 25; and also, the separate Articles 1, 2, 3, 4, and 5, which were signed on the same day by the same Plenipotentiaries.

Art. 13. Considering the remoteness of the two high contracting powers, and the uncertainty resulting therefrom, as to the

the different events which may take place, it is agreed that a merchant-vessel belonging to one of the contracting parties, and destined for a port which may be supposed to be blockaded at the moment of her sailing, shall not be captured or condemned for having in one instance attempted to enter the said port, unless it can be proved that the said vessel must have learned on her passage that the blockade of the place in question continued. But vessels which, having been once warned off, shall attempt during the same voyage to enter a second time into an enemy's port during the continuance of the blockade, shall then be subject to detention and condemnation.

Art. 14. The present treaty shall continue in force for eight years from the date of the exchange of the ratifications, which shall take place within eight months after the signature, and sooner if possible.

(Signed)

COUNT ENGESTROM,  
JONATHAN RUSSELL,  
COUNT A. G. MORNER.

Stockholm, Sept. 4, 1816.

We, Charles John, by the Grace of God, King of Sweden, Norway, of the Goths and Vandals, make known that our dearly beloved father, the late King, of glorious memory, and the United States, having agreed to conclude a treaty of commerce, did respectively appoint.—[Here the appointment of the Plenipotentiaries and the articles agreed on are recited.] In consequence the United States of America having declared by their Minister Plenipotentiary, accredited at

our Court, that for grave reasons they are prevented from ratifying articles 3, 4, and 6, of the said above recited treaty, and as we have found the tenor of these articles of such a nature that they may be excluded from the treaty, without prejudice to the interest of our faithful subjects, we have for these causes thought fit to ratify, approve, and accept the above inserted treaty of commerce, with the exception of the articles 3, 4, and 6; and we do hereby accept, approve, and ratify the same, &c.

(Signed) CHARLES JOHN.  
Stockholm, July 24, 1818.

*Report of the Secret Committee of the House of Lords, appointed to examine into the matter of the several Papers, sealed up, presented to the House by command of the Prince Regent.*

By the Lords Committees appointed a Secret Committee to examine into the matter of the Papers presented to this House, in a Sealed Bag, by the command of his Royal Highness the Prince Regent, and to report to the House as they shall see cause; and to whom were referred additional papers (sealed up,) also presented to the House by the command of his Royal Highness the Prince Regent.

Ordered to Report:—That the committee have proceeded to examine the papers so referred to them.

In execution of this duty they have proceeded, in the first place, to consider such of the said papers as contained information

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as to the state of those parts of England in which the circumstances detailed in the two reports of the former committees appear to have arisen.

In the last of those reports, presented to the House on the 12th of June last, it was represented that the period of a general rising, of which the intention and object were stated in the reports, appeared to have been fixed for as early a day as possible after the discussion of an expected motion for reform in parliament; that Nottingham appeared to have been intended as the head quarters, upon which a part of the insurgents were to march in the first instance; and that they expected to be joined there, and on their march towards London, by other bodies with such arms as they might have already provided, or might procure by force from private houses, or from the different depôts or barracks, of which the attack was proposed. That concurrent information, from many quarters, confirmed the expectation of a general rising about the time above-mentioned, but that it was subsequently postponed to the 9th or 10th of June, for which various reasons had been assigned. The report added, that the latest intelligence from those quarters had made it highly probable that the same causes which had to that time thwarted the execution of those desperate designs, viz. the vigilance of the government, the great activity and intelligence of the magistrates, the ready assistance afforded under their orders by the regular troops and yeomanry, the prompt and effi-

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cient arrangements of the officers intrusted with that service, the knowledge which had from time to time been obtained of the plans of the disaffected, and the consequent arrest and confinement of the leading agitators would occasion a still farther postponement of their atrocious plans.

It now appears that in the night of the 9th of June last, a rising took place in Derbyshire, headed by a person who went for that purpose from Nottingham, and was therefore called "The Nottingham Captain." The insurgents were not formidable for their numbers, but they were actuated by an atrocious spirit. Several of them had fire arms; others had pikes previously prepared for the purpose: and as they advanced towards Nottingham, they plundered several houses of arms, and in one instance a murder was committed. They compelled some persons to join them, and endeavoured to compel others by threats of violence, and particularly by the terror of the murder which had been committed; and they proposed to reach Nottingham early in the morning of the 10th of June, and to surprise the military in their barracks: hoping thus to become masters of the town, and to be joined by considerable numbers there, and by a party which they expected would be assembled in Nottingham Forest, and which actually did assemble at that place, as after stated. The disposition to plunder, the resistance they met with, and other circumstances, so delayed their march, that they had not

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arrived

arrived near their place of destination at a late hour in the morning; and the country being alarmed, a military force was assembled to oppose them.

The language used by many persons engaged in this enterprise, and particularly by their leaders, leaves no room to doubt that their objects were the overthrow of the established government and laws; extravagant as those objects, were, when compared with the inadequate means which they possessed. In the course of their march, many of their body felt alarmed at the atrocious projects in which they had engaged, which had actually led to a cruel and deliberate murder; they found that their confederates had not arrived to their support, as they had been led to expect; and in the villages through which they passed, a strong indisposition being manifested towards their cause and projects, some of them threw away their pikes and retired, before the military force appeared; and on the first show of that force the rest dispersed, their leaders attempting in vain to rally them, many were taken prisoners, and many guns and pikes were seized.

This insurrection, of small importance in itself, is a subject of material consideration, as it was manifestly in consequence of measures detailed in the two reports above-mentioned, and appears to have been a part of the general rising proposed to take effect on the 9th or 10th of June, as stated in the last of those reports.

At the assizes at Derby, in the

month of July following, the grand jury found bills of indictment for high treason against forty-six of the persons charged with having been engaged in this insurrection; and several of those persons having been taken were arraigned upon the indictment before a special commission issued for that purpose, which sat at Derby in the month of October following. Four of the principal offenders were separately tried and convicted; three of them were executed; and the capital punishment of the fourth was remitted, on condition of transportation. The conviction of these four induced nineteen of the other persons indicted, whose conduct had been deemed in the next degree most criminal, to withdraw their pleas of not guilty, and to plead guilty to the indictment, in hopes of thus avoiding a capital punishment; and the sentence of death on these persons was afterwards remitted, on different conditions. Against all the other persons indicted, who were in custody, the law officers of the crown declined producing any evidence, and they were accordingly acquitted. The rest of the persons included in the indictment, had fled from justice, and have not yet been taken.

The fact of this actual insurrection first proved to the satisfaction of the most respectable grand jury of the county of Derby, who found the bill of indictment, and afterwards proved in open court, to the satisfaction of the several juries, sworn on the four several trials of the persons convicted; proved also, by the acknowledgment of the same

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guilt by those who withdrew their pleas of not guilty, and pleaded guilty to the same indictment, and thus submitted themselves to the mercy of the Crown, appear to the committee to have established beyond the possibility of a doubt, the credit due to the information mentioned in the last report, respecting the plans of more extended insurrection, which had previously been concerted, and respecting the postponement of these plans to the 9th or 10th of June.

But this insurrection in Derbyshire was not the only circumstance occurring since the period described in the last of the two reports before mentioned, which demonstrates the correctness of the information on which the committee who made that report proceeded, in representing such a general rising to have been intended, and to have been postponed; and that Nottingham was the head quarters upon which a part of the insurgents were to march in the first instance; and that they were expected to be joined there by insurgents from different quarters.

Early in the same night on which the Derbyshire insurgents began their operations, the town of Nottingham was in a state of considerable agitation. It appears from the evidence given upon the trials at Derby, that during the march of the Derbyshire insurgents towards Nottingham, one of their leaders, afterwards convicted of high treason, was sent forwards on horseback, to obtain intelligence. On his return to the main body of the Derbyshire insurgents, it

was pretended that the state of Nottingham was favourable to their designs; the actual state of Nottingham and its neighbourhood, appears from the evidence given on the trials at Derby. In the night of the 9th of June, some persons, stated to be in number about one hundred, had assembled on the race course, in Nottingham Forest, where the Derbyshire insurgents, according to their original plan, were to have arrived at an early hour on the morning of the 10th, and expected to be joined by such a party. This party was seen about twelve at night; they were drawn up in line, two deep, and a part of them were armed with pikes or poles. They remained assembled on the race ground until past two o'clock in the morning, about which time they dispersed. Some appearances of disturbance in the town of Nottingham early in the night of the 9th, induced the magistrates to send for a military force from the barracks; and order being quickly restored, the military returned to their barracks, and were not again called out, until the morning of the 10th, when they were required to assist in dispersing the Derbyshire insurgents, who were then on their march.

Connected with these disturbances in Derbyshire and Nottinghamshire, a disposition to similar conduct was manifested in a part of the west Riding of Yorkshire. On the 6th of June a meeting of delegates was assembled at a place called Thornhill Lees, near Huddersfield; and at this meeting it was understood, that the time to be fixed for a general rising would be announced. The persons



sons assembled at that meeting were surprised by the magistrates, assisted by a military force, and some were taken into custody. This arrest deranged the plans of the disaffected; and the greater part of the districts in that part of Yorkshire, in which a general rising had been proposed, remained quiet. But in the neighbourhood of Huddersfield, in the night of the 8th of June, a considerable body assembled, some with fire arms, and others with scythes fixed on poles, and proceeded to various outrages, plundering Houses for arms, and firing on the head-constable of Huddersfield, and upon a person of the Yeomanry cavalry, who went out of the town to learn their objects. Indictments were preferred both for the felonies and the burglaries at the assizes at York in the month of July. The facts of the outrages there committed appears to have been established by the finding of the bills by the grand jury; but sufficient evidence was not produced on the trial to bring the crimes home to any individuals.

From the evidence given at the trials at Derby, it appeared that the Derbyshire insurgents had expected a considerable reinforcement from this part of Yorkshire, believing that a general rising would take place at the time to be fixed for that purpose; and it appears likewise, that in Yorkshire, as well as in all the other districts where these designs were carrying on, great reliance has uniformly been placed upon the hope of powerful support and co-operation from London, however erroneous

such an expectation may have been, with respect to the extent to which it was supposed to have existed.

The committee have the satisfaction of delivering it as their decided opinion, that not only in the country in general, but in those districts where the designs of the disaffected were most actively and unremittingly pursued, the great body of the people have remained untainted, even during the periods of the greatest internal difficulty and distress.

The arrests and trials which have taken place, and the development of the designs of the leaders of the disaffected, together with the continued activity and vigilance of the magistrates and of the government, must have had the salutary effect of checking the progress of disaffection, where it existed: and the improved state of the country, and the increased employment now afforded to the labouring classes, have contributed to render those who were most open to seduction, less disposed to embrace the desperate measures which the pressure of distress might have led them to hazard.

Some of the persons engaged in these projects, particularly in London, are still active, and appear determined to persevere, though with decreasing numbers and resources. It appears, therefore, to the committee, that the continued vigilance of government, and of the magistrates in the several districts which have been most disturbed, will be necessary.

Having thus taken a view of the state of the country in the disturbed

disturbed districts, from the period described in the report made to the House towards the close of the last session of parliament, the committee have proceeded to examine such of the papers referred to them, as relate to the arrests of several persons under warrants issued by one of his majesty's principal secretaries of state, and the detention of several of the persons so arrested under the authority of two acts passed in the last session of parliament, to empower his majesty to secure and detain such persons as his majesty shall suspect are conspiring against his person and government.

With respect to those against whom bills of indictment were found by different grand juries, and those who have been brought to trial or have fled from justice, the committee conceive that it is unnecessary for them to make any particular statement. Warrants were issued by the secretary of state against ten persons, who have not been taken. Forty-four persons appear to have been arrested under warrants of the secretary of state, on suspicion of high treason who have not been brought to trial; of these, seven were discharged on examination, without any subsequent warrant of detention. Against thirty-seven, warrants of detention, on suspicion of high treason, were issued by the secretary of state; but one, who was finally committed, was soon after released; another was soon discharged on account of illness; and a third died in prison. The grounds upon which those warrants were issued, have been

severally examined by the committee; on that examination it has appeared to the committee, that all these arrests and detentions have been fully justified by the various circumstances under which they have taken place; and in no case does any warrant of detention appear to have been issued, except in consequence of information upon oath.

It appears to the committee, that all the persons who were so arrested and detained, and who were not prosecuted, have been at different times discharged, as the state of the country, and the circumstances attending the several trials which had taken place, were judged to permit.

The committee understand that, up to a certain period, expectations were entertained of being able to bring to trial a large proportion of the persons so arrested and detained; but that these expectations have from time to time been unavoidably relinquished.

On the whole, therefore, it has appeared to the committee, that the government, in the execution of the powers vested in it, by the two acts before-mentioned, has acted with due discretion and moderation; and as far as appears to the committee, the magistrates in the several disturbed districts have, by their activity and vigilance contributed materially to the preservation of the public peace.

*REPORT of the Committee of Secrecy of the House of Commons, to whom the several Papers, which were presented (sealed up) to the House, by Lord Viscount Castlereagh, on the*

*the 3rd day of February, by command of his Royal Highness the Prince Regent, were referred, and who were directed to examine the matters thereof, and report the same, as they should appear to them, to the House;—have agreed upon the following Report:*

The first object of your committee, in examining the papers which have been referred to their consideration, has been, to form a just estimate of the internal state of the country, from the period when the Second Report of the Secret Committee, in the last session of parliament, was presented, to the present time.

The insurrection, which broke out in the night between the 9th and 10th of June, on the borders of Derbyshire and Nottinghamshire, shortly before the close of the sitting of that committee, was, the last open attempt to carry into effect the revolution, which had so long been the object of an extended conspiracy. The arrest of some of the principal promoters of these treasonable designs, in different parts of the country, had deranged the plans, and distracted the councils, of the disaffected; occasioned delays and hesitation in the appointment of the day for a simultaneous effort; and finally, left none, but the most infatuated, to hazard the experiment of rebellion.

The suppression of this insurrection (following the dispersion of the partial rising which had taken place the night before in the neighbourhood of Huddersfield), the apprehension and committal of the leaders for trial

in the regular course of law, under the charge of high treason, and the detention of several others of the most active delegates and agitators, under the authority of the act of the last session, frustrated all further attempts at open violence. But the spirit of disaffection does not appear to have been subdued; disappointment was frequently expressed by the disaffected, at the failure of an enterprise, from the success of which a relief from all distress and grievances had been confidently predicted; and the projected revolution was considered as not less certain, for being somewhat longer delayed.

In the course of the succeeding month, bills of indictment for high treason were found against forty-six persons, at the assizes at Derby; which must have tended still farther to check the progress of sedition, by apprising the wavering of the danger to which they were exposed, and over-awing the remainder of the more determined leaders. On the trials which took place in October, twenty-three were either convicted by the verdict of the jury, or pleaded guilty; against twelve, who were mostly young men, and related to some of the prisoners already convicted, the law officers of the Crown declined offering any evidence. The remaining eleven had succeeded in absconding, and have not yet been apprehended. The result of these trials, and the examples which followed, seem to have had the effect which might be expected, of striking a terror into the most violent of those engaged in

in the general conspiracy; whilst the lenity shown to the deluded, was gratefully felt by the individuals themselves, and restored quiet and subordination to the district, which had been the principal scene of disturbance.

In the course of the autumn, a gradual reduction in the price of provisions, and still more an increased demand for labour, in consequence of a progressive improvement in the state of agriculture, as well as of trade and manufacture in some of their most important branches, afforded the means of subsistence and employment to numbers of those, who had been taught to ascribe all the privations to which they were unfortunately subjected, to defects in the existing constitution.

Your committee see fresh cause to be convinced of the truth of the opinion expressed by the first secret committee, which sat in the last year, of the general good disposition and loyalty of the great body of the people; and they advert with pleasure to the confirmation afforded by the late trials at Derby, of the testimony borne in the report of the last committee, to the exemplary conduct of the mass of the population, in the country through which the insurrection passed. They have no doubt, that the numbers of those who were either pledged, or prepared to engage in actual insurrection, has generally been much exaggerated by the leaders of the disaffected, from the obvious policy, both of giving importance to themselves, and of encouraging their followers. It is however, impossible to cal-

culate the extent to which any insurrection, not successfully opposed in its outset, might have grown in its progress through a population, in a state of reduced employment, of distress, and of agitation. In such a state of things, opportunity would, no doubt, have been afforded to active and plausible demagogues, for seducing into acts of violence and outrage, persons altogether unaware of the nature and consequences of the measures to which they were called upon to lend their assistance; that these consequences would have involved the destruction of the lives and property of the loyal and well-affected, in the event of any decided, though temporary, success of the insurgents, is sufficiently evident, from the designs which have in some instances been proved.

It was therefore the duty of the magistracy, and of the government, not only to prepare the means of effectual resistance to open force; but, where they had the opportunity, to defeat the danger in its origin, by apprehending the leaders and instigators of conspiracy. Your committee indulge the hope, that the hour of delusion among those who have been misled into disaffection, may be passing away; and that some, even of the deluders themselves, may have seen, and repented of their error. But your committee would deceive the House, if they were not to state it as their opinion, that it will still require all the vigilance of government, and of the magistracy, to maintain the tranquillity, which has been restored. It will

no less require a firm determination among the moral and reflecting members of the community, of whatever rank and station they may be, to lend the aid of their influence and example, to counteract the effect of those licentious and inflammatory publications, which are poured forth throughout the country, with a profusion heretofore unexampled.

Your committee have hitherto applied their observations to the lately disturbed districts in the country. In adverting to the state of the metropolis, during the same period, they have observed, with concern, that a small number of active and infatuated individuals have been unremittingly engaged, in arranging plans of insurrection, in endeavouring to foment disturbances that might lead to it, and in procuring the means of active operations, with the ultimate view of subverting all the existing establishments of the country, and substituting some form of revolutionary government in their stead. Your committee however, have the satisfaction to find, that, notwithstanding the desperation and confidence of the leaders, the proselytes that have been gained to their cause are not numerous. The sensible improvement in the comforts and employment of the labouring part of the community, has tended to diminish at once the motives of discontent, and the means of seduction. The mischief does not appear to have extended into any other rank of life, than that of the persons referred to in the first report of the Secret Committee of last year, nor to have received coun-

tenance from any individuals of higher condition.

Eager as these agitators are, to avail themselves of any popular assemblage, still more, of any occasion that might happen to arise of popular discontent, and capable as they appear, from their own declarations, to be of any act of atrocity, your committee see no reason to apprehend that the vigilance of the police, and the unrelaxed superintendence of government, may not, under the present circumstances of the country, be sufficient to prevent them from breaking out into any serious disturbance of the public peace.

The attention of your committee has next been directed to the documents, which have been laid before them, relative to the apprehension of the several persons suspected of being engaged in treasonable practices, who have been detained under the authority of the acts of the last session. They have examined the charges upon which the several detentions have been founded, and find them, in all instances, substantiated by depositions on oath. Your committee have no hesitation in declaring, that the discretion thus intrusted to his majesty's government, appears to them to have been temperately and judiciously exercised, and that the government would, in their opinion have failed in its duty as guardian of the peace, and tranquillity of the realm, if it had not exercised, to the extent which it has done, the powers entrusted to it by the legislature. Of the thirty-seven persons, which is the whole number of those who were finally committed

committed, one was discharged on the 4th of July, one on the 31st on account of illness, ten on the 12th of November, fourteen on the 3rd of December, one on the 22nd of December, six on the 29th of December, and three on the 20th of January, and one died in prison. From the circumstances of the country, as laid before your committee, and as publicly notorious during the period in which those imprisonments took place, your committee see no reason to doubt that the

detention of the several prisoners, was governed by the same sound discretion, which, as your committee have already stated, appears to have been exercised in apprehending them. The whole of the arduous duties confided to the executive government, appears to your committee to have been discharged with as much moderation and lenity, as was compatible with the paramount object of general security.—27th February 1818.

## REMARKABLE TRIALS AND LAW CASES.

COURT OF KING'S-BENCH, GUILD-HALL, FRIDAY, JAN. 16.

*Before Mr. Justice Bayley and a Special Jury.*

*Mist v. Sir William Rawlins.*

—The plaintiff brought the present action against the defendant, Chairman of the Eagle Assurance Company, on a policy effected upon the stock, &c. and premises, belonging to the plaintiff, situate in Fleet-street, and known as the Metropolitan Bazaar. The pleas were, first, that the plaintiff had no interest; and next, that he had wilfully caused the premises to be destroyed by fire, on the 23rd May, 1817.

Mr. Topping opened the plaintiff's case, observing upon the peculiar hardship of the situation of his client, who, without the slightest motive to its commission, by the plea upon the record was charged with a crime of the foulest kind, affecting even his life. It would be clearly established, that the value of the property consumed was far beyond the sum insured, and directly after the fire, in the certificate required by the policy, he had received from the clergyman, the church-wardens, and others, the highest testimonials in his favour. He called the following witnesses:—

George Polhill had been shopman to the plaintiff; he deposed that he had taken an account of the stock sold by auction at various dates; the last sale was in the early part of 1817, and at that time, or soon afterwards, a Mr. Davenport was in treaty for the remaining stock, and the fixtures on the premises. The value was about 1,300*l.*, consisting of china, glass, and earthenware. The Bazaar was opened in July, and counters, desks, drawers, &c. were put up, as well as two very large stoves in the cellar, by which the apartments were warmed, besides others. The fittings up were not confined to the ground floor, but extended to the first and second, where were also looking-glasses of the value of about 500*l.* The witness and a Mr. Leach had keys of the back-door premises, and Mr. Mist of the front, who was frequently there. The witness was in Fleet-street at about noon, on the day when the fire took place, the 23rd of May, 1817. The room the plaintiff chiefly occupied was a room on the third floor, next Salisbury-court, where he kept his books and papers. In a closet there was a box of coals and some shavings, used by the porter for lighting the fire.

Cross-



Cross-examined.—On the day after the fire he was seen by Mr. Beetham. The looking-glasses were not included in the 1,300*l.* his estimate of the stock; he had not said that they were, but that they were worth 500*l.* The witness had been in the plaintiff's service 11 years. Plaintiff had formerly been in partnership with Mr. Abbott, but Mist failed in 1814, and established the Bazaar two years afterwards. There had then been two sales, at which many of the articles were bought in, and many not put up to auction. The Bazaar was closed in Feb. 1817. The witness often went to the premises, where there were some pieces of candle, and a number of phosphorus bottles in earthenware, which had been left unsold. On the day of the fire the witness had gone to the plaintiff's room from a quarter to half-past 12 to speak respecting the non-settlement of an account, but he was not there: all then was safe.

Thomas Wagstaff proved that the value of the stock in November, 1816, was 2,000*l.*, and after the last sale there remained about 1,400*l.* worth of property on the premises. The fitting up of the Bazaar had cost more than 500*l.* wages, and part of the materials.

An account of the stock was produced, made out by Polhill from the books of the plaintiff previous to the fire, not including looking-glasses. All were on the premises at the time of the fire, according to the evidence of Polhill, who was recalled to prove the account.

Mr. James Davenport, an earthenware manufacturer, of

Longport, in Staffordshire, stated, that very shortly before the fire he was negotiating for the purchase of the plaintiff's stock, an account of which had been taken by Polhill; he left town before it was finished, but having seen a rough estimate, he offered 2,500*l.* for it to the plaintiff. He thought the bargain would have been a good one; at least, he had seen enough of the stock to know that he should not be doing wrong. The plaintiff required 3,500*l.*, besides a further sum for the lease. Soon after the witness left town he heard of the fire, or he should have returned to renew the treaty.

Cross-examined.—His partner had been assignee under a commission against the plaintiff, and the witness was a creditor to the full amount of the sum he offered; but it was agreed that a certain sum in cash should be given to the plaintiff.

Mr. Woodhouse, solicitor to the last witness, confirmed his evidence, in some particulars, relative to the treaty. It had been agreed in September, 1817, that the commission against the plaintiff should be superseded.

Robert Bond proved the value of the fixtures put up for the bazaar; the wood-work only, cost more than 400*l.*

Mr. Justice Bayley, in this stage of the cause, put it to Mr. Scarlett, who was on the other side, whether it was meant to be said that any part of the property had been clandestinely or otherwise removed before the fire.

Mr. Scarlett answered in the negative, adding, that he meant to show that the property was not

not worth what Mr. Davenport had offered.

Mr. Justice Bayley observed, upon the improbability of the case, that a man possessed of such a valuable property, and so insured, should have wilfully consumed it by fire, and risked the discovery of a capital offence.

Mr. Scarlett replied, that that was not a matter of fact, but of reasoning: it was for the jury to draw their own conclusions, and to judge of what presumption of guilt existed.

Mr. Justice Bayley thought defences of this kind by insurance-offices impolitic, unless stronger grounds of suspicion existed than were yet evident.

Mr. John Duddel, an oilman, saw the plaintiff at about 11 o'clock on the morning of the fire; they agreed to dine together, and afterwards to go to Wycombe to look at a house the witness had proposed that the plaintiff should take from a Captain Rush. On their way back to town they saw a fire, which they were told was in Wapping; their informer adding, that it was not so bad as one that had happened at the Bazaar in Fleet-street. The plaintiff was extremely anxious to go to Fleet-street, but the witness prevented him, as it might not be his premises, but another Bazaar in Fleet-street, and if he were wanted he could be sent for. When they afterwards went to Fleet-street, the fire was nearly extinguished.

The plaintiff's case being closed, Mr. Scarlett addressed the Jury for the defendant, observing upon the painful but imperious duty cast upon fire-assurance offices,

to resist a claim when there was reason to think that that claim was founded in fraud. The policy of some foreign states prevented the establishment of institutions of the kind, on the supposition that the temptation was often too great to be resisted, and that crimes of the most atrocious nature would be encouraged by those contracts here deemed perfectly harmless, or perhaps even a useful assistance between man and man. Be it as it might, it was an ascertained fact that in Great Britain, where so many assurance companies existed, fires were more numerous than in any other part of Europe. He contended that, though at the time the policy was effected, Mr. Mist might have been worth the property insured, yet he had subsequently engaged in concerns that had been unprosperous, and his speculations had considerably reduced the amount of the goods on his premises. He was in want of money; and it was much more to his advantage to obtain 3,000*l.* from the insurance-office, than a comparatively small sum from a purchaser of his concerns. Of course the jury were the fit judges upon the balance of testimony; but he should call witnesses, who would show, as he was instructed, that more than suspicion belonged to the case; and that the probability was, that Mr. Mist himself was the cause of the conflagration; at least, that he was mainly instrumental; and that, without his instrumentality, it would not have happened. He then put into the box

Mr. James Lynd, who resides in Fleet-street, opposite the plaintiff's

plaintiff's premises, and observed the fire before 2 o'clock on the 23rd of May. The witness, and Messrs. Cook and Smith, first entered by a ladder, and going into the great wareroom on the third floor, and near the door, they saw fire; stooping down, the witness was able to touch with a stick what was burning, and it fell and appeared to be a bundle of papers. He gave the alarm immediately, and going down stairs to the room below, he perceived that the ceiling was on fire, but that was all. The bundle of papers was about the size of half a ream of paper, and did not appear to contain any combustibles: he could perceive fire no where else on the premises.

Mr. Geo. Smith, of St. Bride's-passage, gave nearly similar evidence relative to the first discovery and appearance of the fire: he could not penetrate through the smoke so far as the last witness, but he called out fire from the front window; he went away to secure his own property, which he thought in danger. The bundle was paper, and probably had been burning for some time, as the wood work was discoloured near the closet, and the top seemed as much burnt as the bottom.

Mr. Thomas Jenks, who lives at the opposite corner of Salisbury-court, was called, but added nothing material.

William Fenton, a plumber, was at work at the top of Mr. Jenks's house, and at about 20 minutes before 2 o'clock he saw smoke issue from the garret window above the room occupied by Mr. Mist; the flame did not

come through the window, but the glass broke in consequence of the heat, as the floor was burning.

James Coats, another workman who was with the last witness, gave nearly the same relation.

James Lynd was recalled.— He did not see any fire in Mr. Mist's room; but there might have been without his observing it.

Mr. Cook accompanied Lynd and Smith when they entered the house; he went down stairs to open the back door after he had got in at the window, and returning he saw a great blaze rising from one place occasioned by the opening of the windows. The witness was not more than three or four minutes up stairs. The door of Mr. Mist's room was locked, and if there had been a fire in it he probably could not have seen it.

Mr. Beetham was called to speak to some declarations by the plaintiff relative to the sum he was to receive from Davenport for the lease, fixtures, and stock, which appeared to disagree with what had been sworn by that witness. Mist had stated that he was to receive 3,000*l*.

Some of the witnesses were recalled, but they added nothing material.

Mr. Justice Bayley, notwithstanding an expression on the part of the jury that they were satisfied, wished, in summing up, to say a few words upon the amount of damages, and upon the conduct of the plaintiff. With respect to the last, his Lordship concurred, that as it was the bounden duty of insurance offices, when circumstances of great suspicion

picion existed, to resist any claim, it was not less their duty to pay readily the sum insured, where the transaction itself casts no imputation upon the demeanour or character of the party. As far as it was possible to judge, his Lordship could not discover that any suspicion attached to the case, either from the circumstances attending the fire, or from the conduct of the plaintiff either before or after that calamity. It sometimes happened that goods or houses were not nearly of the value for which they were insured; sometimes a clandestine removal of goods was established; but here none of those facts had been proved, and therefore there appeared no inducement, or at least no adequate inducement, for the plaintiff to put his life in jeopardy by committing the crime of arson. As to the question of damages, it appeared that the insurance in the whole was 3,000*l.*: but though that sum was covered by the policy, the jury were not called upon to give that amount, provided they thought the property not worth the sum: the office was not in any case bound to pay more than the party proved that he had lost. It was admitted, that a certain deduction was to be made from the whole amount claimed. The fire broke out in the middle of the day, when aid was nearest, and when the discovery of the crime, if it existed, could be most easily made; and the plaintiff, without any concealment, left the premises only a short time before the flames were discovered. Besides this, there was no appearance of any con-

trivance with combustibles to produce sudden and unexpected conflagration, and the plaintiff had afforded the Eagle Assurance Company all the means in his power of ascertaining whether or not any fraud had been committed.

The jury consulted a few moments, and found a verdict for the plaintiff, damages 2,800*l.*

CONSISTORY-COURT, FEB. 20.

*Lady Kirkwall* against *Lord Kirkwall*.—This question arose on the usual application made by *Lady Kirkwall*, for the Court to allot her permanent alimony.

Dr. Swabey, on behalf of *Lady Kirkwall*, stated, that the Court had been pleased to allot the sum of 600*l.* in addition to 400*l.* pin-money, for the maintenance of her ladyship during the dependence of her suit; but in allotting permanent alimony the general practice of the Court was, rather to increase than diminish the sum. The wife was supposed to live retired during the investigation of her complaint, and the husband was answerable for the whole expense of the suit. But the wife having proved her charge, was entitled to return to the world, and to enjoy such a portion of her husband's income as would maintain her in her proper rank. An allegation of faculties has been given in, and *Lord Kirkwall*'s answers on oath are now before the Court. Her ladyship has not examined any witnesses on that allegation, but is content to rest her case upon the plea and answers. An affidavit is now offered by *Lord Kirkwall*, stating, "that on further inquiry into the state of his affairs,

affairs, he omitted to state in his answers debts and incumbrances, the interest of which amounts to 1,760*l.* per annum, and that since he gave in the answers he has been under the necessity of granting 7 other annuities to the amount of 1,789*l.* per annum, by all which embarrassments the legal demands on his property exceed his actual income." The Court is never in the habit of diminishing alimony, unless it is clearly shown that the diminution of the husband's income is caused by unavoidable misfortune; and the interests of the wife are not to suffer from the extravagance or imprudence of the husband. This doctrine was recognized in the case of *Teuche v. Teuche*, in the Consistory Court, 1805, which was afterwards appealed to the Archbishops and Delegates, and affirmed by both.

Drs. Arnold and Burnaby urged, that it was competent to Lord Kirkwall to give an explanation of any error in his answers by an affidavit. That he was now in a very different situation as to what he was when the Court allotted alimony during suit. His affairs had become much more embarrassed, and his means consequently reduced. That Lady Kirkwall would not be left destitute, inasmuch as she had 400*l.* per annum secured to her. In the case of Lord and Lady Ferrers, the Court only gave 600*l.* per annum, although his lordship's income was 3,200*l.* per annum; and in this case it is submitted, that the Court should not grant any alimony beyond the pin-money.

Dr. Lushington, in reply, ob-

served, that the answers were dated in July, 1816, in which Lord Kirkwall stated his whole income to amount to 3,100*l.* per annum. Is it credible, that in an income of that amount, he could possibly forget debts, the interest of which amount to 1,760*l.* per ann., and since the date of the answers, he had granted annuities to the amount of nearly 1,800*l.* per annum. That he had no hesitation in saying, that it was a most extraordinary attempt to evade the justice of the Court, and to deprive his wife of that support which her rank in life entitled her to demand. In 1810, he allowed her 1,600*l.* per annum. It may be true, that his circumstances may now be different, but by whose conduct have they become different? If his lordship chose to waste his property on not one but two women at a time, and to grant annuities to money-lenders, is that a ground which would induce the Court to deprive his wife of a maintenance becoming her rank. Where is the 20,000*l.* which was raised on these annuities? His wife is entitled to be alimoned from that; but the whole statement contained in the affidavit is totally unworthy of credit.

Sir Wm. Scott stated the question to be an application to the Court to allot permanent alimony, and an unusual opposition was made to it on the ground of an error in the answers, and a diminution of property since those answers were given in. They appear to have been drawn up with a due attention to the statement of all the facts, and Lady Kirkwall has been willing to rest her

her case upon those answers. But an affidavit is now brought in which states, that his lordship is reduced to absolute pauperism. The allotment is always made upon the answers which are supposed to contain all the allowances and deductions which can be claimed, and no case has been cited to show that those answers have ever been controlled by an affidavit. After regular proceedings, the Court would be very much distressed by the introduction of affidavits, and it is a practice which I am under the necessity of resisting. If, after a great length of time, there should be a great change of circumstances from unforeseen calamities, the party might be at liberty to bring it before the Court; but in this case no time has elapsed, and the faculties are not diminished by misfortune. With respect to the affidavit, it is difficult to persuade oneself that it is possible to overlook such sums as Lord Kirkwall states to have escaped his attention, but the forms of the Court fully justify me in not entering into its merits. I shall, therefore, adhere to the admissions contained in the answers to the allegation of faculties. In those, he admits his income to be 3,100*l.* per annum, exclusive of the 400*l.* per annum secured to Lady Kirkwall as pin-money. If he has reduced this by his extravagance, his innocent wife is not to be the sufferer. I cannot, without further information, give the whole sum allotted by the referees in 1810, but I shall give Lady Kirkwall 1,000*l.* per annum, in addition to the 400*l.* pin-money.

COURT OF KING'S BENCH, WEDNESDAY, MARCH 4.

*Sittings for London, before Lord Ellenborough.*

*Bannister v. Spooner, Ball, Walters, and Dowding.* — The defendants are proprietors of a stage-coach between Brixton and London, and the present action was brought against them, to recover damages for an injury, the plaintiff (a partner in the house of Richardson, Goodluck, and Co.) had sustained by the overturning of the coach, as was alleged in the declaration, by the negligence of Ball, one of the defendants, who drove on the day in question.

It appeared by the statement of Mr. Scarlett, that the plaintiff resides in Neighbour's-lane, near the Clapham-road, and was in the habit of riding to town by one of the stages of the defendants. On the 1st of July last he mounted the roof, and the coach had proceeded as far as Stockwell-place, when Ball, the driver, recollected that he had forgotten to take up two passengers who had booked places for that morning; he, in consequence attempted to turn round, being at that moment on the crown of the road, which was remarkably high, and in so doing one of the wheels was necessarily brought to the lower part of the road, and the declivity was so great that the coach was upset; had the coachman made a larger circuit the accident would not have happened. The stage was at this time filled with passengers, both inside and outside; and when it fell, a part of the iron-work came

in contact with the thigh and hip of the plaintiff, by which the former was broken, and the latter dislocated. At this moment it fortunately happened that the carriage of Mr. Goldsmid was passing, and a person of the name of Fox, a baker, and some passengers, assisted the plaintiff into it, and he was conveyed home, where he was attended for six weeks by Mr. A. Cooper, and afterwards by two other surgeons: at first it was only by means of strong opiates that the plaintiff could obtain any sleep, and after the hip-bone had been restored to the socket, and the fractured limb set, he could only move for some time by means of crutches, and at this moment was not able to relinquish them entirely; it was clear that the plaintiff never would recover the calamity entirely, for one leg was materially shorter than the other, and from a remarkably fine healthy man, he was reduced now to the helpless condition of a cripple.

The above case being established by evidence, Mr. Topping addressed the jury for the defendants: he expressed the great regret of his clients that the accident had occurred, but he argued that, however severe might be the injury the plaintiff had sustained, they could not be liable in damages, unless it appeared that the driver had been guilty of culpable negligence.

He then called Mr. James Dubois, a merchant, and a Mr. Stokes, both of whom were on the coach at the time of the accident (the latter having had his arm broken), who were of opinion that Ball, the driver, was

not to blame, inasmuch as in turning he had made as wide a circuit as was possible under the circumstances. Mr. Stokes said, that he had not contemplated any action, and when the defendants proposed to pay the expenses he had incurred in consequence of the fracture of his arm, he had refused.

A surgeon who had been called in, and an attorney of the name of Croome, spoke to conversations with the plaintiff, in which he had acquitted the coachman of all negligence or misconduct. Some of the defendants' witnesses seemed to intimate, that the accident was partly to be attributed to the unwieldy weight of the plaintiff, but

Lord Ellenborough said, that it was the duty of the proprietors of stages to take care that their servants did not receive passengers whose ponderousness might endanger the lives of all the other persons in the coach. His lordship was clearly of opinion that the defendants were liable, as the coachman, independently of the question regarding his mode of turning, had been negligent in omitting to take up two passengers: had he not neglected this part of his duty, the driver would only have had to proceed directly to London. The case was not one of aggravation on either side, and his Lordship recommended that moderate damages should be given.—The jury gave a verdict for the plaintiff, 50*l*.

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SCOTLAND, MARCH.

*High Court of Justiciary.*—  
On Wednesday the Court proceeded to the trial of the Reverend  
S end



end Joseph Robertson, minister of the gospel in Edinburgh, and William Pearson, spirit-dealer, in Canongate, accused of falsehood, fraud, and forgery, and of celebrating unlawful marriages.

The act of the Scottish Parliament, under which celebrators of clandestine marriages are liable to be brought to trial, is the 34th act of the first session of the first Parliament of Charles II (1661, cap. 34), intituled "an act against clandestine and unlawful marriages," whereby it is enacted, "that the celebrator of such marriages be banished the kingdom, never to return therein, under the pain of death."—The panels had pleaded Not Guilty.

Alexander Ross, session clerk of North Leith, knows Mr. Robertson; he never but once applied to the witness for a certificate of proclamation of bans, and that was three years ago. And being shown a certificate in the name of Mooney, a soldier of the 88th regiment, and a girl named M'Pherson, he declares it to be a forgery, and the name Alexander Ross, at the bottom of it, not to be the witness's handwriting; and a certificate in favour of a soldier of the 88th, named Fitzgerald, and a girl named Urquhart, shown to him, he also declares to be a forgery.

Sarah Urquhart, or Augart, late servant to Mr. Grant, of Rothiemurchus. Witness was married in October last to Edward Fitzgerald, a private in the 88th regiment, by the Rev. Mr. Robertson. She and her husband, with Mooney and Margaret M'Pherson, called upon Mr. Robertson on a Sunday, about

11 o'clock, and told him they wanted to be married; he said he would do nothing then, as he was going to church, but told them to come back at one o'clock. They returned at that hour, and Mr. Robertson showed them into a little room, and said he would send his maid-servant along with the men to a place where they would get marriage-lines. The men went away for the lines, and came back, saying they had been refused them. Mr. Robertson then desired them to go down to one Pearson's, and perhaps he might get lines for them. They accordingly went down to Pearson's, and the men went into the house, and Pearson went with them to endeavour to get marriage-lines. They went along the South Bridge, but the men came back, saying they had been refused lines there already. Pearson then went down to Mr. Robertson's house, and the men waited at the top of the close. He returned directly, and the whole went down to Mr. Robertson's house, but Pearson went away. They then went down again to Pearson's, but he was not at home; they then walked about for a little, and in the evening the witness and Margaret M'Pherson called at Mr. Robertson's house, and the men waited at the door. Mr. Robertson told them all to go down to Pearson's, and he would follow them, and come in at the back door, and to tell Pearson so. They accordingly went down, and were showed into a little back room. Pearson said he would do all he could to advise Mr. R. to marry them. Some time after, Mr. R. came into

into Pearson's, and said he did not know what to do. Pearson said to him, he dared to say he might marry them, for he might recollect that they had got a thing of the kind done before, and had got the lines after, and had sent them after the parties. Mr. R. said, he thought he recollected that they had done that; and Pearson and Mr. R. then walked into another room, leaving the witness and the other three by themselves. Pearson came back, and asked 7s. 6d. from each couple to get the marriage-lines. The men had not so much money, but Pearson said the parson could not think of doing it until they got the money; and said that, if they would be quick and get it, he would remain, as he was not in a great hurry. Witness and the other girl then went for the money, and were not many minutes gone. When they came back, Mr. Robertson was sitting with the two men, and writing the little lines he gave them. Fitzgerald gave 7s. 6d. for each of the lines, and 5s. to Mr. Robertson, who put it in his pocket, giving the 15s. to Pearson to get the lines. Pearson said that if they would call at either his house or Mr. Robertson's, any day after Monday, the lines would be ready for them. They were then married, and Mr. Robertson gave witness a line, certifying that she and Fitzgerald were married before witnesses. On Tuesday or Wednesday after the marriage, the other girl, M'Pherson, went for the lines, but Mr. Robertson said they would not get them unless the whole four were present, and the men were

at Perth. M'Pherson wrote to the men, who answered and told her to go to Mr. Robertson and demand the lines or the money they had paid for them. Witness and M'Pherson then went to Mr. Robertson and showed him the letter they had received, and he told them to make themselves quite easy, and desired them to go to Pearson's, which they did, and he said he was afraid they could not get them, but desired them to call upon him to-morrow, when he should try and get them. Mr. Robertson was then in another room with Pearson, and Pearson came out, and said this to the witness and M'Pherson. They called again at Pearson's next day, at 4 o'clock, and he said he had got them, but he did not know how much they were indebted to him, he had had so much trouble. He desired them to go to Mr. Robertson's, and he would follow. They went to Mr. Robertson's, and he said he was very happy they had got the lines, and Pearson immediately came in. Mr. Robertson then took the lines out of a drawer, and wrote something on them. Pearson had previously told the witness that he had left the lines at Mr. Robertson's. Pearson again said that they were indebted to him for the trouble he had had, but Mr. Robertson said he had better give them something than take any thing from them. Mr. Robertson wrote something on the lines, but said he was afraid they would not be admitted to the barracks, as they had not got lines from the commanding officer.

Edward Fitzgerald, private in the 88th regiment, gave similar evidence as to the marriage be-

tween him and the preceding witness. When he first went to Mr. Robertson, he asked him if he had a line from his officer, and he said, no, when he desired him to come back at 1 o'clock, when he sent his servant maid along with witness and Mooney to one Paisley, the session-clerk, who refused to give the lines, because witness had no line from his commanding officer. Upon returning to Mr. Robertson, he said he did not know what to do with them, as it was mostly beyond his power to marry them. He then gave the witness a line to Pearson, and said he might be apt to get the lines for them. Pearson said he would do every thing in his power to get Mr. Robertson to marry them, and desired the whole four to come down to his house at four o'clock, and Mr. Robertson would be there. After four o'clock the whole went to Pearson's, and he and Mr. Robertson went into a room, and had some conversation. Pearson then came and asked if they were ready; witness answered they were, and then Mr. Robertson and Pearson came into the room. Pearson said to Mr. Robertson, "You know the like thing happened before, and the lines were got afterwards." Mr. Robertson then desired them to leave 7s. 6d. a piece for the lines, and 2s. 6d. a piece for the marriage. The two women then went away for the money, and the parties were married.

Margaret Macpherson corroborated the testimony of Sarah Urquhart. Pearson told them that he once before got Mr. Robertson to marry a couple, and got the lines for them afterwards. When witness and her companion

got the lines, Pearson said, "Mr. Robertson, what are these ladies indebted to me for getting these lines?" and Mr. Robertson answered, "You have had a very active day about them, but in place of taking any thing from them, you should rather give them something."

John Mooney, private in the 88th regiment, gave similar evidence to that of Fitzgerald.

Mr. Drummond charged the Jury on the part of the Crown, and Mr. Maitland on the part of Mr. Robertson, and Mr. Pringle for Pearson, and the evidence having been summed by Lord Gillies, the presiding Judge, the Jury, after deliberating in the box for about fifteen minutes, returned a verdict, unanimously finding Mr. Robertson guilty of celebrating the clandestine marriages as libelled, and both panels guilty of uttering the counterfeit certificates of proclamation of bans, knowing the same to be counterfeited.

On Thursday morning the Court sentenced Mr. Robertson to imprisonment in the gaol of Cannongate for three months, and thereafter to be banished from Scotland for life, agreeably to the statute. Pearson three months' imprisonment, and fourteen years' banishment from Scotland, with certification, that if he returned within that period, he is to be publicly whipped, &c.

CIVIL SIDE.—*Before Mr. Baron Graham, March.*

*Noakes and others v. Sandwell.*—This was a case which excited considerable interest, and the court was crowded to excess in consequence.

The plaintiffs were the executors of a Mr. Noakes deceased, and the defendant was a shop-keeper residing at Deal. This was an action of trover, to recover certain property from the defendant, under the following peculiar circumstances:—About the month of June or July last a sale took place of the property of the plaintiffs, at which the defendant attended for the purpose of purchasing part of the property. A chest of antique walnut-tree drawers was put up by the auctioneer, and bought by the defendant for the sum of 4s. 3d. In the evening of the same day the goods were removed, and among them were these old drawers; while the person employed by the defendant to remove his purchases from the premises was taking the drawers to defendant's house a secret drawer fell out, containing a bag full of guineas. The defendant was present at the time, and upon seeing the circumstance, he asked the porter what he should do. The porter advised the defendant to say nothing about it, but required five guineas as hush-money. This the defendant, however, positively refused, and observed, that he had rather go to law about it than give the hush-money. The man, upon being refused his request, immediately made a disclosure, and the present action was the consequence.

It was proved by the auctioneer, who was called on the part of the executors, that the drawers were sold, and that the defendant had confessed the guineas were there. It was also proved by a person at whose house the guineas were

counted by the defendant, that the number of guineas amounted to between 100 and 130 in the whole.

Mr. Adolphus, as counsel on the part of the defendant, called no witnesses, but endeavoured to show that the plaintiff could not succeed in the action, as it could not be proved that these guineas were actually his property; on the contrary, he contended that the jury must consider the property not to have belonged to the deceased, but to his ancestors, or to some one unknown. The guineas might have been placed there by some one wholly unconnected with the deceased.

Mr. Baron Graham, however, held that the property being found in his house, was sufficient to prove that it was the property of the deceased.

A verdict was immediately found for the plaintiff, damages—One hundred and ten guineas.

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SUSSEX ASSIZES, HORSHAM,  
MARCH 19.

*Charge of Bigamy.*—This morning the court was excessively crowded with ladies and gentlemen, to hear this interesting trial. Before eight o'clock, Maria Walton, alias Maria Wilkins, was put in the prisoner's box: she was dressed in white, with a light coloured pelisse, and wore a round black hat with feathers, and a black veil. Her countenance was exceedingly prepossessing, notwithstanding the natural anxiety of her feelings upon the situation in which she was placed. A few minutes after eight, Mr. Baron Graham entered

entered the Court, and Mr. Gurney (special counsel) and Mr. Bolland, both for the prosecution; as also Mr. Nolan and Mr. Chitty, counsel for the prisoner.

After the indictment had been read, to which the prisoner pleaded Not Guilty, and was allowed the privilege of a seat,

Mr. Gurney stated the case to the jury. The prisoner was the daughter of a respectable tradesman at Weymouth, and had been married to an officer in the army, named Cox, with whom she proceeded to Bombay, in the East Indies. Ensign Cox having died in 1802, in the year 1810 the prisoner married a Gentleman in the East India Company's service, named Wilkins, and with that Gentleman she returned to England. For reasons not now necessary to state, the prisoner and her husband separated. In the year 1816, she was residing at Brighton, and there attracted considerable notice, particularly of the Gentlemen of the army, by her personal attractions, her accomplishments, and her style of living. Mr. Walton, a very young gentleman, a native of Barbadoes, who had been sent over to this country by his mother, a respectable lady of fortune, had entered into the army at an early age, and was then quartered with his regiment at Brighton. He became acquainted with the prisoner—was smitten with her charms, and in the result, they were married. The prisoner was married by the name of Maria Cox, representing to Mr. Walton, that she was the widow of Mr. Cox. The mar-

riage was solemnized at Lewes; they lived together for a short time, and shortly afterwards Mr. Walton discovered that his connexion with the prisoner threw him into the greatest pecuniary difficulties. He was arrested for debts contracted by her, and doomed to a gaol.—Mr. Walton thought it proper, under all the circumstances of the case, to institute the present prosecution. The two marriages would be proved beyond all doubt, as would also the fact of Mr. Wilkins, the second husband, being still alive. Indeed there would be no doubt that Mr. Wilkins was living at this moment, because the same gentleman had received letters from him, dated Clonmel, in Ireland, since he had been in this town, announcing his intention of coming to England, and, down to the very hour of this trial, his arrival was expected. The prosecution was carried on by the mother of the young man, who though his prudence in this transaction could not be much praised, yet as a soldier he was entitled to every commendation. In the field of honour he had greatly distinguished himself; he had shared in the laurels of Waterloo. The jury, under the circumstances of the case, must feel it their duty to pronounce a verdict of guilty.

Mr. Maitland, clerk of the Secretary's office at the India-house, produced the book of registers of marriages, births, and deaths, at Bombay, commencing the 14th Jan. to the 19th Dec. 1810.

The Rev. Mr. Burroughs stated, that he was a resident Chaplain at

at Bombay 42 years: every marriage is registered at the church, and copies are regularly transmitted to England, after they are compared from the original register book, signed by the clergyman. The prisoner was married to James Thos. Hacket Wilkins, by him, on the 26th of January, 1810. They left Bombay soon afterwards. Witness had not seen the prisoner until he had an interview with her in Bristol gaol, where she was confined for want of sureties to keep the peace against Mr. Walton's mother. This was about three weeks ago. He knew the prisoner well at this interview, notwithstanding the length of time which had elapsed since the marriage at Bombay, owing to the celebrity of her character, and the observations he made at the time as to her person. This was further corroborated from the conversation he held with the prisoner at that time, when she recognized him. There were no subscribing witnesses to the marriage at Bombay, which was by licence.

Mr. Winter, the parish-clerk of St. Peter's, Lewes, produced the register of the marriage at that parish - church, namely, "Robert Baron Walton, of the parish of Brighton, and Maria Cox, of the parish of Lewes, by licence, 28th May, 1816." The witness was present at the solemnization.

Mrs. Brierly, of the Pelham Arms, Lewes, was also present at the marriage.

Mr. Bampffield, surgeon, of Bedford-street, Covent-garden, knew the prisoner, and her deceased husband, Mr. Cox, in

Bombay, and subsequently her second husband, Mr. Wilkins, who introduced the prisoner to him as his wife. They resided at Bombay till June, 1809, when they sailed for England. Witness left India in the same fleet, and since their arrival in England witness often corresponded with Mr. Wilkins, and who was now at Horsham.

Mr. Yates, clerk to Mr. Evans, solicitor to the prosecution, proved the acknowledgment of the prisoner, that she was married to Mr. Walton, whilst Mr. Wilkins was living.

Here the case for the prosecution closed.

The Common Sergeant and Mr. Chitty then submitted two objections to the form of the indictment:—1st. That there was not a sufficient *venue* set out as to the first marriage stated in the indictment, inasmuch as it simply said "at Bombay, in the East Indies," whereas it ought to have gone on with a *scilicet* "to wit, at Cheapside in the city of London," in the usual form, so as to give the Court jurisdiction.—2nd. That there was a variance between the indictment and the registry of the second marriage. In the former it stated the marriage to have been celebrated "at the parish of St. Peter and St. Mary," whereas the registry described the parish to be St. Peter's (with an s) and St. Mary. These objections, they submitted, were fatal to the indictment.

Mr. Baron Graham thought the objections not tenable, and they were consequently overruled.

The prisoner being called upon for

for her defence, said, that after her arrival in England, Mr. Wilkins and herself were separated, and she did not see him for three years. She then saw him in London. Previously to that she was told that he had married a second wife—a Jewess. She was also told, that her marriage in India was not lawful, there being no witnesses present at the ceremony, but the clergyman and the clerk. When Mr. Walton paid his addresses to her, she told him of her marriage in India, and remonstrated with him upon the impropriety of persevering. She had his own hand-writing to show that he was well acquainted with her situation. When Mr. Gates, the attorney's clerk, came to her in prison, he told her that no punishment would be inflicted upon her, and that the only object of the prosecution was to bring about a separation. She had never made any secret of her marriage with Mr. Wilkins, and having been informed that it was not valid for want of witnesses, she did not consider it binding. Mr. Walton was made acquainted with every circumstance of her situation, and it was only after repeated importunities she consented to marry him.

The Rev. Robert James Carr was examined on behalf of the prisoner, who stated, that Mr. Walton had made application to him for a licence. Being confined to his house at the time, he requested Mr. Walton to call in a day or two, during which period the Rev. clergyman requested his curate to make inquiries respecting the lady. Upon Mr. Walton's second application, the

witness declined granting a licence, and with the greatest consideration of kindness, begged of him to recollect the unhappiness he would give to his mother by marrying this lady. Mr. Walton was determined to obtain a licence elsewhere, which the Rev. witness observed, had he been aware, he would have prevented, by giving information of the circumstances of the objection for his refusal.

The learned Judge summed up the evidence with much force and perspicuity, and pointing out the facts to the attention of the jury, he left it to their consideration to give a verdict accordingly. The jury, after a short consultation, returned a verdict of *guilty*, but recommended the prisoner to mercy.

The learned Judge, in passing sentence, observed to the prisoner, that from the frank and open manner in which she declared her situation to Mr. Walton, as being previously married, and which was partly proved in evidence, the crime with which she was charged was much extenuated, and that she would be visited with the least punishment the law in such cases had provided. The sentence was six months' confinement in the House of Correction at Lewes, and that it should be attended with as gentle treatment as was suitable to her situation.

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SALISBURY ASSIZES, MARCH.

The two following causes, which were of considerable importance, not only on account of their local interest, but on account of their universal operation, were tried



tried before Mr. Justice Holroyd, who presided at *Nisi Prius*. Both related to Protestant Dissenters; the first, to their exemption from turnpike tolls on Sundays, when attending their places of religious worship; and the second, to their protection from riots and noises without their meeting-houses, even when unaccompanied by internal interruption or assaults.

*Lewis v. Hammond*.—In this case it appeared from the statement of Mr. Sergeant Pell, counsel for the plaintiff, and the proofs, that the plaintiff, being a farmer at Foxhanger, in the parish of Rowde, near Devizes, attended regularly a congregation of Independent Dissenters in that town, and in passing through a turnpike gate, called Seend-gate, on Sundays, he claimed from the defendant, who is a collector of tolls at the gate, an exemption from the toll of ten-pence demanded from him, because he was going to his proper place of religious worship at Devizes, and that such claim being rejected, and the toll enforced, the action was brought, in his name, by the society in the metropolis for the protection of the religious liberty of Dissenters, to recover back the amount of the toll so obtained.

For the defendant it was contended by Mr. Casberd, that under the particular words of that turnpike act the plaintiff was not entitled to the exemption, because he went out of his own parish to attend at a place of public worship, and because there was in such parish a dissenting place of worship.

But a case being mentioned by Mr. Sergeant Pell, where, at the

Suffolk assizes, Mr. Justice Grose had held such defence to be unavailing,

Mr. Justice Holroyd determined that the plaintiff was entitled to the exemption, notwithstanding the topics urged for the defendant; but he permitted his counsel to apply to the Court, if they on reflection should deem it expedient to correct his judgment; and directed the jury to find a verdict for plaintiff, and they accordingly returned a verdict for plaintiff.—Damages 10*d.* and costs.

*The King v. Rev. Wm. Easton, Clerk, James Jerrard, and eight other persons, for a conspiracy to disturb a congregation of Dissenters at Anstey, near Tisbury, in this county, and for a Riot*.—The following were the facts of this case, conducted like the former, by the society established in London for the protection of the religious liberty of the Dissenters, as stated by Mr. Sergeant Pell, and proved by the witnesses for the prosecution. The Reverend William Hopkins, a dissenting minister at Tisbury, was invited to preach at Anstey, an adjoining parish. Of that parish the Reverend William Easton was the perpetual curate, and James Jerrard was the tythingman, but the clergyman resided also at Tisbury, three miles from the place of riot. A dwelling-house belonging to James Butt was certified as the place of the meeting of the Dissenters. Hopkins first attended in Nov. 1816; he repeated his visits, and noises were made without the house, which interrupted the worship at the

the several times when he so attended, until the 31st of Dec. 1816, the time particularly stated in the indictment. On that evening he went about six o'clock to preach, when 70 persons were assembled without the house; the night was showery and cloudy, and the ground wet. Among the persons assembled were the several defendants, and also Mr. Easton (the clergyman), and Jerrard. The mob were supplied with cow-horns, large bells, and various discordant instruments, and, encouraged by the clergyman and peace-officer, made a most clamorous and terrific noise. They paraded about nine yards from the house; and, notwithstanding the remonstrances of the high-constable of the hundred, who attended the meeting-house, and other respectable persons, they persevered in their disturbance, until the minister could not be heard, and he was compelled abruptly to discontinue the religious service. On the return of Mr. Hopkins, he was followed by the same mob, amidst execrations, noises, and their horrible music, for half a mile, to the boundaries of the parish of Anstey.

Mr. Casberd, for the defendants, endeavoured to convince the Court and jury that there was no conspiracy, and that, as the people did not enter the house of meeting, nor personally ill-treat the minister or congregation, there was no riot.

But Mr. Justice Holroyd interposed, and declared, that as to the conspiracy the jury should decide, but that the proof of a most indecent, unwarrantable,

illegal riot, was distinct and uncontrovertible.

Mr. Sergeant Pell then stated, that the Dissenters, from lenity to the clergyman, not by way of compromise, would not press for a verdict for the conspiracy, but only for the riot, and for which they would certainly bring up the defendants to London for the judgment of the Court of King's Bench, during the ensuing term.

At this liberality the judge and the Court expressed satisfaction, and the jury returned a verdict of—Guilty of the riot against the Rev. Wm. Easton, James Jerrard, and seven other defendants.—*Salisbury Journal.*

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#### MIDDLESEX SESSIONS.

*Bullock Hunting.*—John Rippon, William Chisholme, Charles Allan, William Howells, and George Buckey, were indicted for having riotously assembled in Spitalfields, on the 25th of March, and assaulted William Henry Racine and others.

The trial lasted upwards of four hours, a great number of witnesses having been examined upon both sides. The following are the leading facts:—

At 3 o'clock on the day specified in the indictment, while the workmen of Mr. Racine, who owns a silk warehouse in Ayre-street, which contained property amounting in value to 100,000*l.* were at work, a bullock was driven into the premises by a body of violent fellows, consisting of between 200 and 300. The animal had been followed by this band until it arrived opposite to the gate of Mr. Racine's premises, and

and then was, with great dexterity, interrupted in its course, and driven in upon the premises. The prisoners appeared amongst the bullock-drivers. Rippon was the most remarkable for activity, and the other prisoners, with the exception of Allan and Buckey, seemed to improve under such a leader. The workmen, upon finding that entreaties would not do, used threats to induce the bullock-drivers to leave this kind of diversion. The menaces of throwing hot-water and firing upon them produced no effect. At last blank cartridge was fired, but that plan of defence being as ineffectual as the other, the workmen let off a little small shot, and wounded three of the mob, but not dangerously. Their impression at the time was, that the bullock was driven in for the purpose of creating a confusion, during which the property of their master might be diminished. Still the drivers continued their labour at the beast, and at the windows of the premises, and at the workmen who formed themselves into a body, and struggled to shut the gates. Here the bullock drivers had an opportunity to show their power. They had large bats upwards of 6 feet high, and thick enough to disable a man wherever they should descend upon him. Rippon exclaimed, in the midst of his activity, "Now is the time to come in, my boys." A desperate contest ensued, which would have ended in favour of the bullock-drivers, had not the police arrived and turned the fortune of the day. Mr. Racine exerted himself for the preservation of his property, but was desperately beaten. Upon reach-

ing a shop in the neighbourhood, which he did with difficulty, he fainted. Seven of the workmen were dangerously wounded. The poor bullock was driven in so desperate a manner, and goaded so cruelly, that it ran mad; and after having tossed several peaceable persons, fell down dead. The vagabonds have been in the habit of bullock-driving in these premises three times a-year. The property of Mr. Racine is easily removable by ruffians constituted as the bullock-drivers were on this occasion.

The jury retired, and in half an hour returned the following verdict:—Rippon, Yardley, Chisholme, and Howells, Guilty; Buckey and Allan, Not-Guilty.

The Chairman, in passing sentence, expressed his astonishment at the indifference manifested in the part of the metropolis where this shameful scene occurred, to practices attended with so much danger, and declared, that those who had engaged in such vile disorders were much more brutal than the poor animal they had hunted to death.

The prisoners were then sentenced to the following very mild punishment:—Rippon, 6 months' imprisonment; Yardley and Chisholme 3 months' imprisonment; Howells, one month's imprisonment.

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LIFFORD ASSIZES, MARCH 24.

*The King v. Edward Bradley.*  
—The prisoner, with many others, stood indicted for the murder of George Balfour, at Glengannon-bridge, in the barony of Innishowen, on the 1st of October, 1816. Four of the persons indicted

dicted having been arraigned, and refusing to join in their challenges, Edward Bradley alone was put upon his trial.

Mr. Smiley stated the case on behalf of the prosecution. The murder of Mr. Norton Butler, two or three years ago, he said, had led to the crime which was the subject of the present prosecution. A person, named Daniel Maginnis, had been charged with the murder of Mr. Butler; after evading justice for a long time, he was taken prisoner, in the summer of 1816, and was tried and convicted of this crime at the Lent Assizes of 1817. George Balfour was suspected of having given information which led to the taking of Maginnis, and for this offence it was determined, by the prisoner and his associates, that Balfour should be put to death.

Owen Breeson, John Maginnis, and others, related the particulars of this murder. The substance of their evidence was as follows :

They received summonses to attend a meeting on the night of the 1st of October, which they were afraid to refuse, lest their own lives should be endangered. They joined a party, consisting in all, of a hundred at least, assembled near Glengannon-bridge; they were under the bank of the river, some sitting, and some lying down. It was a moonlight night, but not very bright. A man came over the bridge along the road from Carn, whistling, which the witnesses understood to be the signal that Balfour was coming. In a very few minutes after Balfour came by himself along the road, in the same direction. The party, on this, drew

near to the bridge, and just as Balfour had passed over it a man rushed forward and seized him, and dragged him back a few paces. Balfour raised his hand to his hat, and said, "Boys dear, what you please," which were the last words he spoke. The person who had first seized him immediately gave him a stab with a sword, which he drew from a cane, and instantly the whole party rushed upon him with various weapons, every body striking him that could get at him; they dragged him off the road into the hollow, and when he was despatched, a rope was put round his neck, and he was dragged to a flax-hole at some distance; the body was thrown into it, and a man jumped on it to sink it. It was then covered with sods. The prisoner was present at the whole of this, assisting and encouraging the rest. When all was over, the prisoner administered an oath to several of the party to keep secret all that had passed. This was not taken by all the party, nor by the witnesses. On the cross-examination of these witnesses, it appeared that they had given their informations voluntarily, and without any charge having been made against them. They admitted that they had been highly criminal in being present at the murder, but said they should have been in danger of their lives if they refused.

The prisoner produced two witnesses, a maid-servant, and a son of his, a young boy, to prove that, on the night of the murder, he had not been out of his house from night-fall. These witnesses were cross-examined at considerable length.

He also proved that he had not fled the country after the murder, but remained at home as usual; and produced his parish priest, who gave him a good character, and the witness, John Maginnis, a bad one.

After a full recapitulation of the evidence by the learned Judge (Baron McClelland), the Jury retired, and in a short time brought in their verdict, Guilty.

ESSEX ASSIZES, CHELMSFORD,  
MARCH 13.

*Extents in Aid.*

*Philpot v. Mortlock and another.*

—This was the most important case that was tried at these assizes. It was an action against the defendants, who are bankers at Cambridge, for maliciously suing out an extent in aid against the plaintiff, by which the whole of his property was seized, and business thereby entirely ruined.

Mr. Gurney, as counsel for the plaintiff, stated, that this case was entitled to their most serious consideration, not only as it was of vital importance to the plaintiff, who was entirely ruined by the misconduct of the defendants, but as it was of equal importance to the public at large, to protect from the wantonly suing out that most formidable process, an extent in aid. The defendants were eminent bankers at Cambridge, the receivers of the excise-duties, and very wealthy men. The plaintiff was a respectable farmer and maltster at Thaxted, in this county, where he had lived for many years in the greatest credit, without the least imputation upon his solvency. He had for many years kept account with the defendants as his bankers, and it

happened that in the year 1815 the balance due to them was something above 600*l.* For this they asked security, for which, the learned counsel said, he did not quarrel with them, for they had a right so to do. The plaintiff, although he had abundant property, had not at that time ready money to discharge the balance, and therefore, it was agreed that he should give them a mortgage on his freehold property, and his bond, and in the mean time until those securities were prepared, a joint note of hand of himself and his father for 660*l.* The meeting at which this agreement took place was in the month of March, 1815, and the agreement was prepared by a Mr. Bush, an attorney, by which a mortgage was to be executed for payment of the money on the 1st of May, 1816. It appeared, however, that the time of payment was enlarged by the deeds executed, until the last day of July, 1816. The joint note was accordingly as a temporary security. In pursuance of this agreement the bond and mortgage, and warrant of attorney, were prepared by Mr. Howard, another attorney, for the defendants, and duly executed, by which securities the balance due to the defendants was to be paid in Aug. 1816, and the note of hand ought then to have been given up, as it was only a temporary security, until the higher securities were prepared; and accordingly, the plaintiff having executed the mortgage deeds, asked for his note. Mr. Howard, the defendants' attorney, said he had not the note with him, but he would get it and deliver it up in the course of a week or  
ten

ten days. These defendants now had got the security for their money for which they stipulated—They had got a mortgage amply sufficient to cover their demand—they had got a bond, and warrant of attorney, all securing payment of the money in the month of August, 1816, and before that time they could not legally demand it. It, however, so happened, for what reason he could not tell, that in the month of March, four months before the money became due, they had the hardihood to go into the Court of Exchequer, to take out an extent in aid against the plaintiff's property, and to enable them to do it, they swore that the plaintiff was indebted to them in the sum of 660*l.*, by virtue of this very note of hand which was merged in the higher securities, and which they had promised by their agent, and ought to have delivered up to the plaintiff. An extent in aid is soon procured. It issued of course upon this affidavit, and the whole property of the plaintiff was seized into the hands of the Crown, and a total stop put to the whole of his business. He, however, contested their right to issue it, and the cause was tried in the Exchequer, and the Jury found there was no debt due. The cause was tried early in July, but the plaintiff could not get his judgment until November 1816; and therefore, though the verdict went against them, they persisted in holding possession of the property, although any security was offered them to let the poor man into possession of his property, which they must then know they wrongfully withheld. But mark what their trick was—

by keeping possession under the extent, they prevented his raising money to pay them in August, when their debt really became due; and on the 6th of August they entered up their judgment on the warrant of attorney; they then on that day abandoned the extent, and the very next, came in with their common law execution, and in four days after sold all his effects, and literally turned his wife and children without a bed into the streets, and they were received and protected in the house of the Vicar of the parish, to whom the honesty and good conduct of the plaintiff was well known. This was the injury for which the plaintiff that day sought a recompense, and he was sure the jury would give a liberal one.

The proceedings in the Court of Exchequer were then put in, by which it appeared, that, by the finding of the jury, the extent was set aside, on the ground that no debt was due from the plaintiff to defendants, at the time of suing out the extent.

The several securities were next called for, which the defendant's Counsel objected to produce, until evidence was given of their execution. The subscribing witness was called, who proved the execution of the deeds, at Dunmow, when they were produced by Mr. Howard, as defendants attorney. Being asked whether Mr. Howard did promise to give up the note, it was objected by Mr. Sergeant Onslow, that Howard himself ought to be called, and that no evidence could be given of his declarations. Messrs. Gurney and Curwood, on the other side, argued,

argued, that Howard being proved to be the agent for taking the conveyances, all his acts and declarations at the time were part of the ex-parte and admissible evidence; the learned Judge being of the same opinion. Two persons stated, that Mr. Howard said he had not the note with him, but it should be delivered up as soon as he could get it from Cambridge.

The extent executed was next proved, and that it was attended with the total ruin of the plaintiff's business.

Several respectable witnesses proved, that at the time the extent came in, he was considered as a man in good circumstances, and not in the least suspected of insolvency.

The Rev. Mr. Jeas, Vicar of Hoxted, said, he had for many years appointed him churchwarden of the parish of Hoxted, which was a place of considerable trust, as in that character he received charity monies amounting to 700*l.* or 800*l.* per annum. So far from thinking the plaintiff an insolvent man, he would himself, at the time the banker's money became due, have lent the plaintiff the money to have paid them, if he himself could have spared it. But when the extent came in, and seized all his property, nobody would advance money to him.

The defendants grounded their defence, that the extent was not maliciously sued, but that they acted under an apprehension of the plaintiff's insolvency, and that the mortgage was not adequate security; and they attempted to prove this by witnesses, but the only fact they proved was, that he borrowed of a neighbour

60*l.*, being, as he said, short of money, for which he gave up the key of his barn, containing more than the value in corn, and once the supervisor summoned him for neglecting to pay his malt duties, which were paid before the day of hearing came.

The learned Judge, in summing up, was clearly of opinion, that the writ was sued out without probable cause, and stated that, in point of law was, the note of hand merged in the higher securities for the same debt.

The Jury, after deliberating for some time, by Mr. Manby, their foreman, returned the verdict as follows—"My Lord, we have deliberated upon our verdict, and we find for the plaintiff damages 1,200*l.*" The verdict was received with acclamations by the audience.

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#### ADMIRALTY-COURT, MARCH 11.

*Reward, Selkeig, Master, on appeal from the Vice-Admiralty-Court at Jamaica.*—This vessel sailed from the port of Kingston, in Jamaica, with 12 tons of Jamaica and 10 tons of St. Domingo logwood, which were shipped for ballast to Annatto Bay, in the island of St. Domingo, where the master proceeded, agreeably to his instructions, to land the logwood; but the weather being bad, he was enabled to send only one large boat-load on shore, and the remainder was used for dunnage and stowage of a large quantity of sugar and rum, with which the vessel returned to Kingston. There the cargo was landed, but the market proving unfavourable, almost the whole was re-shipped for the purpose



pose of sending it to Norfolk, in Virginia. On leaving the harbour she was seized by his Majesty's ship *Emulous*, for a breach of the navigation laws, in exporting Jamaica logwood to America, and confiscated.

Sir Wm. Scott.—This is an appeal from a sentence of confiscation, which has been pronounced against this vessel, for exporting an article forming a very small part of the cargo, contrary to the provisions of the navigation laws, which prohibits the exportation of fustic and other dyeing woods, from the British West India Islands to America. Much has been said as to the policy of the prohibitions in this particular, but it is no part of my duty to controvert that policy; for, if by change of circumstances it has become inconvenient, an application to the Legislature is the only remedy for that inconvenience. My office is purely ministerial. It is argued, that the quantity is so small, that it would be a great hardship if the question was pressed to its greatest extent against the claimant. If the maxim, *de minimis non curat lex*, could be applied to the present question, the Court would, perhaps, be justified in mitigating the severity of the law; but the quantity of the prohibited article seems not to be exactly ascertained; and although it has been stated on the part of the owners to be only 3 tons, yet from the evidence it appears to have been much greater, and therefore cannot be considered to come under the beneficial scope of the maxim to which I have alluded. If a practice so abusive prevails as

that every ship is in the habit of carrying out several tons of this prohibited article, it is high time that this Court should lend its assistance to put a stop to such illegal proceedings. It has been said that owners are obliged to import wood for dunnage; if the fact be so, it may be a proper subject for the consideration of the Legislature; but when it becomes a practice to put a quantity of an article on board with no other authority than their own, and to baptize it dunnage, it is high time for this Court to interfere in conduct so contrary to the prohibitory laws of this country. Much has been said with respect to the absence of fraudulent intention, but it is sufficient if there exists a contravention of the law, from whatever cause it arises. There is sufficient to justify the seizure, if that has been exported which the law has prohibited. Something also arises from the evidence which has the appearance of intentional concealment, not very favourable to the case of the owners. It is not then protected by its own insignificance. Neither has it any analogy with the licence cases that have been cited. During the time of war, the prohibition to trade with the enemy is general. Licences were granted for the purposes of relaxing that, without any regard to the nature of the articles. They were specified in the licence according to the application which was made. A licence for the importation of one article would have been as readily granted as that for another; but, in this instance, the law says, you shall not carry such and such articles to America.

rica. Here is a quantity of saleable goods, and you may call them dunnage if you please, but the presumption must be, that they were to be converted into profit on their arrival, which is a direct contravention of the navigation laws of Great Britain. On these considerations I shall affirm the sentence of the Court below.

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BOARD OF EXCISE.—JUDICIAL ROOM, MAY 28.

*Rex v. Fox.*—Mr. Edward Fox, grocer and dealer in tea and coffee, Gray's-inn-lane, was charged with having a large quantity of sham coffee in his possession, and with selling the same for genuine coffee.

Commissioner.—Do you plead guilty or not guilty?

Defendant.—I plead guilty, my Lord.

Another Commissioner.—This is a case in which the defendant chooses to plead guilty, for the purpose of inducing us to mitigate the penalty; but I think proper to have the case heard, as it is one of the worst description that has come before us.

Henry Spencer, an officer of Excise, stated, that on the 21st of February, he and Lord, another officer, went to the defendant's shop, and purchased an ounce of coffee, for which he paid three half-pence. They examined it, and he was satisfied it was not genuine coffee; they purchased another ounce (which he produced to the Commissioners, who examined it), and were convinced it consisted part of coffee, and beans and peas. He (Spencer) asked the defendant if he had

any vegetable powder in his possession, and he declared that he had not.

Defendant.—I deny that I ever said so.

Witness.—He looked into a mill, and found it contained a small quantity of vegetable powder and coffee. The defendant came up to the mill and ground it all out upon the floor before he could prevent him. The defendant asked his shopman if they had found any vegetable powder in the mill? The shopman replied in the negative, and defendant said, "Then I do not care for them." Upon searching the shop, he found 64 pounds of coffee mixed with vegetable powder, which he then produced.

The Commissioners and the examining officer viewed the sham coffee seized, and it was declared to be part genuine coffee, and part beans and peas burnt and ground.

The defendant in his defence said, that poor people wanted a low-priced article, and by mixing the vegetable powder and coffee together, he was able to sell it at three halfpence an ounce; he had sold it for years, but never had so large a quantity as 64 lb. in his premises before, at one time; he did not think he was committing a fraud; he did it as a matter of accommodation to the poor, who could not give a higher price; he did not sell it for genuine coffee.

Commissioner.—Then you have been defrauding the public for many years, and injuring the revenue by your illioit practices: the poor have an equal right to be supplied with a genuine article

as the rich. In my opinion it is a greater crime to serve the former than the latter with this infamous stuff.

The defendant was convicted in the penalty of 50*l*.

*Rex v. Brady.*—The defendant, Mr. Alexander Brady, grocer and dealer in tea and coffee, Gray's-inn-lane, was charged with having, on the 28th of February last, in his possession 18 pounds of sham coffee, called vegetable powder, and with selling the same for genuine coffee.

Lord and Pearson, excise-officers, stated, that they purchased an ounce of coffee of the defendant on the 28th of February, and, upon examining it, they discovered that it was made up of peas and beans, ground with a small quantity of coffee. Upon examining the mills in his shop, they found both coffee and vegetable powder in them. They also found 18 pounds of vegetable powder mixed with coffee, in a state prepared for sale, wrapped in papers.

One of the Commissioners tasted some of the 18 pounds produced by the officers, and declared that it was most infamous stuff, hot to the mouth, and unfit for human food.

Defendant.—Why, I have sold it for twenty years.

Commissioner. — Then you have been for twenty years acting most dishonestly, defrauding the revenue, and the health of the poor must have suffered very much by taking such an unwholesome article. Your having dealt in the article so long aggravates your case; you have been for twenty years selling burnt beans,

peas, and I know not what other articles, for genuine coffee. You are convicted in the penalty of 50*l*.

*Charles Bowser*, of Oxford-street, tea and coffee-dealer, was charged with a like offence, and upon the same evidence.

This defendant said he certainly kept the composition for sale, but he never disposed of it to respectable persons. He lived in the neighbourhood of St. Giles's, and he sold the sham coffee to the poor Irish people there at a very low price, as they could not afford to purchase the genuine.

One of the Commissioners observed, that he knew no reason why the poor should be poisoned any more than the richer part of the community. The defendant should find, at all events, that they were equally entitled to the protection of the proper authorities, when any attempt was made to impose upon them, and to injure their health.

The defendant was convicted in the same penalty as the last.

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OLD BAILEY, *Friday, May 8.*

*Insanity.*—Mathias Maher was brought to the bar apparently in a state of furious derangement, for the purpose of being arraigned on a charge of forging a power of attorney, with intent to defraud Thomas Moore, under the prosecution of the Board of Admiralty. The prisoner was conducted to the bar by three men, one at each arm, and one behind, having a fast hold of him. He was secured by a strait waistcoat and by weighty chains at his feet.

When

When first brought into the dock, he looked at the surrounding spectators with a hideous grin, and his eyes appeared as if they were starting out of their sockets. His beard appeared not to have been shorne for several weeks, and his countenance was pallid and emaciated.

The Clerk of the Arraigns put the usual question to him, "Are you guilty, or not guilty?" but the only reply the maniac made, was, "Do you want to murder me? I have been starved here for upwards of a month without eating or drinking."

Mr. Justice Bayley repeated the question, and the prisoner still continued to rave and complain of being starved. He endeavoured to stoop down and eat the herbs placed on the board before the dock, but was prevented by the keepers.

Mr. Justice Bayley.—If you do not plead either guilty or not guilty, I must direct the jury to inquire whether you stand mute by the visitation of God, or whether you do it wilfully?

Prisoner.—Are you going to give me any tobacco?

Mr. Justice Bayley repeated the observation.

Prisoner.—I get up with swords and pistols upon me. You want me to eat nothing but poison.

The Jury was then sworn, and directed to judge whether the prisoner was or was not insane, and Mr. Alley, as counsel for the prisoner, called the following witnesses to prove his insanity:

Wm. Brown, keeper of Newgate, proved, that about four months ago the prisoner came to the gaol, and during the whole of

that time he had been insane. He had no doubt of the fact from his conduct and appearance. He considered him to be so dangerous, that it was thought proper to chain him hands and feet, and three persons constantly attended upon him; when he first entered the prison, he attempted to stab a man, and he was immediately put under restraint.

Mr. E. C. Bayle, the surgeon of Whitecross-street prison, proved that in April, 1817, the prisoner was imprisoned there for debt. There was always an incoherency in his manner, but had lucid intervals. The first act of insanity he evinced was that of eating an ounce and a half of ointment which he should have used. On another occasion, the prisoner threw a bottle at his head. The prisoner also pretended himself to be Colonel Berkeley, and wished witness to go down to his estate in Hampshire.

Mr. Brown, the keeper of Newgate, here added, that the prisoner, had, while in gaol, attempted to hang himself; when he first came to the gaol, the prisoner was very decently dressed.

William Hutchinson Box, a surgeon, had attended the prisoner since 28th January, and gave his decided opinion that the prisoner was not insane, and that it was nothing but pretence. He had much more latterly assumed the character of a madman. His bodily health had been good while in prison. Witness had often seen an extreme violence in the manner of the prisoner.

Mrs. Watts, an attendant at Whitecross-street-prison, proved

the derangement of the prisoner while he was there.

Dr. John Weir, a physician, and superintendant of the sick of the Victualling-board.—He had found evident marks of derangement in the prisoner. He had visited him 3 times; and upon conversing with him he was extremely incoherent: he was very often irascible, but his bodily health was good. He most certainly assumed the character of a person labouring under mental derangement, and it was impossible for him to decide whether it was real or assumed. An artful man, he was convinced, might pretend insanity, so as to baffle all the inquiries of the most skillful surgeons. It was not one of the characteristics of insanity, to be able to abstain from food, except in rare instances. Absence of fever was a characteristic of insanity.

Dr. Andrew Baird, Inspector of the Naval Hospitals, attended with Dr. Weir the prisoner while he was in Newgate. There were circumstances which made a strong impression on his mind, and the conclusion was, the reverse of insanity. The prisoner was furious in the day-time, and quiet in the night-time. This was a circumstance which induced him to think that he was otherwise than insane. The sleep of furious maniacs was not regulated by day and night.

John Fisher was then called by the Court. He was one of the turnkeys of Newgate, and visited the prisoner sometimes twice a day. On many nights the prisoner had been extremely noisy and sleepless. He very frequently

called out "murder," and rattled his chains in the middle of the night. When the prisoner first entered the gaol, his nights were passed no less sleeplessly.

Dr. James Hatch, Medical Superintendant to the Lunatic Naval Asylum.—It was impossible for him to speak with certainty as to the insanity of the prisoner. The period of the apparent insanity had naturally excited the strongest suspicions in his mind. He considered the derangement not to have taken place until after the committal of the offence. If the apparent insanity had existed previous to the committal of the offence, these suspicions would be materially removed. The same motives which induced him to pretend insanity might have so operated upon his mind as to produce the reality. The prisoner obstinately refused to admit that he was mad. He could not speak with certainty, but he was inclined to think that he might possibly be insane.

Mr. Alley was about to address the Court in reply, but was prevented by the Jury stating that they had made up their minds upon the question.

Mr. Justice Bayley was glad to hear the opinion of the Jury. He had, himself, long ago made up his mind upon the case. If the Jury thought that the prisoner was insane, and therefore was mute by the visitation of God, he would be kept in confinement until the pleasure of his Majesty was known upon this case.

The Jury found a verdict.—*Insanity.* The prisoner was immediately taken from the bar back to his cell.

COURT OF KING'S BENCH, SATURDAY, MAY 16.

*Sittings for Middlesex, before Mr. Justice Abbott and a Special Jury.*

*The King v. Joseph Merceron, Esq.*—This was an indictment against the defendant a magistrate, and for many years treasurer of the poor of the parish of St. Matthew, Bethnal-green, for a misdemeanor, in appropriating to his own purposes the sum of 925*l.* 1*s.* 3*d.*

Mr. Scarlett opened the case by first stating the offices held by the defendant in the parish, in which he had resided for a long succession of years. Besides being treasurer of the poor, he was a commissioner of assessed taxes, and a principal commissioner of sewers, which gave him such an influence, that it might be truly said the inhabitants of St. Matthew, Bethnal-green, had been in a state of complete subserviency to his despotic dominion. He was a man of large property, and none dared for many years to doubt his infallibility. At last some circumstances created suspicion, and evidence was procured sufficient to induce a grand jury to find two bills of indictment for misdemeanors in the collection of the rates: the charge was for a conspiracy, in receiving from certain parishioners more than was authorized; but when they came on for trial, no witnesses were produced, and an acquittal was the consequence. The law expenses incurred by the defendant amounted to 914*l.* 11*s.* 3*d.*, being the sum charged in the bill

of Messrs. Dann and Crosland, his solicitors; and the charge in the present indictment was, that he had improperly and illegally procured this sum to be paid out of the parish monies, together with ten guineas which he had added as his own coach-hire, and other private expenses. The bill was paid by him on the 10th July, 1813, and the facts out of which this proceeding arose occurred between that date and April, 1814. If it appeared singular that transactions of so old a date were now introduced to the notice of the Jury, it was to be attributed to the artful and too successful mode in which the defendant had accomplished his fraud, for the discovery was not made until a disclosure was compelled before a committee of the House of Commons. Mr. Merceron effected his purpose in the following manner:—On the 16th of August, after his payment of the bill of Dann and Crosland, a meeting of the vestry took place upon matters totally unconnected with that subject: for some reason or other it was adjourned until the 23rd of the same month, but still no notice was given to the vestrymen that any thing was to be brought forward respecting the expenses Mr. Merceron had incurred in defending the two indictments. The meeting was attended by Mr. May, the vestry-clerk, and many other parishioners; and after the ordinary business had been disposed of, and all but six or seven of Mr. Merceron's friends were gone, a resolution was proposed by a dissenting minister of the name of Platt, whom Mr. Scarlett charged as  
being

being *particeps criminis* (though not indicted) with the defendant: in this resolution the highest compliments, as might be expected, were paid to Mr. Merceron, and the most vehement abuse heaped upon his prosecutors, and it concluded by declaring that the expenses he had incurred (no sum being named) should be paid out of the parish funds. This was clearly illegal in itself; for the whole vestry had no such power, much less a select few of the private partisans of the defendant. This resolution having been thus smuggled through, it was copied by Mr. May's clerk in the usual book, in the regular course, without exciting particular attention; but it soon got abroad, and of course excited considerable disapprobation; and it was determined by the great majority of the parishioners to resist the payment of the bill when the matter should again be brought forward, as in the regular course it must be, at the vestry for auditing the accounts of the treasurer. It was, however, believed by many, that the object of Mr. Merceron was not pecuniary, and that having carried this resolution, he would not think of enforcing it, as he was known to be a man of fortune, and anxious principally for a party and a temporary triumph. The meeting of the vestry for the audit of the treasurer's accounts took place, pursuant to public notice in the church, on the 6th of April, 1814, and the meeting was more numerous than it had been for many years. The ordinary course of business on an occasion of the kind was this:—

The treasurer's private book was produced, wherein were entered, on one side, sums paid by him by order of the vestry, or in pursuance of directions of five or more governors of the parish appointed under the act of parliament by which the parish was regulated: on the other side were entered the sums received by the treasurer from the various collectors: this book was held by one of the vestry, and the amounts being called over, the various vouchers were produced, and the sums were regularly ticked off as they proceeded. On this occasion Mr. Merceron took care that his friend Mr. Platt should have possession of his book, and that reverend gentleman, instead of calling over the amount of Dann and Crosland's bill, omitted it entirely, but took good care to place opposite it the usual tick, to denote that it had been regularly agreed to, and the vouchers produced and verified. This was the mode in which the fraud was accomplished, and the whole sum of 925*l.* 1*s.* 3*d.* (including the 10 guineas added by himself for coach-hire, and entered on the back of the bill of Dann and Crosland) was repaid out of the parish money to the defendant. It was true that the book of the treasurer, containing the entry, had been copied by a clerk of Mr. May, the vestry clerk; but it was merely a matter of form, and Mr. May would swear that, when two or three years afterwards the matter was brought to light in the House of Commons, he was astonished, as well as many of those who had attended the audit vestry on the 6th of April, for the



the purpose of resisting the claim, and had signed the treasurer's book; convinced that Dann and Crosland's bill had not been included. Many witnesses who were present at the vestry would swear that no such sum as 925*l.* 1*s.* 3*d.*, and no such names as Dann and Crosland were ever mentioned at that vestry. Such was the nature of the charge against the defendant—it was a misdemeanor of the most serious kind—it was the misapplication of funds intended for the relief of the poor to the purposes of the rich, and it was fit that it should be established by the clearest evidence: if the testimony in support of it were not unequivocal, and as positive as the nature of the case allowed, the learned counsel desired the jury without hesitation to enter a verdict of acquittal.

Mr. Gude, the first witness, produced two indictments against the defendant; the one was against him and William Cone, for a conspiracy, and dated in Michaelmas term, 1813, for obtaining from the parishioners larger sums than were warranted by the rate: the other was the same date for a similar misdemeanor: it was against the present defendant, and a person of the name of Billington.

Mr. Crosland proved the amount of his bill, which was produced to him; the sum was 914*l.* 11*s.* 3*d.* and not 925*l.* 1*s.* 3*d.*, ten guineas having been added subsequently to the delivery of the bill.

Mr. James May said that he had been vestry clerk of St. Matthew's, Bethnal-green, for 30 years; the defendant was a magistrate, treasurer, and governor of the poor: he had been treasurer

about 30 years: his duty was to receive money from the collectors, and to pay such sums as the vestry should order, or as the governors under the act, or any five of them, should direct in writing. This witness detailed the usual course of business respecting the parish disbursements. A vestry was held on the 16th August, 1813, and it was adjourned until the 23rd August. The witness was present, and the declared object was, to elect a poor-rate collector, but it had nothing to do with the defendant's accounts. The witness only remained there half an hour, and the resolutions were in Mr. Platt's hand-writing, and were afterwards copied into the vestry-book. The witness had signed the book, but had not read the entries, nor did he know of the resolution respecting the conduct of Mr. Merceron, and the payment of his expenses. The vestry for the audit of accounts was on the 6th April following; but, in the mean time, the resolution respecting Mr. Merceron had been made known, and had become the subject of very general conversation. It was not supposed that Mr. Merceron would bring forward his bill. The audit vestry was very fully attended; and at the table Mr. Platt and Mr. Merceron sat side by side, and close to them was Mr. Wrightson. Opposite the witness sat, and checked the amounts announced by Mr. Platt, who held the treasurer's book. Thomas Dann and Crosland's bill was entered in Merceron's book as one of the amounts paid by him, yet it was not called out, nor was any bill produced by Mr.

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Merceron

Merceron; had it been produced as it ought to have been, in order to warrant the passing of it, the witness must have observed it. When Mr. Merceron's book was taken to witness's house to be copied, he did not know of the entry of Dann and Crosland's bill, nor did he discover it until the inquiry before the Committee of the House of Commons in the session of 1816-17. The Hon. Mr. Bennet produced there Dann and Crosland's bill, the back of which was then perfect, but it had since been torn, and a different entry of 10 guineas made as the expenses of Mr. Merceron, for coach-hire, &c. The witness was present during the whole of the audit-vestry.

Cross-examined.—Mr. Merceron had resided in the parish for 50 years, and had been a magistrate for about 25 years. He had been treasurer of the parish for 30 years, with the exception of 1814, when he was out, but re-elected. Thanks had many times been voted to him. Great animosities and a high party spirit had prevailed in the parish of St. Matthew, Bethnal-green; and it had increased within the last 3 or 4 years; in that time the Rev. Mr. King had been rector. At the commencement of the prosecutions of 1813, the witness was attorney for Mr. Merceron, but he had given them up, because he was likely to be called as a witness. The witness's trifling bill was paid by the parish. In the vestry-book there appeared a reference to a notice given in church on Sunday, 22nd April, that the subject of the defendant's accounts would

be taken into consideration. Mr. Platt is a dissenting minister, and the owner of property in the parish—to what extent the witness could not state. On the audit-day, 6th April, the thanks of the vestry were voted to the defendant. A perfect copy of the defendant's book was kept by the witness, and was open to the inspection of all the parishioners. The practice was, to call over the items, one by one, and to tick them off afterwards: the meeting was very crowded, but the witness swore positively that in his hearing no mention was made of Dann and Crosland's bill. The entry in Merceron's book, passing the accounts, was signed by 34 vestrymen.

Re-examined.—When the entry of Dann and Crosland's bill was first mentioned to the witness, he did not believe it. Mr. Platt had been, as he believed, a doll-maker, or some such trade, before he became a dissenting minister: he married the daughter of Mr. Wilmot, a man of property, at Bethnal-green. The witness had not heard the notice at church on the 22nd of August respecting Merceron's accounts, but at the vestry of the 16th of August no order was made for such a notice. It was not usual for any one governor or director under the act to give an order for a notice in church; it was usually done by nine governors, or by the parish officers.

Mr. Wrightson, who had signed the treasurer's book under the conviction that the bill of Messrs. Dann and Crosland was not passed, gave positive evidence that the sum and names were never announced

announced. Through his hands every bill and voucher passed, and among them was not that of the defendant's attorneys.

The evidence of Mr. Richard Bigg confirmed that of the last witness: he was not present during the whole of the audit. He was followed by Mr. Drouet, who had been prosecuted by Mr. Merceron, for a libel, and by Mr. Norton, partner with Mr. May.

The case for the prosecution was here closed.

Mr. Topping addressed the Jury at considerable length for the defendant; the simple question for their consideration was, whether Mr. Merceron had fraudulently, clandestinely, deceitfully, and unlawfully inserted in his account the item of Messrs. Dann and Crosland's bill for the purpose of appropriating the money of the parish to his own purposes. Unless they were satisfied that the evidence adduced on the part of the prosecution sustained the charge so alleged on the record, the defendant would be entitled to an acquittal. They could not fail to bear in mind under what circumstances this serious accusation was brought forward. It was against a gentleman who for 30 years had filled the annual office of treasurer of the parish, without the slightest imputation upon his conduct—a gentleman whose demeanor for that long period of service defied the malice, the envy, the vindictive spirit of those, who by the most active industry had found means of producing a solitary allegation of error. The jury also could not fail to bear in mind the time

at which this charge originated. It found its way, for the first time, into a Court of justice at the end of the year 1817,—the supposed act of misfeasance having occurred in the year 1813: and that it arose out of those unfortunate disputes which had so long embroiled the parish—disputes which, it was lamentable to observe, had acquired additional heat since the present rector had come into the parish. The evidence adduced in support of the charge, he contended, had completely failed of its object, because, so far from showing that the defendant had acted clandestinely in this transaction, it must satisfy the mind of every dispassionate observer, that publicity marked the whole proceeding. Two of the witnesses only had said that they did not hear the item of Messrs. Dann and Crosland's account called out; and the others were not present during the whole of the audit. Now, he was prepared to show, by a host of respectable witnesses, that the item was publicly called out, and that the vestry were perfectly cognizant of the question which they were called upon to determine. After a great variety of observations upon the circumstances of the case, the learned counsel proceeded to call his witnesses.

James May, jun. produced the publication-book containing the notices read in church. On reference to it, a notice was found which purported to have been read on Sunday the 22nd of August; another notice was read on the 3rd of April. He also produced the copy of the audited accounts

accounts which he had made, and which was left in the hands of his father, the vestry clerk. The beadle usually took the notices read in church to the parish clerk.

Cross-examined.—He did not know who brought the notices to his father's office: the general practice was for them to be sent by the churchwardens and overseers.

Samuel Ames, sen., parish clerk.—It was part of his duty after prayers to read notices in church. He had read the notices on the 22nd of August and 3rd of April, the first respecting Mr. Merceron's expenses in the indictments, and called the vestry to consider of the propriety of defraying them; but the second was general, and silent upon that particular subject.

William Francis Platt deposed that he was a dissenting minister in the parish of St. Matthew, Bethnal-green. He had resided nineteen years in Wilmot-square. He had attended the vestry on the 23rd of August, 1813: the notice was always read before the vestry proceeded to business. He had drawn up the resolutions for defraying the law expenses of the officers, and he had proposed them, and being seconded, they were carried *nem. con.* He had also attended the vestry on the 6th of April, 1814; he was present when the defendant's book of accounts was produced, and he had held the book and went through all the items; to his recollection he called over every item, and among them, "Dann and Crosland, 925/," observing aloud, with a shrug,

"This is a monstrous business." He spoke in such a tone that every body might have heard—such was his intention. The meeting was numerous: he believed he ticked all the items as he passed them, and cast up the pages. A resolution of thanks was passed to Merceron: no person made objection to any of the items.

Cross-examined.—He had been a dissenting minister nearly 40 years: it had always been his only occupation: he was not conscious of having had any communication with Mr. Merceron between the 16th and the 23rd of August. He could not state who had told him of the notice read in church on the 22nd of August: he could not swear that it was not Mr. Merceron. On the Monday morning he went to the vestry at about 11 o'clock: he usually rose very early, at 5 o'clock, and he believed he wrote them on the Monday morning before he went to the vestry: he could not swear it: the resolutions rose spontaneously in his own mind: no doubt he had had communication with some persons, as the parish was in a state of great confusion: he had not communicated with any persons on the Monday morning: he could not positively say that he meditated the resolutions before Monday morning. He had not then seen Dann and Crosland's bill: he did not know that Mr. Merceron had already charged it to the parish: he never had attended vestries until the unhappy differences which rose about ten years ago: he had frequently written resolutions since: he had never

never called over the items from the defendant's book until the vestry of the 6th of April, and had never before seen his book. He distinctly recollected reading the item of Dann and Crosland's bill, and shrugging his shoulders, but he had never heard that it was to be opposed. He clearly remembered seeing Dann and Crosland's bill in Merceron's hand at the time, and remarked the sum on the back of it. He could not swear that it passed from Mr. Merceron's hand, or that any body but himself saw the sum, or that any person repeated the item. He could not say if any receipt were produced. Though he considered the sum very large, he did not think it necessary to make any inquiries regarding the bill. Nobody asked for any order of the directors for the payment that he knew of. He was aware that in one instance a solicitor's bill had been referred to a committee, but subsequent to these transactions. He had never heard of any previous practice. He had not thought it necessary to inquire previously what was the amount of the bill. He thought it hard that the servants of the parish should sustain so severe an expense for doing their duty.

Mr. James B. Unwin, a surgeon, residing near Bethnal-green, a commissioner of assessed taxes, and of the land-tax, and one of the governors of the parish, was present at the vestries on the 23d of August, 1813, and 6th of April, 1814. He swore most positively that Dann and Crosland's bill was mentioned and the sum: Mr. Platt read it in a

clear voice: the witness had conversed with several people about it afterwards.

Other witnesses, with some slight variations, confirmed the foregoing testimony.

Mr. Scarlett replied, and Mr. Justice Abbott summed up the whole of the evidence produced on both sides.

The jury consulted a few minutes, and returned a verdict of—Guilty.

The trial lasted from half-past 9 in the morning until nearly the same hour at night.

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#### SALISBURY ASSIZES.

##### *Civil Side.*

*Dore v. Antrobus.*—This was an action brought by the plaintiff against the defendants, Sir E. Antrobus, Bart. and Coutts Trotter, Esq. executors of the late Earl of Peterborough, to recover the expenses incurred in conducting the funeral of that nobleman, and was set down on the special jury list. Three special jurors, however, only attended, and a tales was therefore prayed on the part of the plaintiff. The pleadings having been opened by which it appeared that the plaintiff's claim amounted to the sum of 3,000*l.*, of which 2,000*l.* had been paid into Court, Mr. Sergeant Pell stated the general circumstances of the case.

The plaintiff was a person engaged in a very extensive line of business in the city of Bath, where the late Lord Peterborough had for some time before his death generally resided. He died, however, in June, 1814, at his

his seat at Dantsey, distant from Bath about 26 miles. Upon this occasion application was made to Mr. Dore to undertake the superintendence of the funeral on a scale of unusual magnificence. It was natural that he should accept this offer, as it not only involved a very considerable profit, but furnished the opportunity of displaying his skill in a very peculiar branch of business. He was sure the minds of the jury would not be unfavourably prepossessed towards the claim of his client, merely on account of the extent or apparent enormity of his demand. The question depended on the nature of the contract, and on the fact of the work undertaken having been performed. The payment of a large portion of the debt into Court excluded from consideration every point except the bare reasonableness of the various items of which the plaintiff's demand was composed. The sum now disputed amounted to 900*l.*, and as all attempts at an amicable adjustment of this difference had unfortunately failed, his client had been driven to his action against the executors. It would appear in evidence, that Mr. Dore received his first instructions on this subject from an intimate friend of the late Lord Peterborough, Mr. Smith, who informed him that the funeral was to be conducted in no ordinary way, and that he must exercise his own judgment in the preparation of it, on a plan of adequate splendor. In addition to this, it would be proved that Mr. Coutts Trotter, one of the executors, personally attended

the funeral, and must have been aware of its nature, and the expense which it necessarily involved. He might remark also, that although the bill was sent in immediately after the funeral, no objection was made to the charges it contained for a period of six months. The defendants had not, therefore, been very suddenly struck with the excess of the demand made upon them. He would state, also, without fear of contradiction, that the ceremony had been conducted in every respect with the most perfect order, and in strict conformity to the general instructions which had been received. The procession had passed over a space of two miles, and if it was thought right in this manner to consult the dignity of an English earl, the disposition to defray the cost ought not to be wanting. If the remains of the Earl of Peterborough were not to be deposited in the grave without all these accompaniments of grandeur,

“The boast of heraldry, and  
pomp of power,”

the common principles of justice required that the burthen should fall on those who succeeded to his property. It was probably their elegance and taste which had been the cause of so superb a display of funeral ornament, and they must not shrink from the consequences of their gratification. He would beg to draw their attention to one single part of the bill, on the fairness of which they would be called on to decide; because, if the justice of that charge should be established, it would serve to indicate the merits of the whole inquiry. A sum of  
between

between 1,500*l.* and 1,800*l.*, forming part of the whole demand, was on account of the furniture and decorations provided for the occasion of the deceased Earl's lying in state. It appeared that it was deemed necessary, as a last token of respect to his person, to adorn this state-room with every costly appendage suitable to such a purpose. He would not enter into any minute description of these decorations, which would come with more authority from the witnesses; and conclude therefore by assuring the jury, that although this inquiry would probably engage a considerable portion of time, no effort had been spared on his part to generalize it as much as possible.

David Russell was the first witness called, and stated that he had acted as assistant to the plaintiff in providing for the funeral of Lord Peterborough. He had been engaged in that line of business for 12 years previously, and had inspected the items of the plaintiff's bill when it was originally made out. His Lordship died in June, 1814, and the funeral ceremonies were on the largest and most expensive scale that he had ever witnessed or heard of. The body lay in state for two or three days in a large room most splendidly fitted-up. Mr. Trotter was present, and the witness could testify to the due execution of every order that was given. The state-room was of large dimensions, and was hung with superfine black cloth from the ceiling, the floor being covered with second black cloth. Between 70 and 80 wax lights were kept burning, 12 of which weighed

above a pound each. The body was placed on a magnificent platform, ornamented with festoons of black satin, and surmounted with a dome, lined inside and outside with rich black velvet, and covered with ostrich plumes. The platform was also fringed with velvet, and behind it was placed a transparency, in which was set the achievement of the deceased. There were also some smaller transparencies in the room. Several banners and escutcheons were raised in different places, and eight mutes were kept constantly in attendance. The coffin was covered with the richest crimson Genoa velvet, on which were also inscribed the Earl's armorial bearings. The pall was the handsomest the witness had ever seen. Mr. Smith and Mr. Trotter were present three days before as well as during the funeral. To some things they objected as not being good enough. The procession consisted of a hearse, seven coaches, each drawn by six horses, one chariot and four for the clergymen, attended by six marshals, eight mutes, two feathermen, eight underbearers, forty-six pages, and a grand page on horseback, bearing the coronet. The plain tassels produced in court were rejected, as not being sufficiently handsome for the cushion, and gold ones were accordingly provided. It was necessary to send for the greater part of these things from London. (Here the witness was examined as to the price of particular items, most of which he thought were not valued at too high a rate). It was not the practice to return  
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the ordinary articles provided on such an occasion to the undertaker, but they became the perquisites of the clergyman and the domestics. Certain sums were ordered by Mr. Ward, the steward, to be paid to particular individuals in lieu of these perquisites. The clerk of the parish received 10*l.*, the mutes 2*l.* each, the undertaker for his personal trouble and assistance at the solemnization of the ceremony 28*l.*, and witness himself 10*l.* Several turnpikes were passed by the procession in its way to the church. Hatbands and scarfs were always given to those who wore them on these occasions. Some of the servants received one, and some two suits of clothes.

Cross-examined by Mr. Casberd.—Witness was no longer engaged in the business of an undertaker, but travelled for a house in the wine and spirit line. An interval of about ten days occurred between the death and the funeral of Lord Peterborough. The distance between the church and the room in which his Lordship's body lay in state did not exceed by the nearest door, above 20 yards; but by the grand entrance it might be about 200. The procession, however, took a circuitous course of two miles, that it might be seen by a sufficient number of spectators. He recollected that for one article alone, the silver gilt nails of the coffin, 85*l.* had been charged. They were of a yellow colour, and their value he was ignorant of.

Joseph Barnes, a labourer, deposed, that he had made the shell, and the oak coffin, in which the remains of Lord Peterborough

were deposited, and his charge for the timber and labour was 10*l.* 8*s.* 3*d.*, which Mr. Dore paid to him; part of this he paid to a man who assisted him.

Here it appeared by a reference to the bill, that the charge was about 16*l.* to the defendants.

Susannah Rummin, house-keeper to the late Lord, described the dress of the body when laid in the coffin. It was composed of satin and the finest cambric. The servants, who were nine in number, received two suites of clothes each.

After some additional evidence on the value of the different articles, as this inquiry appeared to be almost interminable, Mr. Justice Burrough earnestly recommended a reference to some gentleman at the bar, who, as the witnesses had been brought in great numbers, both from Bath and London, might immediately proceed in their further examination, and decide on the general merits of the account. This suggestion, after some reluctance, was acquiesced in by the parties, and the whole case referred to Mr. Abraham Moore.

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COURT OF COMMON PLEAS, GUILD-HALL, JUNE 27.

*Breach of Promise of Marriage.*

*Shannon v. Brandon.*—The plaintiff in this case was a young lady residing in Bury-street, in the city, and the defendant a merchant in Goodman's-fields. The parties were both of the Jewish persuasion, and having been acquainted from infancy, an attachment of a tender nature was formed between them at a very

very early period. Mr. Brandon, about five or six years ago, being about to leave the country, a mutual agreement, regularly signed and attested, was drawn up, in which each party covenanted to pay the other the sum of 500*l.* in case of a refusal on either side to enter into the marriage contract when called upon. During the absence of Mr. Brandon several letters of a very tender description passed between them, and no interruption was expected to the completion of the contract. The defendant returned to this country, and an interview took place between him and the plaintiff. At this time no change was perceptible in his behaviour towards her, but some months ago the correspondence was dropped on his part. The fair plaintiff sought to obtain an interview, in order to insist upon the fulfilment of the contract, and at length "caught" him just as he was about to proceed to the country, by coach, from the Three Tuns in Aldgate. She was accompanied by a friend, and followed him into the yard of the inn; she accosted him, produced a copy of the bond, and in rather strong terms urged him immediately to fulfil the engagement he had entered into. He, however, refused to give any answer at that time, and they parted. The present action was the consequence of this refusal.

The covenant was put in, and read. A letter was also produced, which had been written by Miss Shannon subsequent to the interview at the Three Tuns. The style of this document excited much mirth in the Court. It ran

thus:—"I, Esther Shannon, do hereby require you, Jonathan Israel Brandon, forthwith to become my husband, upon pain of forfeiting the penalty of 500*l.*, being the sum mutually agreed upon, &c."

Other documents relative to the case were read, and witnesses called to prove the facts as related.

Mr. Sergeant Best, for the defendant, in a very short address to the jury, said he knew the verdict must be against his client; but he felt it his duty to state, that the breach of contract on his part was entirely owing to losses in trade, by which he was rendered incapable of supporting Miss Shannon in a style befitting her rank in life. Of these losses the other parties were perfectly aware, and he could not help thinking that the present proceedings might have been spared.

The jury instantly found for the plaintiff, damages 500*l.*

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#### ADMIRALTY-COURT, JUNE 30.

*Ville de Varsovie*.—Sir William Scott.—This is a question of head-money, arising from the destruction of five French ships in Basque-roads in the year 1809. The French fleet lay there blockaded by the English squadron, and it was the object of the Board of Admiralty to destroy them by fire-ships, or any other means that would be likely to be effectual. The service was performed, and head-money was claimed on the part of Lord Gambier for the fleet. It was decreed to him, but distribution of it was prevented by a notice delivered to  
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Lord Gambier's agent, on the part of Lord Cochrane, claiming the whole head-money for the ships actually engaged in performing the service. It has been the constant practice of these Courts to restrain the distribution of head-money within much narrower bounds than that of prize, and it has always been considered as a reward for real actual service, and a meritorious personal exertion. A mere honest wish to share in the danger of an enterprise, however praiseworthy, is insufficient to entitle a party to share in the reward; but in cases of united force for a general purpose, it is considered as a conflict of all with all, for it would be hardly possible, in the confusion of a general action, to distinguish the particular combats of individual ships, removed as they must be by the extent of the line of battle, for mere elongation will not break the unity of a joint transaction. The present must be considered either as a combined or a separate attack. It might happen, that the use of the whole force under Lord Gambier might be improper; that other descriptions of force might be more efficient; or that the commander of the armament might think it necessary to assign particular stations to particular vessels. The question to be considered is, was it the transaction of a fleet associated for one common purpose, or was there a dis-sociation? It is evident that it must have been the wish of the Lords of the Admiralty to destroy the ships of the enemy which were blockaded by the British fleet. Lord Gambier's letter to

Lord Mulgrave, dated the 11th of March, 1809, shows that it had been the subject of conversation before Lord Cochrane was applied to:—"My dear Lord;—The advanced work between the isles of Aix and Oleron, which I mentioned in my last letter, I find was injured in its foundation, and is in no state of progress; that it is, therefore, no obstacle to our bombarding the enemy's fleet, if you should be disposed to make an attempt to destroy it. The enemy's ships lay very much exposed to the operation of fire-ships; it is a horrible mode of warfare, and the attempt very hazardous, if not desperate; but we should have plenty of volunteers for the service. If you mean to do any thing of the kind, it should be with secrecy and quickly, and the ships used should not be less than those built for the purpose, at least a dozen, and some smaller ones." Notice is also given on the 19th to Lord Gambier of the preparations, with a view to enable him to make an attack on the enemy, either conjointly with the line-of-battle ships, or separately, by what other means he should think fit to employ, and also directions to him to employ Lord Cochrane in the service. It appears, therefore, from the documents mentioned, that the general command of the whole enterprise was given to Lord Gambier. Here is a blockade, and what service can be more of a combined nature than that of blockade? The fire-ships formed a part of it; they were fitted out from the fleet, and were manned by volunteers from Lord Gambier's

bier's vessels; the ships that came from England formed a part of the general fleet; and whatever Lord Cochrane's merits may be, they are not of a nature to destroy the rights of Lord Gambier. The service is connected in its very origin, and it will be difficult to show how it was dissociated. It is true that it was effected by the fire-ships, but the inshore squadron was advanced to receive the men from the fire-ships. On the next morning the combined operations were continued. Whether the whole or only a part of the fleet engaged is of no sort of consequence. Lord Cochrane made signal for further assistance, acknowledging thereby that the fleet was in a situation to afford it. Some censures are thrown in the act on petition on Lord Gambier; but the conusance of complaints of that nature, although it formerly belonged to this Court, is now happily transferred to another and more competent tribunal; but still the very charge of neglect implies an admission on the part of Lord Cochrane, that Lord Gambier commanded the enterprise; how else could he be considered as answerable for the consequences? In the present case, the fleet is not removed by elongation, for it was not above five miles from the scene of action. The operation is not by detachment, for all were employed. There was no separate control, for the whole takes its orders from Lord Gambier. All contributed to produce the effect, but with different degrees of activity. The whole service, whether principal

or auxiliary, was confided to and directed by Lord Gambier:

"Servatur ad imum

"Qualis ab incepto."

If I am wrong in the principles I have laid down, I am wrong altogether; but my present impression is, that the whole fleet is entitled to share in the head-money.

The court suspended the question of costs.

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COURT OF KING'S BENCH, THURSDAY, JULY 2.

*Sittings for London, before Mr. Justice Abbott.*

*Currey and others v. Willan.*—

The plaintiffs, who reside near Thirsk, in Yorkshire, brought the present action to recover from the defendant, proprietor of the Glasgow Mail, the sum of 200*l.* being the value of a parcel intrusted to his servants, and for which they had never accounted. The short facts proved were the following:—The plaintiffs being desirous of sending 200*l.* to London, addressed to Messrs. Smith, of Bow-lane, went to Messrs. Britton and Co. the bankers at Ripon. On making the necessary deposit, a Mr. Robinson, clerk to Britton and Co. put up in a parcel 160*l.* in one pound, and 40*l.* in two pound Bank of England notes. He addressed them as directed by the plaintiffs, and carried them to Mr. Farrar, the post-master at Ripon, stating that it was a packet of value, and requesting that he would send his boy with it to Borough-bridge, that it might go by the Glasgow

mail, parcels for which were booked at the Crown-inn. Farrar agreed to send his boy, but refused to be answerable for the safety of the parcel; Robinson answered, that that was not a matter of doubt; and the boy, named Sturdy, took it accordingly to Scott's the Crown-inn, at Borough-bridge, where he paid 2*d.* for booking, and 2*s.* 6*d.* for the carriage. The package arrived in London, but was there stolen by a clerk of the defendant, at whose lodgings the envelope was found.

These particulars were proved by Robinson, Farrar, and the boy Sturdy, called on the part of the plaintiffs.

Mr. Scarlett, who was for the defendant, cross examined them, as to their knowledge that a notice was posted in the coach-office at Borough-bridge, that the proprietors would not be responsible for any parcels delivered to their care above the value of 5*l.* unless insured accordingly. Robinson admitted that he had heard of the existence of such a notice in general, but not as applied to the Glasgow mail in particular. Farrar was not acquainted with it; and Sturdy, the boy, swore that he had seen none in the office, though it was admitted on all hands that it was pasted against the wall in large characters. He had never said that he had seen such a notice, but he had observed it since the loss of the parcel in question.

Mr. Scarlett, in his address to the jury, argued, that it was to be presumed that the agents of the plaintiffs were acquainted

with the existence of the notice. The object of sending parcels like this by coaches was, to avoid heavy postage, which was charged upon every single note; and if parties, for the sake of saving a little money, chose to run the risk, they must abide by the consequences.

Mr. Justice Abbott, in summing up, observed, that the object of these notices by carriers was, to do away with their common law liability; but they would still be responsible, unless it were shown that the notice had come home to the knowledge of the party transmitting. If the jury found that that knowledge existed in the present case, either in the plaintiffs, which was not contended, or in the agents they had employed to take the parcel to the coach-office, they would find a verdict for the defendant.

The Jury deliberated for some time, and at length returned a verdict for the plaintiffs, 200*l.*

MONDAY, JULY 6.

*Sittings before Mr. Justice Abbott and a Special Jury.*

*Logan and others v. Willan and others.*—The following are the facts of this case as they appeared in evidence :—The plaintiffs (wholesale druggists in London) in Feb. 1816 received a letter purporting to come from a Mr. James Worthy, a dyer, of Exeter, with whom they had had some previous dealings; it inquired the lowest price of cochineal per lb.; an answer was sent by return of post, and the consequence was an order for 65 lb.,

65 lb., to be conveyed to Exeter as soon as convenient, by the Subscription coach, of which the defendants are proprietors. The cochineal was put into a small box, and addressed according to order, to "Mr. J. Worthy, Exeter." It arrived at the coach-office of the Old London inn, Exeter, on Saturday night; and soon afterwards a person opened the office door, and without showing himself, inquired for the box according to the address, the sum due for carriage 16s. 1d. and whether he could take it away on the following day, Sunday? The answer was in the affirmative; and in the evening of the next day, a man of the name of Whitfield came to the coach-office; and producing the money for the expense of conveyance, asked for a box directed to Mr. J. Worthy. The book-keeper gave him the box containing the cochineal, and another parcel with a similar address, at the same time inquiring the man's name: he gave it without reluctance, adding, that a person waiting without had sent him for it. Whitfield went out of the office with both box and parcel, but afterwards returned the latter. The plaintiffs, when they sent the cochineal by the Subscription coach, wrote a letter to Mr. J. Worthy, by the post, advising of it, and enclosing an invoice; and they were very much surprised by receiving an answer from Mr. Worthy, that he had never given them any order for cochineal, or any other drug. One of the plaintiffs in consequence hastened to Exeter, and an inquiry was set on foot, when it appeared that a fraud had

been practised upon them, and that the order for the cochineal was a forgery. Whitfield was soon found, and he pointed out a person of the name of Bennet, as the man who had sent him into the coach-office for the box, and who had given him 16s. 1d. to pay for the carriage. Bennet was immediately taken into custody, and before a magistrate Whitfield swore positively to his person: he, however, succeeded in establishing an *alibi* to the satisfaction of the magistrate; who admitted him to bail. None of the parties obtained any further intelligence respecting the cochineal, and Bennet was not prosecuted.

The present action was brought to recover the value of the box and its contents, 114*l.*, on the ground that it had been lost in consequence of the negligence of the servant of the defendants in mis-delivering it.

After Mr. Marryat had stated the particulars above detailed, he called the clerk of the plaintiffs, who proved the value of the box; and the address put upon it, viz. "Mr. J. Worthy, Exeter." In this early stage, in answer to a question from one of the jury, his Lordship said, that he should hold, in point of law, that a common carrier discharged himself from liability, if he showed (in a case like the present, where the address of the box contained neither the abode nor business of the party) that he had delivered it at his own office, to a person whom he might reasonably suppose to be the individual, or to come from the individual, designated in such address.

The clerk of the plaintiffs, on cross-examination, denied that he was aware of the existence of a notice in the coach-office of the defendants in London, where the box was sent by the plaintiffs, stating that they would not be responsible for any parcel, &c. above the value of 5*l.*, unless entered and paid for accordingly.

Perry, the porter of the plaintiffs swore to the delivery of the box. He received from the book-keeper at the Bull-and-Mouth a receipt, which the witness had written and the book-keeper signed. He admitted, on his cross-examination, that he had many times carried parcels, &c. to the inn; but he had never seen or been told of any board stating the limited responsibility of the proprietors of coaches until six months ago.

Mr. Knipe, one of the defendants' principal managers, was called to prove that they were proprietors of the Subscription Exeter Coach.

Cross-examined.—He deposed that a very large board, on which was painted the notice of limited responsibility, was placed against the wall in the most conspicuous part of the coach-office; it had been there for the last 14 years, and a person delivering a parcel could scarcely avoid seeing it.

On the part of the defendants, Mr. Scarlett submitted two points to the jury: 1st, that it was impossible to believe that the plaintiffs' porter was not unacquainted with the existence of the notice; and 2ndly, that the defendants, or their servants, had not negligently conducted themselves in delivering the parcel at

Exeter to the individual who correctly described it, and stated that he came from the person to whom it was addressed. The first position he left upon the evidence already adduced on the other side; and to support the last he called

Thomas Whitfield, who swore that a man of the name of Bennet had accosted him near the Old London inn, at Exeter, and had asked him to go into the coach-office to receive a box addressed to Mr. James Worthy, and to pay for the carriage: he gave him 16*s.* 1*d.* for that purpose, and promised to pay him sixpence for carrying it to the Half Moon public-house. The witness went into the office accordingly, received and paid for the parcel, stating, when asked, that his name was Whitfield, and that a person was waiting outside, to whom he was about to carry it. When he left the office, Bennet walked a little way with him, but soon took the box into his own charge, and dismissed him, paying him only 3*d.* The witness was positive as to the person of the man, and swore to it before a magistrate.

The book-keeper at Exeter confirmed this story, as far as came within his knowledge. He admitted that he knew that there was a Mr. J. Worthy in the town: his parcels were usually delivered at his dye-house.

Mr. James Worthy deposed, that he had never ordered the cochineal of the plaintiffs, but that, for the purposes of fraud, some person had employed his name.

Mr. Justice Abbott left the two points



points of fact stated by Mr. Scarlett to the jury, and went over the whole of the evidence given on both sides.

The jury retired to deliberate ; and in an hour and a half brought in a verdict for the defendants.

COURT OF CHANCERY, WEDNESDAY, JULY 15.

*Marriage Settlement.*

*Kennedy and others v. The Earl of Cassilis and others.*—This was an application to dissolve an injunction. The facts connected with it were as follow:—Lord Kennedy, the eldest son of the Earl of Cassilis, paid his addresses, towards the latter end of the year 1813; to Miss Ellen Allardice, a young lady, at that time 17 years of age, residing in Aberdeen, and heir to a very considerable property—30,000*l.* in Bank stock, and landed estates in Scotland to the amount of between 3 and 4,000*l.* a-year. Lord Kennedy was then 19 years of age; and his addresses having been encouraged by the young lady, as well as her mother, with whom she lived, he communicated his wishes on the subject to his father, who resided in London. The mother lost no time in informing Mr. Innies, one of her daughter's guardians, and he in consequence came to London, for the purpose of making with the Earl of Cassilis the proper arrangements previous to the marriage. The Earl of Cassilis constanly professed that money was no object either with himself or his son. It happened, however, that there were many diffi-

culties in the way of a final settlement. Various sets of propositions were made by Lord Cassilis, none of which were agreed to by Mr. Innies. The last set of propositions made by the Earl of Cassilis, declared that Miss Allardice should have 1,000*l.* a year, during the marriage, to her sole and separate use—that if she should survive Lord Kennedy, this annual sum should be increased—that her mother's (Mrs. Allardice's) jointure should be increased from 600*l.* a year, which it then was, to 1,000*l.* a year; and that the house in Aberdeen should also be settled upon her. It was proposed that 1,500*l.* of the Bank stock should be applied to purchase lands, in order to produce the 1,000*l.* a year for the sole and separate use of Mrs. Allardice; and that the remainder of the real and personal property should be settled on the issue of the marriage. While these propositions were under the consideration of Mr. Innies, Lord Kennedy was in Aberdeen. It was now about the end of April, 1814. He was anxious to hasten his marriage with Miss Allardice: he told her of the propositions which had been made; he himself believed that all the necessary deeds were in preparation, and, as the lady was perfectly satisfied with the propositions, she was prevailed upon to marry Lord Kennedy, and accordingly the marriage was solemnized on the 1st of May. Some time after this, a marriage settlement was made, which varied very considerably from the propositions, particularly with regard to the 1,000*l.* a-year to Lady Kennedy's sole

sole and separate use. For this was substituted 1,000*l.* a - year after the death of Lord Kennedy, or in case any misfortune should cause a separation. These were the facts, according to the statement of Mr. Innies. Since the marriage of Lord and Lady Kennedy, as soon as the latter attained the age of 21, an action was commenced by Lord Cassilis in the court of session in Scotland, the object of which was, in the first place to obtain a conveyance from Mr. Innies, of 30,000*l.* in stock, which stood in the Bank of England in his name; and in the next place, to compel Mr. Innies, who was all along the active guardian, to give in an account of his management of the property during the minority of the lady. As soon as these proceedings were commenced, Mr. Innies applied to the Court of Chancery for an injunction to restrain them, which injunction was granted, upon *ex parte* hearing, 6 months ago. It was to dissolve this injunction that the present application was made.

The application was supported chiefly on the ground that it was not competent to the court of chancery here to restrain proceedings in the court of session in Scotland. The court of session was itself a court of equity; it was independent of the jurisdiction of any other court, save that of the House of Lords. If the court of chancery could issue an injunction to restrain proceedings in the court of session, the court of session would have an equal right of issuing an interdict to inhibit proceedings in the court of chancery. Such an interposi-

tion was expressly in violation too of the act of Union.

The application was resisted on the ground that the court possessed the jurisdiction, because the Bank stock was in England. The parties who made the contract, so far as it was made, were, with the exception of Mr. Innies, domicile subjects of England, and the matter was negotiated in England. The court of session in Scotland could not make any order by which the Bank of England could be affected, and therefore that court was not competent to take cognizance of the matter. The merits of the case were then gone into, in order to support the injunction. Doubts were suggested as to the terms of Lord Cassilis's final propositions, and it was therefore hoped, that if the court could dissolve the injunction, it would at least direct an inquiry to be made to ascertain what were really the terms of the final propositions.

It was re-urged on the adverse side, that the injunction was originally obtained in order to protect Innies from giving in his accounts.

The Lord Chancellor was of opinion, that no principle was furnished against the jurisdiction of the court of chancery, because the property in question could be affected by its order alone. It was, in its national character, English property. The defendants to the present bill were also English domicile subjects. It was the object of the suit in Scotland to compel Innies to give in his accounts, and to convey to Lord Kennedy the Bank stock. The injunction was obtained on the

the part of the children of Lady Kennedy. No injury could be done to the children by the Scotch suit, as the court of session, while it might compel Innies to give in his accounts, could not make any order which the Bank of England would be obliged to obey. The other trustees of the property were not, it appeared, made parties to the suit in Scotland; but even if Innies and they consented to convey the stock, still on the part of the children it was competent to the court of chancery to enjoin the Bank of England not to transfer the stock in question. Although the act of union ought certainly to be considered as sacred, yet cases might arise in which it would be impossible for the court of session to proceed with effect, if it were not aided by the court of chancery here, and *vice versa*. His Lordship concluded with ordering the injunction to be dissolved without regard to the merits of the case, and he desired the order not to be understood as giving any encouragement whatever to the other trustees to join in making a conveyance of the Bank stock.

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CIVIL SIDE, FRIDAY, JULY 17.

*Breach of Promise of Marriage.*

*Hardenn v. Causton.*—This was an action against the defendant for a breach of promise of marriage with the plaintiff, and the case, which was tried by a Special Jury, excited universal interest from its peculiar circumstances. The damages were laid at 5,000*l.*

The plaintiff's case was con-

ducted by Mr. Gurney and Mr. Chitty.

The leading circumstances proved in evidence were these:—The plaintiff, who was represented to be a young lady of great personal attractions, singular amiability of disposition, and possessing an accomplished and well-cultivated mind, is the daughter of a respectable tradesman residing at Hatfield, in this county; and the defendant is a gentleman of independent fortune, lately retired from the business of a printer, which he carried on in Finch-lane, Cornhill. The parties are first cousins by the maternal side; and in the year 1809, the defendant, then about 30 years of age, and the plaintiff about 21, commenced his courtship, having known each other from the earliest infancy. From that time down to the month of May, 1817, a voluminous epistolary correspondence was carried on between them, the defendant professing throughout the whole the most devoted and tender attachment towards the plaintiff, whose language, in reply, evinced on her part the warmest reciprocity of affection. The defendant's promise of marriage, relied upon in the plaintiff's case, was expressed in these terms:—"I will marry you as soon as circumstances will permit."

It appeared that the defendant's family were averse to the match, and took every occasion to discourage the connexion, imputing the regard of the plaintiff towards the defendant to sinister motives. The defendant had gone the length of proposing to marry the plaintiff in private, to which she consented;

consented; but although the wedding-ring had been purchased, and the licence obtained, and the half-brother of the plaintiff had consented to give her away, the contract was never fulfilled. This intimacy continued down till May, 1817, when the defendant wrote to the plaintiff, announcing that the best mode of terminating the anxious suspense which she had always expressed, was to break off the connexion, and think no more of matrimony; and he submitted the proposition to her deliberate judgment, declaring his own intention of breaking off the match. The defendant's father was then living, the former being in partnership with the latter as printers, with a very profitable business. In consequence of the defendant's determination to break his promise, Mr. Palmer, a professional friend of the plaintiff's family, was consulted, and at first he wrote a friendly letter to the defendant, conjuring him to consider again of his rash determination; but this letter having no effect, the present action was brought. Since the commencement of legal proceedings, the defendant's father died, leaving him in possession of real and personal property estimated at 20,000*l*. These were the principal circumstances proved in evidence, the main ground of the case being substantiated by a volume of the defendant's letters.

Mr. Sergeant Taddy, with whom was Mr. Comyn, addressed the jury with considerable ingenuity and eloquence in mitigation of damages.

Mr. Justice Abbott summed

up the circumstances of the case with great minuteness and impartiality.

The Jury retired for about an hour, and on their return, found a verdict for the plaintiff—*Damages, Four Thousand Pounds.*

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ESSEX ASSIZES, CHELMSFORD,  
JULY 24.

*Vooght v. Winch.*—This case, which was a second trial, lasted 22 hours, beginning on Thursday morning, and at about two the subsequent morning the court adjourned until eight, when it was resumed, and continued until three o'clock on Friday. It was a singular case, from the remarkable contradiction of the witnesses—the one side to prove the place in question an ancient navigable stream, and the others that it was a common passage across for hay carts. The form of the action was a charge by the plaintiff, who is the occupier of a mill, called Abbey Mill, at Stratford, against the defendant, for deepening and widening a ditch, called Potter's Ditch, and diverting the water from his mill stream. The defendant, by his evidence, attempted to justify this act by asserting that it was an ancient navigable stream, and that he merely removed the accretions of the mud and obstructions which had been suffered to grow up. As it is not possible, within our limits, to go through all the details of the evidence, and as the substance may be shortly told, it is as follows:—

The river Lee, in its progress to the Thames, besides the main stream used for navigation, subdivides

divides itself into smaller streams, which run parallel with each other, and sometimes approach very near each other's courses. Near Stratford are two of these minor streams, the one called Channelsea-river, on which the plaintiff's mill is situated, and on the banks of which the defendant has a wharf; the other is called Waterworks-river, on which are several other mills. The last communicates with the Barge river, or navigable stream. Both the Waterworks river and the Channelsea are formed by the subdividing of a stream called the Temple Mill Stream. After the stream has passed through the Temple Mill, it divides into two, the Channelsea and Waterworks rivers, which ran nearly parallel, and some short way below the point of division Potter's Ditch runs across from the one to the other. At the point of division of the waters is a very ancient pier, carefully constructed, with the evident intention, as all the engineers agreed, to distribute the water equally between the two streams. The defendant, with a view of saving the trouble of navigating his barges up the Waterworks river, round the point and down Channelsea river, by widening Potter's-ditch, and making an open communication between the two rivers, saved that circuit, but in doing this the plaintiff alleged, that the Channelsea water ran away into the Waterworks river, and lessened his mill head, consequently the power of the mill by one-third at least. In order to prove the ancient state of the ditch, about thirty witnesses were called, and

beginning from nearly seventy years ago to the present time, they said it was a mere fence between the adjoining lands; that many of them had jumped over it, had walked over it; that it was a little muddy, and had water at the bottom; that it was full sometimes, as sometimes all the marshes were overflowed. But that it was ever navigable for a barge they all treated as ridiculous, and to use the expression of one, it would not float a *butcher's tray*. At one end of it there was a parcel of brick-bats and rubbish, to make a road across for the hay carts, when they made hay on the adjoining land, and many had seen the hay carted across.

To meet the evidence on this point, the defendant had near 50 witnesses, and the account they gave was almost as far back. They were lightermen, persons working in the adjoining calico grounds, and many who had been anciently proprietors of the manufactories on the borders of the Channelsea rivers, and they gave instances of the fact of barges commonly navigating at spring tides this Potter's ditch, with loads of 10, 15, and 20 chaldrons of coals at a time, with freights of bricks, and to use barges, and that it had at all those periods been used as a navigable stream.

It is also not less singular, that the men of science were not less at variance in their evidence as to the effect produced by the alteration of the ditch upon the plaintiff's mill.

Mr. Donkin and Mr. Keir, supported by others, were decidedly of opinion that it materially injured the plaintiff's mill

by drawing off his head of water; and this opinion was supported by the testimony of the millers who worked at the mill, they stating, that the fact of a loss of power in the mill was at the time the ditch was opened.

On the other side, Mr. Ralph Walker, Mr. James Walker, Mr. Millington, and other engineers, were equally certain that it could not possibly injure the plaintiff's mill, which opinion they supported by many learned reasons of natural philosophy, and upon the powers and property of water; while all the mechanics, and those who worked at the mill, were equally certain that the water did run away, and that the mill would not work as it was used to do. At length, all this mass of evidence being closed,

Mr. Sergeant Lens detailed the substance of the whole by an analysis of the several parts. And as the law told the Jury that if the miller had been in possession of the water for 20 years, he thereby acquired a right to it, and if persons had navigated Potter's Ditch, yet no one had a right to enlarge it in order to make that navigation more commodious, if by doing so he injured the mill.

The Jury, after a short deliberation, found a verdict for the plaintiff—damages 50*l*.

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#### LEICESTERSHIRE ASSIZES.

On Friday, July 31, a case came on before the Chief Baron, which had been the subject of conversation for some time through this part of the country, and the circumstances of which raised against one of the parties

the wildest resentment, while the other was viewed with the deepest compassion. At an early hour the Crown Court was filled to excess.

Michael Shipman, a dissenter, a man of property, resident in Hinckley, within 13 miles of Leicester, was called to answer the complaint of a beautiful girl, named Emma Dalton. He took his seat at the table opposite the witness's box, and had frequent communications with his solicitor during the trial, which lasted 7 hours. The indictment charged him with having assaulted Miss Dalton, and administered laudanum, or some other exciting drug, for the purpose of producing unconsciousness, insensibility, or excitement in that young lady, with the view of rendering her subservient to his passions. There were other counts in the indictment, one of which charged him with a common assault.

Mr. Clarke opened the case, which he said was the most aggravated one he had ever heard. He made no other comment upon it than that the evidence would be found incontrovertible; that it would disclose a system of villainy the most depraved; and that the honour of the sex and common humanity demanded an attention from the jury incapable of being prejudiced by an address to their feelings unsupported by powerful testimony. He called the prosecutrix. Upon getting into the box, she trembled exceedingly.

The following is the substance of Miss Dalton's evidence:—I am 21 years of age. My father was a merchant, and resided at Birmingham;

Birmingham; but from the embarrassed state of his circumstances, found it necessary some time ago to leave the country. My sisters and I, to whom he had given a good education, remained at home. Early in September I went into the family of Mr. Shipman, as governess to his three daughters, the eldest of whom is nearly 14, the second 10, and the third 7. On Friday the 19th of December, I was violently ill with a pain in the chest, and a heaviness, and I retired to my room about seven o'clock. Between eleven and twelve the servant, Clara Johnson, came to ask how I was. Having received no abatement of pain, I told her I was exceedingly ill, and begged that she would ask whether I should bathe my feet in warm water. On her return the girl told me that her mistress had sent to her master, and he would be up directly. Before I had time to express my disapprobation of so extraordinary an intention on the part of Mr. Shipman, he entered the room. Having covered my head with the bed-clothes, and made no reply to his inquiry how I was, he pulled down the clothes, took both my hands, and placed me by force on my back, desiring me to look at him full in the face. Again he asked me what was the matter with me? I said I had a violent pain in my chest. He asked where my chest was; and I said he must know; and that he was trifling with me. He then desired Clara to fetch some brandy. She went down for it. The children were in the room, but they were asleep; the eldest girl was in bed

with me. When Clara left the room he put his hand over the upper part of my person, and told me the pain was not in my chest, but in my stomach. My endeavour to remove his hand was quite fruitless, for I was extremely weak, and my breath was so violently affected as to render me wholly incapable of remonstrating with him. The first words I addressed to him when he entered the room were, that I had not sent for him, but for Mrs. Shipman. When the girl returned with the brandy, he removed his hand from my bosom, and obliged me to take some brandy, after which I entreated him to leave the room, which he at first refused, but afterwards consented to do, declaring, however, that Clara should go, and that no one should stay with me, whether I was well or ill. Both went away together. About 5 o'clock in the morning I awoke in great pain, and was quite hysterical; my cries awoke Mr. Shipman's eldest daughter, who jumped out of bed and ran to her parents room. Mr. Shipman came in a few moments after his daughter had left the room, but said nothing, and went away immediately. Clara then came, and said her master had ordered her to dress and take me down. I refused to go, saying to the girl that the bed was better for me, as I was ill. He called repeatedly to know whether I was coming down; and I, finding objections useless, told the girl she might dress me, and take me down. He was at the bottom of the stairs with a candle in his hand; he had on a night cap and waistcoat, but



no coat, and he assisted the girl in bringing me into the room, where, before a large fire, there was a sofa, on which he placed me. I complained of the excessive heat, on which he sent Clara for the tea-things, and said the fire was not hotter than I could bear it. My breath grew worse, and I felt dreadfully ill. At that moment the girl entered with coal and tea-things. He insisted on my taking tea, and raised me up for the purpose of doing so. Upon compulsion I took two cups, and he said I should have a third. There is a cup-board in the room, where different kinds of drugs are kept, amongst which is laudanum. Before he brought the third cup he went to that cupboard and filled it there. I refused to take it. He said I should, and raised me up, and presented the cup to my mouth. I perceived the smell was nauseous, and again refused. He declared that I should, or he would drench me with it: at the same time he took hold of me by the nose, forced it down my throat most violently, and threw me down on the sofa. He sat on the sofa. One of my teeth was broken, but whether it was at that time or not I don't know. Clara came in while he was drenching me with the tea, and he desired her to take the bone out of my stays. I was in violent agony, and I motioned her not to do it while he was in the room. He went out. I thought I was expiring. Clara on removing the bone retired. He came and sat at the foot of the sofa, and gave his hand more unrestrained liberties than before upon my person.

The servant came in, and he removed his hands, with one of which he had held both of mine. In answer to his inquiry, she said she had come to prepare the room for the family. He desired her to remove me on the sofa into the kitchen. As well as I could I told her to carry me to bed, but he said it was useless, for I should not go, and he removed me into the back kitchen on the sofa, near the fire, and put the shutters up; Clara went to do her business, and he sat beside me, and repeated the liberties I alluded to. At that moment Clara came in. There was a nauseous taste in the last cup of tea I took, which was not in either of the other cups. I have since smelt laudanum in tea, and it is my firm belief that laudanum was mixed in the third cup. My illness increased, and Clara, by his order, put me to bed, where I grew worse. Mrs. Shipman came in on hearing me scream, and Mr. Shipman made me take castor oil. What occurred from that time till 4 in the afternoon, I was wholly unconscious of. On Sunday I felt better, and contrived to sit to dinner, after which Mrs. Shipman proposed to her husband to go to chapel. I went up to my own room, Mrs. Shipman went to chapel, and Mr. Shipman came to me while I was lying on the bed, and insisted on my going down. I told him I would cry murder if he persisted in removing me, for I was dreadfully ill. He used all the persuasive arguments he could to induce me to go down; said he had not gone to chapel on my account, and all the

the rest were out. I said he was a bad man, and supplicated him to leave me. Finding that I was bent upon not going down, he brought up a large goblet full of brandy and water. I said it was not brandy, and refused to take any. He threatened to drench me with it, and stood over me till I drank it every drop. I was then in hysterics, had dreadful fits of crying, and lost all recollection of what occurred. On the following morning I was awoke by Mr. Shipman's kisses. He told me how much his wife and children loved me, and that he loved me more ten times. I complained of the insult he had offered me, and said I should inform Mrs. Shipman of his vile conduct. I informed Mrs. Shipman of it. My illness continued with unabated violence; and though I expressed a wish to see Mr. Power, the surgeon, and another medical man, I was denied by Mr. and Mrs. Shipman. At length I saw Mr. Power on Tuesday: told him they had given me different kinds of medicine; that I had requested to see him, but had been refused; that I was very unhappy; had been used very ill, but had neither time nor power to tell him more. I continued delirious for a fortnight; the last thing I remembered was Mr. Power's coming. From Mr. Shipman's I was removed to the vicarage in a sedan, until I got better. In my bedroom there was no bell. There was, I believe, a key in the door, but Mrs. Shipman begged I would never lock the door, through fear of fire or the illness of the children. I stayed a week at the

vicarage, from whence I went to my aunt's lodgings at Birmingham. Before the Friday she had taken salts and calomel and other drugs for a cold, by desire of the prisoner. In her cross-examination by Mr. Denman, she merely repeated her former statement. The object of the learned Counsel was to obtain some admissions which might leave an impression that the prisoner's conduct was dictated by a feeling of compassion, which was mistaken for love. The witness again stated, that all resistance was impossible; her breath as well as strength having been affected, and an unnatural sensation having, in consequence of the drugs, pervaded her.

Clara Johnson deposed, that she lived as servant to Mr. Shipman, and gave an account of the conduct of her master perfectly confirmatory, as far as it went, of that given by Miss Dalton. She described the state of health of the young lady as most deplorable, and remembered that when she told her master how ill she was, he said that was just what he wanted. She added, that when her mistress went to chapel on Sunday, her master came to her and sent her out with the child before she had time to clean herself; and that when Mr. Power came to see Miss Dalton, Mr. Shipman flung down his hat in a great rage, and said he was undone.

In her cross-examination she but increased the evidence against the prisoner. She heard Miss Dalton say in her delirium, that her master had broken her tooth; and while she was deprived of her senses,

senses, Mr. Shipman put his hand upon her person.

Martha Iley, the nurse, who attended Miss Dalton on Wednesday night, deposed, that she was quite delirious, and that Shipman had acted while she was so in the manner described. Again he came, and asked whether Miss Dalton had asked for him? to which witness replied, "that she had in her delirium." "Ah, poor girl," said he, "she always asks for me."

Mr. Power, surgeon, of Hinckley, said he visited Miss Dalton on Tuesday the 23rd of December, when he found her very faint. She had a small and frequent pulse, and complained of a pain in the head, and coldness in the feet, and looked excessively ill. She made the communication to him which she had stated to the Court. On Wednesday morning she was much worse: she had spent a delirious night, her pulse had increased in action, and the witness recommended another opinion to be taken. She was very delirious, but her complaint was attended with lucid intervals. Witness was not prepared to say that laudanum would produce libidinousness—a small dose would produce excitement—a large one stupor.

Mr. Denman for the defence, attempted to show that Miss Dalton must have construed the wish to render medical assistance into nothing else than love, and the application of the necessary medicines for the correction of a natural disorder into the administering of philters and the force of mighty magic. He showed how dangerous it was to allow the

child to be separated at so perilous an age from her natural protectors, and attributed the madness of the girl to the impetuous current of her passions.

The Judge summed up the evidence, and quickly laid before the jury the several iniquities of which there had been such abundant proof. He particularly dwelt upon the example to a wife and children in the complicated baseness of Shipman's conduct to an helpless and unprotected female.

The Jury returned a verdict of—*Guilty*.

The Judge immediately passed sentence. Mr. Shipman was adjudged to pay a fine of 100*l.*, and to be imprisoned for 12 calendar months.

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CARLISLE, SATURDAY, AUG. 8.

*Civil Side.*

Mr. Justice Bayley came into Court precisely at 9. The first cause on the list was the most interesting of the day.

*Dockeray v. Turner.*—The plaintiff, James Dockeray the elder, had in 1814 apprenticed his son, James Dockeray the younger, for 7 years, to the defendant, an ironmonger in Whitehaven. Last January the son returned to his father's house in Carlisle, carrying with him his indenture, and a letter from the defendant to this effect:—

"Dear Sir;—This will be delivered to you by your son, James, whom I have been induced to part with on account of the society he has fallen into. You know that some things were lately stolen from my shop—  
\* window;

window; the police-men suspected James, not from any thing they saw on his part, but from the persons with whom he associated. I know that he is innocent of this charge. I have ordered him home whenever the shop is shut, but he never comes home till 9. This, though 9 be a very good hour, I cannot endure. I am convinced, and I believe James too is convinced, that it will be an advantage to him to be removed from the society he has formed here. I hope you will find him a situation in Carlisle, where he can make choice of better companions, &c."

The indenture contained a penalty of 50*l.*, but the present action was brought, not to recover the penalty, but to obtain damages for the loss arising from dismissal.

James Dockeray the younger, examined by Mr. Scarlett for the plaintiff, stated, that the shop was shut in summer at half-past 8, and in winter at 8. He was generally home at 9. He had been out one night till 10, and his master dismissed him. He ordered him to call for his indenture next day. He did so, but his master said he was busy, and desired him to call in the evening. He got it in the evening, and carried it and the letter to his father.

Cross-examined by Mr. Raine.—He denied that he had asked or consented to leave Mr. Turner. He or his father, so far as he knew, never asked that he should be taken back. He had never been out but one night so late as 10 o'clock. Upon your oath, Sir, did you not come in as late

as four in the morning? (After much hesitation,) Yes, once. Mr. Turner takes consignments from the West Indies?—Yes. He keeps sample bottles of rum in his shop?—Yes. Did you ever taste that rum?—No. Never tasted it?—No. What! Did you never lessen the quantity a drop?—I sometimes put a quill into a bottle of rum, and sucked a little up to ease a sore tooth. [A laugh.] Now, will you swear that none of it ever went down your throat?—No, never. Not a drop?—No.

Mr. Scarlett put in a letter from the defendant in answer to one from the plaintiff's attorney; it professed a readiness to meet the plaintiff in any action he might choose to bring.

—Nixon was called into the witness's box.

Mr. Justice Bayley.—Why do you call him?

Mr. Scarlett.—To show, my lord, that his associates were respectable.

Mr. Justice Bayley.—The only question is, was he dismissed or not. You cannot call any witnesses to character, till his character is impeached.

Mr. Scarlett.—Then, my lord, that is my case.

Mr. Raine addressed the Jury for the defendant. He would form a strange opinion of a Cumberland Jury, if they could give a verdict for the plaintiff upon the evidence of the young man who had left the box, self-contradicted and self-reprobated as he was. Why, he admitted that he had sucked a little rum through a quill for a hollow tooth. A facetious friend of his (we believe  
Mr.

Mr. Topping) used to designate a certain habit, as a habit of wetting a hollow tooth. But he should bring a witness before them to prove that he himself had wished for his indenture, and to contradict still farther his testimony, although that was hardly necessary.

Ann Boyd, a servant of the defendant, gave evidence as to conversations she had had with the former witness. It was quite equivocal as to the fact of dismissal. She saw the former witness often intoxicated when he came home.

Stewart Carston, another apprentice of the defendants, said he slept with James Dockeray. They generally went to bed at the same time. James Dockeray drank their master's rum through a quill. He came home very frequently intoxicated.

Cross-examined by Mr. Scarlett.—He admitted that he had himself often come home drunk and concealed it from his master. It appeared that their master, missing some of the rum, called them both before him, and that they mutually charged one another with the fault.

Mr. Scarlett now called Nixon again, but his Lordship, after some consideration and argument, refused to receive him. Mr. Scarlett, therefore, began his address to the jury by pointing out the injustice done to his witness by imputing drunkenness and bad hours to him, while he could call no witnesses to repel those imputations.

Mr. Justice Bayley.—I am wrong. You may call your witnesses. I was wrong in allowing

Carston to be examined. Part of the young woman's evidence may be material as referring to the dismissal. All the rest is irrelevant. You may call your witnesses to remove it.

Mr. Scarlett.—If your lordship strikes out all that evidence, I have no occasion to call witnesses.

He called young Dockeray up again to ask him one question as to the differences between him and Carston.

Mr. Raine.—Just one word. Gentlemen, if you can believe that rum-sucker, give your verdict for the plaintiff.

Mr. Scarlett enforced with much point and cogency that the necessary inference from the letters to old Dockeray and to the attorney, and from the whole complexion of the transaction, was, that the defendant had dismissed James Dockeray. It appeared from the evidence that the apprentices had no other time for exercise but between eight and nine, and therefore it was not reasonable in their master to order them home before nine. Unreasonable orders they were not bound to obey.

Mr. Justice Bayley, in summing up, said, that he was anxious it should be known that apprentices were bound to keep the hours prescribed to them whether reasonable or not. Mr. Turner was wrong in supposing nine a good hour. Between eight and nine in the winter season, when darkness afforded facilities for concealment, was a very bad hour for young persons to have at their own disposal. Mr. Turner seemed alarmed at the society kept by young Dockeray. Nothing

thing could more reasonably or more properly excite the alarm of an honest master. The associations formed during the seven years of apprenticeship were of the utmost importance. Credit or disgrace, success or ruin in life, might depend upon them. Mr. Turner's delay in giving up the indenture might have proceeded from a desire to afford opportunities for application to remain. No application, however, appeared ever to have been made. The first communication to Mr. Turner was from the attorney, and that, like most attorneys' letters, probably threatened an action.

Verdict for the defendant.

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GUILDFORD, AUGUST 12.

*Trial of Chennel and Chalcraft, for the Murder of Mr. Chennel and his Housekeeper.*

The account of this trial occupied much time, for which reason we shall confine ourselves to the summing up of the Judge, Mr. Serjeant Lens, before the Jury. He said he was not aware that he could do any thing more in this important case than merely recapitulate the different accounts given by the different witnesses of the conduct of the prisoners during the hours between eight and eleven on Monday, the 10th of November. If they could rely on any part of Sarah Hurst's evidence, the decision of the jury would be short and infallible. The conclusion would be inevitable if her word could be trusted; but her conduct did not tend to establish her credit. She, according to her own account, was

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appointed to watch while the murder was committing, and was therefore a party in the murder. She had charged others with the crime, and it was difficult to say, whether her charge was the effect of malignity, or the mere wandering or delirium of her mind. Whatever was the cause, her evidence was proportionally affected by it. Delirium or confusion of mind might apply to her evidence as regarded Scooly. But this excuse did not apply to what she said of her husband, when she malignantly and deliberately accused him of acting, as she had done, in assisting the murderers. She must have done so either to get quit of her husband, or some other hateful purpose, not easily conjectured; and then the jury were to consider how far a person of such a character was to be listened to. He was afraid that her evidence must be laid aside, and that the jury must rely on the other evidence alone. The evidence on which the jury were to form their judgment included the minute points of time, of situation, of conduct, of declaration, and language. The declarations of Chennel's hatred were important; but the Jury were to consider that the expressions he used with regard to his father and his housekeeper, coarse and violent as they were, extended over a long course of time (as much as a year) before the fatal deed; and the Jury were to judge, whether they were the infatuation of criminality, unconsciously avowing its designs; or loose idle words, that had no definite meaning, and were never intended to avow any purpose. He thought that these expressions

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could

could hardly be taken to convey what they meant; and though they were not to be forgotten as evincing a general disposition to evil, and rendering what happened more probable, they were not to be relied on as declaring the intention of murder, which no man in his senses who meant to commit the crime would previously declare. The learned Judge then went over the different parts of the evidence, and showed its bearing on the guilt or innocence of the prisoners with great penetration, discrimination, and impartiality. The learned Judge concluded an address to the Jury of two hours and three quarters, about 10 minutes before 9 o'clock.

The Jury almost immediately returned a verdict of Guilty against both the prisoners.

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#### GLOCESTER ASSIZES, AUG. 15.

We have now to call the attention of our readers to an event which we understand is unprecedented in the history of assizes holden in this country, namely, the fact of the commission for holding the assize for this county having been rendered nugatory, in consequence of its not having been opened before 12 o'clock at night on the commission day. We have already stated the fact, that Wednesday was the day appointed for opening this commission, and have also alluded to the anxiety which Mr. Baron Garrow expressed to perform that duty. Unfortunately his Lordship was unable to effect his object, for though he travelled with all the expedition his horses

and the hilly roads would permit, he did not reach the court-house at Gloucester until after midnight. Long antecedent to this time Mr. Tommes, the clerk of indictments, had arrived in the town, and, attended by the Under-sheriff, the Mayor of Gloucester, and several other gentlemen, had proceeded to the Court with their commissions, in order that they might be opened the moment his Lordship should arrive. These gentlemen remained in anxious suspense until the hour of twelve approached, when, apprehensive of the consequences that would follow the non-arrival of the Judge at that hour, every watch was drawn forth and compared. Time still rolled on—his Lordship did not arrive, and the hour struck. The second quarter after twelve had been completed, when his Lordship was announced, and the commissions were opened in the customary way; subject to what was then conceived to be an insuperable bar to their effect—namely, their not having been read on the day which in their own body was directed and appointed.

Matters rested thus until the arrival of Mr. Pugh, the clerk of assize, who entered the town at 10 o'clock in the morning, and immediately had a conference with Mr. Baron Garrow. The result of this interview was a determination on the part of his Lordship to go into court after divine service, and to have the names of the grand jurors for the county and city called over; but to take no other step until Mr. Justice Holroyd, with whom he was



was desirous of consulting upon so nice a question, had arrived. Mr. Justice Holroyd, who did not leave Monmouth till 9 in the morning, was expected at 2.

Between 12 and 1, Mr. Baron Garrow proceeded from the cathedral to the Court-house, which was crowded to excess by persons of all ranks. Among others who had been summoned as a grand juryman was the Right Hon. Charles Bathurst, who was formerly a barrister on the circuit. Mr. Bathurst was in Court, and with him the learned judge had some conversation on the dilemma in which they were placed. Mr. Bathurst, we understand, fully agreed with his Lordship on the propriety of waiting for Mr. Justice Holroyd, and after the juries had been called, an adjournment of the Court took place till 2.

On Mr. Justice Holroyd reaching the town, Mr. Baron Garrow communicated to him what had occurred, and they both applied themselves to the consideration of the difficulty which had arisen. Reference was had to all the authorities which it was thought might bear upon the subject, but nothing was found calculated to assist their Lordships' deliberations. In this state of things, and both of the learned Judges entertaining doubts of the legality of proceeding upon a commission which had not been opened on the day appointed, it was resolved to despatch Mr. Wilton, the Under Sheriff, express to London, with a letter to the Lord Chancellor, explaining what had happened, and soliciting his advice as to the course which it would

be proper to pursue. Mr. Wilton was immediately called in, and having received directions to prepare for his journey, he soon afterwards was furnished with the letter in question, and set off in a post-chaise and four for London, intending to reach the Lord Chancellor's house as soon as possible.

It was then resolved that Mr. Baron Garrow should go into Court, and have the grand juries sworn, so that they might go on with their business in finding bills.

In the interim the utmost perturbation prevailed among the attornies engaged, both in civil actions and criminal prosecutions; 21 causes were entered for trial, of which 7 were understood to be undefended, and the calendar presented the names of 70 prisoners. This amount of business, although inferior to what has been known on former occasions, had collected together from distant parts of the county an immense number of persons, either in the character of witnesses, plaintiffs, defendants, prosecutors, or prisoners' friends, all of whom were, of course, deeply interested in the delay which now seemed unavoidable. To these might be added the petit jury panels, containing the names of not less than 100 persons, who had been summoned to attend the assize, at a great expense and at considerable inconvenience. If it should be considered necessary to issue a new commission, it was understood that all the usual steps taken under the old commission must be renewed. New juries would have to be summoned,

fresh notices of trial given, and, in fact, all that had already been done, with a view to the trial of causes, would be superseded. In such a state of things, it is impossible to describe the sensations which every where prevailed. The trumpet having sounded, to announce that the learned judge was about to go into court, an instant rush took place, and in a moment the Crown Court was crowded in every part. On his Lordship's arrival on the bench, and the confusion which arose having subsided, he addressed the grand jury, of which the Marquis of Worcester was foreman, to the following effect:—

“ Gentlemen of the grand jury ; It may be proper that I should explain to you the course which, in the very distressing, and to me very afflicting, circumstance in which my learned brother and myself are placed, we have thought it most expedient to take. It is now, gentlemen, perfectly well known to you all, that in consequence of the great pressure of business at the last county from which we have come, notwithstanding every possible despatch was used, I did not arrive in this place till some minutes after midnight. The commission under which we were appointed to assemble here required that we should commence our duties on the Wednesday. It has been the usual course to open the commission on that day, and, generally, nothing more has been done ; the Court adjourned to the following day. On the present occasion the commission, from the unforeseen and unavoidable circumstances

to which I have alluded, was not opened within the time stipulated, and a difficulty has occurred in our minds as to whether it may be strictly correct to proceed with the business of the assize. Since I had the pleasure of communicating with you before, my learned brother and myself have given our best consideration to this new but important question, and upon the whole, we are of opinion, that the most prudent course will be, to charge you, gentlemen of the grand jury, to make inquiry into the matters which shall be submitted to you in the ordinary way, and to adjourn from time to time, to receive such bills as you may find. In the interim we shall omit nothing to remedy the inconvenience which has arisen. A messenger has been despatched to the Lord Chancellor on the subject, whose judgment we have thought it proper to consult. If, unfortunately, it shall be found necessary to issue a new commission, then nothing will have been done of an important or injurious nature. We shall abstain from taking any trials until after the answer of the Lord Chancellor has been received. When you are sworn, therefore, we shall adjourn, as I before said, to such time as shall appear most convenient for the reception of your bills ; and it is now to be understood, that neither in this court nor in the other are any trials to be proceeded with, until Saturday morning. It is impossible, gentlemen, that I can refrain from expressing the deep and heart-felt regret which I feel at the disappointment, inconvenience, and additional expense, which

which must result to the parties from this painful occurrence. The only consolation I feel is that no possible blame is imputable either to my learned brother or to myself. I came here with uncommon advantages of travelling and with all possible despatch. I left a jury behind me locked up, and had the misfortune to leave several cases untried. The case is as singular as it is unfortunate, and is to me most afflicting."

Mr. Pugh now read the proclamation against profaneness and immorality, and Mr. Richards, his Lordship's marshal, proceeded to administer the usual oath to the grand juries, both for the city and county of Gloucester.

His Lordship afterwards addressed the petit jury, and requested their attendance on Saturday morning at 8 o'clock. — The Court was then adjourned to the lodgings.

On the adjournment of the Crown Court, Mr. Baron Garrow entered the Civil Court, and the crier having opened it in the usual form, his Lordship spoke to the bar, many of whom were assembled, as follows:—

"I am extremely sorry to meet you under the very distressing circumstances in which I am now placed. You are sufficiently aware of the nature of the business at the last place from whence we came. You know the anxiety which I felt, not alone to perform my duties there, but to take measures to ensure my early arrival there; and were witness to the orders which I gave, to make preparations for my depar-

ture from Monmouth the instant my presence could be dispensed with. You are also aware of the lateness of the hour to which I was detained. I lost not a moment in setting off for this city; but in despite of the despatch and speed which were used, I did not arrive until after midnight. This delay has given rise to doubts, which my learned brother and myself think it expedient to submit to other authority, before we proceed with the business of the assize, for reasons which your own experience will naturally suggest. We have sent Mr. Under Sheriff with all possible expedition to the Lord Chancellor for his advice as to the course which it may be proper to pursue, and hope by Saturday morning to receive his Lordship's answer. Until that day we do not propose to settle any trial. This is a delay which I most sincerely lament; but which cannot now be avoided: the consciousness that it is not attributable to any want of zeal or exertion upon my part, is the only consolation which I have, in a case so novel, and involving so many important consequences."

The Court was then adjourned to the lodgings.

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ADMIRALTY PRIZE COURT,  
AUG. 19.

*John Smith Master.* — This question arose respecting a British vessel which was captured in the month of April, 1814, by his Majesty's ship *Benbow*, Captain Pearson, commander, in the prosecution

prosecution of a return voyage from the port of Senegal to this country, and carried to Barbadoes, where she was abandoned by the captors. In the month of May, 1816, a claim was given in this Court by the Master, and a monition was taken out against the captor, to proceed to adjudication. He appeared under protest, and in June, 1817, the Court over-ruled the protest, and assigned the captor to appear absolutely.

Sir W. Scott.—This is a case of a ship with a valuable cargo, which was seized in the month of April, 1814. Proceedings were instituted in this Court in the month of May, 1816. A claim was given by the master, and a monition issued against the captor, calling upon him to proceed to adjudication. He appeared under protest which came before the Court in an act on petition in the month of June, 1817. Two grounds were attempted to be established in the protest—1st, that the captor was justifiable; and, 2nd, that restitution had long since been made to the owners. If circumstances excite a just and reasonable suspicion, although they may not lead ultimately to condemnation, the Court will always protect the captor; but, if a sufficient ground for the seizure is not shown, and injury ensues, the person who causes that injury must in justice bear its weight; or if the captor can show that restitution has been accepted by the claimant, the Court will hold the latter to have acquiesced in the arrangement, and consider him as bound by it;

but the Court was of opinion, that neither of those grounds in the protest had been sustained. It was asserted, that by her sails she had the appearance of an American ship, and that there was no manifest of the cargo; but papers were produced which left no rational doubt as to the port from which she sailed, and the port of destination. With respect to the want of manifest and clearance, the master says, there was no custom-house, and the captor might have supposed that this was the fact, as he hardly would have left any port with so valuable a cargo had there been the means of obtaining those documents. If the captors disbelieved this, they should have shown that a custom-house did exist in that port. With respect to the restitution, he had no right to take the vessel at all to Barbadoes, unless there had been strong grounds for suspicion. The Court is always ready to make allowances for conveying vessels. When they make captures, a practice which, although permitted, is very much discouraged, they should put things into the most convenient forms. The captor might have resorted to any of those measures which have been suggested in argument without the hazard of such great loss. At Barbadoes a sort of restitution takes place, but is it done without sufficient attention? The vessel is left, and the master remains in gaol, and protests against the seizure, declaring that he will not sign any paper to relieve the captor from the responsibility. The Court decided, that

that the captors were obliged to proceed to adjudication. What is the case now? Can any one doubt but that this is an English ship? It is not denied; but something is attempted to be borrowed from the cargo, to invalidate the title of the ship: but, taking the whole circumstances of the case, and viewing them in every direction, it is impossible to surmise that this is not a transaction wholly and essentially British. It is difficult to lay down in a case so entirely British, that suspicion shall attach, because the bills of lading do not contain account and risk. The master has sufficiently verified them; he swears that the cargo belongs to British owners, and to none others. This cannot be considered a justifiable seizure under any view of the case. Captors should take care to proceed on proper grounds in exercising the rights of war. It is a British ship and cargo, proceeding from one British port to another, with despatches from the Governor of the colony to the government of the mother-country. She has been unjustly seized, and great injury has thereby ensued to the owners. It is my duty, therefore, to let the weight fall on those who have been the cause of the injury; therefore I shall pronounce a sentence of costs and damages against the captor, referring the amount of them to the registrar and merchants.

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GLASGOW, OCT. 5.

This day at 10 o'clock, the Court was opened by Lord Gillies. The cause to be brought before the Court having excited

a great deal of interest, the hall was extremely crowded. The following issue in the cause, in which Thomas Stewart, of Glasgowfield, is pursuer, and Thomas Allan, banker, in Edinburgh, and Alexander M'Kay, of Belfast, are defenders, was submitted to the Jury:—

“ Whether a paragraph inserted on the 28th of January, 1817, in a certain newspaper, published and circulated in the city of Glasgow, or elsewhere, called the Belfast Newsletter, of which the defenders are the proprietors, and which paragraph is hereunto annexed, and particularly set forth and referred to in the summons, is of and concerning the pursuer; and whether the description of Mr. S. and Mr. S. of Glasgow, in said paragraph, was meant and understood to apply to the pursuer, and whether the said paragraph was or is injurious to the character, credit, or reputation of said pursuer.

The damages were laid at 3,000/.

Mr. Jeffray opened the case for the pursuer, and said that he appeared for the purpose of obtaining reparation at the hands of the Jury for the grievous injury inflicted on the feelings and reputation of Mr. Stewart. The paragraph which contained the libel was headed Heinous Fraud, in capitals. It stated that a singular discovery had lately been made in Glasgow. That a servant of a Mr. S. of that city having heard that a relation had died in India, and left him a considerable fortune, he applied to his master to assist him in recovering the money. After a long delay, his master informed him, that his exertions

exertions had been fruitless, and that there seemed to be no truth in the report. The libel then went on to state, that the servant had lately ascertained that the money left by his relation, amounting to 20,000*l.* had been paid over to Mr. S. "Proper steps," the libel adds, "were then taken to bring the matter to account, but we are sorry to add that our report states there is little probability of much of the money being recovered, as he had given a considerable dowry to a daughter, and lived expensively. The necessary steps of law are, however, in "progress." Mr. Jeffray dwelt strongly on the injury which such a statement (acknowledged to be false and unfounded) was calculated to do to the character of a merchant. He then went over the history of the case. The present publication was not the first form in which the calumny had appeared. An application had been made to the magistrates for an exhibition of Mr. Stewart's papers; but on the investigation taking place, the absurd allegation fell completely to the ground. The character of a dealer, Mr. Jeffray observed, was like that of a woman; to circulate a libel of the description which was contained in the Belfast Newsletter, in the coffee-room, and among the merchants of Glasgow, who have much connexion with Belfast, was like throwing a firebrand into a pile of combustible matter. The day in which the paper arrived in Glasgow it was so much read and thumbed that it was reduced to tinder, and was more read in one day than a

pious old woman's bible is at the end of her life time. The libel originated with a person whose name is concealed, and the defenders evaded giving him up, and therefore they from choice alone were defenders in the present action. The libel was evidently of Glasgow origin. They refused to give up the manuscript; and at first they refused the jurisdiction of the Court of Session, but finally they withdrew this objection, and submitted to the cognizance of the Scottish Court. Allan, the banker in Edinburgh, and M<sup>c</sup>Kay, the printer, are only nominally the defenders. There is, no doubt, a person behind them, and that person is, no doubt, able to stand the issue of the present action; and that he will most willingly pay any sum rather than have his name exposed as the author of this atrocious libel. Under these circumstances he confidently expected the jury to award the whole amount of the damages asked; for the respectable proprietors of the Belfast Newsletter are standing the brunt of a wealthy person.

An extract from the process before the magistrates of Glasgow, and the absolvir or sentence in favour of Mr. Stewart, was put in and read; as was also a letter from the solicitors of Mr. Stewart, (Messrs. King and Campbell), calling on the defenders for the name of the author of the libel.

The publication in the Belfast newspaper was admitted.

Several witnesses were called to prove the arrival, in Glasgow, of The Belfast Newsletter, containing

taining the paragraph about Mr. Stewart, and the interest with which it was read.

Mr. R. Carrick, a partner in the Ship Bank, where Mr. Stewart discounted bills, had heard the report. On seeing the report in the newspaper, the witness told Mr. Stewart that he considered it a stroke against his credit, advised him to take steps to clear his character, and in the mean time to lessen his commercial transactions. After this Mr. Stewart did not do so much business with the Bank as before. Some persons who had placed money in Mr. Stewart's hand, proved that they had demanded it in consequence of the story, which had made a great impression throughout the country.

Mr. Moncrieff, for the defenders, stated that Mr. Allan, at the time the paragraph was published, was abroad with his wife, whose health rendered travelling necessary, and who died in Italy. It had been said that the defenders had refused to give up the author of the paragraph; but the fact was that a person of the name of Kilbee had furnished the information; and the pursuer was told so. This piece of news had been inserted by Mr. M'Kay, in the routine of business, without his even knowing who was alluded to under the initial S. From the paragraph itself no one could know to whom it alluded. It was only from extrinsic information of the process that any person could know to whom it referred. When the name of the author was applied for by return of post, Mr. M'Kay expressed his regret, and stated that it was inserted in

the hurry of business. He also stated that in the very first publication, the first opportunity in his power, he had published a pointed contradiction of the paragraph. This ample refutation he published without being solicited to do so, and this contradiction said that the paragraph was false and groundless.

Several witnesses were called by the defenders, to prove the previous existence of the report in Glasgow, before the publication in the Newsletter; and that report had been received by Mr. M'Kay from Mr. Kilbee in the street of Belfast.

Mr. Cockburn replied for the pursuers.

Lord Gillies, in summing up, observed, "The paragraph in question does not appear to be a report of legal proceedings; and it is therefore unnecessary to go into the law with respect to the general question of the right of newspaper editors to publish all the proceedings of the courts of law. Mr. Allan could not be actuated by any malicious motives; and it is improbable that Mr. M'Kay could be so; but it does not appear that he did on application at once give up the author. He is bound to show that the name he gave up was that of the calumniator. Damages are due, not only for actual loss, but *solatium*. The defenders do not stand in the place of publishers who have given up their author. I think that it was wholly owing to this paragraph that Mr. Stewart was obliged greatly to diminish his business. His Lordship then went over the evidence. The sum claimed is large, and you



you are not to give vindictive damages.

The Jury, retiring for a short time, found.—*Damages*, 1,500*l.*

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GLASGOW JURY-COURT, OCT. 8.

*Drew v. the London Imperial Fire Company.*—This case excited peculiar interest, and the Court was crowded to excess, in consequence of the defenders being a London Insurance Company. The case had been litigated for some time before the Court of Session, who directed the following issues to be tried, viz. 1st, Is there reasonable evidence in terms of the policy of insurance, of the plaintiff having sustained a loss on the premises, in Rottenrow-street, North-west Church, parish Glasgow, and on the stock and utensils therein contained, by the fire which took place on the evening of the 25th of December, 1816, or about that time, to the extent of the sum insured by the policy? 2ndly, Did the pursuer in his claims commit any fraud, perjury, or affirmation in support thereof, with intent to defraud the Company?

Francis Jeffray, Esq. opened the case. He stated, that, in 1813, Mr. Drew the plaintiff, a respectable tin-manufacturer, in Glasgow, effected an insurance in the London Imperial Insurance-office Company, and regularly paid the premiums. The particulars of this policy were, 200*l.*, for the building, and 550*l.* for the stock in trade and other utensils, as a japanner and pewterer, making in all 750*l.* On Christmas-day, 1816, the premises were

destroyed; and as no part of the house was at all occupied as a dwelling-house, and the fire had taken place after the men had left their work, the devouring element gained such power before being discovered, that the house was consumed, and very little, indeed nothing at all, of the stock was saved. Soon after this, a person, by order of the plaintiff, made application to Mr. Bogle, in Hutcheson-street, Glasgow, agent for the company, for payment of the amount of the policy, the plaintiff being unwell at the time. Mr. Drew did not object to give a statement of the loss, as Mr. Bogle, the agent for the London Company, required. The person who built the house, and Mr. McCallum, a measurer (surveyor), both gave in valuations of the tenement, the former at more than 220*l.*, the latter at 276*l.* In addition to this, Mr. Drew gave in his account of loss, to which he made affidavit, and which was in toto 675*l.* In making this affidavit he never was told by the agent, that this prevented him correcting any mistakes, though he had sworn to its accuracy, "errors excepted." He was afterwards told a more specific account was necessary, and he gave it. Between the two there was this difference, that there were four dozen more tea-trays in the first account than were in the second, but this was more than made up by a number of clock dial-plates, showing thereby that he had not the slightest intention to rob or defraud the Company. They, however, disputed the account, on which the pursuer (plaintiff) begged

begged that, according to their own terms of insurance, the case might be referred to arbitration; but to his astonishment, he was told that this part of the policy was not applicable to his case. The Company, before examining a single witness in the employment of Mr. Drew, set up a defence against the plaintiff. "The dangling and pragmatistical fellows of cockneys, who pry into the affairs of every public office," had thought this was a very good opportunity of bringing this poor Scotsman into a fine scrape, in consequence of his correcting his accounts. In conclusion, the learned Counsel contended that the letter sent from the Imperial Fire Office to the plaintiff in Glasgow, was infinitely more insolent than any thing which had ever issued from the Imperial Cabinet of St. Cloud.

The evidence was then adduced in support of the pursuer's claim, by which it appeared that his whole error consisted in mistaking four dozen of clock dial plates for four dozen of trays. On this mistake the London Imperial Insurance Office pleaded that he had been guilty of false swearing, and was therefore not entitled to damages. The Judges of the Court of Session saw at once through this objection, and instantly repelled it, but at the same time sent the merits of the case to a jury. The defendants admitted the justice of the policy, the state of accounts, and the valuations which had taken place, and they also acknowledged that the fire was accidental.

The Solicitor-General (Mr.

James Wedderburn), in defence, complained of the way in which the Counsel for the other side had treated his clients. He observed, that in every case of this description, Fire Insurance Companies were always sure to be abused, and in this instance that had not failed to be the case. He trusted he would show to the Jury, that there had been a gross overcharge, and that the most of the furniture and stock had been transferred to the plaintiff by a former partner, as of no value, being quite old and out of fashion.

The Solicitor General completely failed in his proof for the defendants, though he put in several written invoices to prove the goods were overcharged.

Henry Cockburn, esq. in reply, censured, in the most severe terms, the conduct of the London Imperial Insurance Company, and contended, that they had acted most ungenerously, and in fact most improperly in this case. His speech was loudly applauded.

Lord Gillies, the presiding Judge, summed up the evidence. He held it was indisputably the law, that Fire-offices were bound to adhere to the very terms of their policy. Persons who insured in the offices were not by any means bound to prove their losses by what was generally called legal evidence; for were such to be the case, there would be at once an end to many persons recovering their losses from insurance offices. He conceived it his duty to say, that when a loss was unfortunately sustained by fire, the unhappy sufferer was not bound to give what might be strictly called "legal" evidence, but

but merely "satisfactory evidence," by affidavit or other means. There would, in truth, be no kind of safety whatever for persons who insured in fire-offices, if legal evidence was to be always called for, as it unquestionably was beyond the power of man in many instances to prove his loss by legal proof. The Jury had, however, the case before them, and though he laid down what in general was very properly the law, they would in this case come to such a conclusion as their conscience and country would approve.

Without any hesitation the Jury found for the pursuer (plaintiff) against the Imperial Insurance Company. The verdict has given general satisfaction, the case being considered very important in that part of the kingdom. It was hailed with loud acclamations.

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#### ARGYLE-ROOMS.

Yesterday (Nov. 2), a jury was empanelled before the Deputy High Bailiff, at the Guildhall, Westminster, to assess the damages claimed by Mr. Slade, the proprietor of the Argyle-rooms, as compensation for the loss of those rooms, part of which are to be removed in order to continue the line of the New-street.

Mr. Sergeant Best, Mr. Sergeant Copley, and Mr. Chitty, were of counsel for the claimant.

The Attorney-General, Mr. Gurney, and Mr. Shepherd, jun., were retained for the Commissioners.

Mr. Sergeant Best stated the case to the Jury, and went at

some length into a detail of the facts, which afterwards appeared in evidence. The claims, he said, which Mr. Slade made against the Commissioners of the new street, were under three heads; first, for the value of the freehold property, which would be proved to be worth 1,150*l.* a-year, which, at seventeen years' purchase, would amount to 19,550*l.*; next, three years profits of the rooms, in consequence of the loss of his business, consequent upon a removal; the average profits of the rooms amounted to 2,500*l.* a year; which, for three years, was 7,500*l.* The third head of claim was for a loss of 2,500*l.* upon a sale of wardrobes, &c. The learned Sergeant then dwelt upon the loss which the claimant was likely to sustain by the removal from his present situation, and the great difficulty he would find in procuring a similar one in a place where it could be advantageous to him.

The following evidence was called in support of the claim:—

Mr. John White, a surveyor, had seen the premises, and valued them on the 18th of August last. They were most conveniently situated, and elegantly fitted up as assembly rooms, and were occasionally used for the performance of French plays. The freehold property in the rooms he valued at 18,650*l.* Besides the rooms, there was a cellar and offices, which were let at 50*l.* a year, and also two coach-houses and stable, which would bring in a rent of from 50*l.* to 60*l.* a year. He thought two seasons would be lost before such rooms could be fitted

fitted up in another place. Colonel Greville, who had them before Mr. Slade, expended a great deal of money upon them.

Mr. Squibb had examined the rooms, and the offices adjoining to them. It would, according to his judgment, be very difficult to procure such a situation in any other convenient place; and it would consume at least two seasons before they could be built and fitted up. The rooms he valued at 1,000*l.* a year, the stable and coach-house at 100*l.* a year, and the other offices and cellar at 50*l.* per year. The whole value he believed to be 19,550*l.* Mr. Slade's removal would, he conceived, be the entire annihilation of his business. There was property on the premises which was at present worth 5,000*l.* to Mr. Slade, but which he could not dispose of without a loss of 2,866*l.*

Mr. Dawson, a surveyor, had examined the rooms, and estimated their total value at 19,500*l.* The loss on some scenery and wardrobes would be very considerable. He also spoke of the excellence of the situation, and the difficulty of procuring a similar one in a convenient place.

Mr. Cresswell estimated the rooms to be worth 20,450*l.*, without including the goodwill.

Another surveyor estimated them at 19,800*l.*, with the same exception.

Mr. Henry Slade, jun. was in the habit of assisting his father in the management of the rooms. He was acquainted with their profits. The nett profits, after deducting rents, were 2,463*l.* a year. In his cross-examination,

he said that the sum received from the Philharmonic Society was 174*l.* a year.

Mr. Lequin, the conductor of the assemblies, knew the receipts. In 1817, they amounted to 3,308*l.*, and in the present year to 3,291*l.*

Mr. Ward also stated that the profits were very considerable.

The Door-keeper and Money-taker was next called. He stated that his receipts in money on some nights exceeded 100*l.* but besides this there were a great number of tickets disposed of in several shops.

Mr. Slade, jun. again examined, stated, that the shop-keepers who sold tickets were allowed 1*s.* per ticket. They got a guinea for the ticket, and paid back 1*l.* The lowest number of persons at the assemblies was about 350, and they seldom exceeded 500.

The case of the claimant being here closed,

The Attorney General, for the Commissioners, addressed the Jury, and contended, that the sum demanded by Mr. Slade was most exorbitant. He went on to show that the injury, if any to the claimant, by the removal, would be very little, for only some of the offices and a very small part of the orchestra would be touched. In fact, Mr. Slade could carry on his assemblies there when the new street was finished as well as before. As to the time required for fitting new rooms elsewhere, it would not at most occupy more than nine months; for it should be remembered, that Covent-garden Theatre was built in less than one year.

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He then called Mr. Thompson, a surveyor, who stated, that he was employed by the Commissioners to examine the rooms. They were made assembly-rooms about 15 years ago; Mr. Slade bought them afterwards from Colonel Greville, but witness did not know what he gave for them. In 1803 or 1804 they were offered to him for 3,500*l*. After the passing of the New-street Act, he spoke to Mr. Slade on the subject of the rooms, and in consequence of what then passed the intended line of the street was in some degree altered. Only a small part of the premises were at present required: this consisted of the coach-house, stables, part of the counting-house, and a room which was used as a dressing-room. The assemblies could, in his opinion, be carried on there, after these were removed.

In his cross-examination he said, that the intended alteration would make the orchestra near the street, which would not be so advantageous, as it would be exposed to the noise of the carriages. In the subsequent part of his cross-examination, which was very long, he spoke of several conferences and verbal communications which had passed with Mr. Slade on the subject before. He also said that Col. Greville and Mr. Slade had expended several thousand pounds on the rooms.

Mr. Lethbridge, the machinist at Drury-lane theatre, stated, that the inconvenience of the orchestra being near the street could be remedied, by having two walls with a space between them, which, when filled up with

saw-dust, wool, horse-hair, or woollen cloth, would prevent the sound from without; and when a boarded partition was raised inside, the effect of the music would not be diminished within. He added, that the building of new rooms would not occupy more than nine months.

Mr. Ayrton, one of the managers of the Philharmonic Society, gave it as his opinion, that the assemblies could be held at the rooms after the proposed alterations. The new street he considered would be an advantage to them.

Mr. Montague, Mr. Willock, and another surveyor, stated that the premises were not worth more than 14,610*l*.

The case for the Commissioners being closed,

Mr. Sergeant Best, in reply, contended, that his client had a right, by the act of Parliament, to make the Commissioners take the whole of his premises, though perhaps only a part of them was wanted. He also maintained that the sum demanded was only a fair compensation for the loss Mr. Slade would sustain.

The Deputy High Bailiff summed up the evidence, and the jury, after half an hour's deliberation, returned a verdict for the claimant.—*Compensation* 22,750*l*.

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VICE-CHANCELLOR'S COURT,  
WEDNESDAY, NOV. 11.

*The Attorney-General v. The Mayor and Corporation of Bristol.*  
—This case excited considerable interest in the court. In the year 1562, Sir Thomas White devised 2,000*l*. to be laid out in the

the purchase of land for charitable uses. The deed of trust appointed the mayor, burgesses, and commonalty of Bristol to act as trustees; and directed them to lay out the money in the purchase of lands, of which the yearly rent should amount to six score pounds or more. The revenue of this land was to be laid out in the following manner; During the first ten years after the purchase, 100%. per annum were to be given to the city of Bristol, for the maintenance of poor apprentices; and then 24 other cities, specified in the deed, were to receive in succession 104%. each, for one year. At the end of every 34 years the same rotation was to commence, Bristol receiving 100%. for 10 years, and each of the other cities 104%. for one year. No provision was made in the deed for the application of the surplus which would thus remain, when the 100%. or 104%. were deducted from the annual rent of 120%. The question at issue was, whether this surplus should be appropriated by the Corporation of Bristol to their own benefit, or should be given to the charity. The case had been brought before the court, by application from the Attorney General, and by complaint from the president and scholars of St. John's College. The other party had demurred, and the demurrer now came to be argued.

Mr. Wetherell argued at great length for the application. He contended that as the corporation were not purchasers for themselves, but for the charity, they could not be entitled to the

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surplus. In the case of wills, executors are not to appropriate a surplus; but where the rent afterwards exceeds the sum directed by the testator, application is to be made to the court for direction. Trustees of charity are in the same predicament as executors of a will. Beneficial rights are not to arise from fiducial duties. Here were 10%. the application of which was not directed, but it appeared from the tenor of the deed that the donor intended this surplus to guard against casualties. There was no reason why it should be given to the trustees, although it was not otherwise disposed of. The universal rule of law, which denies to a trustee any beneficial title, except what is specifically stated, decides that the silence of the donor, with regard to this surplus, destroys the claim of the corporation. This deed was prepared by a declaration of trust. It was not a covenant, as had been alleged. The corporation were therefore in the same case as all other trustees. The learned Counsel cited several cases, in which he contended that the decisions of the court destroyed the right of the corporation.

Mr. Taunton followed on the same side. It would be agreed on all hands that this question was to be decided by a reference to the intention of the donor. The deed of trust appointed "that the six score pounds arising from such lands and tenements are to be applied by said Mayor, Burgesses, and Commonalty, in manner as afterwards stated, *and to no other uses, intents, and purposes.*" Here is an express

express disposition of the land to certain uses; and to find what these uses are, we have only to read through the deed. For the first ten years the city of Bristol is to have the exclusive benefit of the revenue. This shows that the corporation of that city did not undertake the management of the charity, without an adequate reward. Lands at that time were selling at 20 years' purchase, and thus the city of Bristol had, in fact, half the value of the land for the trouble of the trustees. The terms of the deed require inspectors or visiters to be appointed. It was argued formerly by Mr. Bell, that this provision was incompatible with a trust. But if it be considered that deeds of trust were not then so common, nor so well understood, as at present, this provision will be satisfactorily accounted for. The learned counsel here adverted to the case of the Attorney-general v. the Corporation of Coventry, which had been decided in favour of the charity. In many points the present case was stronger in favour of the charity than the one he had cited. There, there was only a covenant, while here there is a trust. The only point of difference which might be thought to operate against this charity was the unprovided surplus. This appeared the only difference between the two cases that could be unfavourable to the present application. But this was at once done away, by the case of Attorney-general v. Arnold. There the whole property particularly appropriated did not amount to one half of the surplus, and yet the whole was

declared to belong to the charity. The principle on which the claim of the corporation was founded appeared to him absurd in the extreme. They say to the charity, "If the rents fall, the charity is to be reduced, because we are not to be losers; but if they increase, the donor intended that we should be the gainers by the rise, not you." Here was no reciprocity—no risk of loss to counterbalance the probability of gain. This amounted almost to a demonstration that the intention of the donor was, that if any surplus remained with the trustees, it could only be left in their hands to defray any incidental expenses that might attend the execution of the trust, and not for their own benefit.

Mr. Fillimore followed on the same side.

Mr. Bell replied for the corporation. The gentlemen on the other side had travelled over a wide field of argument, while, in his opinion, the question might be reduced within a very narrow compass. The case rested entirely on what was the intent of the parties in the deed. It is said, that the corporation are deriving great profits from the management of this charity. If that question were entered into, the gentlemen would find themselves egregiously mistaken. He would say a few words as to covenants. Mr. Wetherell had stated, as a broad assertion, that where persons are appointed trustees, they are bound by every law of trust. If he meant that trustees were trustees, he (Mr. Bell) did not dispute it [*a laugh.*] He would not deny that a trust might be declared



declared by a covenant. But how would a court of Equity execute it as a trust? Just as a court of Law would execute it as a covenant. If the court can collect from the deed of trust, that the donor intended the covenant to be binding as a trust, this was the whole length it could go. In the case of Coventry which had been quoted, the deed was to be enforced by a covenant. The question was, whether that circumstance prevented the court from looking at the intent of the deed, or did it require the literal fulfilment of it? If it appeared from the intent of this deed, that the donor intended the whole for charitable uses, he would not be bold enough to deny, that a court of Equity might direct the whole to be applied according to the donor's intention. Although when the whole of a property is given to charitable uses, and the revenues increase, that increase must go to the charity; still it does not follow, that because part of a property is so given, all the remainder unprovided for, is to be applied in the same manner. He would now consider the intent of the deed. It is said by the gentlemen on the other side, that in the introductory part of the deed, there is no expression of an intention to benefit the city of Bristol. The donor certainly meant a benefit to that city, by allowing it to enjoy the revenue of the property for ten years, while the other cities had it only for one year. The trust deed directed the corporation to purchase lands, of which the rents should amount to 120*l.* or more; and it appeared

to him, that if they could make this purchase for less than 2,000*l.* they were entitled to appropriate the balance.

Vice-Chancellor.—Certainly not, if they were trustees.

Mr. Bell said, that if he could have succeeded in showing that they were obliged to lay out the whole of the 2,000*l.*, it would have fortified the claim of the corporation; but if he failed in that attempt, the failure would not affect the validity of his other arguments. The deed says, that 100*l.* are to go to the city of Bristol for ten years, and afterwards 104*l.* to 24 other cities, in annual succession. Now, Mr. Wetherell contends, that since the donor has given them 100*l.* for ten years, they have no title, in justice, to the residue. Could any thing be more absurd than for a person making a will to say, he left A. B. his property on condition that he should pay C. D. 50*l.* per annum, and yet not to intend that all the surplus should go to A. B. Is there a single iota in this deed which says, that if there was a surplus, the corporation should account for it? Is it not evident that the donor either did not contemplate the rise of rent; or if he did, that he intended the city of Bristol to be benefited by it? If a property of limited amount is left to a charity, all the benefit resulting from fluctuation of rents, &c. must go to that charity, and not to the heir at law. Of this nature were the cases adduced on the other side; and it was evident they were not applicable, since in this case all the property had not been left to the charity. If

the rent of the land did not amount to 120%. Bristol was bound by the deed to make up the deficiency. Were they to be bound to pay this, and to derive no benefit from the surplus? It would not be in the power of arbitrators to relieve the city of Bristol from the deficiency on all occasions. It is agreed in the deed that the corporation shall make up the rent, unless in cases of accidents and repairs; and here they are subject to the decision of arbitrators, without the power of applying to a court of justice. One of the gentlemen on the other side had said, that the President of St. John's College and the Mayor of Bristol were appointed, in the capacity of visitors, to look after the management of the charity, at their own expense; and hence he infers that the city of Bristol had no claim to the surplus on account of the visitatorial labours of the Mayor, any more than St. John's College had for those of its President. Now it appeared more likely, that since St. John's College was benefitted by the will of the testator, the President was appointed a visiter on that account; on the same principle that the Mayor of Bristol was, on account of the benefit intended to the city of Bristol, appointed a visiter. He submitted to his Honour whether it did not follow, that where the city was to guarantee a certain amount, some benefit was not intended by the testator.

Vice-Chancellor.—The information in this case sets forth that the corporation of Bristol were bound, by the deed of trust, to

lay out 2,000%. in the purchase of land of the annual rent of six score pounds or more; and it is contended, that if they could purchase more with this sum, they were bound to do so by the intention of the donor. It is said, that since the purchase, the annual rents have risen from 129%. to many thousand pounds; that notwithstanding this great rise the trustees have applied only 104%. to the charity; that they have appropriated this great surplus to themselves; and that this appropriation is a breach of trust, as it does not appear to have been the intent of the donor that the corporation should be benefited by the surplus. On this information the corporation have demurred, on the ground that the question is too important to be decided in this early stage. As this is a question merely respecting the intention of the donor, I do not see what benefit can result from delay, since no other evidence than the deed itself can be adduced. My opinion, therefore, is, that the present is the proper moment of deciding. The case is of great importance; it is new in circumstance, although not in principle. (His Honour then went over all the cases that had been referred to, and precedents, in the course of the arguments, and showed that none of them were applicable in every circumstance to the present question.) If this were a case between A and B, without regard to charity, the corporation would be considered as purchasers of the land; and as such, although bound by their covenant to apply the sums provided for in the

the deed, they would be entitled to appropriate the surplus. But this is not to be considered as a case of individual interest. They are trustees for the execution of the will of Sir Thomas White. I am to look at this, not as a covenant, but as a deed under trust; and the duties by which the trustees are bound are the same as in other cases of trust. There is a plain intent in this deed, that the surplus should remain in their hands for some purpose. Is it intended that they are to take the surplus beneficially, or are they to keep it, in order to answer some purpose mentioned or implied in the deed? It is obvious from the nature of the property, that there must be some charges occasionally. The question I am to consider is this—was it left in their hands to answer incidental expenses on the property, or for their own benefit? It is plain that the testator gives to the other 24 corporations the sum of 4*l.* for expenses and repairs. Did he mean bounty to this corporation, or the means of defraying the expenses of executing the trust? The deed states, that the sums are to be applied to purposes stated, and to no other; yet the purposes mentioned do not amount to the whole rent. This is only to be reconciled by supposing that the parties took into consideration the expense of executing the trust. This construction seems confirmed by the clause of the trust relating to the appointment of arbitrators, who were to determine, when the surplus is not sufficient to cover the charges, from what other part of the estate they are to be

defrayed. Looking at the deed as a declaration of trust, my opinion of its true meaning is, not that the trustees should take bounty to themselves, but that the surplus was intended as a security for the expenses of management; and consequently, if the trustees have appropriated the surplus, they have been guilty of a breach of trust. I shall therefore over-rule the demurrer.

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SECONDARIES' OFFICE, COLEMAN-STREET, NOV. 21.

*Brown v. Allen.*—The defendant, who is Lord Spencer's game-keeper, was tried at the last Kingston assizes, under Lord Ellenborough's Act, for shooting at, and wounding the present plaintiff, on the high road between Wimbledon and London, upon which he was acquitted. The plaintiff subsequently brought an action for the injury he had sustained in consequence of the defendant wantonly shooting at him, upon which the defendant suffered judgment to go by default; and the inquisition upon the writ of inquiry was taken to assess the damages, before Wm. Collingridge, Esq. the Secondary of London, and a jury impanelled upon the occasion.

William Purday being sworn, stated as follows:—“I was with the plaintiff on the night of the 17th of February last, near Wimbledon; it was a moonlight night; a man named Wilkins was with us; I first saw the defendant, Allen, near the Green Man, Wimbledon, and a man was with him; they followed us about a mile and

a quarter before they interrupted us: Allen first stepped up to us, and put his gun across our breasts, and told us to stop: I begged his pardon, and attempted to go on: Allen then said, 'I have a suspicion that you are going a poaching;' I told him if he had such a suspicion of me, that I would willingly be searched: Allen then raised his gun and let us pass; he lifted his gun barrel over our heads; Allen then turned round and said to the plaintiff, 'Brown, you are the poaching rascal I want: you have been pounds out of my way, and I will blow a hole through you.' Brown replied that he would be searched there, or go down to Wandsworth and be searched. Brown put a basket down on the ground, and told Allen that he would be stripped naked if he had any suspicions of him. Allen kept manœuvring about Brown, and said he would shoot him, and not search him. I walked on a little way; Allen pushed hard with the muzzle of his gun against Brown's breast, and pinned him against the pailings. It was a double-barrel gun. Brown called me back; I said, Brown come along. Allen replied, that he should not. I said to Brown, if he (Allen) is tolerated to shoot, let him shoot. Allen then came down into the road, and ran his gun five times against me, and swore that, if I moved a foot, he would blow a hole through me. While he was thus attacking me, he cocked both the locks of his gun. Brown stepped over a stile into a common foot-path, which leads to Putney. As Brown got over the gate, Allen attempted to

stop him, but did not succeed. Allen then levelled his gun at Brown; I did not think he meant to shoot him. Allen, however, swore and pulled the trigger of his gun, and as the contents of one of the gun barrels lodged in the body of Brown, he fell to the ground, and called to me, seemingly in great pain, 'Purday, I am shot.' I then attempted to get over the gate, but Allen would not let me: he said, 'If you move another step, I'll blow a hole through you with the other barrel. You recollect my gun shoots twice, and I'll shoot you.'"

Joseph Wilkins being sworn, stated as follows:—"I am a jobbing gardener. I had been between Cheam and Sutton for a job of trenching, on the 17th of February, and found there were as many hands as could be employed. I met Purday and Brown between nine and ten on Putney-hill. We walked together, and met Allen near the Green Man, Wimbledon. They bid each other good night. Allen followed them nearly a mile. It was not ten o'clock, but it was very near it. Allen came across the road, and said, 'I think you have got something.'"

Common-Sergeant.—There is no necessity for this witness to go into all the details of the first evidence. I admit that the defendant shot the plaintiff. I will ask him if Purday told the truth in the whole of his relation?

Witness. All he has stated is true.

The plaintiff and Purday said they were going to the George public-house at Wandsworth, when I met them, and not to

snare game. I took a walk with them. I did not walk with the plaintiff on the next day at all. I believe he kept his bed at that time, and a long time after.

Common-Sergeant.—Had Purday any stick?

Witness.—I think he had a little switch stick. No violence was offered to Allen. On the contrary, he alone acted with violence: I believe he was in liquor at the time.

Dr. Simmons deposed as follows:—I examined the plaintiff a short time after he was shot and found he was dreadfully wounded. A great number of shots were in his knee, leg, and thigh. I hoped it would not prove fatal; but I had great apprehensions at the time that it might. I never saw the plaintiff after that night, till I saw him on the trial at Kingston; he then limped, which was no doubt the consequence of the injury he received by being shot; I believe the limping was not affected; it was the probable effect of the injury in his thigh; I think for a labouring man such an injury would prove highly prejudicial to him in his employment, and of more serious consequence than to a person whose occupation was of a different and lighter description.

Mr. Joseph Hillier, the father-in-law of the plaintiff, proved that the plaintiff had suffered eight or nine weeks' serious indisposition from the injury he received when he was shot, and he was not able to do any work for twelve weeks.

The Secondary summed up the evidence very minutely; he inveighed against the atrocious conduct of the defendant, and

recommended the jury to give such fair and moderate damages as they should be of opinion, after a dispassionate review of the facts which had been detailed in evidence, the justice of the case required.

The jury retired for a short time, and gave a verdict—Damages 50*l.* and costs.

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ADMIRALTY-COURT, DEC. 1.

*In the case of the ship La Jeanne.*

This was a claim for salvage of ship and cargo, the particulars of which were briefly stated by Dr. Adams, on behalf of the salvors. The vessel belonged to Dunkirk, and was brought into Falmouth by the Hind revenue-cutter, having been found at sea, floating, with her keel upwards, and two or three casks of brandy, part of her cargo, washed out of her. By dint of great and severe exertion, the cutter's crew, assisted by 90 other men, amounting in all to 131 hands, succeeded in righting her, and brought her into Falmouth on the 13th of last February. The value of the cargo, which consisted of wine and brandy, was 3,000*l.*, and the expenses already incurred amounted to 428*l.*, which sum was, of course, to be deducted from the nett amount to be allotted for salvage. One cask or barrel of brandy was afterwards found in a barn near the coast, and another was also discovered on shore.

Dr. Arnold, for the owners, admitted that this was a case of "derelict," but one that did not come before the Court under very special circumstances; and in this view of the case, he thought an allowance of one-third would

be

be ample. The learned counsel for the salvors entreated the Court to remember, that the hull and property were picked up in the tempestuous month of February; and at a distance of 24 miles off the Lizard Point: these circumstances, added to the very laborious efforts of the salvors, entitled them, he contended, to more than a moiety of the value; and when the heavy expenses incurred were taken into consideration, and the great number among whom salvage was to be distributed, it was evident that even such an allotment would be, in fact, less than a moiety.

Dr. Adams observed, that between the opposite counsel and himself there was no difference as to facts; the only question at issue between them was the amount of remuneration to be made to the salvors. He must at once declare his conviction, that the proposed one shilling and three-pence was by no means an adequate allowance. The vessel was abandoned on the 9th, and not discovered until the 13th of February; at that time she was riding with her keel upwards, and a part of her cargo floated out; she had, therefore, been at sea four days in this destitute condition; and, no doubt, in twelve hours more the whole of her cargo would have been dispersed on the sea. The salvage effected by his party was, therefore, proportionably great. It ought also to be remembered, that among the salvors were a King's officer, (Lieutenant Little, commander of the *Hind*, and his crew of 40 men), besides the others employed, viz. 90 additional hands,

for the purpose of raising her, and towing her into port, which was not achieved but with incredible labour. On the whole, he should conclude with observing, that the Court would not exceed the ancient rule of its practice, if it even decreed salvors a moiety.

Dr. Arnold felt that this was a case visibly distinguished from others of the highest merits, in which the court had rewarded salvors for the absolute risk of their lives, as well as for their exertions. With its permission, he would refer to two or three cases in point. In that of the *Trionfo*, a Portuguese ship, (adjudged in 1803) that had been run foul of by another vessel, and abandoned by her crew, and, 5 days afterwards, was fallen in with by two of our frigates, whom it occupied 4 days to bring her in; the value of the cargo was about 16,000*l.*, and the Court held that a third was a sufficient salvage. The *Two Brothers*, Forman, 1808, was found at sea, driving before the wind towards the enemy's coast (Jutland); the salvors were 8 men and 2 boys; the court gave 700*l.*, which was only one-fourth. In the case of the *Francis*, Pasmore, 1809, where the value was 2,000*l.*, the court allowed salvors only 600*l.*, which was less than a third. The *Eglantine*, in February, 1812, was found at sea, *derelict*, by the *Cumberland* West-Indiaman; the Court did not consider that there was any danger to the salvors arising from the weather at that time; but that great merit was due to them for embarking in a vessel, to bring her into port, that was in so unprotected a state: the salvors were

were employed 29 days in working her to a port; the value of the property on board was 9,500*l.*; the Court decreed only a third, however.

Dr. Adams replied, that the peril in any of the cases just aduced was not equal to that incurred in the present instance.

Sir William Scott remarked, that, in adjudging all these cases, the court did not feel itself strictly bound to adhere to the grant of a moiety in cases of "derelict." The Court had a right to advert to all the circumstances under which the salvage had been effected in giving those remunerations, and had thought proper to abandon the ancient practice. The present case was one of "derelict" of an extreme nature, and of imminent peril. The vessel was found in an inverted state, her keel upwards, a portion of her cargo already washed out, and the remainder on the point of following. She was fallen in with by a revenue-cutter, under a complication of perilous circumstances, in the month of February, in very stormy weather, the sea running very high, and off a coast of extreme peril, not merely from its natural difficulties, but from the inhospitable character of its inhabitants. It had appeared that one barrel of brandy was found in a barn; it might be matter of wonder that a greater part of the cargo had not travelled the same road. In every point of view the peril was extreme, and the exertions of the salvors were strenuous. Even after the hull had been laid up in dock for repairs, there was great danger of its falling to pieces,

and destroying the workmen employed on its reparation. Every merit, therefore, was clearly due to the salvors; and under all the circumstances before the Court, it did not feel disposed to diminish the remuneration anciently assigned in these cases; he, therefore, decreed a moiety of the property to the salvors, as it now stood, *i. e.* after deduction of the 42*l.* expenses from the value of that property; for as to the other expenses, the parties had not given their appearances as soon as they might have done, and their amount had become considerable. As to the cask, of course salvage would follow in the same proportion. Costs on all sides to be deducted from moiety.

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COURT OF KING'S BENCH, FRIDAY, DECEMBER 4.

*Sittings before Chief-Justice Abbott.*

*Salmon v. Atkinson and others.*  
—This action was brought against the defendants as coach proprietors, for having refused to convey the plaintiff, a respectable attorney at Bath, from Liverpool to Holyhead, after he had taken his place; and also to recover expenses paid by the plaintiff for a chaise, in consequence of such refusal. Between Liverpool and Holyhead there are three ferries; the first over the Mersey at Liverpool, where the passengers are paid for by the coach proprietors; and two others at Conway and Bangor, where it seems the proprietors refuse to pay for the passengers. But the question in the present case seemed to be, not so much whether the passengers



sengers or the proprietors ought to pay for the passage over these two ferries, as whether upon the present occasion the defendants' coachman, who was also a proprietor, was not in collusion with the ferrymen and postmaster at Conway, to make the passengers pay an illegal demand; the fare for the ordinary foot-passengers, being 1*d.*, and for a horse and rider 2*d.*, while 6*d.* was demanded of the outside coach passengers, and 1*s.* of the inside passengers.

Hawkesworth, the defendants' agent, proved, that the plaintiff had taken his place from Liverpool to Holyhead, under the name of James, in the beginning of September last. The proprietors, he stated, paid the passage over the Mersey, but not the other ferries.

Selwyn, the plaintiff's clerk, proved, that he went to serve the defendants with the writ in this action, and travelled by the same mail. In the course of the journey, he had learned from the mouth of the coachman (the defendant Atkinson) the particulars of the transaction, which he (Atkinson) related as follows:—A tall thin gentleman came by the coach to Conway, and having made great objections to pay the fare of the ferry, which he said positively he would not do, one of the boatmen obstructed him when he was endeavouring to mount the coach, whereupon Atkinson said to him, "You have said a great deal about the ferry; to save your word, I'll pay for you;" to which Mr. Salmon answered, "If you do, I w'ont pay you again," when Atkinson replied, "Oh! then

I'm off;" and accordingly drove off, but pulled up 7 or 8 yards further off, on Mr. Salmon's hailing him, and turned round to the guard asking what he should do, the guard said, "drive on;" the guard being his master, he did drive on. When the witness returned by the same coach, Atkinson further stated, "that it was always usual for the passengers to pay the ferry; if they did not, he drove off without them, unless they had baggage, which might be stopped by the ferrymen; upon one occasion four passengers refused to pay at once, and he drove off without them: he should have driven off without witness, if witness had refused to pay."

The defendants endeavoured to show that the passengers always paid the ferry, and that the coachman had not prevented the plaintiff from getting up to pursue his journey. They first called — Jones, who had been the ferryman for seven years; he stated that the passengers always paid the ferry, he never received it from the coachman. The coach stopped half an hour at breakfast, and he usually demanded his fare when breakfast was over, just before the passengers mounted. The plaintiff refused to pay on the occasion in question, upon which witness extended his arm to prevent him from mounting on the coach, but there was nothing else to prevent him. The coachman said he would pay to save the plaintiff's word, he having sworn he would not pay. Plaintiff said, "If you do, I won't pay again." The coachman said, "What are we to do now?"

now?" and the guard replied, "Drive on, you must not keep the mail all day." Plaintiff was four or five yards from the coach. Witness could not say he was near enough to hear what passed between the coachman and guard. He then went into the Harp, eight or ten yards off; by this time the coach had passed on, having staid its full time, if not more.

On cross-examination he stated, that the ferry-charge for foot-passengers was a penny; for a man and horse two pence; but the coach outside passengers paid sixpence, the inside a shilling. The coachman never went off without the passengers paying, for they always paid, though he had known difficulties arise. He usually made his demand after breakfast, when the coach was going off. He went himself to the magistrate with Mr. Salmon. Did not recollect four passengers being left behind.

Mr. Roberts the post-master of Conway, related the circumstance of the altercation about the fare, much in the same way as the preceding witness. The plaintiff had said he would never pay such a d——d imposition.

Chief-Justice Abbott.—He was perfectly justified in saying so.

The witness proceeded to state, that 30% had been taken off his salary to pay for the ferryage of the mail-bag. He had formerly been allowed 7l. 10s. for the same purpose, but he had never paid any part of it to the ferryman. General Lloyd was the proprietor of the ferry; and, he believed, had a remuneration for a term of years, for carrying over the bag.

Chief Justice Abbott here intimated that the ferryman, post-master, and coachman ought all to be indicted.

Roberts, a shopkeeper, gave a similar account of the transaction, and stated that he did not see any one hinder the plaintiff from mounting the coach. After the dispute was over plaintiff went down the street.

Rev. Robert Williams said, that the ferryman prevented plaintiff from mounting, but the coachman did nothing to prevent him.

Chief Justice Abbott.—Nothing but driving off.

Another witness of the name of Williams stated, that a person came to plaintiff, and said, the coach was waiting for him. He answered, he would be bothered with it no longer.

On cross-examination, he said, the coach was out of sight, and he only heard a person shout. The road turned round a corner close to the post-office, where the coach stood during the dispute.

Mr. Scarlett, for the plaintiff, having commented on the circumstance that neither the guard nor the person who shouted were called to give evidence, and having stated that the plaintiff had followed the coach up the hill out of Conway, and had made a second attempt to mount, which the coachman resisted, unless the plaintiff would pay for the ferry,

Chief Justice Abbott summed up, and stated that the demand of 6d. or 1s. for the passage of the ferry was an illegal demand; that if the plaintiff had been left behind in an attempt to resist the payment

payment of a legal demand, or in an attempt to resist the payment of an illegal demand, if the coachman was not in collusion to enforce that demand, the defendants were justified in driving on. But if, from the evidence that had been given, the jury thought that the coachman was leagued with the ferryman to enforce the payment of this illegal demand, the defendants could not justify leaving the plaintiff behind, but ought to have waited till the plaintiff had gone before a magistrate.

The Jury found a verdict for the plaintiff, damages 2*l.* 17*s.*, being the expense of a chaise, which the plaintiff had been obliged to hire from Conway to Holyhead.

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PREROGATIVE-COURT, WEDNESDAY, DEC. 9.

*Musto v. Sutcliffe*.—The testator in this cause, Mr. Timothy Sutcliffe, deceased, was one of the Quaker persuasion, and married in 1803 a Miss Osborn, himself being 25 years older than that lady. It appears, that soon after their union, the deceased became jealous and suspicious of his wife; and accordingly, under the influence of those feelings, had made a will, dated in the year 1804, by which he cut her off without a shilling, and left the whole of his personal and freehold property to his nephews and nieces. His will was deposited with Mr. Musto, his brother-in-law, residing in Essex. But shortly after, finding that his suspicions were totally groundless and unfounded, Mr. Sutcliffe's

affection for his wife returned; and the peace and harmony of the parties were completely re-established; the best understanding prevailing between them down to the day of his decease, which happened on Nov. 5, 1817. In that interval deceased frequently expressed to Mr. Sutcliffe, as well as to many of his friends, his fixed intention of altering the will; and on one occasion made a particular appointment with Mrs. Sutcliffe to accompany him to town, whither he was going to receive his dividends: and after transacting his business at the Bank, to proceed into Essex, in order to procure the will from Mr. Musto, for the purpose of making alterations in her favour. Many domestic contingencies, however, happened to prevent Mrs. Sutcliffe from accompanying him, or even, as in that event he had directed her, from following him to town. Mr. Sutcliffe returned home to their residence at Henley-upon-Thames, without going on to Essex; and on that occasion the proposed journey into that county was postponed until his next going to receive his dividends, which he took twice a-year. Soon after, on the morning of the 4th of November, 1817, the deceased was taken extremely ill; and the parish schoolmaster, a Mr. Chapman, was sent for, to take instructions for making out a new will, which was that now on behalf of Mrs. Sutcliffe. The depositions alleged, that on the arrival of Mr. Chapman, deceased was extremely ill and debilitated; he was informed by Mrs. Sutcliffe of the nature of those dispositions which

which testator had so frequently expressed his intention of making—that is, in her favour; but neither then, nor throughout the long antecedent period, which had elapsed since the making of the first will in 1804 did Mrs. Sutcliffe appear overforward or importunate as to new ones being made; she always declared her conviction that her husband would properly provide for her. On Chapman's objecting that he could not take instructions through that channel, she addressed her husband in this manner: "Are you willing to make your will?" to which deceased replied, after a pause, "Yes;" "Have you made your peace with God?" to which he also replied "Yes." "Are you willing that the will shall be made as I like it?" to which, after a considerable pause, he also assented. These instructions were taken, re-written, and read over to the deceased; approved of, but not signed by him, being taken away by Chapman to be more fairly transcribed; and a few hours after, on the 5th of November, before his return, testator died. The principal dispositions of the will were these:—The whole of his personal and freehold property to his wife, for her life; and, after her death, 1,000*l.*, with an additional interlineation of 500*l.*, to the children of her brother Thomas; and 1,000*l.*, with a similar interlineal addition of 500*l.*, to the children of his sister, Mrs. Musto. The learned Counsel for the widow adverted to the open and ingenuous manner in which the whole proceedings had taken place—the respectability

of the witnesses—the declared intentions, prior to the instructions of the deceased—his solemn and deliberate assent to the will—the fact of its having been read over to him—his undoubted competency and sound mind at the time—and to the long habits of reciprocal affection which had succeeded the transient irritation under which the first will was made; and prayed that, in consideration of these circumstances, probate might be decreed to the testamentary paper, dated 5th of November, 1817; whose execution was prevented by the intervention of death. The Counsel on the other side contended, that that paper contained rather the dictations of another party than the testamentary intentions of the deceased; that he was in fact "in articulo mortis" at the time, and that this being an unexecuted, and the former will a formal and valid paper, this subsequent one should be pronounced against.

Sir John Nicholl, after recapitulating the principal features of the evidence, observed, that though it behoved the Court to look with extreme caution on such cases as these, and to guard dying persons from having their mere acquiescence taken for an act of volition and final will; yet here the former intentions of the testator, the fact that the first will was made under an impression of jealousy, which he afterwards acknowledged to be groundless; the harmony which had so long subsisted between him and his wife down to his death; his declared and repeated wishes to make such a provision as that contained

contained in the paper now propounded; the total absence of any thing like suspicious impurity on the part of Mrs. Sutcliffe; the proposal to make this will having proceeded from another person; and the clearness of the depositions;—all these were circumstances so established and so concurrent, that exercising all necessary vigilance and precaution, he must pronounce for the instructions as containing the true last will of the deceased. As for the interlined bequests of additional sums of 500*l.* and 500*l.*, they proved, at any rate, Mrs. Sutcliffe's disinterestedness, having been afterwards inserted by her desire; and as forming a part of the paper, he should also consider them as part of the testator's intentions, and pronounce for them accordingly.

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OLD BAILEY, MONDAY, DEC. 14.

*Prosecutions by the Bank of  
England.*

Considerable interest was excited this morning, in consequence of its being very generally understood, that the prisoners, who had been indicted by the Bank of England for having forged notes in their possession, and who had pleaded guilty to those indictments, had petitioned to withdraw those pleas, and take their trials. A petition, it appears, had been prepared and signed by nine persons to this effect, and Mr. Baron Wood and Mr. Justice Holroyd came down at ten o'clock, not alone to decide upon the prayer of the petition, but to preside at the subsequent proceedings. It is, perhaps, unne-

cessary to remark that the course adopted by the prisoners was suggested by the acquittals of the men prosecuted by the Bank for the capital offence of uttering forged notes, during the preceding sittings of the Court. The prisoners having been brought into Court, the following jury was sworn:—Edward Wilkinson, George Goold, Robert Newman, Benjamin Bright, Robert Houghton, J. E. Miller, William Abbott, James Winders, James Alderman, Jeremiah Blount, John Lynch, John Williams.

Richard Broderick, one of the prisoners who had pleaded guilty to the minor offence of having forged notes in his possession, knowing them to be forged, was put to the bar.

Mr. Sergeant Bosanquet immediately rose, and addressed the Court as follows:—My Lord, before the prisoner who stands at the bar is charged with the indictment which has been preferred against him, I think it necessary to address a few observations to your Lordship. According to the course which has prevailed for several years, in cases where persons have been prosecuted at the instance of the Bank of England, for uttering forged notes, two indictments have been preferred; one of these indictments charging the prisoner with the capital offence of uttering forged and counterfeit Bank-notes, knowing them to be forged, and the other for having had forged Bank-notes in his possession, without lawful excuse, and also knowing them to be forged. With one of these offences the present prisoner stood charged, and

and pleaded guilty. During my experience in Bank prosecutions, for many years, the course pursued has been precisely that which I have described, namely, that two indictments were preferred—the one for the capital offence, and the other for the offence which subjects the offender to transportation; and in cases where it has appeared on full consideration, and the Court shall think fit and be of opinion that public justice might be satisfied by a prosecution for the lesser offence, the persons conducting the prosecutions for the Bank have invariably adopted the more humane course; and upon application from the prisoners themselves, to be allowed to plead guilty to the lesser offence, that application has been granted, and the Bank have been permitted to withdraw from a prosecution for the greater offence. It is also requisite I should observe, that this application from the prisoners has at all times been voluntary, and has not arisen out of any intimation given, or inducement held out on the part of their prosecutors. My Lord, in the present occasion, I find that the prisoner had before applied for permission, and has pleaded to the lesser offence; and certainly, on the part of the Bank I have no wish, on the contrary, I earnestly wish not to proceed to the trial of the capital indictment. Having once accepted the prisoner's plea to the lesser offence, we cannot think of going on to charge him with the greater; and my humble application to the Court is, that I may be permitted to withdraw

the capital indictment, upon which I shall offer no evidence. This mode of proceeding is quite in course.

Mr. Baron Wood.—Have not some others petitioned to withdraw their plea?

Clerk of the Arraignment.—This is not one of those who have petitioned.

Mr. Baron Wood.—Prisoner, you have already pleaded guilty to the lesser offence, of having bank-notes in your possession; are you now desirous that that plea should be withdrawn, and to take your trial for the capital offence?

Prisoner.—I don't know what they mean about the trial for a capital offence; I was quite ignorant. A paper was brought to me, I don't know what it was, and I put my name at the bottom of it.

Mr. Baron Wood.—Do you wish to withdraw your plea of guilty?

Prisoner.—I will plead again, my Lord.

Mr. Baron Wood.—I wish to be understood; attend to me. You have pleaded that you had forged notes in your possession, knowing them to be forged. You have had no trial, because you confessed yourself guilty. Do you now wish to make an application to withdraw that plea? Understand that if you withdraw that plea, the Bank will prosecute you upon which indictment it pleases. Judge for yourself.

Prisoner.—I do not want to withdraw my plea, my Lord.

Mr. Sergeant Bosanquet.—It is my most earnest wish that nothing should pass but what is clearly

clearly understood by all parties. My Lord, I think the prisoner did not understand your lordship.

Prisoner.—They had some paper which I have signed, but I did not understand it; I did not agree to it.

Mr. Baron Wood.—Where is that paper?

Prisoner.—I don't know, I do not wish to abandon my plea.

The memorial which Mr. Brown, keeper of Newgate, had presented to the Court from these individuals who had pleaded guilty to the minor offence, was then handed to his Lordship.

Mr. Sergeant Bosanquet.—I earnestly wish that there may be no mistake or misapprehension: that is the petition to the Court which these persons have signed.

Mr. Baron Wood.—Who is the person by whom it was presented to the Court.

Prisoner.—I did not want to have any thing to do with the matter. I put my name to a piece of paper.

Mr. Brown here stated to the Court, that the day after the late verdicts, eight or nine of the prisoners who had pleaded guilty to the minor offence, solemnly applied to him and requested that he would apply to the Court to allow them to retract their pleas. The answer he gave to this solicitation was, that he could do no such thing. On Thursday last a paper was given to him by these prisoners, and the next morning he took it to the Common Sergeant. On Saturday he was asked whether that petition was intended to come from all the parties. At that time he said

he did not know. Upon application to the prisoners, the answer was, that it was sent from all of them.

The Prisoner.—I did not want to sign any paper. I did put my name to a paper; but I did not understand what it was.

Mr. Baron Wood.—Do you confess yourself guilty of having in your possession a forged note, knowing it to be forged?

Prisoner.—I did not know it to be forged.

Mr. Baron Wood.—Then you ought not to have pleaded guilty.

Prisoner.—I would plead guilty again.

Mr. Baron Wood.—To the whole charge?

Prisoner.—I did not know it to be forged.

Mr. Baron Wood.—Withdraw your plea then.

Prisoner.—I will not withdraw my plea, but will lay myself entirely upon the mercy of the Court.

Mr. Brown.—In consequence of a letter which I received from the Bank-Solicitor, I stated the case to them as clearly and as well as I was able. It is entirely their own act.

Mr. Sergeant Bosanquet requested that the letter alluded to by Mr. Brown might be produced. He wished every thing to be seen.

Mr. Baron Wood.—Where is that letter?

Mr. Brown said he had it in his possession, and that he would immediately produce it. He then left the Court, and returned with the letter, which he handed to the Bench.

Mr.



Mr. Baron Wood.—What is that letter?

Mr. Brown.—The letter received by me from the Bank-solicitor.

The letter was then read by Mr. Shelton, the Clerk of the Arraigns, and is as follows:—

“New Bank-buildings, Nov. 30, 1818.

“Sir;—All the prisoners in your custody, charged with having feloniously uttered forged Bank-notes, against whom true bills may be returned by the Grand Jury, will be arraigned at the Old Bailey on Friday morning, the 14th of December.

“Two bills of indictment, the one for the capital offence, and the other for the transportable felony, will be preferred against each of the prisoners, except John Williams, John Dye, and William Connor, against whom indictments for the capital offence only will be preferred.

“Your obedient servant,

“J. ROOKER.

“A. Brown, Esq.”

Mr. Brown.—This is the letter I received, and I explained the nature of the case to them as clearly as I was able.

Mr. Sergeant Bosanquet.—Will your Lordship be kind enough to ask Mr. Brown whether he had received any other communication from the Bank, or elsewhere, and whether he had any authority to persuade them into this act?

Mr. Baron Wood.—Well, Mr. Brown, did you receive any other communication?

Mr. Brown.—I never did. The only letter I received on the sub-

ject I have produced. I repeat that I never used the least persuasion with the prisoners. It is entirely their own act.

Mr. Baron Wood.—Prisoner, do you understand what you are about? Do you know that there are two indictments against you; the one for disposing of and putting away a forged Bank-note, knowing it to be forged, which is a capital offence; and the other for having in your possession without lawful excuse a forged note, knowing it to be forged, which latter offence only subjects you to transportation? You have pleaded guilty to the minor offence of having the note in your possession, subjecting you to 14 years' transportation. Do you wish to withdraw your plea?

Prisoner.—No, I do not.

Mr. Baron Wood.—You plead guilty then?

Prisoner.—Yes, I do.

Mr. Baron Wood.—You knowing the note to be a forgery?

Prisoner.—I did not know it to be a forgery.

Mr. Baron Wood.—Will you then take your trial?

Prisoner.—No, I won't?

Mr. Baron Wood.—Would you then rather be transported for 14 years, than go through your trial?

Prisoner.—Yes, I would.

Mr. Baron Wood.—Do not let it go forth to the public that the prisoner does not understand what is said to him. I will repeat my question, “Will you abide by the plea of guilty?”

Prisoner.—I will.

Mr. Shelton, the clerk of the Arraigns, then read the indictment,

ment, charging the prisoner with having uttered the Bank-note, knowing it to be forged.

Mr. Sergeant Bosanquet informed the jury that he should not offer any evidence against the prisoner in this case.

Mr. Baron Wood.—No evidence being offered, gentlemen, you will of course acquit the prisoner upon this capital charge.

The jury found a verdict, Not Guilty, immediately.

VICE - CHANCELLOR'S COURT,  
SATURDAY, DEC. 19.

*Blenheim Estate.*

*The Attorney General, at the relation of the Marquis of Blandford and the hon. Agar Ellis, v his Grace the Duke of Marlborough.*—This day the Counsel on both sides having been heard,

The Vice Chancellor delivered his judgment. He referred to the Acts of Parliament passed in the reign of Queen Anne, for vesting Blenheim-house and its domains in the Duke of Marlborough, as a mark of gratitude of the country, and a reward for his military achievements. He considered that the limitations in these Acts of Parliament left in the Duke of Marlborough, the absolute ownership of the property, subject only to the disability of levying fines or recoveries, with a view to its alienation, or settlement, different from the course adopted by the Legislature. All that had been done by Parliament was for the purpose of preventing the possessors of Blenheim-palace from injuring

or defeating the rights of their successors. It did not lessen a single incident belonging to the rights of the possessor. It left him, as a tenant in tail, in the enjoyment of the common and statute law rights belonging to a tenant in tail, with the exception, that he was not to have the power of levying fines, or recovering, or doing any act tending to alienate the property. The Legislature, therefore, left the then and every subsequent Duke of Marlborough, absolute owner of the timber. It gave him the authority which the law gave to every tenant in tail, in the same manner as if he was the absolute owner in fee-simple. Thus, observed his honour, it would stand if he looked only to the acts of parliament; but it had been said, that there was some jurisdiction in a court of equity which called on it to interfere with the acts of parliament, and to control the legal incidents of property which the common law bestowed on tenants in tail who were deprived of the power of alienation. This seemed to him a very singular proposition. If a tenant in tail had by law a right to enjoy a property with certain incidents, how, he would ask, could a court of equity deprive a tenant in tail of those incidents which belonged to his property? If the law made the tenant in tail absolute owner of the timber, was it possible to be contended that the judge of a court of equity had a right to make a new law? A court of equity could never affect to entertain such a principle—a court of equity could not entertain a principle

principle which would destroy a legal right. It was impossible any principle should exist in a court of equity which entitled the judge to contravene those incidental advantages which the law cast upon a legal ownership of property. It was consequently not upon any such general principle this Court could be called upon to interfere; but whatever objection there might be to the power of controlling the incidents of a tenant in tail upon abstract principle, yet, if he found a long course of precedents on the records of the Court, sanctioned by common consent, and the authority of different judges, and that such a jurisdiction had been uniformly exercised, it would not be his duty to inquire whether the principles upon which such precedents were founded could be sustained. Whatever he might think of such principles, he must be bound by them. It had been pressed upon the Court that there had been a course of precedents which proved that the plaintiffs were entitled to the relief they prayed. The remaining part of the duty of the Court was, to examine whether there were such precedents—if there were, he must adopt them, however he might think of them. Had the course of precedents been uninterrupted, whatever might have been his opinion of the usurpation of a court of equity, he should have adhered to them; for it would be too late for him to attempt to correct the principle on which they were founded; that was a matter only to be referred to the legislature. The great body of cases consisted

of cases respecting tenants for life, without impeachment of waste; and certainly this Court never would permit a person to whom the original grantor of an estate had given its temporary possession, the power of injuring, or rendering it less beneficial to those who were to enjoy it after him. The question was, did that furnish any principle that was applicable to the present case? The question in the present case was not one which called upon the Court to construe the will of a grantor, but it was whether a court of equity could control the principles of the common law, and deprive the Duke of Marlborough of those legal incidents which, by the common and statute law, he had a right to enjoy. He was decidedly of opinion, therefore, that the precedents referring to tenants for life, had no applicability whatever to this case. His Honour then adverted at some length to the precedents with reference to the cases respecting the rights of tenants in tail after possibility of issue being extinct, and the cases of ecclesiastical preferments. He should have had great difficulty in supporting the principles of some of the decisions. It appeared to him that, notwithstanding any of such decisions, his interference upon the present occasion would amount to a legislative act on his part: for, supposing the cases which had been referred to in the course of the arguments at the bar, to have acquired that current of authority which would bind him in that case, it was clear they could have no application

to this subject. The question was this—was the Duke of Marlborough a tenant for life by provision of law? He was no tenant for life, but he was a tenant in tail, having a descendible estate, and all the legal incidents which belonged to that character. He was, therefore, clearly of opinion, that this Court had no jurisdiction to interfere with the legal ownership of the Duke of Marlborough. It had been said, that this estate, which was a national monument, would, by the exercise of the right insisted on by the defendant, be at the mercy of every successor. Arguments, *ab inconvenienti*, were of importance, when a court was considering the intention of the author of a grant, or when there was any doubt as to the intention of the grantor; but when there was no doubt, when the words were too plain to be misunderstood, arguments of inconvenience amounted to nothing. In this case he was of opinion the construction of the statutes under which the Dukes of Marlborough enjoyed Blenheim-house and lands, were clear and distinct, and that the argument of inconvenience ought to have no weight. Among other things, it had been said, that the Duke of Marlborough might tomorrow lay the whole of this estate waste, and reduce this noble mansion and spacious domains to a barren heath. True, he might do so. He derived an uncontrollable title from the legislature; he might do what he pleased with the property, with the exception of alienating it. Why did the legislature leave him at liberty to do so? The

legislature had undoubtedly reposed confidence in the illustrious Duke of Marlborough, the first object of its gratitude and bounty, and intended the same confidence should be reposed in all succeeding Dukes of Marlborough, that they would deal with the property as became their rank and dignity; and was it for a court of equity to recall that confidence which the legislature had thought fit to bestow? Undoubtedly not. Inconvenience was an argument often fairly addressed to a court, but the legislature had itself calculated on those feelings which belonged to all great and good minds; they had considered that the future possessors of Blenheim would feel a pride and an honour in maintaining that national monument which was a tribute by the country to their illustrious predecessor, and it could not be supposed that the present Duke of Marlborough would so far forget what was due to his honour as to deal improperly with this property.—Judgment for the defendant.

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CORNWALL ASSIZES.

*Nisi Prius.*

*The King v. Mary Ann Tucker.*—This was an indictment against the defendant for a libel published in a country newspaper called "*The West Briton and Cornwall Advertiser*," upon the plaintiff, Mr. R. Gurney the younger, vice-warden of the Stannary Court in the county of Devon. The cause was no sooner called than the lady appeared in Court as her own advocate, and

was

was accommodated at the barristers table. The pleadings were opened by Mr. Wild.

Mr. Sergeant Pell then stated the case, which, he observed, consisted chiefly in a charge made against the plaintiff, of malversation in the discharge of a public office. He could not bring the merits of the question, which the Jury was now about to try, more shortly under their review, than by reading the libel itself, as it appeared in a public journal. It was addressed, in the form of a letter, to the editor of the *West Briton*, and was in substance as follows:—

“ Sir ;—The fact which I am about to communicate may, perhaps, appear more singular than important, although in times less calamitous than the present, the statement of any circumstance illustrative of the borough-mongering system, now universally execrated, must of itself excite an interest. It is something new in the history of this country that it should possess an outlawed Judge. It might be called an instance unparalleled in the annals of Europe, if a case had not recently occurred at Vienna, of a magistrate and minister of justice being sentenced to the punishment of sweeping the streets. A gentleman of the name of Tomkin was some time past removed from the office of vice-warden of the Stannary-Court, in order to make room for Mr. R. Gurney, son of the Rev. R. Gurney, of electioneering notoriety. This last gentleman, not perfectly satisfied with two considerable benefices, the reward of former services, on procuring

this situation for his son, obtained at the same time a promise, that the salary should be octupled, a promise which, to the honour of the patron, has not been fulfilled. Soon after this promotion of Mr. Gurney the younger, it unfortunately happened that he was obliged to leave the county in which he had been appointed to exercise judicial functions, and this necessity arose from pecuniary embarrassments. In consequence of this absence, a petition was presented to the lord warden, complaining of the neglect and delay of justice, occasioned by this conduct, and desiring the appointment of a new vice-warden, but no notice was taken of this representation. After this statement, it may be matter of wonder that he should still retain his place ; and the fact can only be traced to the famous borough-mongering system, and to political motives. Lord Yarmouth has lately purchased largely in the borough of Tregony, with a view of opposing the interest of the Earl of Darlington. Under this protection Mr. Gurney found it convenient to go to the Continent, and was twice outlawed in the market-places of Plymouth and Dock, which-outlawry has not been reversed. Instead of attending his court, he was therefore obliged to secrete himself. Now, Sir, after this statement, no one can be at a loss to conjecture what are the motives which operate in retaining this man in a situation the duties of which he is unable to discharge. I forbear occupying too large a portion of your valuable and patriotic paper, or I could

could mention many anecdotes showing how Mr. R. Gurney and his son have profited in the school of corruption. I shall only add, that he demanded various sums of money, from the suitors over and above the fees of Court, in the only two causes which he ever decided, viz. Lopes v. Doubtfree, and Whitehair v. Webb.—I am, Sir, “An Enemy to Corruption.”

It was impossible, he apprehended, that a more injurious or scandalous libel could be published against the character of any man. He should be able to prove the publication, not merely in the usual way, but by means of a subsequent letter addressed to the editor, in which the libellous matter was distinctly acknowledged. The brother of the defendant had been secretary to the vice-warden, and upon his information she had ventured to charge Mr. Gurney with bribery and corruption; and with the specific act of extorting 20 guineas from the parties in a cause which he refused to decide till the sum in question was paid. The worst part of the libel it still remained for him to state. It was contained in a subsequent letter, and must fill every well-regulated mind with a sensation of disgust. The defendant thought proper to instruct the editor that Mr. Gurney had been outlawed, that this outlawry had not been reversed, and that he was incapable of bringing an action. He was sorry to see a lady of an understanding and talents so conspicuous in the situation of the present defendant; but he felt himself bound to say, that no slanderer

had ever aimed a more deadly blow at the reputation and character of a gentleman. The defendant, he understood, would be her own advocate, and was a woman of no ordinary understanding. He had to lament that she did not make a better use of the faculties with which Providence had been pleased to gift her; it was not too late to make atonement, although that atonement must follow a verdict of guilty. He would not dwell with any peculiar emphasis upon the nature of a newspaper publication, because he thought such publications most important and beneficial to society; but he would state, that in his opinion the surest means of preserving that invaluable blessing was, that the freedom which it involved should not be abused.

Mr. E. Budd, the editor of the *West Briton*, was then called, and deposed that the defendant had in conversation acknowledged the original statement to be her own. He received it by the post, but had subsequently seen her, and in talking upon the subject she had admitted the former writing to be her own. It had been submitted to him with a discretionary power of altering or omitting such passages as he might deem unfit for publication, and he had accordingly made considerable alterations. He had certainly received a pledge from Captain Woolridge of the Navy, the brother-in-law of the defendant, that no prosecution should be instituted for any letter, except that which was printed in the *West Briton*.

The Lady now rose, observing, that

that she stood there with reverence, but without fear. Fear, indeed, was the inseparable concomitant of guilt, and of any offence in a moral view her conscience entirely acquitted her. She did not appear there personally from any feeling of presumption, but from her inability to procure counsel. That inability was caused by a debt due to her brother, which the plaintiff refused to pay, and her own disinclination to encroach on the comforts of a widowed parent. She might be indiscreet, but she was not conscious of criminality. It was the first time that she had ever entered a Court of Justice, and no person could entertain a deeper sense than herself of the excellence of that enlightened system of jurisprudence which was established in this country. The prosecutor would, however, derive his chief advantage from her ignorance of the law, for she could only take the plain and simple ground of denying the falsehood and malice charged in the indictment. With the permission of the Court she would now read a passage from Lord Ellenborough's address to the jury on the trial of William Cobbett. [Here the lady read an extract from the reported speech of the Chief Justice, touching the license of discussing the character and conduct of men in public offices.] The main point on which she rested her defence was, that Mr. Gurney was a public officer, and that she, and every other subject, were entitled to examine his conduct in that capacity. She was fully prepared to prove the truth of

every statement contained in the published letter.

Mr. Justice Burrough.—That the law of the land does not allow you to do.

The defendant proceeded, expressing a hope that she might at least be allowed to prove that the publication in question was no libel. The jury, she trusted, would not be induced by any legal sophistry, to sanction a principle equally adverse to religion and to morals—that truth could be a libel. It was the doctrine not of the law, but of the abettors of tyranny, ever vigilant to enslave mankind. Vengeance, not the vindication of character, was the unworthy and unmanly motive of the prosecutor. Had he been actuated by a better feeling, he would have brought his action, in which as a lawyer he must have known, that evidence might be produced with regard to every fact stated in the publication. He had, however, adopted the cowardly resource of indicting a female for an act tending to a breach of the peace; he himself having, not long since, been sentenced to six month's imprisonment by the Court of King's Bench, for a positive breach of the peace in horse-whipping the present Solicitor-General. The statement which she had sent to the editor of the *West Briton* referred wholly to the official and public conduct of the prosecutor; and with great submission to the Court, she apprehended that the conduct of every person in a public station was open to public examination. This position, as she had before stated, she had the



the authority of Lord Ellenborough in maintaining.

Mr. Justice Burrough.—Lord Ellenborough never could talk such nonsense, or assert that a man in a judicial office, may be charged with bribery and corruption by any person who thinks proper to publish such a statement to the world. I am sorry to see you transgressing the law at every step, from a false notion of moral right. Many gentlemen at this bar would have been happy to assist you, and would, I am sure, have advised a very different sort of defence.

Miss Tucker continued, and begged leave to read a clause of the act of the 32nd of George the Third, by which the jury, in a case of libel, are empowered to give a verdict on the whole matter, and on the general issue of guilty or not guilty.

Mr. Justice Burrough.—This act was never construed to enable a defendant, upon an indictment, to justify by proving the truth of the libel.

Miss Tucker proceeded, and remarked, that the essence of the indictment consisted in the evil tendency of the publication. This tendency she was prepared to show was good, and would contend that resentment might exist without malice. The celebrated Mr. Locke had quoted an expression from St. Paul to this effect —“Be ye angry; but sin not.” If the law of libel really was what she had heard it interpreted to be, a new system of ethics ought to be prefixed to it. No lawyer or legislator could intend to punish where there was no malicious motive or intentional

provocation. The falsehood and malignity were all on the other side; and she hoped no legal sophistry would induce the jury to convict her of an offence where her object was meritorious.

Mr. Justice Burrough then charged the jury, expressing his decided opinion that the publication in question was libellous in the highest degree.

The jury retired for about half an hour, and delivered a verdict of *Not Guilty* at the Judge's lodgings.

#### COURT OF EXCHEQUER.

##### *Imitation Tea.*

*The Attorney General v. Palmer.* —This was an information filed by the Attorney General against the defendant, which charged him, being a dealer in, and seller of, tea, with having in his possession a quantity of sloe-leaves and whitethorn leaves, fabricated into an imitation of tea, whereby he forfeited 10*l.* for every pound's weight of such imitation. There were other counts charging the offence differently, to all of which the defendant pleaded not guilty.

Mr. Dauncey stated the case to the jury, and observed that the universal use of tea made this question of universal importance. It was lamentable, to think, that in this great town there were persons who were in the daily habit of selling deleterious drugs, under different masks; and that while the public were imagining they were drinking at their meals nutritious beverages, they were in fact swallowing a slow but certain poison. They had already heard,

heard, during the present sittings, that those who supposed they were drinking coffee were deceived, and were in fact drinking neither more nor less than an infusion of scorched peas and beans. This they were told was in itself harmless, and he believed, at least, there was no mixture of unwholesome ingredients. Not so in the present case, for he should prove that the most pernicious drugs had been used; and it was clear that all ranks of society, whether male or female, were alike exposed to their effects. The defendant, Mr. Palmer, was a grocer, and had no doubt reaped no small advantage from his nefarious traffic. It would appear that a regular manufactory of this imitation tea, as it was called, was established in Goldstone-street, and he should call a witness who would go through the whole history of the transaction. The parties by whom the manufactory was conducted, was a person of the name of Proctor, and another person named John Malins, the son of William Malins, carrying on business in a place called Northumberland-alley, Fenchurch-street, professedly as a coffee-roaster. These two persons engaged others to furnish them with leaves, which, after undergoing a certain process that he would describe, were sold to and drank by the public as tea. The parties gathering the leaves, which were of the white and black thorn tree, were paid at the rate of 2*d.* per pound for the produce of their labour. These leaves, in order to be converted into an article resembling black tea, were first boiled, then

baked upon an iron plate; and, when dry, rubbed with the hand, in order to produce that curl which the genuine tea had. This was, in fact, the most wholesome part of the operation; for the colour, which was yet to be given to it, was produced by logwood; whether this was an injurious ingredient or not, he did not know, but he believed few of his auditors would willingly drink an infusion of that dye. With regard to the green tea, that was manufactured in a manner more destructive to the constitution of those by whom it was drank. In this part of the business it appeared that the leaves, after having been pressed and dried, were laid upon sheets of copper, where they received their colour from an article known by the name of Dutch pink, some of which (a powder of a yellowish hue) he held in his hand. One of the component parts of this powder he understood to be white lead; but to this he would not pledge himself. The other article used in producing the appearance of the fine green bloom which was observable on the China tea, was, however, decidedly a dead poison! He alluded to verdigrise, which, it appeared, was added to the Dutch pink in order to complete the operation. (A feeling of horror seemed here to pervade the whole Court.) This was the case which he had to bring before them; and hence it would appear that at the moment they were supposing they were drinking a pleasant and nutritious beverage, they were, in fact, in all probability drinking only the produce of the hedges round the metropolis,

metropolis, prepared for the purposes of deception in the most noxious manner. He could not be accused of a desire to inflame the minds of the jury by exciting their private feelings, because no end could be gained by such an attempt. He went for positive penalties, and the verdict could be given only according to the limits of legal enactment. He trusted he should be enabled to trace to the possession of the defendant 80 lbs. weight of the commodity he had been describing; and if so, he should entitle the crown to penalties amounting in the whole to 840*l.*, a sum by no means large, when compared with the enormity of the offence.

Thomas Jones deposed, that he knew a person of the name of Proctor, and was employed by him at the latter end of April, 1817, to gather a quantity of black and white thorn leaves. Sloe leaves were the black thorn. He also knew a person of the name of John Malins; he was the son of William Malins, a coffee-roaster, in Northumberland-alley. He did not at first know the purpose for which the leaves were gathered, but afterwards learnt they were to make imitation tea. Witness did not himself gather more than a hundred and a half of these leaves; but he employed another person, of the name of John Bagster, to gather them. After the leaves were gathered, they were first taken to his house, and afterwards to Mr. J. Malins', in Goldstone-street. He was to have 2*d.* per pound for gathering them. In Goldstone-street they were manufactured. They were

first boiled, and then the water was squeezed from them in a press. They were afterwards placed over a slow fire upon sheets of copper to dry; while on the copper they were rubbed with the hand to curl them. At the time of boiling there was a little verdigrise put into the water (this applied to green tea only). After the leaves were dried, they were sifted; this was to separate the thorns and stalks from them. After they were sifted, more verdigrise and some Dutch pink powder were added; this made them resemble green tea, and the work was finished. The Dutch pink was a hard substance, and was scraped with a knife; he did not know its component parts. It was shook up with the tea; and, together with the verdigrise, gave the leaves that yellowish green bloom observable on genuine tea. They had no particular name for this process, except giving the bloom. The black tea went through a similar course as the green, except the application of Dutch pink; a little verdigrise was put in in the boiling, and to this was added a small quantity of logwood to dye it, and thus the manufacture was complete. The drying operation took place on sheets of iron. Knew the defendant, Edward Palmer, who kept a grocer's shop in Red Lion-street, Whitechapel. He took some of the mixture he had been describing to his shop. The first time he took any was in May, 1817. In the course of that month, or the beginning of June, he took four or five 7-pound parcels. He did not see Mr. Palmer, at the time he took the parcels,

parcels, to his recollection. He saw him at other times. He was not paid for the mixture on delivery. He received some halfpence at the defendant's shop, for which he had been sent by John Malins. It was not said what this money was for. Did not believe the defendant gave him the halfpence: to the best of his recollection it was a young man in the shop. John Malins sent witness to the defendant for some paper bags, and other paper and string. He then saw him, and received from him the bags and paper. These bags and paper were to put up the imitation tea. He afterwards delivered these bags, filled with the imitation tea, at the defendant's shop. Remembers subsequently taking a quantity of the imitation tea to Mr. Malins', in Russell-street. It was sold to grocers at the west end of the town. When he took it there, it was taken up to the top of the house. Of this first quantity he took none to the defendant. He afterwards carried some more to Russell-street, which was also taken to the top of the house, about one hundred weight and three quarters; from this quantity he carried 53 lb. weight to the house of the defendant's porter, by the desire of Mr. Malins, as the defendant did not wish it to come to his house; it was in paper parcels at 7 lb each.

Cross-examined.—He was first employed by Proctor at the latter end of April, 1817; the leaves were then coming out; he was ordered to get as many leaves as he could, and employed Bagster to assist him. Was not told what

the leaves were for till a month after; Proctor told him in the month of June. He was shown the way to make the fabricated tea by Mr. John Malins and Mr. Proctor, and was ordered to assist in the manufacture. Was engaged in this way two months or ten weeks. They made a great many pounds in May. It was common for grocers to sell bags and paper; witness was not told by Mr. Malins what the bags were for, which he got from the defendant. He had no conversation with him on the subject. He could not say how many bags he got: there might be 50. It was in May he took the parcels of tea to the defendant's house; part before and part after he got the bags.

On being re-examined to this point, he said it must have been after he got the bags that he took the parcels; it was a mistake when he said part before and part after. When he carried the parcels, he saw a young man in the shop. Did not know his name. He might be about twenty years of age. He was middle-sized, about five feet high. He saw Mr. Palmer afterwards in Northumberland-alley. He did not then tell him he had taken the parcels of imitation tea to his house, or have any conversation with him. It was in August or the latter end of July he took the 56 lb. to the person whom he described as the defendant's porter. He had said that he was not paid for the tea by Mr. Palmer. Thought the halfpence was part payment, but was not certain. The porter lived in Boundary-court. James Malins told him he was Mr. Palmer's porter, and that

that he was to take the tea to him, as he did not wish to have it brought directly to his house. He was a fresh coloured country-looking man, about 45. Could not say whether he wore a wig or not.

John Bagster proved that he had been employed by Malins and Proctor for two months, to gather sloe and white-thorn leaves: when he first gathered them they were taken to Jones's house, and from thence to Malins' coffee-roasting premises, in Northumberland-alley; he received twopence per pound for gathering them: he saw the manufacturing going on, but did not know much about it: he saw the leaves on sheets of copper, in Goldstone-street.

Mr. Bowling, from the Excise-office, proved the defendant to be an entered tea-dealer.—This was the case for the Crown.

Mr. Jervis made an ingenious speech for the defendant.

Verdict for the Crown for the full penalties, amounting to 840*l.*

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*The Bank of England v. John Johnson, Coal-Merchant.*—This case, which had been from day to day promised to the public, came on before Sir Claudius Hunter. The defendant was coal-merchant to the Bank, and supplies several extensive establishments in and about the metropolis. The Directors of the Bank having ascertained that the Act of Parliament for the regulation of the delivery of coals had not been complied with by Mr. Johnson, and aware of the possible bad

consequences of inattention upon the part of the public to a statute so important, ordered that the defendant should be summoned before a magistrate, upon no less than 50 informations. The fines allowed by the act in cases of conviction would amount to nearly 1,000*l.* The greatest interest was naturally excited, and while the case was going forward, the utmost attention was paid to every word that fell from those immediately concerned.

Mr. Freshfield, of the house of Kaye, Freshfield, and Co., attended for the Bank; Mr. Andrews was engaged for the defendant.

The defendant's Counsel admitted that his client had done wrong, but said that the offence had been unintentional. Under such a representation it would, he suggested, be as well not to press the fines to their full extent, the public service being likely to be as much advanced by the exercise of the magistrates' privilege, which could diminish pounds to the smallest coin of the realm in this case.

Mr. Freshfield observed, that the object of the Bank was to show the public, that they had a security in the act of Parliament against the practice of impositions of a very serious nature. He thought it due to them to state in the office the probable consequences of an implicit reliance, and he trusted that the lesson would prove of general utility.

Mr. Andrews urged in the strongest manner, that the infliction of such a punishment upon the crime of inadvertence would

be unmerciful, and strengthened his argument by saying, that the very reading of the matter on which they were to proceed would occupy two hours. His object, he said, was to save the magistrate trouble.

Sir Claudius Hunter requested that his time or attention should not be considered as ill bestowed in the investigation of what he heard was a most flagrant case. He would undertake to attend to every statement that should be made with the most scrupulous care.

Mr. Andrews said the informations must be read.

Sir C. Hunter expressed a hope that there would be no prolongation of time beyond the actual necessity of the case.

Mr. Andrews suggested that a penalty might be taken on one information, and an acquittal given upon all the rest.

Mr. Freshfield said it was a mistake, if want of liberality to the defendant was presumed by his Counsel. The Bank would prove that the very reverse was the case.

Mr. Freshfield and Mr. Andrews then withdrew into a private room, when it was arranged that the defendant should plead guilty upon the whole 50 informations, and that he should abide the decision of the magistrate as to the fines under the lenient hand of the prosecution.

Mr. Freshfield then stated that he attended the office on the behalf of the Bank of England, by whose instructions he had lodged the informations. The first accused the defendant with having sold and delivered coals

without a meter's ticket. The rest charged him with having sold and delivered coals without a vender's ticket, countersigned by the meter. Those informations were laid without any view but the benefit of the public. The Bank had proceeded without at all considering the loss they might have sustained by the conduct of the defendant, and being well able to afford the expenses of a prosecution, were determined to maintain it in consideration of the public alone. The case was a most important one. The penalty, in the event of conviction, would amount to nearly 1,000%. Mr. Freshfield then stated, that it was most necessary the public should have full measure and quality in such an article as coal, and it was but justice to the coal trade to prove that the practice he had to complain of was the mere act of the defendant himself, and not common to the trade. It was not his intention to dilate on a subject so well understood. He should but mention a few things that it would be improper to omit. It was found necessary to pass an act in the 47th of the King, to protect the public against what were called in the act, "the frauds of the coal trade." He would not designate the present case by that name, but certainly the public were liable from their carelessness to impositions in the trade of the grossest kind. It was regulated by the act, that coals contained in any ship should be sold at the coal-market only, and that they should be publicly exhibited, under a penalty of 100%. It was required, that

that the meter should, after he had measured the coals, give to the waggoner a ticket, which ticket, if signed and countersigned, would be a security to the consumer that the article purchased was that to which he was entitled. It was most important to have the quality of the coal also properly attended to, it being known that coal varied from five, six, to eight shillings per chaldron, as to quality. The coal-merchant would do a most serious injury to the consumer, by putting upon him coal of a quality inferior to the sum at which he had purchased. For the purpose of guarding against such an imposition, the act had directed that the ship should be furnished with a certificate of the quality, which certificate was, upon the landing of the coals, to be examined by the land coal-meter, that he might ascertain whether they were of the quality mentioned in the ticket directed to be delivered by the vender to the purchaser, and the meter was required to countersign the ticket, if he was satisfied that the coals were as described in it. Thus, by regular stages, from the working of the coal-mine up to the sale, the quality was preserved. Mr. Freshfield then stated the contents of the meter's ticket to be sent with coals to the consumer, observing, that it should be signed by one of the principal land coal-meters, and countersigned by the labouring coal-meter attending and delivering them; and that the penalty affixed in the event of not complying with this regulation was 10%. It

was here that the frauds contemplated by the legislature began. The vender's ticket was presented on the delivery of the coals to the purchaser, but it was not countersigned. If the provisions of the act were complied with, it was impossible that the public could be defrauded, either as to the quantity or quality of the coals they purchased; but it was his duty to state, that in the case now before the public a meter's ticket accompanied the coals, but it was not countersigned according to the act of parliament, for it contained the name of a person not in existence. He could call a meter, the only one of the name stated in the ticket, who would prove that he had not countersigned the ticket; and there were other circumstances tending to show the gross irregularity of the proceeding. He could also prove that application had been made to the person who should have countersigned, in order to induce him to do so, and that the person had refused, in consequence of not having seen the ship's certificate. In fact, he could, if it was allowed in such a state of the case, prove that the coals were deficient both in quantity and quality.

Mr. Andrews suggested the needlessness of proceeding to the test, and observed, that Mr. Freshfield had no right to do so.

Sir Claudius Hunter was of opinion that Mr. Freshfield was justified in stating what he had evidence to support.

Mr. Freshfield said, he did not intend to go to circumstances of aggravation; he had no wish but to protect the public. The defendant



defendant had declared that his fault was negligence. If that defendant was able to prove that the coals were of the quantity and quality described in the ticket, and sold to the Bank, he should upon the part of the Bank withdraw every information, and be more happy in discharging that duty than the painful one he should probably be obliged to execute. He concluded with stating, that the Magistrate was at liberty to reduce the fine to 1s. if he pleased. The Bank would be satisfied with his decision, confident that the public service would be the first consideration with him.

Mr. Andrews having intimated that the defendant would plead guilty, Mr. Freshfield abstained from calling witnesses.

Mr. Andrews said he was glad of being spared the duty of detaining the Magistrates long upon this investigation. Mr. Freshfield had mentioned what, he had no doubt, was the motive of the Bank in appearing in this case, namely, for the purpose of proving the control which the statute had over merchants in this trade, and the necessity of calling the public attention to a matter which so powerfully interested them. He (Mr. Andrews) should advise his client to confess himself guilty; and he thought it his duty to add that, in his opinion, the Bank had acted with great liberality in not pressing the fines to the extent allowed by Act of Parliament. It was, however, to be considered, that the offence was not of such a nature as to authorize the infliction of such a punishment, it being the fact

that the crime was one of mere omission. True it was, that if the defendant was guilty of taking advantage of the opportunities which might have presented themselves and supplied a bad material, his offence would be of the most serious kind. If the merchant had himself attended the delivery of the coals, and acted as his own wharfinger, nothing could excuse the neglect that would subject the public to so serious a disadvantage. But the defendant was not his own wharfinger. He was a great dealer, and always intrusted his tickets to his wharfinger, or some other person under him.

Sir Claudius Hunter. — That surely can be no justification.

Mr. Andrews admitted that it was not a justification. He confessed the penalty. But no circumstances of aggravation could be stated in such a case. It was evident that his client had an excellent character, the Bank (so respectable a body) having employed him, if there were no other reason for saying that his character was unimpeachable. It was, Mr. Andrews observed, in the power of the Magistrate to reduce the fine to the smallest possible coin, and considering all the circumstances of the case, and the promise that neither the Bank nor the Public should be subject to similar inconveniences, he trusted to the lenient decision of the Chair.

Sir Claudius Hunter said, that he had a few words to say on this important case, to show that the course the Bank had taken was that which was most calculated to serve the public. The Bank had

had detected a most palpable and abominable error, to say the least of it; and, if they had proceeded to prove it, perhaps something worse than error would have been found out. It was not enough to say, "I leave my business to my wharfinger, and I therefore am not responsible;" there was

no excuse in submitting to the direction of another who acted wrong. Considering all the circumstances of the case, Sir Claudius Hunter thought proper to fine Mr. Johnson 10s. on each information. The whole amounted to 25*l*.

## PUBLIC GENERAL ACTS,

*Passed in the Sixth Session of the Fifth Parliament of the United Kingdom of Great Britain and Ireland—58 GEO. III. A. D. 1818.*

AN act to repeal an act made in the last session of parliament, intituled 'An act to continue an act to empower his Majesty to secure and detain such persons as his Majesty shall suspect are conspiring against his person and government.'

An act to suspend, until the end of the present session of parliament, the operation of an act made in the last session of parliament, to provide for the more deliberate investigation of presentments to be made by grand juries for roads and public works in Ireland, and for accounting for money raised by such presentments.

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 1818.

An act for raising the sum of thirty millions, by exchequer bills, for the service of the year 1818.

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 those purposes

respectively, until the 25th day of March, 1819; 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, 1819; 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 for indemnifying persons who, since the 26th day of January, 1817, have acted in apprehending, imprisoning, or detaining in custody persons suspected of high treason or treasonable practices, and in the suppression of tumultuous and unlawful assemblies.

An act to indemnify all persons who have been concerned in advising, issuing, or carrying into execution any order or orders for permitting the importation and exportation of certain goods and commodities in foreign bottoms into and out of certain of his Majesty's West India islands.

An act to authorize the governors of the hospital of king Charles the 2nd for ancient and maimed

mained officers and soldiers of the army of Ireland (usually called the royal hospital at Kilmainham), to suspend or take away the pensions of such pensioners of the said hospital as shall be guilty of any fraud in respect of prize-money or pensions, or of any other gross misconduct.

An act to further continue, until the 5th day of July, 1818, two acts of the 54th year of his present Majesty, for repealing the duties of customs on madder imported into Great Britain, and for granting other duties in lieu thereof.

An act to rectify a mistake in an act, passed in the 55th year of the reign of his present Majesty, for punishing mutiny and desertion, and to indemnify certain persons in relation thereto.

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 for charging duties on licences for retailing aqua vitæ in Scotland.

An act to amend an act of the last session of parliament, for preventing the further circulation of dollars and tokens issued by the Governor and Company of the Bank of England.

An act to amend an act made in the 26th year of his present Majesty, for the encouragement of the fisheries carried on in the Greenland Seas and Davis's Streights, so far as relates to the oaths thereby required to be taken.

An act to continue until the 5th day of April, 1819, and amend an act of the 56th year of his present Majesty, for reducing the duties payable on horses used for the purposes therein mentioned.

An act for charging certain duties on four-wheeled carriages constructed and drawn in the manner therein described.

An act to charge an additional duty on corks ready-made, imported into Ireland.

An act to allow for three years, and until six weeks after the commencement of the then next session of parliament, the importation into ports specially appointed by his Majesty, within the provinces of Nova Scotia and New Brunswick, of the articles therein enumerated, and the re-exportation thereof from such ports.

An act for more effectually discovering the longitude at sea, and encouraging attempts to find a Northern passage between the Atlantic and Pacific oceans, and to approach the Northern pole.

An act to revive and continue, until the 5th day of July, 1819, several laws relating to the duties on glass made in Great Britain; and to prohibit the making of smalts within a certain distance of any other glass-house, or by the maker of any other kind of glass.

An act for fixing the rates of subsistence to be paid to innkeepers and others on quartering soldiers.

An act for raising the sum of three millions, by the transfer of certain 3*l.* per centum annuities, into other annuities, at the rate of

of 3*l.* 10*s.* per centum; and for granting annuities to discharge certain Exchequer Bills.

An act for enabling his Majesty to make further provision for his Royal Highness the Duke of Cambridge, and to settle an annuity on the Princess of Hesse, in case she shall survive his said Royal Highness.

An act for enabling his Majesty to settle an annuity on her Royal Highness the Duchess of Cumberland, in case of her surviving his Royal Highness the Duke of Cumberland.

An act to continue, until the 5th day of July, 1819, two acts made in the 54th and 56th years of his present Majesty's reign, for regulating the trade in spirits between Great Britain and Ireland reciprocally, and to amend the same.

An act to permit the importation of certain articles into his Majesty's colonies or plantations in the West-Indies, or on the continent of South America; and also certain articles into certain ports in the West-Indies.

An act to repeal an act made in the 56th year of his present Majesty's reign, for establishing the use of an hydrometer called Sikes's hydrometer, in ascertaining the strength of spirits, instead of Clarke's hydrometer; and for making other provisions in lieu thereof.

An act for regulating the payment of fees for pardons under the great seal.

An act for preventing frivolous and vexatious actions of assault and battery, and for slanderous words, in courts.

An act to amend an act passed  
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in the 53rd year of his Majesty's reign, to make further regulations for the building and repairing of court-houses and sessions-houses in Ireland.

An act to amend so much of an act of the 55th year of his present Majesty, as relates to the salaries of clergymen officiating as chaplains in houses of correction.

An act to alter the allowance for broken plate glass, and to exempt manufacturers of certain glass wares from penalties for not being licensed.

An act to repeal the several bounties on the exportation of refined sugar from any part of the united kingdom, and to allow other bounties in lieu thereof, until the 5th day of July, 1820, and for reducing the size of the packages in which refined sugar may be exported.

An act to provide for the maintaining of the royal canal from the river Liffey to the river Shannon in Ireland.

An act to carry into execution a treaty made between his Majesty and the King of Spain, for the preventing traffic in slaves.

An act for further continuing, until the 5th day of July, 1819, an act of the 54th year of his present Majesty, to continue the restrictions, contained in several acts of his present Majesty, on payments of cash by the Bank of England.

An act to extend and render more effectual the present regulations for the relief of seafaring men and boys, subjects of the united kingdom of Great Britain and Ireland, in foreign parts.

An act to explain and amend  
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an act passed in the 56th year of the reign of his present Majesty, for amending the law of Ireland respecting the recovery of tenements from absconding, overholding, and defaulting tenants, and for the protection of the tenant from undue distress.

An act to continue the laws now in force relating to yeomanry corps in Ireland.

An act to amend an act made in the 56th year of his present Majesty, for regulating and securing the collection of the duties on paper in Ireland, and to allow a drawback of the duty on paper used in printing certain books at the press of Trinity College, Dublin.

An act for enabling the trustee of certain premises at Great Yarmouth in the county of Norfolk, held in trust for his Majesty, to execute a conveyance of the same to a purchaser thereof.

An act for preventing the destruction of the breed of salmon, and fish of salmon kind, in the rivers of England.

An act to alter the application of part of the sum of 50,000*l.* granted by an act passed in the 56th year of the reign of his present Majesty, intituled 'An act for improving the road from the city of Glasgow to the city of Carlisle.'

An act for building and promoting the building of additional churches in populous parishes.

An act for relief of persons entitled to entailed estates, to be purchased with trust monies, in that part of the united kingdom called Ireland.

An act to establish fever hospitals, and to make other regula-

tions for the relief of the suffering poor, and for preventing the increase of infectious fevers in Ireland.

An act to amend an act, passed in the last session of parliament, to encourage the establishment of banks for savings, in England.

An act to explain three acts, passed in the 46th, 47th, and 51st years of his Majesty's reign, respectively, for the abolition of the Slave trade.

An act to amend and continue, until the 10th day of November, 1820, an act passed in the 56th year of his present Majesty, to repeal the duties payable in Scotland upon wash and spirits, and distillers licences; to grant other duties in lieu thereof; and to establish further regulations for the distillation of spirits from corn, for home consumption, in Scotland.

An act to amend certain acts passed in the 4th year of King Edward the 4th; 1st and 10th years of Queen Anne; 1st, 12th, and 13th years of King George the 1st; 13th, 22nd, and 29th years of King George the 2nd; and 13th and 57th years of King George the 3rd; prohibiting the payment of the wages of workmen in certain trades otherwise than in the lawful coin or money of this realm.

An act to continue, until the 20th day of June, 1820, an act of the 52nd year of his present majesty, for the more effectual preservation of the peace, by enforcing the duties of watching and warding.

An act for enabling his majesty to make further provision for his Royal Highness the Duke  
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of Kent, and to settle an annuity on the princess of Leiningen, in case she shall survive his said Royal Highness.

An act to grant certain rates, duties, and taxes in Ireland, in respect of fire hearths, windows, male servants, horses, carriages, and dogs, in lieu of former rates, duties, and taxes thereon; and to provide for the payment thereof to the collectors of excise, and for the more effectual accounting for the same.

An act to continue until the 5th day of July, 1819, two acts of the 54th year of his present Majesty, for repealing the duties of customs on madder imported into Great Britain, and for granting other duties in lieu thereof.

An act to make perpetual an act of the 46th year of his present Majesty for granting an additional bounty on the exportation of the silk manufactures of Great Britain.

An act to amend an act of the 55th year of his present Majesty, for granting duties of excise in Ireland upon certain licences, and for securing the payment of such duties, and the regulating of the issuing of such licences.

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 day of March, 1819.

An act for defraying, until the 25th day of June, 1819, the charge of the pay and clothing of the militia of Ireland; and for

making allowances in certain cases to subaltern officers of the said militia during peace.

An act to continue, until three months after the ceasing of any restriction imposed on the Bank of England from issuing cash in payment, the several acts for confirming and continuing the restrictions on payments in cash by the Bank of Ireland.

An act for the better accommodation of his Majesty's packets within the harbour on the north side of the hill of Howth, and for the better regulation of the shipping therein.

An act to continue, until the 1st day of August, 1819, two acts of his present Majesty, allowing the bringing of coals, culm, and cinders to London and Westminster.

An act to revive and continue, until the 25th day of March, 1819, an act made in the 49th year of his present Majesty, to permit the importation of tobacco from any place whatever.

An act to make further regulations respecting the payment of navy prize-money, and to authorize the governors of Greenwich hospital to pay over certain shares of prize-money due to Russian seamen to his excellency the Russian Ambassador.

An act for repealing the duties of excise on verjuice and vinegar, and granting other duties in lieu thereof; and for more effectually securing the duties of excise on vinegar or acetous acid.

An act to empower any three or more of the commissioners for the reduction of the national debt to exercise all the powers and



authorities given to the said commissioners by an act or acts of parliament.

An act to provide for the more deliberate investigation of presentments to be made by grand juries for roads and public works in Ireland, and for accounting for money raised by such presentments.

An act to repeal so much of an act passed in Ireland in the 9th year of the reign of Queen Anne, intituled 'An act for taking away the benefit of clergy in certain cases; and for taking away the book in all cases; and for repealing part of the statute for transporting felons;' as takes away the benefit of clergy from persons stealing privily from the person of another; and more effectually to prevent the crime of larceny from the person.

An act for the regulation of parish vestries.

An act for repealing such parts of several acts as allow pecuniary and other rewards on the conviction of persons for highway robbery, and other crimes and offences; and for facilitating the means of prosecuting persons accused of felony and other offences.

An act for granting to his Majesty a sum of money to be raised by lotteries.

An act for improving and completing the harbour of Dunmore, in the county of Waterford, and rendering it a fit situation for his Majesty's packets.

An act for regulating the payment of regimental debts, and the distribution of the effects of officers and soldiers

dying in service, and the receipt of sums due to soldiers.

An act for the further regulation of payments of pensions to soldiers upon the establishments of Chelsea and Kilmainham.

An act for the more effectual prevention of offences connected with the unlawful destruction and sale of game.

An act to subject foreigners to arrest and detention for smuggling within certain distances of any of the dominions of his Majesty; for regulating rewards to the seizing officers, according to the tonnage of vessels or boats seized and condemned; and for the further prevention of the importation of tea without making due entry thereof with the officers of customs and excise.

An act to repeal the duty upon rock salt delivered for feeding or mixing with the food of cattle, and imposing another duty, and making other provisions in lieu thereof.

An act to make further provision for the better securing the collection of the duties on malt, and to amend the laws relating to brewers in Ireland.

An act to amend an act of the 54th year of his present Majesty's reign, for granting duties on auctions in Ireland.

An act to amend an act passed in the 57th year of his present Majesty, for permitting the transfer of capital from certain public stocks or funds in Great Britain to certain public stocks or funds in Ireland.

An act for extending to that part of the united kingdom called Ireland certain provisions of the parliament of Great Britain in relation

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relation to executors under the age of 21 years, and to matrimonial contracts.

An act to prevent frauds in the sale of grain in Ireland.

An act to amend and reduce into one act the several laws relating to the manner in which the East India Company are required to hire ships.

An act to remove doubts as to the validity of certain marriages had and solemnized within the British territories in India.

An act to carry into execution a convention made between his Majesty and the King of Portugal, for the preventing traffic in slaves.

An act for raising the sum of eleven millions six hundred thousand pounds by exchequer bills, for the service of the year 1818.

An act for raising the sum of eight hundred thousand pounds British currency, by treasury bills, in Ireland, for the service of the year 1818.

An act to amend two acts, made in the last session of parliament, for authorising the issue of exchequer bills, and the advance of money for carrying on public works and fisheries, and employment of the poor; and to extend the powers of the commissioners appointed for carrying the said acts into execution in Ireland.

An act to repeal so much of an act passed in the 43rd year of his present majesty, as requires the attendance of magistrates on board vessels carrying passengers from the united kingdom to his Majesty's plantations, or to foreign parts.

An act to alter and amend certain of the provisions of an act passed in the 51st year of his Majesty's reign, intituled 'An act to provide for the administration of the royal authority, and for the care of his Majesty's royal person, during the continuance of his Majesty's illness; and for the resumption of the exercise of the royal authority by his Majesty.'

An act for appointing commissioners to inquire concerning charities in England for the education of the poor.

An act to consolidate and amend the provisions of several acts, passed in the 51st and 52nd years respectively of the reign of his present Majesty, for enabling wives and families of soldiers to return to their homes.

An act to afford relief to the *bona fide* holders of negotiable securities, without notice that they were given for a usurious consideration.

An act to continue, until the 29th day of September, 1819, and to amend an act passed in Ireland, in the 36th year of his present Majesty, for the improvement and extension of the fisheries on the coasts of Ireland.

An act to regulate the election of coroners for counties.

An act to continue, for the term of two years, and until the end of the session of parliament in which that term shall expire, if parliament shall be then sitting, an act of the 56th year of his present Majesty, for establishing regulations respecting aliens arriving in or resident in this kingdom, in certain cases.

An act to prevent aliens, until  
the

the 25th day of March, 1819, from becoming naturalized, or being made or becoming denizens, except in certain cases.

An act to explain and amend an act passed in the 51st year of his Majesty's reign, for rendering more effectual an act made in the 47th year of his Majesty's reign, for the abolition of the Slave trade.

An act for altering and amending an act made in the 55th year of his present Majesty, to amend an act made in the 48th year of his present Majesty, to improve the land revenue of the crown, so

far as relates to the great forest of Brecknock in the county of Brecknock; and for vesting in his Majesty certain parts of the said forest, and for inclosing the said forest.

An act for vesting in his Majesty certain parts of the hayes of Birkland and Bilbagh, and of certain commonable lands and open uninclosed grounds in the township of Edwinstowe, within the forest of Sherwood, in the county of Nottingham.

An act for applying certain monies therein mentioned for the service of the year 1819.

## PATENTS,

*From July 19, 1817, to May 2, 1818.*

*P. Phillips*, for his new method of purifying gas for the purpose of illumination.

*G. Wyke and E. Shorter*, for certain improvements in the construction of wheel-carriages.

*P. Hamden*, for his improvements in making a composition for ornaments and statues, and for making artificial bricks.

*F. Branton*, for his new mode of employing silk or other materials in the making of hats and bonnets.

*J. J. A. M'Carthy*, for his road or way for passage across rivers, creeks, &c. without stoppage or impediment.

*L. F. Vallet*, for a new ornamental surface to metals or metallic compositions.

*G. Stratton*, for a method of saving fuel by improvements in fire-places.

*R. Huish*, for a hive and other apparatus attached to it.

*John Hawks*, for a method of making iron rails to be used in the construction of railwails.

*Anth. Hill*, for improvements in the working of iron.

*Dennis M'Carthy*, for improvements on ploughs of various descriptions.

*John Perks*, for improvements in the apparatus for manufacturing, purifying, and storing gas.

*Tho. Taft*, for an improvement in bridle-bits and leather sliding-loop.

*Sam. Mersey*, for a mode of making and manufacturing livery lace and coach lace.

*Edm. Rich. Ball*, for a method of manufacturing paper of superior strength and durability.

*Edward Biggs*, for improvements in the method of manufacturing pans and slails of various kinds.

*James Bounsall*, for improvements in the machinery used for tarring, reeling; and twisting of yarn, and forming the strands of cables, &c.

*William Gildart and John Servant*, for improvements in mangles.

*Jeptha Avery Wilkinson*, for improvements in the application of machinery for manufacturing of weavers reeds.

*George Medhurst*, for an arrangement of implements to form the machine called the hydraulic balance.

*James M. Champness and Henry Birks*, for improvements on axletrees.

*Joseph Manton*, for certain improvements in locks for fire-arms.

*John Dale*, for the application of a material to the making of rollers or cylinders.

*Dr. David Brewster*, for a new optical

optical instrument called the Kaleidoscope.

*William Harry*, for improvements in the building of roofs for the upper part of furnaces, for the smelting of copper or other ores.

*John Oldham*, for an improvement in the mode of propelling ships and vessels by the agency of steam.

*John Dayman*, for a method of coating iron, steel, or other metals, with tin, lead, or other mixtures of metals.

*R. Dickinson*, for his improvements in sea-beacons and their moorings.

*F. Dizi*, for his improvements on harps.

*H. M. Ogle*, for his improvements on tea and coffee big-gins.

*G. Clymer*, for certain improvements in writing presses.

*T. C. Hansard*, for his improvements to printing presses, and in the processes of printing.

*D. T. Shears*, for his machine for the cooling of liquids.

*S. Hall*, for his method of improving yarn or thread of every description, and however prepared.

*K. C. Niepee*, for improvements in the means of propelling boats and other vessels.

*I. Hague*, for improvements in the method of expelling molasses or syrup from sugars.

*John Turner*, for improvements in the plating of copper or brass.

*William Buck and Rob. Hervey*, for improvements in the mode of making pipes or tubes of porcelain clay, or other ductile substances.

*Joseph Wild*, for a machine for

separating corn, grain, and seeds, from the straw.

*Stephen Price*, for his improved substitute for teasles.

*D. Wheeler and Co.* for a new and improved method of preparing brown malt.

*John and William Lewis, and William Davies*, for improvements on wire gig mills, for the purpose of dressing woollen and other cloths.

*W. Cleland*, for an improvement in the bleaching of flax and hemp.

*E. Cowper*, for improvements in printing presses.

*William Moulton*, for improvements in steam-engines.

*John and William Lewis, and William Davies*, for improvements on shearing machines.

*Ph. Taylor*, for a method of applying heat in certain processes to which it has not hitherto been applied.

*C. Brightly, and B. Donkin*, for a printing press for printing from types, plates, or blocks.

*M. J. Brunel*, for a method for forming tunnels or drifts under ground.

*J. Corty*, for additions to the apparatus used for distilling.

*G. F. Hagner*, for certain improvements in the manufacture of white lead and verdigris.

*Z. Barrat*, for a machine for curing, cleansing, sweeping, and ventilating chimneys, and extinguishing them when on fire.

*J. Collier*, for various improvements on a machine in use for the dressing and ginning of woollen cloths.

*R. Clayton*, for a method of depositing certain metals in wood.

*W. Crawshaw the younger, and D. Musket,*

*D. Mushet*, iron masters, for their improvement for the making of bar or other iron from refuse in the smelting of copper ores.

*Edward Cooper*, for improvements in printing presses.

*John Collier*, for improvements in the machine for shearing woollen cloth.

*William Moult*, for improvements in steam engines.

*John H. Palmer*, for a mode of purifying certain gases.

*John T. Carter*, for wheel-carriages.

*James Frazer*, for a cooking machine.

*Charles Brightly*, and *Bryan Donkin*, for a printing machine.

*Marc. J. Brumel*, for a method of constructing tunnels.

*Hugh Ronalds*, for improvements in making leather.

*Joseph Corty*, for improved apparatus for distilling.

*Benj. Wilson*, for a machine for breaking flax.

*Richard Banks*, for wheel-carriages.

*Thos. Calderbank*, for improvements in the working of pumps.

*John Scott*, for improvements in steam boats.

*James Ikin*, for furnace bars.

*Geo. F. Hagner*, for white-lead and verdigris.

*Rudolph Ackerman*, for improvements in four wheeled carriages.

*Wm. Horner*, for a crane.

*Geo. Prior*, for a detached escapement for chronometers.

*John Penwarne*, for an improved cock for liquor casks.

*Benj. Taylor*, for a loom.

*Lord Cochrane*, for purifying spirit of tar.

*Matt. C. Wyatt*, for a safeguard for fire-arms.

*Jeremy Chubb*, for improved locks.

*Dan. Wilson*, for improvements in boiling sugar.

*Edm. Naish*, for winding cotton.

*Grant Preston*, for a' deck-glass.

*Nath. Smith*, for a winnowing machine.

*Mary Sedgwick*, for preparing the rhines of starch.

*J. Munro*, for improvements in steam engines.

*John Simpson*, for spring hooks for coach harness.

*Thos. Allingham*, for a lamp.

*John Jones*, for dressing woollen cloth.

*James Collier*, for dressing woollen cloth.

*Alex. Haliburton*, for improvements in steam-engines.

*Jos. Routledge*, for a rotative steam-engine.

*John Sutherland*, for an apparatus for purifying liquids.

*Thos. Heppenstall*, for a chaff-cutter.

*Geo. Wyke*, and *Wm. Sampson*, for improvements on pumps.

*John Read*, and *Wm. Howell*, for a method of working coal.

*Richd. Penn*, for making ornamental wooden furniture.

*John Ashton*, and *Thomas Gill*, for a hydrometer.

*Lord Cochrane*, for a street lamp.

*John J. A. M'Carthy*, for granite pavements.

*Wm. Annesley*, for improvements in the construction of boats and ships.

*Wm. Hopkinson*, for preventing accidents

accidents to carriages from the wheels coming off.

*Geo. Whitham*, for grinding and dressing spindles.

*William Booth*, for a machine for making clogs and shoe soles.

*Wm. Church*, for improvements in the steam-engine.

*Gilb. Lang, and Rob. Smith*, for red and blue colours.

*Robert Clayton*, for inlaying pottery ware.



# APPENDIX TO CHRONICLE. 363

A BILL of all the CHRISTENINGS and BURIALS within the BILLS of MORTALITY, LONDON, from December 15, 1817, to December 15, 1818.

Christened in the 97 parishes within the walls 1048.—Buried 1204.

Christened in the 17 parishes without the walls 5317.—Buried 4078.

Christened in the 23 out-parishes in Middlesex and Surry 13,410.—Buried 10,099.

Christened in the 10 parishes in the city and liberties of Westminster 4,458.—Buried 4,324.

## DISEASES AND CASUALTIES.

Abscess.....	103				
Aged .....	1923				
Ague .....	1				
Apoplexy and Suddenly ..	512				
Asthma .....	859				
Cancer .....	97				
Canker .....	1				
Chicken Pox .....	2				
Childbed .....	221				
Consumption .....	4242				
Convulsions .....	3205				
Cough and Hooping Cough	839				
Croup .....	113				
Dropsy .....	709				
Dysentery.....	16				
Fevers of all kinds.....	1170				
Fistula .....	9	Rupture .....	38	Excessive Drinking .....	5
Gout .....	58	Scrophula .....	12	Executed* .....	11
Gravel, Stone, Strangury ..	17	Small Pox.....	421	Found Dead.....	14
Hemorrhage.....	43	Sore Throat .....	11	Fractured.....	1
Inflammation .....	1203	Spasm .....	78	Frighted .....	3
Jaundice .....	91	St. Anthony's Fire .....	8	Killed by Falls and sev- eral other Accidents ... }	92
Jaw Locked .....	1	Stillborn .....	654	Killed by Fighting .....	1
Liver Complaint .....	72	Teething .....	445	Murdered.....	2
Lunacy.....	228	Thrush.....	107	Poisoned .....	6
Measles.....	728	Veneral .....	19	Scalded.....	8
Miscariage .....	2	Water in the Chest.....	101	Starved.....	1
Mortification .....	368	Water on the Brain.....	406	Strangled.....	1
Palpitation of the Heart ...	7	Worms.....	6	Suffocated .....	8
Palsy .....	187	Broken Limbs .....	1	Suicides .....	40
Pleurisy .....	15	Burnt .....	33		
Rheumatism .....	13	Drowned .....	117		

Christened Males 12,530—Females 11,703—In all 24,233 || Buried Males 9,883—Females 9,822—In all 19,705,

Whereof have died,

Under two years of age ..	5381	Sixty and seventy.....	1585
Between two and five .....	1815	Seventy and eighty .....	1271
Five and ten.....	808	Eighty and ninety .....	722
Ten and twenty .....	703	Ninety and a hundred.....	175
		A hundred .....	1
		A hundred and one .....	1
		A hundred and two .....	1
		A hundred and eight.....	1

Decreased in the Burials this year 263.

\* There have been Executed in London and the county of Surrey, 24; of which number 11 only have been reported to be buried within the Bills of Mortality.

PRICE OF STOCKS FOR EACH MONTH IN 1818.—Lowest and Highest.

1818.	Bank Stock.	3 p. ct. red.	3 p. ct. cons.	3 p. ct. 4 p. ct. cons.	5 p. ct. navy.	Long Ann.	India Stock.	India Bonds.	Exchequer Bills 2½	S. Sea Stock.	Irish Stock.	Omnium.
January.....	{ 288 292	{ 79½ 82	{ 78½ 81½	{ 98½ 99½	{ 104½ 106½	{ 20½ 21	{ 240 242½	{ 99 pr. 109 pr.	{ 21 pr. 30 pr.	{ 89½	{ 106½	
February..	{ 285½ 290½	{ 79½ 81½	{ 79½ 80½	{ 98½ 99½	{ 105½ 106½	{ 20½ 21	{ 239½ 241½	{ 93 pr. 103 pr.	{ 21 pr. 30 pr.	{ 87½ 89½	{ 107½	
March.....	{ 285 287½	{ 78½ 79½	{ 77½ 78½	{ 98½ 99½	{ 105½ 106½	{ 20½	{ 238	{ 82 pr. 97 pr.	{ 13 pr. 21 pr.	{ 86½	{ 106½ 106½	
April.....	{ 282 286	{ 79 81½	{ 79½ 82	{ 97½ 98½	{ 106½ 108½	{ 20½ 20½	{ 236½ 239½	{ 89 pr. 101 pr.	{ 20 pr. 25 pr.	{ 88½ 90½		
May .....	{ 278½ 283	{ 77½ 80½	{ 78½ 80½	{ 96½ 97½	{ 107½ 108½	{ 20½ 20½	{ 231½ 234	{ 91 pr. 103 pr.	{ 19 pr. 23 pr.	{ 89½ 90½	{ 106½	{ ¼ dis. ¾ pr.
June.....	{ 279 280½	{ 78½ 78½	{ 79 79½	{ 96½ 97	{ 108 108½	{ 20½ 20½	{ 232½	{ 88 pr. 92 pr.	{ 16 pr. 21 pr.		{ 107	{ ½ dis. ¾ pr.
July .....	{ 276½ 278½	{ 77½ 78½	{ 76½ 78	{ 96½ 98	{ 105½ 106½	{ 20½ 20½	{ 232	{ 88 pr. 100 pr.	{ 15 pr. 21 pr.			{ ¼ dis. ¾ pr.
August .....	{ 271½ 276½	{ 75½ 78½	{ 75½ 77½	{ 95½ 97½	{ 104½ 106½	{ 20½ 20½	{ 224 232½	{ 81 pr. 96 pr.	{ 17 pr. 20 pr.	{ 86½		{ ¼ dis. ¾ dis.
September.....	{ 268½ 269½	{ 73½ 75½	{ 73½ 76	{ 93½ 94½	{ 103½ 105½	{ 20		{ 68 pr. 85 pr.	{ 17 pr. 18 pr.	{ 82½	{ 107½	{ 2¼ dis. 6½ dis.
October.....	{ 268½ 274½	{ 74½ 77½	{ 75½ 77½	{ 93½ 96	{ 105½ 108	{ 19½ 20½	{ 226 233½	{ 75 pr. 92 pr.		{ 83½ 85½		{ 4 dis. par
November .....	{ 268 273½	{ 76½ 77½	{ 76½ 78½	{ 94½ 95½	{ 107½ 108½	{ 20	{ 232	{ 81 pr.		{ 85½		{ ¼ dis. ¾ dis.
December.....	{ 267 270½	{ 76½ 79	{ 78½ 79	{ 94½ 96½	{ 108½ 108½	{ 19½ 20½	{ 234	{ 76 pr. 85 pr.		{ 86½	{ 106 106½	{ ¼ dis. ¾ pr.

TABLE OF THE NUMBER OF BANKRUPTCIES IN ENGLAND,

*From Dec. 20, 1817, to Dec. 20, 1818, inclusive.*

January.	Feb.	March.	April.	May.	June.	July.	August.	Sept.	Oct.	Nov.	Dec.
104	111	108	112	90	80	48	51	70	61	120	101

Total Bankruptcies, 1056. Decreased from the last year, 519

## AVERAGE PRICES OF CORN

PER QUARTER

*In England and Wales, 1818.*

	Wheat.		Rye.		Barley.		Oats.		Beans.	
	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
Jan.	85	3	51	7	45	6	27	11	52	1
Feb.	85	1	51	1	45	3	28	6	54	4
Mar.	84	8	50	5	47	7	31	9	53	0
Apr.	90	8	56	5	53	7	32	3	55	6
May	86	0	53	8	53	3	32	6	57	0
June	84	3	54	3	49	9	32	5	55	6
July	87	8	53	6	51	7	36	4	50	6
Aug.	79	11	50	4	50	9	34	6	68	0
Sept.	81	8	61	1	59	0	35	4	75	5
Oct.	81	10	60	2	61	0	35	2	75	4
Nov.	82	9	59	3	64	0	35	11	76	4
Dec.	80	5	59	11	64	2	36	0	74	4

*Average of the Year.*84 2 $\frac{1}{3}$  | 55 1 $\frac{1}{2}$  | 54 5 $\frac{1}{4}$  | 33 2 $\frac{1}{2}$  | 62 3 $\frac{1}{4}$

LIST OF THE PRINCE REGENT'S MINISTERS,

*As it stood at the opening of the Session.*

CABINET MINISTERS.

Earl of Liverpool .....	First Lord of the Treasury.
Lord Eldon.....	Lord Chancellor.
Earl of Westmorland.....	Lord Privy Seal.
Earl of Harrowby .....	President of the Council.
Viscount Sidmouth .....	} Secretary of State for the Home Department.
Viscount Castlereagh.....	
Earl Bathurst .....	Colonies and War.
Right Hon. Nicholas Vansittart	Chancellor of the Exchequer.
Viscount Melville .....	First Lord of the Admiralty.
Earl of Mulgrave .....	Master General of the Ordnance.
Right Hon. George Canning ..	President of the Board of Control.
Right Hon. Charles Bathurst ..	} Chancellor of the Duchy of Lancaster.
Right Hon. Wm. Wellesley Pole	
Right Hon. Fred. John Robinson	} Treasurer of the Navy, and President of the Board of Trade.

NOT OF THE CABINET.

Marquis of Cholmondeley.....	Lord Steward.
Marquis of Hertford .....	Lord Chamberlain.
Duke of Montrose .....	Master of the Horse.
Viscount Palmerston .....	Secretary at War.
Right Hon. Charles Long.....	Paymaster of the Forces.
Right Hon. Thomas Wallace ...	} Vice President of the Board of Trade.
Sir Samuel Shepherd, knt. ....	
Sir Robert Gifford, knt.....	Solicitor General.
Earl of Chichester and Marq. of Salisbury .....	} Postmasters General.
Sir Hildebrand Oakes, bart. ....	
Right Hon. William Huskisson...	} First Commissioner of Land Revenue.

PERSONS IN THE MINISTRY IN IRELAND.

Earl Talbot.....	Lord Lieutenant of Ireland.
Rt. Hon. Sir G. Beckwith, G. C. B.	Commander of the Forces.
Lord Manners.....	Lord Chancellor.
Right Hon. Charles Grant .....	Chief Secretary.
Rt. Hon. Sir G. Fitzgerald Hill, bt.	Vice Treasurer.
Right Hon. William Saurin .....	Attorney General.
Charles Kendal Bushe, esq. ....	Solicitor General.

## METEOROLOGICAL REGISTER, 1817-18.

*(Kept at Tottenham, by L. Howard.)*

	BAROMETER.			THERMOMETER.			RAIN, INCHES.
	HIGHEST.	LOWEST.	MEAN.	HIGHEST.	LOWEST.	MEAN.	
Nov. 2 ... Dec. 1.	30.45	29.26	29.87	50	30	47.11	2.00
Dec. 2 ... Dec. 31.	30.08	29.54	29.50	48	18	32.66	3.68
Jan. 1 ... Jan. 29.	30.43	38.98	29.78	58	21	28.46	2.32
Jan. 30 ... Feb. 28.	30.16	28.85	29.97	52	20	34.20	3.10
Mar. 1 ... — 29.	30.26	28.50	29.47	52	27	39.70	3.75
Mar. 30 ... Apr. 27.	30.37	29.08	29.64	68	22	45.36	3.09
Apr. 28 ... May 26.	30.35	29.22	29.76	69	30	52.84	3.28
May 27 ... June 25.	30.33	29.53	29.99	89	33	62.36	0.43
June 26 ... July 24.	30.32	29.67	30.03	93	44	67.24	0.68
July 25 ... Aug. 22.	30.27	29.80	30.05	93	47	63.32	0.14
Aug. 23 ... Sept. 21.	30.30	29.32	29.86	80	39	50.68	1.71
Sept. 22 ... Oct. 21.	30.20	29.19	29.98	73	31	55.31	3.36
Oct. 22 ... Nov. 20.	30.35	29.24	29.83	65	31	48.75	2.39
The Year.			29.82			49.07	29.93

PARLIAMENTARY REPORTS.

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REPORT OF THE NORTHERN  
CIRCUIT COMMITTEE.

*The Select Committee appointed to consider whether any, and what steps may be necessary to be taken, to give to the Counties of Westmorland, Cumberland, Northumberland, and Durham, and Town and County of Newcastle-upon-Tyne, the same advantages of Assizes twice in each year, as are now possessed by all the other Counties in England and Wales, and to report their observations thereupon to the House; and to whom the Petition of the Mayor, Sheriffs, Citizens, and Commonalty of the City of Norwich; and also the returns of the Calendars of the Prisoners, and of the Lists of Causes tried at the Assizes for the Counties before mentioned, were referred;—Have, pursuant to the Order of the House, considered the same accordingly; and have agreed to the following Report:*

Your Committee, on referring to the different papers laid before them by order of the House, find, that for several years past, persons charged in the four northern counties with offences, not ordinarily falling under the jurisdiction of the general quar-

ter sessions, have continued in prison previous to their trial for seven, eight, and nine months, and in many instances for a longer period of time; and they cannot but direct the immediate attention of the House to so great a failure in the administration of criminal justice.

The return of causes of the respective counties, with the exception of that of Westmorland, mark a large and progressive increase of civil business. In the marshal's paper at Carlisle, for the year 1814, no less than 80 records were delivered, of which four only appear to have been withdrawn; in the year 1815, 61 causes were entered; and the two successive years averaged not less than 50. At Durham, in the year 1816, they amounted to 51; and in 1817, to 54. Northumberland (including the jurisdiction of the town and county of Newcastle-upon-Tyne) furnished, in 1816, 42 causes; for five of these causes special juries had been summoned, three of them were made remanets, and consequently went over for 12 months; in the following year 32 actions were entered, one only of which was withdrawn. As the returns themselves are in their nature too voluminous for



publication, a short but accurate abstract is given in the Appendix.

Such being the actual state of business in these three counties, without a well grounded prospect of diminution, your Committee cannot form to themselves any satisfactory reason why the trial of civil causes should be thus deferred within these districts, and the custom of holding only one assize in the year continued, subjecting the suitors to serious inconvenience, and in some cases, to ruinous expense. The practice of bringing actions in other counties, now often resorted to, where they are transitory, compels the attendance of witnesses carried from a considerable distance, kept at the cost of the respective parties, and probably at last dismissed without a hearing.

It is clear, from the evidence heard before your Committee as to the pressure of civil business at York, that it is now with difficulty gone through, though a greater number of days is allotted in the summer, than was usual in preceding years; and that, of late, two judges have presided in the spring circuit; it will be found, that at the close of the last, commission at that place, six special and three common jury causes were made remanets, yet the Court was occupied ten, twelve, or fourteen hours during the day.

At Lancaster, to a most heavy calendar, are added in general not less than 180 causes, involving in them, as may naturally be imagined from the site and population of the palatinate, questions

of the highest importance, as well on commercial as on other points.

Looking therefore to all the circumstances which accompany this view of the subject, and considering it just that these counties should not be deprived of those advantages which are possessed by all the counties within the United Empire, your Committee beg leave to recommend, that such measures should be taken as would divide the present northern circuit into two separate circuits, the one comprehending the counties of Westmorland, Lancaster, and Cumberland, and the other including those of York, Northumberland and Durham. No objection could arise, under this arrangement, as to the attendance of an enlightened bar; for with the proposed alteration, there would still remain to each of these divisions as much, if not a larger extent of business, than is generally transacted upon every other circuit in England.

To carry this plan into its full execution, and to give it that weight and authority, which interests of such moment demand, your Committee are of opinion, that the duties which belong to it, should only be intrusted to established judges of the land: whether the present limited number of that highly respected body will permit such an addition of labour, must be left to the farther deliberation of the House; that head of examination not falling, as your Committee apprehended, within the precise limits of their instructions, they did not proceed to any regular course

course of inquiry which might embrace it, but in looking to the state of the new trials, before the court of King's-bench, as connected with the northern counties, it could not escape their observation, that those who now administer the justice of the country have difficulties imposed upon them, which, with all their zeal and activity, they are in some instances unable to surmount.

Your Committee, in adverting to the substance of the petition from the city of Norwich which was referred to them by order of the House, are called upon to observe, that the inconvenience there sustained, from the delay of the trial of prisoners, appears to have been so great, that it would be highly expedient, for the sake of public justice, that some remedy should be applied to the evil; and that if it is the pleasure of the House to recommend, in whatever way they shall think best, an augmentation to the present number of the judges, such additional judges might be most usefully and beneficially employed in the respective courts in Westminster-hall, and in the regular tribunals of the country; by this means, an opportunity would be afforded of supplying the defect so loudly complained of on the Norfolk and Midland circuits, viz. of having only one judge on the spring circuit to preside on the civil and criminal trials.

28th April, 1818.

REPORT ON LAWS RELATING  
TO AUCTIONS.

*The Select Committee appointed to take into consideration the Laws relating to Auctions, and to report the same, with their Observations thereupon, to the House;—Have, pursuant to the Order of the House, considered the same accordingly, and have agreed to the following Report:*

Your Committee have examined several tradesmen and respectable auctioneers, who are all of opinion, that great frauds on the public are constantly committed, by the mode in which sales by auction are conducted:—That property is often sold under misrepresentation as to ownership, under various pretences; such as, owners going abroad, merchants property intended for exportation; and empty houses are filled with goods for the purpose:—That articles of the most inferior manufacture, made for the express purpose of putting into sales, as the genuine property of individuals of respectability; and to such lengths has this mode proceeded, that many auctioneers who are in the practice of vending such articles, have, with a view to impose more successfully upon the public, been detected in using the names of several of the most respectable auctioneers, varying the spelling by alteration of a letter; and your Committee have had proofs, that several of the respectable auctioneers, whose names have been so assumed, have in several instances, in justification to themselves, been compelled

compelled to appear personally at such sales, to prohibit the same being carried on in their names, knowing such was done with a view to impose on the public.

Your Committee find also, that sales are made of linen, describing the same as foreign, and the property of Hamburgh and foreign merchants; also cutlery wares, and plated goods, in particular, of the most inferior manufacture, with London makers' names thereon, publicly declared and sold as London manufacture; and to such an extent as to compel the London makers to appear in the sale rooms, and in person expose the fraud and imposition attempted to be practised.

Your Committee also find, that great frauds and impositions have been practised in the sales of wine, misrepresenting it as the property of individuals of respectability; and in short, there has been scarcely an article which at auction has not been grossly misrepresented:—That sales are often made without attending to the due order of the catalogue, and sometimes without any catalogue, and at others with the same catalogue used for many days sales; and the Committee in this investigation have discovered, that great frauds have been committed upon the revenue, inasmuch as at times no sale has been returned, and at other times less in amount returned than absolutely sold; and that various prosecutions have been from time to time necessarily instituted by the Excise board.

Your Committee have reason to suppose, that the facility given to these sales, by describing

property falsely as to ownership, affords ready means of selling goods dishonestly come by, and holds out the means of the evil-disposed debtor to sell fraudulently the creditor's property, to a great and serious injury to the honest trader, raising money (as it is termed) by any sacrifice of price.

That the inferiority of manufacture so sold and mis-stated is of national injury, and your Committee have had instances stated where an exporter has immediately shipped the articles bought, vamped up for the express purpose of deception, and which was not discovered till opened, and no responsibility attaching to the auctioneer, the buyers are left without a remedy: That while these daily sales exist without check or control, the regular manufacturer and tradesman are but little resorted to, and who, your Committee submit (both buyer and seller), are entitled to every protection; by reason,—1st. That the taxes of the country, and the poor, fall very heavy on the established and fixed house-keeper, while the itinerant auctioneer, as many travel from place to place, avoid paying any taxes;—and, 2dly, That a proper responsibility to the buyer resting with them for any imperfect or bad article sold, and on whose judgment and credit the buyer very often places himself. Your Committee consider these sales afford encouragement to the manufacturers of inferior articles of almost every description, and are ruinous, for the reasons before stated, to the honourable and honest tradesman,

man, creating a competition for lowness of price, in preference to excellence of quality, whereby the best workmen are injured and thrown out of employ.

Your Committee have received information of daring combinations, by a set of men who attend real sales, and drive, by various means, respectable purchasers away, purchase at their own price, and afterwards privately sell the same, under a form of public auction, termed, "Knock-out Sales."

Your Committee have but shortly adverted to the substance of the evidence they have received; but enough, they expect, to satisfy the House to make some alterations, in the present session, which may prevent in some degree a continuance of these frauds and impositions on the public; and therefore resolve to recommend a complete revision of the auction laws, and at as early a period as may be practicable.

Your Committee therefore recommend to the House, that a bill be immediately brought in, to increase the annual licence from 12s. to 20l. on every auctioneer or person selling by auction within 10 miles of the Royal Exchange, the first year, and for every future year the sum of 5l.; and every auctioneer without the space of 10 miles, the sum of 5l. the first year, and the sum of 40s. for every future year; and any person directly or indirectly making any sale by auction, not being licensed, to forfeit for every offence 100l.

That no goods be sold, under a heavy penalty, without being

previously exposed to view, at least 24 hours, nor without a catalogue previously printed, and sold in the order of the said catalogue; and that the real name and address of the auctioneer be printed on the first page; and that a penalty of 100l. be inflicted on every person using any fictitious name; and that the sales be confined to the hours from ten in the morning to six in the afternoon; except book sales, and produce usually sold by the candle.

That all auction rooms for the public sales of goods by auction, such as linen drapery, woollen drapery, hosiery, haberdashery, mercery, stationary, jewellery, hardware, books and prints, be licensed from time to time for one year, and security taken from the auctioneers and others, that these regulations and former acts should be complied with.

That a duty of 1s. per lot be deposited at the Excise-office upon delivery of the catalogue; and that the sum of 1s. per lot be allowed to be deducted from the duty on every lot which shall exceed 20s.

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REPORT OF THE SELECT COMMITTEE ON THE USURY LAWS.

*The Select Committee appointed to consider of the effects of the laws which regulate or restrain the Interest of Money, and to report their opinion thereupon to the House; and who were empowered to report the Minutes of the Evidence taken before them;—have, pursuant to the Order of the House, examined the Matters referred to them,*  
and

*and have agreed upon the following Resolutions :*

1. That the laws regulating or restraining the rate of interest have been extensively evaded, and have failed of the effect of imposing a maximum on such rate; and that of late years, from the constant excess of the market rate of interest above the rate limited by law, they have added to the expense incurred by borrowers on real security, and that such borrowers have been compelled to resort to the mode of granting annuities on lives, a mode which has been made a cover for obtaining higher interest than the rate limited by law, and has farther subjected the borrowers to enormous charges, or forced them to make very disadvantageous sales of their estates.

2. That the construction of such laws, as applicable to the transactions of commerce as at present carried on, have been attended with much uncertainty as to the legality of many transactions of frequent occurrence, and consequently been productive of much embarrassment and litigation.

3. That the present period, when the market rate of interest is below the legal rate, affords an opportunity peculiarly proper for the repeal of the said laws.

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REPORT FROM THE SELECT COMMITTEE ON THE EDUCATION OF THE LOWER ORDERS.

*The Select Committee appointed to inquire into the Education of the Lower Orders, and to Report their Observations there-*

*upon, together with the Minutes of the Evidence taken before them from time to time, to the House; and who were instructed to extend their Inquiries to Scotland; — Have considered the Matters to them referred, and agreed upon the following Report :*

Your Committee rejoice in being able to state, that since their first appointment in 1816, when they examined the state of the Metropolis, there is every reason to believe, that the exertions of charitable individuals and public bodies have increased, notwithstanding the severe pressure of the times; and that a great augmentation has taken place in the means provided for the instruction of the Poor in that quarter. They are happy in being able to add, that the discussion excited by the first Report, and the arguments urged in the Committee to various patrons of charities who were examined as witnesses, have had the salutary effect of improving the administration of those institutions and inculcating the importance of rather bestowing their funds in merely educating a larger number, than in giving both instruction and other assistance to a more confined number of children. As the management of those excellent establishments is necessarily placed beyond the control of the legislature, it is only by the effects of such candid discussions that improvements in them can be effected.

Since the inquiries of your Committee have been extended to the whole island, they have had reason to conclude, that the means

means of educating the Poor are steadily increasing in all considerable towns as well as in the metropolis. A circular letter has been addressed to all the clergy in England, Scotland, and Wales, requiring answers to queries. It is impossible to bestow too much commendation upon the alacrity shown by those reverend persons in complying with this requisition, and the honest zeal which they displayed to promote the great object of universal education, is truly worthy of the pastors of the people, and the teachers of that gospel which was preached to the poor.

Your Committee have lost no time in directing and superintending the work of digesting the valuable information contained in the returns, according to a convenient plan, which will put the House in possession of all this information in a tabular form. They have received important assistance in this and the other objects of their inquiry, from two learned barristers, Mr. Parry, and Mr. Coe of the Court of Chancery, who have devoted much of their time to the subject.

It appears clearly from the returns, as well as from other sources, that a very great deficiency exists in the means of educating the poor, wherever the population is thin and scattered over country districts. The efforts of individuals combined in societies are almost wholly confined to populous places.

Another point to which it is material to direct the attention of Parliament, regards the two opposite principles, of founding

schools for children of all sorts, and for those only who belong to the established church. Where the means exist of erecting two schools, one upon each principle, education is not checked by the exclusive plan being adopted in one of them, because the other may comprehend the children of sectaries. In places where only one school can be supported, it is manifest that any regulations which exclude dissenters, deprive the poor of that body of all means of education.

Your Committee, however, have the greatest satisfaction in observing, that in many schools where the national system is adopted, an increasing degree of liberality prevails, and that the church catechism is only taught, and attendance at the established place of public worship only required, of those whose parents belong to the establishment; due assurance being obtained that the children of sectaries shall learn the principles and attend the ordinances of religion, according to the doctrines and forms to which their families are attached.

It is with equal pleasure that your Committee have found reason to conclude, that the Roman Catholic poor are anxious to avail themselves of those Protestant schools established in their neighbourhood, in which no catechism is taught; and they indulge a hope, that the clergy of that persuasion may offer no discouragement to their attendance, more especially as they appear, in one instance, to have contributed to the support of schools, provided that no catechism

chism was taught, and no religious observances exacted. It is contrary to the doctrine as well as discipline of the Romish church, to allow any Protestant to interfere with those matters, and consequently it is impossible for Romanists to send their children to any school where they form part of the plan.

Your Committee are happy in being able to state, that in all the returns, and in all the other information laid before them, there is the most unquestionable evidence that the anxiety of the poor for education continues not only unabated, but daily increasing; that it extends to every part of the country, and is to be found equally prevalent in those smaller towns and country districts, where no means of gratifying it are provided by the charitable efforts of the richer classes.

In humbly suggesting what is fit to be done for promoting universal education, your Committee do not hesitate to state, that two different plans are advisable, adapted to the opposite circumstances of the town and country districts. Wherever the efforts of individuals can support the requisite number of schools, it would be unnecessary and injurious to interpose any parliamentary assistance. But your Committee have clearly ascertained, that in many places private subscriptions could be raised to meet the yearly expenses of a school, while the original cost of the undertaking, occasioned chiefly by the erection and purchase of the school-house, prevents it from being attempted.

Your Committee conceive, that

a sum of money might be well employed in supplying this first want, leaving the charity of individuals to furnish the annual provision requisite for continuing the school, and possibly for repaying the advance.

Whether the money should be vested in commissioners, empowered to make the fit terms with the private parties desirous of establishing schools, or whether a certain sum should be intrusted to the two great institutions in London for promoting education, your Committee must leave to be determined by the wisdom of Parliament.

In the numerous districts where no aid from private exertions can be expected, and where the poor are manifestly without adequate means of instruction, your Committee are persuaded, that nothing can supply the deficiency but the adoption, under certain material modifications of the parish school system, so usefully established in the northern part of the island, ever since the latter part of the seventeenth century, and upon which many important details will be found in the Appendix.

The modifications will be dictated principally by the necessity of attending to the distinction, already pointed out, between districts where private charity may be expected to furnish the means of education, and those where no such resource can be looked to; and the tables subjoined to this Report, will afford important lights on this subject. It appears farther to your Committee, that it may be fair and expedient to assist the parishes where no school-houses are erected,



erected, with the means of providing them, so as only to throw upon the inhabitants the burthen of paying the schoolmaster's salary, which ought certainly not to exceed twenty-four pounds a year. It appears to your committee, that a sufficient supply of schoolmasters may be procured for this sum, allowing them the benefits of taking scholars, who can afford to pay, and permitting them of course to occupy their leisure hours in other pursuits. The expense attending this invaluable system in Scotland, is found to be so very trifling, that it is never made the subject of complaint by any of the landholders.

Your Committee forbear to inquire minutely in what manner this system ought to be connected with the church establishment. That such a connexion ought to be formed appears manifest; it is dictated by a regard to the prosperity and stability of both systems, and in Scotland the two are mutually connected together. But a difficulty arises in England, which is not to be found there. The great body of the Dissenters from the Scottish Church differ little, if at all, in doctrine, from the establishment; they are separated only by certain opinions of a political rather than a religious nature, respecting the right of patronage, and by some shades of distinction as to church discipline; so that they may conscientiously send their children to parish schools connected with the establishment and teaching its catechism. In England the case is widely different; and it appears to your Committee

essentially necessary that this circumstance be carefully considered in the devising arrangements of the system. To place the choice of the schoolmaster in the parish vestry, subject to the approbation of the parson, and the visitation of the diocesan; but to provide that the children of sectarians shall not be compelled to learn any catechism or attend any church, other than those of their parents, seems to your Committee the safest path by which the legislature can hope to obtain the desirable objects of security to the establishment on the one hand, and justice to the dissenters on the other.

The more extended inquiries of your Committee this session have amply confirmed the opinion which a more limited investigation had led them to form two years ago, upon the neglect and abuse of charitable funds connected with education. They must refer to the Appendix and the Tables, for the very important details of this branch of the subject; but they must add, that although in many cases those large funds appear to have been misapplied through ignorance, or mismanaged through carelessness, yet that some instances of abuse have presented themselves, of such a nature, as would have led them to recommend at an earlier period of the session, the institution of proceedings for more promptly checking misappropriations, both in the particular cases, and by the force of a salutary example. From the investigations of the commission about to be issued under the authority of an

an act of parliament, much advantage may be expected; and though it would not become your Committee to anticipate the measures which the wisdom of the legislature may adopt in consequence of those inquiries, with a view to provide a speedy and cheaper remedy for the evil than the ordinary tribunals of the country afford; yet your Committee cannot avoid hoping, that the mere report and publication of the existing abuses will have a material effect in leading the parties concerned, to correct them, and that even the apprehension of the inquiry about to be instituted may in the mean time produce a similar effect.

As the universities, public schools, and charities with special visitors, are exempted from the jurisdiction of the commissioners, your Committee have been occupied in examining several of those institutions; the result of their inquiries will be found in the Appendix. It unquestionably shows, that considerable unauthorized deviations have been made, in both Eton and Winchester, from the original plans of the founders; that those deviations have been dictated more by a regard to the interests of the fellows than of the scholars, who were the main object of the foundations and of the founder's bounty; and that although in some respects they have proved beneficial upon the whole to the institutions, yet that they have been, by gradual encroachments in former times, carried too far. While, therefore, your Committee readily acquit the present fellows of all

blame in this respect, they entertain a confident expectation that they will seize the opportunity afforded by the inquiry, of doing themselves honour by correcting the abuses that have crept in, as far as the real interests of the establishments may appear to require it. If, too, there should exist similar errors in the universities, which have not been examined, your Committee willingly flatter themselves that steps will be taken to correct them, by the wisdom and integrity of the highly respectable persons, to whose hands the concerns of those great bodies are committed.

Your Committee are fully persuaded, that many great neglects and abuses exist in charities which have special visitors; indeed it so happens, that the worst instance which they have met with belongs to this class; and that no visitatorial power was exercised, until a few months ago, although the malversations had existed for many years. To this subject they therefore beg leave to request the speedy attention of parliament.

It further appears to your Committee, that as the commission about to be issued will be confined to the investigation of abuses, and as the information, in the parochial returns, is not sufficiently detailed respecting the state of education generally, a commission should also be issued, either under an act of parliament, or by means of an address to the Crown, for the purpose of supplying this defect.

In the course of their inquiries,  
your

your Committee have incidentally observed that charitable funds, connected with education, are not alone liable to great abuses. Equal negligence and malversation appears to have prevailed in all other charities; and although your Committee have no authority, by their instruction, to

investigate the matter, and to report upon it, yet they should deem themselves wanting in their duty were they not to give this notice of so important a subject, accidentally forced upon their attention.

3rd June, 1818.

## ELEVENTH REPORT

FROM THE

### SELECT COMMITTEE ON FINANCE.

INCOME AND EXPENDITURE.—Ordered by the House of Commons, to be printed, 25th May 1818.

*The SELECT COMMITTEE appointed to inquire into and state the Income and Expenditure of the United Kingdom, for the year ended the 5th of January 1818; and also to consider and state the probable Income and Expenditure (so far as the same can now be estimated), for the years ending the 5th of January 1819 and the 5th of January 1820 respectively, and to report the same, together with their observations thereupon, from time to time, to the House; and also to consider what farther measures may be adopted for the relief of the country from any part of the said Expenditure, without detriment to the public interest:—*

HAVING laid before the House in their Fourth Report, presented in the last session, a view of the public Income and Expenditure for the year ended the 5th of January 1817, distinguished under the principal heads; and likewise, an Estimate of the probable Income and Expenditure for the years 1817 and 1818; and having since had under their consideration the accounts presented in the present session, relating to the actual Receipt and Expenditure of the year 1817; proceed to lay before the House the result of these documents with reference to their Estimate of last year, in order that the House may thereby be enabled to perceive how far the opinions of the Committee upon this very important subject have been justified hitherto by the event, and to judge in what degree the expectations which they expressed in their Report above referred to, may, at the present period, appear likely to be ultimately realised.

In proceeding to this examination and comparison, your Committee

mittee wish to call to the recollection of the House the difficulties which they experienced, as they stated in that Report, in forming the Estimate required upon the actual state of the Revenue as exhibited in the accounts of the latest year then before them, owing to the very peculiar circumstances by which the produce of that year (1816) had been impaired; several of which, even at the time when your Committee were considering the subject, were still in operation. It was for this purpose deemed expedient to have recourse to the accounts of the three latest antecedent years not affected by these circumstances; viz. 1812, 1813, and 1814; the average of which three years, when divested of all augmentations and diminutions occasioned by alterations in the rate of duties, was found to correspond very nearly with the average of the two years 1815 and 1816, taken upon the same principle; the year 1815 having yielded a very large, and the year 1816, a proportionably reduced, produce:—And your Committee farther remind the House, that after having assumed those averages as a fair basis for their Estimate, and having thereby arrived at the result which they presented to the House, they expressed distinctly their “wish to be clearly understood as not “stating a confident opinion, that the Estimate thus framed would “be realised within the (then) present year. For though they saw, “on the one hand, reason to expect that the receipts of the Ex- “chequer might (when the change which they anticipated took “place) be swelled, in the first instance, somewhat beyond the “actual increase of consumption, by the replenishment, in the “hands of the dealers, of the average stocks of their respective “trades (which stocks, they had reason to believe, had been greatly “reduced); yet, considering how much of the year must have “elapsed before the relief to be expected from the ensuing harvest “could be felt, together with other circumstances which might “operate to delay the expected improvement, they deemed it “safer to present a less sanguine view, and to assume, that even “with the aid of the arrears of the property tax to the amount of “2,800,000*l.*, the average receipts of the (then) present and next “ensuing years might not exceed the limits of their Estimate.”

Your Committee having thus referred to the opinions which they entertained last year, and to the principal considerations whereby the views which they then took of the subject were influenced, are now enabled to state, that the progress of the revenue up to the present time, has justified those views, and affords ample reason for anticipating, within the current year, the fulfilment of their expectations.

It will be apparent, indeed, from the following comparative statements, that the Committee were fully warranted, as well in the doubts which they entertained with respect to an immediate improvement of the revenue, as in the confident hope which they expressed of its accelerated return to that state (at least) of productiveness from which it had suddenly declined, whenever the peculiar

peculiar causes which had occasioned the decline should have ceased to operate.

Your Committee now proceed to show :—

1st. The actual produce of the revenue in the year ended the 5th January 1818, as compared with the Estimate contained in their Fourth Report.

2nd. The actual produce of the same in the year ended the 5th April 1818, compared in the same manner.

3rd. A comparative view of the revenue in the quarters ended the 5th April 1817, and 5th April 1818, respectively.

In these statements, which are prepared in conformity with accounts in the Appendix to this Report, the revenues collected in Great Britain and Ireland respectively, are kept distinct; the latter, except for the quarters ended 5th April 1817, and 5th April 1818, respectively, being stated in Irish currency, with respect to each branch of the revenue, and the totals only converted into British sterling, for the purpose of comparison with the Estimate in the Fourth Report of the Committee, which was stated in that manner.

I.

*An Account of the NETT PRODUCE of the PUBLIC REVENUE in Great Britain and Ireland, in the year ended 5th January 1818, compared with the Estimate presented in the Fourth Report of the Committee of Finance.*

	Estimate of the Committee.	Actual Produce.	Permanent Duties.	
			More than the Estimate.	Less than the Estimate.
<b>GREAT BRITAIN.</b>				
	£.	£.	£.	£.
Customs .....	9,340,657	9,761,480	420,823	—
Excise .....	22,591,364	19,726,297	- - -	2,865,067
Assessed and Land Taxes .....	7,136,864	7,290,849	153,985	—
Stamps.....	6,132,080	6,337,421	205,341	—
Post-Office .....	1,485,500	1,338,000	- - -	147,500
Miscellaneous .....	245,000	492,872	47,872	—
	46,931,465	44,946,916	1,028,021	3,012,567
Unappropriated War Duties .....	68,580		Deduct } Increase }	1,028,021
Arrears of Property Tax.....	2,261,951	2,830,531	Permanent Duties less than Estimate }	1,984,546
	Estimate...	47,277,450		
	Receipt } more than Estimate }	46,931,465		
		345,985		
<b>IRELAND.</b>				
Customs .....	1,725,939	1,607,455 11 7 $\frac{1}{2}$	- - -	118,484
Excise and Assessed Taxes.....	2,864,898	2,308,203 11 3 $\frac{1}{4}$	- - -	556,695
Stamps.....	518,803	563,621 11 3 $\frac{1}{4}$	44,818	—
Post-Office .....	78,750	62,000 0 0	- - -	16,750
Miscellaneous .....	200,000	212,396 14 2 $\frac{3}{4}$	12,396	—
Irish.....	5,388,390	4,753,677 8 5 $\frac{3}{4}$	57,214	691,929
			Deduct } Increase }	57,214
British.. .....	4,973,899	4,388,010 0 0	Irish ..	634,715
England .....	46,931,465	47,277,450 0 0	British England	585,889 1,984,546
Total Receipt .....	51,905,364	51,665,460 0 0		
Less than Estimate .....	239,904	Total Permanent Duties less than Estimate }		2,570,435

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II.

*An Account of the NETT PRODUCE of the PUBLIC REVENUE in Great Britain and Ireland, in the year ended 5th April 1818, compared with the Estimate presented in the Fourth Report of the Committee of Finance.*

	Estimate of the Committee.	Actual Produce.	Permanent Duties.	
			More than the Estimate.	Less than the Estimate.
<b>GREAT BRITAIN.</b>				
	£.	£.	£.	£
Customs .....	9,340,657	9,852,848	512,191	—
Excise .....	22,591,364	20,236,047	- - -	2,355,317
Assessed and Land Taxes ..	7,136,864	7,368,904	227,040	—
Stamps.....	6,132,080	6,433,569	301,489	—
Post-Office .....	1,485,500	1,332,000	- - -	153,500
Miscellaneous.....	245,000	467,547	222,547	—
	46,931,465	45,685,915	1,263,267	2,508,817
Unappropriated War Duties .....	39,068		Deduct } Increase }	1,263,267
Arrears of Property Tax.....	1,522,648	1,561,716	Permanent Duties less than Estimate }	1,245,550
	Estimate...	47,247,631		
	Receipt } more than } Estimate }	46,931,465		
		316,166		
<b>IRELAND:</b>				
Customs .....	1,725,939	1,582,406	- - -	143,533
Excise and Assessed Taxes .....	2,864,898	2,398,239	- - -	466,659
Stamps.....	518,803	553,792	34,989	—
Post-Office .....	78,750	52,000	- - -	26,750
Miscellaneous .....	200,000	228,728	28,728	—
Irish.....	5,388,390	4,815,165	63,717	636,942
			Deduct } Increase }	63,717
British .....	4,973,899	4,444,768	Irish ...	573,225
England .....	46,931,465	47,247,631		
	51,905,364	51,692,399	British	529,131
Total Receipt .....	51,692,399		England	1,245,550
Less than Estimate.. .....	212,965	Total Permanent Duties less than Estimate }		1,774,681



III.

*An Account of the NETT PRODUCE of the PUBLIC REVENUE of Great Britain and Ireland, in the quarters ended the 5th April 1817, and 5th April 1818, respectively; exclusive of the War Malt Duty and Property Tax.*

GREAT BRITAIN.	5th April 1817.	5th April 1818.
Customs .....	£.1,912,296	£.2,003,664
Excise .....	4,642,055	5,151,805
Assessed and Land Taxes	1,022,654	1,095,709
Stamps .....	1,492,611	1,588,759
Post-Office.....	342,000	336,000
Miscellaneous .....	98,595	73,283
	<u>£.9,510,211</u>	<u>£.10,249,220</u>
<b>IRELAND.</b>		
Customs .....	£.324,635	£.301,514
Excise and Assessed Taxes	493,308	576,418
Stamps.....	151,504	142,431
Post-Office .....	12,000	2,770
Miscellaneous .....	21,846	36,920
	<u>£.1,003,293</u>	<u>£.1,060,053</u>
England.....	9,510,211	10,249,220
	<u>£.10,513,504</u>	<u>£.11,309,273</u>

From the foregoing accounts it appears, that in Great Britain the total permanent revenue for the year 1817, fell short of the estimate by 1,984,546*l.*, which being more than compensated by a receipt of 2,261,951*l.*, of arrears of Property Tax, and of 68,580*l.* of other unappropriated War Duties, making together 2,330,531*l.*; there was upon the whole, an excess beyond the estimate of 345,985*l.*; while in Ireland there was a deficit of 585,889*l.*, from which the above excess being deducted, the difference between the estimate of the Committee and the actual produce of the revenue in the United Kingdom, is exhibited by the remainder; being only 239,904, upon a sum of 51,905,000*l.*

It also appears, that in the year ended the 5th April 1818, a considerable improvement had already taken place in the revenue, inasmuch

inasmuch as the difference between the receipt and the estimate in Great Britain is, in that period reduced to 1,245,550*l.*; and although the sum yielded by the arrears of the Property Tax was, in that year, only 1,522,648*l.*, and by the other unappropriated War Duties 39,068*l.*, making together 1,561,716*l.*, there was still an excess of produce, upon the whole, beyond the estimate, of 316,166*l.*

In Ireland the revenue has likewise experienced some improvement in this period, although not in the same proportion as it has improved in Great Britain. The amount appears to have been 529,131*l.* below the estimate, which being set against the total excess in Great Britain as above stated (of 316,166*l.*), leaves only 212,965*l.* as the whole difference between the actual receipts of the year ended the 5th of April 1818, and the estimate of the Committee for the United Kingdom.

Receipt in Ireland less than Estimate .....	529,131
Do. in England more than Estimate ...	316,166
Total less than Estimate .....	£. 212,965

The rapid amendment of the revenue, which these accounts exhibit in the latter part of the period which they embrace, is more particularly and satisfactorily shown by the third statement, in which the income in the quarter which closed on the 5th April, 1818, is compared with that which was yielded in the corresponding quarter of the year 1817. From this account, the arrears of the Property Tax and the other war duties are excluded, in order to show the real improvement of those duties only which now constitute the permanent revenue. The result of this comparison is a balance in favour of the quarter ended the 5th April, 1818, for Great Britain, of 739,009*l.*, and for Ireland, of 56,760*l.*; making, upon the whole, an excess of 795,769*l.* An excess of actual receipt which would have been considerably greater if the produce of the sugar duties had been divided in the same proportion in the present as in the last year, between the two quarters ended the 5th January and the 5th April. But in consequence of the expected rise in the average price of sugar to that point at which it becomes chargeable, with an additional duty of 3*s.* per cwt. a great quantity then in bond was taken out for home consumption, immediately before the close of the quarter ended the 5th January last; from which period the additional duty, as had been foreseen by the merchants, became payable. By this anticipated payment of the duties, the produce of that quarter was greatly swelled, and a corresponding deficit occasioned in the produce of the succeeding quarter. With a view to satisfy themselves upon this point, your Committee called for an account of the nett payments into the Exchequer, under the head of Sugar Duties, in the two quarters ended the 5th January and the 5th April 1817, and 1818 respectively; from which it appears that the total amount of the duty, in the half-year ended the 5th April 1817, was 1,681,768*l.*, of which 810,941*l.* was received in the April quarter; while of the total amount of the duty in the half-year

ended the 5th April 1818, viz. 1,837,479*l.*, the receipt in the last quarter amounted only to 308,180*l.* Had the same proportion prevailed in both cases, the amount would have been, in the latter, 886,012*l.*, exceeding the actual payment on account of this duty by 577,832*l.*, and consequently augmenting in the same degree, the excess as above stated of 795,769*l.* of the total receipts of the quarter ended the 5th April 1818, beyond those of the 5th April 1817.

Your Committee would not, indeed, be disposed to lay much stress upon the melioration of the revenue in a single quarter, or to build, upon that circumstance alone, a very sanguine hope of permanent amendment, sufficient to carry the public income to the full extent of their estimate, if it were not manifestly the consequence of an extensive and important change in the general condition of the country, such as your Committee anticipated, when they presented their fourth Report to the House. The nature of this change in the internal state of the kingdom, or rather of this return from a sudden and violent change in a contrary direction, is too well known and felt by the House and the country to render it necessary to dwell upon it; they therefore confine themselves to some observations arising out of the accounts before them, which when examined in their component parts afford more satisfactory evidence of improvement than even in their total amounts.

In the first place, it is deserving of remark, that of the several branches of the public income, which are distinguished in the foregoing comparative statements, there are only two, either in the year ended the 5th January, or in that which terminated on the 5th April, that have proved deficient below the average upon which the estimate of the Committee was founded. These are, the Excise, and the Post Office; while, on the other hand, the Customs, the Assessed Taxes, the Stamps, and the Miscellaneous Receipts, have all exceeded the average in both periods; for, although it appears that the Customs in Ireland did not, in either case, quite reach the estimate for that country, yet, when added to the produce of the same revenue in Great Britain, the whole will be seen to have exceeded the amount of the estimate of the customs for Great Britain and Ireland taken together. It may further be observed, that if the excise be excluded from these comparative accounts, the remaining

		Years ended,			
		5 Jan. 1818. - 5 Apr. 1818.			
		£.		£.	
Great Britain and Ireland.	{	Total Revenue, excluding Excise	} 27,477,983	-	27,680,877
		Estimate of the Committee, excluding Excise..	} 26,669,479	-	26,669,479
			} £.808,504	-	1,011,398

branches of the revenue, collectively, will be found, notwithstanding the defalcation of the Post Office; to have exceeded the Estimate, in the year ended the 5th January 1818, by 808,504*l.*, and in the year ended the 5th April 1818, by 1,011,398*l.* If, therefore there is a reasonable ground for presuming that the excise will be again as productive as it has been on the average of former years

as

stated by your Committee in their fourth Report, it may fairly be expected that the whole revenue will not only attain, but considerably exceed, the amount at which it has been taken by your Committee.

With a view to ascertain the probability of this point, your Committee have had under their consideration the accounts of the nett produce of the Excise, exclusive of the war duty on malt, in Great Britain, in the years and quarters ended the 5th January and 5th April 1818, as compared with the same in the years and quarters ended the 5th January and 5th April 1817; and having perceived that, in these accounts, the articles most prominently deficient were those of malt and beer, they called for an account of the malt duties received in the years 1812, 1813, 1814, 1815, 1816, and 1817, exclusive of the war duty upon malt, which has since expired; and they likewise called for an account of the nett produce of the duties on beer in the same periods.

From these documents it appears, that the produce of the Malt Tax, according to the average of the three years which preceded the very unfavourable harvest of 1816, amounted to 2,847,366*l.*, whereas the actual receipt, in the year ended the 5th April 1818, was only 1,954,090*l.* This leaves a difference of 893,276*l.* upon this head alone; a difference which, when it is considered, in conjunction with the defalcation of the beer duty measured by the same average, and amounting to 451,949*l.* (a considerable proportion of which must be ascribed to the same cause), will account for a deficiency more than equal to that of the whole nett revenue of Great Britain, in the last year, under consideration, below the estimate of the Committee, viz. 1,245,000*l.*

	Duty on Malt.	
Years	1813 .....	2,482,086
	1814 .....	2,953,585
	1815 .....	3,106,427
		<u>£8,542,098</u>
	Average ....	2,847,366
		1,954,090
	Difference..	<u>893,276</u>
	Beer Duties.	
	Average of 3 Years, }	2,785,361
	1813, 1814, & 1815, }	
	Produce of the Year, }	2,333,412
	ended 5 April 1818, }	
		<u>£ 451,949</u>
	Deficiency Malt Duty..	893,276
	Do. Beer Duty..	451,949
		<u>£1,345,325</u>

It is scarcely necessary for your Committee to remark, that the depression which has continued to affect these particular duties, after other parts of the revenue, arising from consumption, have been rapidly returning to their average productiveness, is one which the course of the seasons sufficiently explains, and may be expected to repair; so that, if there is no reason to apprehend a falling off in the other articles subject to excise duties, below even their present amount, it may fairly be presumed, that the public income will maintain itself to the extent of the estimate of the Committee; while, on the other hand, every improvement of the remainder of the excise duties, will have the effect of carrying it beyond that estimate, in whatever degree such improvement may take place.

In this view, the several accounts of the excise revenue, now

before the Committee, are very satisfactory, inasmuch as they not only afford no indication of any general decline in that branch of the public income, but on the contrary, exhibit, in the latest period, an appearance of improvement upon nearly all the articles composing it, which forms a remarkable contrast to the result of the accounts of this branch (and that of the customs) when your Committee were last engaged in the investigation of this subject; upon which they had to observe, that the deficiency in the year 1816, below former years, “ did not appear to have arisen upon a few only “ of the articles subject to duty (which might have been influenced “ by particular causes) but in a greater or less degree upon almost “ the whole of those which constituted the excise revenue.” At the present time, on the contrary, the increase is as general as the defalcation was at that period; and as the only material articles now remaining deficient are depressed, as above adverted to, by a particular and merely temporary cause, your Committee trust they will not be thought too sanguine when they anticipate the speedy return of this branch of the public income to its usual rate of productiveness.

In the examination of these accounts, your Committee have seen with satisfaction, that the duties upon some articles (particularly tea, tobacco, and spirits) which from their nature, and the very high amount of those duties, your Committee conceived to be peculiarly exposed to the practices of the fraudulent trader, have, nevertheless, been productive in the same proportion as the revenue in general, and appear to be improving in common with the duties derived from other objects of consumption. Your Committee are not prepared by any farther information than they possessed last year (beyond the inference to be drawn from the facts above-mentioned) to state an opinion as to the ultimate practicability of maintaining those duties at their present high rates; and they have thought it the less necessary to pursue their inquiries into this question, because they understand, that the general system and management of the revenue of customs, and of the import branch of the excise, to which it principally belongs, is now undergoing a special investigation by a commission appointed by the lords of the Treasury for the purpose.

Having thus stated to the House how far the public accounts up to the latest periods, have tended to verify the estimate of public income framed last year by your Committee, and having explained the grounds upon which their opinion of the general accuracy of that estimate, and the probability of its being fully realized, is strengthened and confirmed; they now propose to compare the actual expenditure of the year 1817, and the probable expenditure of the year 1818, with the expenditure assumed for those two years in their fourth Report, and the actual and estimated income of each of them respectively.

# PARLIAMENTARY REPORTS. 389

## EXPENDITURE.

	1817.				1818.	
	Estimate in the Fourth Report of the Committee.	Actual Expenditures:			Estimate in the Fourth Report of the Committee.	Probable Expenditure as at present ascertained.
	£	£.	s.	d.	£.	£.
Interest of Public Debt } Unredeemed .....	29,403,464	29,450,674	4	7½	23,751,093	*29,604,728
Sinking Fund of Funded } Debt, and Interest of Debt Redeemed .....	14,134,443	14,159,763	15	9¾	14,724,614	*14,832,467
Expenditure for Funded } Debt.....	43,537,907	43,610,438	0	5½	43,475,707	44,437,195
Civil List.....	1,235,692	1,191,168	11	4	1,235,692	1,235,692
Other Charges on the } Consolidated Fund ...	1,166,853	1,112,493	11	5½	925,276	925,276
Total Consolidated Fund } Interest and Sinking } Fund of Unfunded Debt }	45,940,452	45,914,100	3	3	45,636,675	46,598,163
	2,230,000	2,174,453	16	2½	2,250,000	2,300,000
<b>ANNUAL SUPPLIES.</b>						
Army .....	9,080,000	9,311,873	8	2½	8,500,000	8,967,974
Navy ..	7,646,000	6,873,062	13	8½	6,000,000	6,456,800
Ordnance.....	1,221,300	1,313,686	15	3	1,150,000	1,245,600
Miscellaneous .....	1,700,000	1,813,220	8	1½	1,700,000	1,783,200
Do. Extraordinary .....	-	*695,848	0	10¼	-	† 737,744
	67,817,752	68,096,245	5	7	65,216,675	68,089,481

	Exchequer Estimate, Fourth Report	New Charge.	Total.
	£.	£.	£.
Interest, &c. of Unredeemed Debt .....	28,751,093	853,635	29,604,728
Sinking Fund .....	14,724,614	107,853	14,832,367
	43,475,707	961,488	44,437,195

* Coinage .....	£. 460,000	s. 0	d. 0
Deficiency of Consolidated Fund in Ireland at 5th January 1817	235,848	0	10¼
	<u>£. 695,848</u>	<u>0</u>	<u>10¼</u>

† {	Arrear due since 1812, for the building of the Military College at Sandhurst .....	£. 78,058
	Under the Spanish Treaty .....	400,000
	Deficiency of Ways and Means, 1818. ....	259,686
		<u>£. 737,744</u>

The House will observe, that in stating the probable expenditure of the current year, at 68,089,481*l.*, your Committee have not adverted to the sum of 1,100,000*l.* appropriated in this session towards the building of new churches. Although this sum, from its having been granted as a credit to the commissioners, who may be appointed by the Crown for the execution of this important object, forms properly no part of the immediate supply of the year, it is however obvious, that the application of this credit will add, in whatever proportion it may be used in this and the succeeding year, to the actual expenditure of those years respectively.

Upon the foregoing statements, your Committee have first to remark, that the actual disbursements within the year 1817, have agreed very nearly with their estimate, although there are some material differences in the several heads of expenditure, which they comprise. These are chiefly in the expenditure of the Army, and of the Navy, and in the special charges not adverted to in the estimate of your Committee, and which did not form part of the ordinary supply of the year; the expenditure, under the first of those heads, was 213,873*l.* more, and under the second 773,000*l.* less than in the estimate; the extraordinary charges constitute an addition of expense to the amount of 695,848*l.* 0*s.* 10<sup>2</sup>*d.* The first of these differences appears to have arisen from the charge of the disembodied militia, not included in the estimate of your Committee, for a reason which will be adverted to hereafter; and the second, from the circumstance of the navy debt not having yet been reduced by the whole sum included in the votes of the last year for that purpose. The difference created by extraordinary charges, not estimated for, is explained by the note at the foot of the account.

Sinking Fund and Interest of Debt redeemed from 1st Feb. 1817 to 5th Jan 1818.....	£. 14,159,763
Sinking Fund of Unfunded Debt..	358,526
5 per Cents paid off .....	41,829
Navy Debt reduced .....	121,626
Ordnance Debt reduced .....	221,747
Consolidated Fund in Ireland, made good to the 5th January 1817..	<u>235,848</u>
	£.15,139,339
Expenditure after deducting Debt paid off .....	£. 52,956,906
Total Receipts .....	52,302,210
	<u>£. 654,696</u>

The sum applied to the redemption of debt in 1817, and forming part of the total payments above stated, of 68,906,245*l.*, was 15,139,330*l.*, as particularized in the margin; leaving an expenditure of 52,956,905*l.*; which being contrasted with the actual income, as above stated, amounting to 51,665,460*l.*, and with the addition of the produce of the old stores and the lottery, to 52,302,210*l.*, there will appear to

have been a difference between the expenditure and the receipts within the year, of 654,696*l.*

But it is to be observed, that in addition to the above sum of 15,139,339*l.*, being the debt redeemed and discharged in the year 1817, out of the receipts within that year, there has been a farther reduction of debt to a considerable amount, by the application of sums issued from the Exchequer in the preceding year, and remaining in the hands of the commissioners for the redemption of the national



# PARLIAMENTARY REPORTS. 391

national debt, and of balances remaining in the Exchequer on the 5th January 1817, which, though it does not come strictly within the view taken by your Committee of the income and expenditure properly belonging to the year, as compared with each other, is nevertheless an important circumstance in the finance of the year, as it constitutes a real diminution of debt, as will appear by the following account:—

## Compare of DEBT Redeemed and Contracted in 1817.

	£.
Debt on Consolidated Fund on the 5th January 1818 ...	3,574,351
Deduct Debt at 5th January 1817 .....	1,945,507
	£.1,628,844
Amount of Unfunded Debt, Exchequer } £.	
Bills, and Navy and Ordnance Debt, } 63,198,114	
at 5th January 1818 .....	
Do. - do. - do. 5th January 1817... 52,082,664	
Increase .....	11,115,450
Increase of Unfunded Debt .....	£.12,744,294
Applied in Redemption of Debt from } £.15,344,982	
5th Jan. 1817 to 5th Jan. 1818 .....	
Five per Cents paid off..... 41,829	£.
	15,386,811
Deduct Increase of Unfunded Debt.....	12,744,294
Actual diminution of Debt from the 5th January } £.2,642,517	
1817 to 5th January 1818 .....	

In the statement relating to the current year, the first object of attention is the excess of the probable expenditure beyond the estimate formed by your Committee last year. This excess arises

1st. From the charge of the  $3\frac{1}{2}$  per cent stock created, and the Exchequer bills funded in the present year, of which there will be payable in the course of the year about 961,488%. ; while, on the other hand, as the diminution of the charge of the unfunded debt, consequent upon this funding, will not take effect in its full proportion before the close of the year, there will probably be an increase of 70,000%. under that head likewise, beyond the estimate of the Committee.

Grant of 1818, for Interest and Sinking Fund of Exchequer Bills ..	£. 2,560,000
Deduct probable diminution by } Exchequer Bills withdrawn } 260,000	
by funding .....	
Estimate in Fourth Report ....	2,300,000
	2,230,000
Difference....	£.70,000

Army.	
Estimate of the Com- mittee .....	£. 8,500,000
Amount voted ....	8,967,974
Difference..	£. 467,974

2nd. By an exceeding in the army grant principally arising from the charge of the disembodied militia, which, having been formerly provided for by a charge upon the growing produce of the land tax, and paid by the receiver-general, was not included in the estimate stated by your Committee in their fourth Report; and from an increase in the amount of the half-pay and Chelsea allowances.

Navy.	
Estimate of the Com- mittee .....	£. 6,000,000
Amount voted ....	6,456,800
Difference..	£. 456,800

3d. By an exceeding in the navy grant, chiefly owing to the expense of certain naval works at Plymouth, Sheerness, and some other of the principal dock-yards; upon which your Committee have stated their opinion in their eighth Report.

Ordnance.	
Estimate of the Com- mittee .....	£. 1,150,000
Amount voted ....	1,245,600
Difference....	£. 95,600

4th. By an exceeding in the ordnance grant, chiefly occasioned by the increased allowance to the ordnance for supplies furnished by that department to the navy; the nature of which is pointed out by your Committee in their ninth Report.

5th. By an excess of the miscellaneous grants, to the extent of 83,200*l.*

And, lastly;—By the extraordinary charges specified in the margin, including the payment of 400,000*l.* to the court of Spain, in pursuance of the convention with that power, relative to the abolition of the slave trade. These various items of increase form altogether an amount of 2,872,606, by which the expenditure of the year 1818 may be expected to exceed the sum within which

Deficiency of Ways and Means .....	£. 259,686
Payment to Spain .....	400,000
Arrear for building the Military College at Sandhurst .....	} 78,058
	£. 737,744

your Committee, at the time when their fourth Report was drawn up, had hoped it might have been limited.

Sinking Fund of Fund- ed Debt .....		£. 14,832,467
Do. of Exchequer Bills.....		560,000
		£. 15,392,467

Of this amount of the probable expenditure for the current year, there will be applied, for the reduction of the national debt, 15,392,467*l.*; this being deducted from the total sum, would leave 52,697,014*l.*, as the real expenditure,

agreeing very nearly with the total income, which, as estimated by your Committee in their fourth Report, would amount to 52,505,364*l.*

Your Committee having thus laid before the House their view of the income and expenditure of the last and of the present year, and having explained the grounds upon which they are led to entertain a confident belief that their estimate of the revenue of the United Kingdom, presented in the last session (which has hitherto been justified by the actual receipts), will, on the average of the current and future years, be at least fully realized; it now only remains for them, in order to fulfil the instructions of the House, to present such a view, as they are enabled at the present time to form, of the probable

bable income and expenditure of the year ending 5th January 1820.

With respect to the Income, the preceding part of this Report renders it unnecessary for your Committee to add any observation in assuming it, for the ensuing year, at not less than 52,500,000*l*.

In order to present a general view of the probable Expenditure for the year 1819, the detailed estimates of which could not be prepared at the present time, with any satisfactory accuracy, by the several departments, your Committee have endeavoured to obtain the best information that could be afforded by the principal officers of those departments, with respect to the probable increase or diminution of expense, under the several heads into which the foregoing estimates of your Committee have been divided; having reference in particular, to the charge which would be created by the reduction of a number of troops, both on the army and ordnance establishments at home, equal to those which now compose the army of occupation in France, if that army should be withdrawn at the end of the present year. The result of those inquiries is,

1st. That, under the head of the consolidated fund, there will be a diminution in the total charge, as compared with that of the present year, by the amount which has been included in the estimate of your Committee, for the charge (payable within the year) on account of the late funding; viz. 961,488*l*., as your Committee understand that the whole charge of that funding is, from the 5th January next, to be defrayed by the cancelling of stock redeemed, and now standing in the names of the commissioners for the redemption of the national debt, conformably to the act 53 George 3rd, aided by imperial annuities to the amount of 230,000*l*., which will expire in the year 1819. This head of expenditure may therefore be estimated at 45,636,000*l*. 2nd. That the charge for interest and sinking fund of Exchequer bills, being estimated upon the amount which will be outstanding after the proposed diminution of the unfunded debt in the present year, may be stated at 1,760,000*l*. 3d. That in the army and ordnance there will probably be an increase of expense, under the above-mentioned contingency; viz. the return of the troops from France, by necessary additions to the half-pay, Chelsea pensions, pay of general officers, &c. &c. (after taking into consideration the average yearly saving by casualties) to the extent of 300,000*l*., making the total sum for the army, navy, and ordnance 16,972,000*l*. 4. That the miscellaneous services may be assumed at 1,700,000*l*.

Estimate of 4th Report and Appendix .....	£. 45,636,675
Exchequer Bills granted, 1818.	60,000,000
To be cancelled .....	16,000,000
	<u>£. 44,000,000</u>
At 3 per Cent for Interest, and 1 per Cent for Sinking Fund (together 4 per Cent).....	1,760,000
Amount for the Army, Navy, and Ordnance, for 1818 .....	16,672,000
Add probable addition to the Army and Ordnance .....	300,000
	<u>£. 16,972,000</u>

Supposing therefore no extraordinary charges to occur (and your Committee do not learn that at present any such are foreseen) the whole

whole expenditure would amount, according to the foregoing estimate, to .....	£.66,068,000
In which is included, for the redemption of debt (by estimate) .....	14,981,000

Leaving..... £.51,087,000

as the amount of the expenditure, exclusive of the sinking fund; which being compared with the estimated revenue, amounting to 52,500,000*l.*, there will appear to be a balance of 1,413,000*l.* of income, beyond the probable expenditure in the year ending the 5th January 1820.

It thus appears, that with respect to the year 1818, the income may be considered as very nearly balancing the expenditure, exclusively of any increase or diminution of debt; and that in the year 1819, after making allowance for the probable increase of expense unavoidable upon an event, which, under the treaty of peace with France, must occur, if not in the next year, within little more than two years from the present time, the expenditure (exclusively, in like manner, of the sum to be applied in reduction of debt) will be within the probable income: from whence it will follow that any improvement of the revenue beyond the limits of the estimate, on the one hand, and every diminution of expense that may be made in future years, on the other, would have the effect of creating a surplus annually applicable to the diminution of the public debt; an object to which the wisdom of parliament, and the exertions of the government, cannot be too stedfastly directed; which has, indeed, taken place to some extent in each of the two years, whereof the actual expenditure has been under the consideration of your Committee, although not effected by income belonging to the ordinary receipt of the year, as they have specifically pointed out in their fourth Report, as well as in the present; and to the furtherance of which your Committee are willing to believe, that the measure to which they alluded at the close of their fourth Report, viz. the reduction of the interest on the 5 and 4 per cents, must, under a continuance of the present favourable prospects, and with the growing abundance of capital in the United Kingdom, materially contribute at no distant period.

25 May, 1818,

*(It has not been thought necessary to add the appendices.)*

THE  
FINANCE ACCOUNTS  
OF  
THE UNITED KINGDOM  
OF  
GREAT BRITAIN AND IRELAND,  
FOR THE YEAR ENDED FIFTH JANUARY,  
1818.

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<i>Class.</i>	<i>Class.</i>
I. PUBLIC INCOME.	V. PUBLIC EXPENDITURE.
II. CONSOLIDATED FUND.	VI. PUBLIC FUNDED DEBT.
III. ARREARS AND BALANCES.	VII. UNFUNDED DEBT.
IV. TRADE AND NAVIGATION.	VIII. DISPOSITION OF GRANTS.

**PUBLIC INCOME OF THE UNITED KINGDOM,**

FOR THE YEAR ENDING FIFTH JANUARY, 1818.

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 RECEIPTS: Total sum to be accounted for.		Drawbacks, Discounts, Charges of Management, &c. paid out of the Gross Revenue.		NETT PRODUCE applicable to National Objects, and to Payments into the Exchequer.	
	£.	s. d.	£.	s. d.	£.	s. d.
<b>Ordinary Revenues.</b>						
CUSTOMS .....	16,382,863	2 8 $\frac{1}{2}$	3,669,275	12 1 $\frac{1}{2}$	12,713,587	10 7
EXCISE .....	33,975,667	4 0	3,118,990	11 3 $\frac{1}{2}$	30,492,684	0 11
LAND AND ASSESSED TAXES .....	7,520,505	16 6 $\frac{1}{2}$	364,192	11 9 $\frac{1}{2}$	7,101,766	11 8 $\frac{1}{2}$
STAMPS .....	2,316,732	17 4	418,739	4 10	1,644,925	7 5 $\frac{1}{2}$
POST OFFICE .....	19,930	4 3 $\frac{1}{2}$	671,807	9 10 $\frac{1}{2}$	19,530	13 5 $\frac{1}{2}$
PENSIONS AND SALARIES .....	12,333	16 2 $\frac{1}{2}$	379	10 10	11,700	10 10 $\frac{1}{2}$
HACKNEY COACHES .....	29,314	4 4 $\frac{1}{2}$	633	5 4	25,481	13 3
HAWKERS AND PEDLARS .....	25,471	14 6 $\frac{1}{2}$	3,675	1 0 $\frac{1}{2}$	21,796	13 5 $\frac{1}{2}$
POUNDRAGE FEES (Ireland) .....	4,367	12 9 $\frac{1}{2}$	-	-	4,367	12 9 $\frac{1}{2}$
PELLS FEES .....	873	10 7 $\frac{1}{2}$	-	-	873	10 7 $\frac{1}{2}$
CASUALTIES .....	2,877	3 5 $\frac{1}{2}$	-	-	2,877	3 5 $\frac{1}{2}$
SMALL BRANCHES OF THE KING'S HEREDITARY REVENUE .....	159,630	10 5 $\frac{1}{2}$	4,027	7 3 $\frac{1}{2}$	155,603	3 2 $\frac{1}{2}$
<b>Total of Ordinary Revenues .....</b>	<b>60,450,767</b>	<b>17 3<math>\frac{1}{2}</math></b>	<b>8,255,553</b>	<b>5 6<math>\frac{1}{2}</math></b>	<b>52,195,214</b>	<b>11 9</b>

Extraordinary Resources.

PROPERTY TAX AND INCOME DUTY. (Arrears) .....	2,568,654	0	3½	49,244	0	5¼	2,519,409	19	10¼
Lottery, Nett Profit .....	215,729	5	0	19,040	0	0	196,689	5	0
Unclaimed Dividends, &c. paid into the Exchequer by the Chief Cashier of the Bank of England, .....	236,288	3	3	-	-	-	236,288	3	3
Surplus Fees of Regulated Public Offices .....	27,422	12	8	-	-	-	27,422	12	8
Voluntary Contributions .....	5,000	0	0	-	-	-	5,000	0	0
On Account of the Commissioners appointed by 35 Geo. 3, c. 127, and 37 Geo. 3, c. 27, for issuing Exchequer Bills for Grenada, &c. ....	3,484	10	11	-	-	-	3,484	10	11
From several County Treasurers in Ireland, on account of Advances made by the Treasury for improving Post Roads, on account of Advances for building Gaols, and under the Police Act of 54 Geo. 3, (Ireland) ...	69,243	13	7½	-	-	-	69,243	13	7½
Monies paid on account of Balance due by Ireland, on joint Expenditure of the United Kingdom ..	117,228	0	10	-	-	-	117,228	0	10
From the Paymaster General of Great Britain, on account of Advances made by Ireland for Half Pay to Reduced Officers, Pensions to Officers Widows, &c. on the British Establishment.....	9,130	7	0	-	-	-	9,130	7	0
From the Receiver General of Navy Payments in Ireland, in repayment of Money advanced by the Government of Ireland, for Naval Services	47,458	4	2½	-	-	-	47,458	4	2½
Imprest Monies repaid by Sundry Public Accountants, and other Monies paid to the Public .....	356,690	9	5½	-	-	-	356,690	9	5½
<b>TOTAL Public Income of the United Kingdom .....</b>	<b>64,107,097</b>	<b>4</b>	<b>6¼</b>	<b>8,323,837</b>	<b>6</b>	<b>0</b>	<b>55,783,259</b>	<b>18</b>	<b>6¼</b>
<b>Add, Appropriated Duties for Local Objects in Ireland .....</b>	<b>55,899</b>	<b>5</b>	<b>8¼</b>	<b>2,270</b>	<b>8</b>	<b>11</b>	<b>53,628</b>	<b>16</b>	<b>9¼</b>
<b>GRAND TOTAL.....</b>	<b>64,162,996</b>	<b>10</b>	<b>3½</b>	<b>8,326,107</b>	<b>14</b>	<b>11</b>	<b>55,836,888</b>	<b>15</b>	<b>4½</b>



II.—CONSOLIDATED FUND AND PERMANENT TAXES.—INCOME AND CHARGE, 1818.

INCOME.		CHARGE.	Actual Payment out of the Consolidated Fund in the Year ended 5th January 1818.		Future Annual Charge upon the Consolidated Fund as it stood on 5th January 1818.				
	£.		s.	d.	£.	s.	d.		
<b>CUSTOMS:</b> Consolidated, after reserving the sum of £.105,000 per annum, to be carried to Duties pro Anno 1809, per Act 49 Geo. 3. . . . .	2,868,295	13	3 $\frac{1}{2}$	22,917,245	19	1 $\frac{1}{2}$	22,922,509	15	2 $\frac{1}{2}$
Isle of Man Duties	7,144	17	7 $\frac{1}{2}$						
Quarantine Duty	17,112	2	2 $\frac{1}{2}$						
Canal and Dock Duty	21,510	8	1 $\frac{1}{2}$	898,000	0	0	898,000	0	0
Temporary or War duty 1809, made permanent Anno 1816 . . . . .	1,745,212	18	11	60,000	0	0	60,000	0	0
Do. in 1810 and 1811 . . . . .	100,426	6	9 $\frac{1}{2}$	70,000	0	0	70,000	0	0
<b>EXCISE:</b> Consolidated, after reserving the several sums carried per Acts 52, 53 and 55 Geo. 3, to the Duties pro Annis 1812, 1813, and 1815 . . . . .	4,759,702	7	0	13,050	0	0	13,050	0	0
British Spirits, Anno 1806, Schedule A	577,850	0	0	12,982	2	8	Uncertain.	Uncertain.	0
				3,200	0	0	3,200	0	0
				21,642	18	6 $\frac{1}{2}$	Uncertain.	Uncertain.	
				7,666	14	8	Ditto.	Ditto.	
				2,000	0	0	2,000	0	0
				4,000	0	0	4,000	0	0
	13,745,384	17	3 $\frac{1}{2}$						

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<b>STAMPS: Consolidated after reserving as directed per Acts 48, 50 and 55 Geo. 3 £.3,990,979 0 2</b>					
Licences for selling Lottery Tickets..	3,479 15 1				13,800 0 0
<hr/>					
<b>INCIDENTS.....</b>					Uncertain.
Surplus Duty on Sugar, Malt, and Tobacco, annually granted .....				2,627 15 9	Uncertain.
Annual Malt, &c. Anno 1815, 1816, and 1817 .....				650 0 0	650 0 0
Pensions, Offices, and Personal Estates, Anno 1814, 1815, 1816, and 1817 .....				750 0 0	Uncertain.
Land Taxes Anno 1803 to 1817 .....				1,160 0 0	Ditto.
Income Duty, Anno 1801 .....				275 16 0	Ditto.
Monies received on account of Nominces appointed by the Lords of the Treasury, in Tontine, Anno 1789				2,956 13 8	2,956 13 8
<hr/>					
<b>MINT:</b>					
Master of the Mint in England.....				13,800 0 0	13,800 0 0
Ditto.....Scotland .....				1,200 0 0	Uncertain.
<hr/>					
<b>SALARIES AND ALLOWANCES:</b>					
Speaker of the House of Commons, to complete his Salary of £. 6,000 per annum.....				2,627 15 9	Uncertain.
Edward Roberts, Esq. an annual sum formerly paid to the Auditor .....				650 0 0	650 0 0
George Pepler, Esq. Inspector of Tontine Certificates .....				750 0 0	Uncertain.
Chief Cashier of the Bank, for Fees paid at sundry Public Offices .....				1,160 0 0	Ditto.
Ditto.....South Sea Company, for For the Encouragement of the Growth of Hemp and Flax in Scotland.....				275 16 0	Ditto.
<hr/>					
<b>COMMISSIONERS OF PUBLIC ACCOUNTS:</b>					
William Mackworth Praed, Esq. Chairman .....				1,500 0 0	1,500 0 0
Sir Charles W. R. Boughton, Bart....				1,200 0 0	1,200 0 0
Francis Percival Eliot, Esq. ....				1,200 0 0	1,200 0 0
Richard Dawkins, Esq. ....				1,200 0 0	1,200 0 0
John Sargent, Esq. ....				1,200 0 0	1,200 0 0
John Anstey, Esq. ....				1,200 0 0	1,200 0 0
John Wishaw, Esq. ....				1,200 0 0	1,200 0 0
Salaries and Contingencies in the Office of the said Commissioners....				1,200 0 0	1,200 0 0
				35,781 7 1	Uncertain.

[This Account continued over leaf.]

Unappropriated War Duties .....	1,062,074 13 54			
Brought from Civil List, 3rd Class ...	3,256 12 2			
Monies paid by divers persons.....	350,515 7 5 $\frac{1}{2}$			
DUTIES pro Anno 1808 :				
Surplus Consolidated Duties on As- sessed Taxes, after reserving as directed per Act 48 Geo. 3 :				
Houses and Windows	£. s. d.			
Inhabited Houses .....	22,136 6 0			
Male Servants .....	45,838 6 0			
Carriages .....	8,687 2 0			
Horses for Riding.....	13,483 10 0			
Do. for Husbandry	10,804 2 0			
Dogs.....	2,519 12 0			
COMMISSIONERS OF WEST INDIA ACCOUNTS:				
John Halket, Esq. Chairman .....	1,500 0 0	1,500 0 0		
James Chapman, Esq. ....	1,000 0 0	1,000 0 0		
John Wilson, Esq.....	1,000 0 0	1,000 0 0		
Salaries and Contingencies in the Office of the said Commissioners...	6,518 17 8			Uncertain.
MISCELLANEOUS:				
Interest, &c. on a Moiety of 50 mil- lions of florins, raised by the House of Hope & Co. for the Service of Russia, per 55 Geo. 3, cap. 115 ...	130,641 7 0			Diitto.
Deficiency of Profits to the South Sea Company, per 55 Geo. 3, cap. 57, sec. 3.....	2,628 14 2			Diitto.
Bounty to Lieut. G. B. Vine, on Seizure of Slaves on board La Parisienne, and condemned at the Mauritius .....	3,685 0 0			—
Ditto to Sir Ralph Woodford, on Seizure and Condemnation of Slaves imported into the West Indies.....	78 0 0			—
Ditto to Augustus Pechel, Esq. for the like Service.....	78 0 0			—
PENSIONS:				
Earl of Chatham .....	4,000 0 0	4,000 0 0		
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		

PARLIAMENTARY ACCOUNTS. 401

Hair powder.....	873 14 0
Armorial Bearings....	798 6 0
Horsedealers Licences	186 12 0
<hr/>	
Surplus Consolidated Stamps, after reserving as directed per Act 50 Geo. 3, c. 71 .....	150,240 8 0
<hr/>	
Total Income of Duties pro Anno 1808 .....	150,000 0 0
<hr/>	
Total Income of Duties pro Anno 1808 .....	300,240 8 0
<hr/>	
Duties pro Anno 1809:	
Brought from Consolidated Customs, per Act 49 Geo. 3, cap. 98 .....	105,000 0 0
<hr/>	
Total Income of Duties applicable to paying the Charges prior to the Year 1808, and the Incidental Charges as they stood on the 5th January 1818 .....	34,787,306 17 4½
<hr/>	
Total Income of Duties pro Anno 1808 .....	300,240 8 0
Do. .... 1809 .....	105,000 0 0

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nued over leaf.]

Prince of Wales .....	65,000 0 0
Earl St. Vincent .....	2,000 0 0
Viscount Duncan .....	2,000 0 0
Duke of Kent .....	12,000 0 0
- - Cumberland .....	12,000 0 0
- - Richmond .....	6,333 6 8
Lord Erskine .....	4,000 0 0
Sir Arch. Macdonald .....	2,500 0 0
Sir James Mansfield .....	2,500 0 0
Sir Alan Chambré .....	2,000 0 0
Sir Sidney Smith .....	1,000 0 0
Baroness Abercrombie .....	2,000 0 0
John Woodfield Compton, Esq. ....	1,000 0 0
Alexander Croke, Esq. ....	1,000 0 0
Duke of Sussex .....	12,000 0 0
- - Cambridge .....	12,000 0 0
Lord Hutchinson .....	2,000 0 0
Sir James Saumarez .....	1,200 0 0
Lord Boringdon et al. in trust for Lord Amherst .....	3,000 0 0
Duke of Athol .....	2,360 12 5½
Henry Morcton Dyer, Esq. ....	1,000 0 0
John Sewel, Esq. ....	1,000 0 0
William Territ, Esq. ....	1,000 0 0
Lady Nelson .....	2,000 0 0
Sir Richard Strachan .....	1,000 0 0
Lady Collingwood .....	1,000 0 0
Hon. Sarah Do. ....	500 0 0
Mary Pat. Do. ....	500 0 0
Sir John Duckworth .....	500 0 0
Duke of Clarence .....	6,000 0 0
- - Kent .....	6,000 0 0
- - Cumberland .....	6,000 0 0

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nued over leaf.]

Total Income of Duties pro Anno 1810	1810	1811	1812	1813	1814	1815	Duke of Sussex	6,000	0	0	6,000	0	0
D. ....	1,544,870	16	4½				- Cambridge	6,000	0	0	6,000	0	0
D. ....	555,779	0	0				- Gloucester	14,000	0	0	14,000	0	0
D. ....	1,126,769	9	8				Princess Sophia of Do.	7,000	0	0	7,000	0	0
D. ....	457,017	16	7				Earl Nelson	5,000	0	0	5,000	0	0
D. ....	22,000	0	0				Lord Rodney	923	1	6	923	1	6
D. ....	902,686	2	0½				Viscount Lake	2,000	0	0	2,000	0	0
D. ....	39,782,170	10	0½				Viscount Wellington	2,000	0	0	2,000	0	0
D. ....							Earl of Do.	2,000	0	0	2,000	0	0
D. ....							Hon. Jane Perceval (now Carr)						
D. ....							Princesses Augusta Sophia, Elizabeth, Mary, and Sophia, £.9,000 to each	36,000	0	0	36,000	0	0
D. ....							Sir Archibald Macdonald	800	0	0	800	0	0
D. ....							Sir James Mansfield	800	0	0	800	0	0
D. ....							Sir Alan Chamber	600	0	0	600	0	0
D. ....							Princess of Wales	35,000	0	0	35,000	0	0
D. ....							Duke of Wellington	13,000	0	0	13,000	0	0
D. ....							Lord Beresford	2,000	0	0	2,000	0	0
D. ....							- Combermere	2,000	0	0	2,000	0	0
D. ....							- Exmouth	2,000	0	0	2,000	0	0
D. ....							- Hill	2,000	0	0	2,000	0	0
D. ....							- Lynedoch	2,000	0	0	2,000	0	0
D. ....							- Walsingham	2,000	0	0	2,000	0	0
D. ....							Duke of York et al. in trust for the late Princess Charlotte and Prince of Cobourg	45,000	0	0	45,000	0	0
D. ....							Do. for the Prince of Cobourg	8,620	13	9½	8,620	13	9½
D. ....							Duke of York	12,000	0	0	12,000	0	0
D. ....							- Clarence	2,500	0	0	2,500	0	0
D. ....							Princesses Augusta Sophia, Elizabeth, Mary, and Sophia, £.4,000 to each	16,000	0	0	16,000	0	0

INCOME RECEIVED IN IRELAND.

Custom Duties	£.1,483,805	3	0½
Excise	1,687,941	7	4¼
Assessed Taxes	442,708	1	6½
Quit Rents	81	6	5¼

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	2,877 3 5½	3,000 0 0	4,000 0 0
Casual Revenue ...	2,877 3 5½		4,000 0 0
Balances received from dismissed and deceased Collectors .....	2,121 2 1½		
Stamp Duties .....	506,419 18 1½	1,755,211 1 7	1,520,013 1 10
Do. from the Bank of Ireland, a Commission in lieu of Stamps on their Notes, for one year, to 25 March 1818 .....	13,846 3 1	878,055 3 0	878,055 3 0
Postage .....	57,230 15 4½	1,378,013 14 10½	1,378,013 14 10½
Poundage Fee .....	4,367 12 9½	1,276,589 10 2½	1,276,589 10 2½
Pell Fee ..	873 10 7½	1,495,929 14 9	1,495,929 14 9
Treasury Fees .....	1,376 15 6	2,216,397 10 6½	2,216,397 10 6½
Hospital Fees .....	233 8 7¼	4,151,235 1 9½	4,152,671 15 5
	4,204,082 8 1¼	3,268,802 16 0½	3,268,802 16 0½
		4,365,619 10 2½	4,365,619 10 2½
		46,526 4 5½	86,501 1 8¼
		5,913 14 1	
		43,755,540 0 8½	43,561,103 13 9½
		-	43,755,540 0 8½
<p><b>TOTAL of Incidental Charges, &amp;c. upon the Consolidated Fund, as they stood on the 5th Jan. 1818.</b></p>			
<p><b>Total Charge for Debt incurred prior to the Year 1808 .....</b></p>			
<p><b>Total of Incidental Charges, &amp;c. ...</b></p>			
<p><b>Total Charge for Debt incurred in the Year .....</b></p>			
<p><b>Ditto .....</b></p>			
<p><b>Ditto .....</b></p>			
<p><b>Ditto .....</b></p>			
<p><b>Ditto .....</b></p>			
<p><b>Ditto .....</b></p>			
<p><b>Ditto .....</b></p>			
<p><b>Ditto .....</b></p>			
<p><b>Ditto for Irish Annuities transferred as above 1816 .....</b></p>			
<p><b>Interest upon Exchequer Bills .....</b></p>			
<p><b>TOTAL Charge payable in Great Britain .....</b></p>			
<p><b>CHARGE DEFRAIDED IN IRELAND.</b></p>			
<p><b>Interest on Funded Debt .....</b></p>			
<p><b>Sinking Fund .....</b></p>			
<p><b>Interest on Exchequer Bills .....</b></p>			
<p><b>Management for Life Annuities .....</b></p>			
<p><b>Civil List .....</b></p>			

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Imprest Monies re- paid and other Mo- nies received for the Public .....	180,734	1	5		
On Debentures at £.5 per cent per ann. issued pur- suant to Act 45 Geo. 3, for im- proving post roads in Ireland .....	3,193	9	1		
Total Income receiv- ed in Ireland.....	4,388,009	18	7½		
Total Income of the United Kingdom	44,170,180	8	7½		
Deficiency of Income .....	2,002,088	3	8½		
	46,172,268	12	4		
CHARGES pursuant to sundry Acts of Parliament:					
County Infirmaries .....	3,092	6	2		
Public Coal Yards .....	2,708	13	2		
Police Establishment .....	11,446	3	1		
Do. in proclaimed Districts .....	38,952	9	5½		
Inspector General of Prisons, per 50 Geo. 3, cap. 103 .....	4,152	15	5½		
Fees on Auditing Treasury Accounts	1,218	9	3		
Imprest Office, per 52 Geo. 3 .....	18,276	18	5½		
Annuities .....	80,979	14	5		
Judges Augmentation Salaries, &c....	38,531	1	6½		
Board of Education .....	1,866	5	3		
Treasury Fee Fund Salaries.....	9,282	9	11½		
Secret Service in detecting Treason- able Conspiracies .....	12,000	0	0		
Transportation of Felons .....	7,383	13	0		
Carriage of Army Baggage .....	4,349	7	3¼		
Retired Militia Officers .....	1,048	13	9		
Board of First Fruits.....	1,246	3	1		
Advances for improving Post Roads in Ireland .....	52,408	4	3½		
Advances for building Gaols .....	55,671	1	3¼		
Advances towards erecting a Harbour eastward of Dunleary .....	27,692	6	1¾		
Advances for Public Works and Relief of the Poor, per 57 Geo. 3, cap. 24 and 134 .....	40,015	7	8¼		
In further part of Joint Expenditure of Great Britain and Ireland, to 5 Jan. 1816 .....	25,768	4	2¼		
Total Charge payable in Ireland				2,416,728	11 7½
Total Charge of the United Kingdom.....				46,172,268	12 4



III.

ARREARS AND BALANCES OF PUBLIC ACCOUNTANTS.

HEADS OF THESE ACCOUNTS.

- CUSTOMS in England; Arrears due on the 5th of January 1818.—CUSTOMS in Scotland; Ditto.—CUSTOMS in Ireland; Ditto.  
 EXCISE in England;—Arrears due on the 5th of January 1818.—EXCISE in Scotland; Ditto.—EXCISE in Ireland; Ditto.  
 STAMPS in Great Britain;—Arrears due on the 5th of January 1818.—BALANCES in the hands of Distributors on the 10th of October 1817, and 5th of January 1818.—STAMPS in Ireland.  
 LAND AND ASSESSED TAXES in Great Britain;—Arrears and Current Balances on the 5th of January 1818.  
 Ditto in Ireland;—Balances of deceased and dismissed Collectors, on the 5th of January 1818.  
 POST OFFICE in Great Britain;—Arrears due on the 5th of January 1818.  
 Ditto Ditto;—Balances in the hands of Deputy Postmasters, in the Quarters ending on the 5th of July and the 10th of October 1817, and the 5th of January 1818.  
 Ditto in Ireland;—Arrears due on the 5th of January 1818.  
 Ditto Ditto;—Balances in the hands of Deputy Postmasters on the 5th of July and 5th of Oct. 1817, and 5th of Jan. 1818.  
 LAND REVENUE of the Crown;—Arrears and Balances on the 5th of January 1818.  
 PUBLIC ACCOUNTANTS;—List of, in respect of whom the execution of any Process or Proceeding hath been controlled, suspended, or procured.  
 COMPTROLLERS of ARMY ACCOUNTS;—Balances on the 5th of January 1818.  
 COMMISSIONERS for Auditing the Public Accounts;—List of Offices 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 the 5th of Jan. 1818.  
 Ditto LIST of ACCOUNTS 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 the 5th of January 1818.

IV.  
TRADE AND NAVIGATION OF THE UNITED KINGDOM.

1.—TRADE OF GREAT BRITAIN.

An Account of the Value of all IMPORTS into, and all EXPORTS from, GREAT BRITAIN, during each of the Four Years ending the 5th of January 1818 (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 Merchandise 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 EXPORTS.		OFFICIAL VALUE OF IMPORTS.			Declared Value of Produce and Manufactures of the United Kingdom Exported.
	£.	OF EXPORTS.	Produce and Manufactures of the United Kingdom.	Foreign and colonial Merchandise.	Total Exports.	
1815 .....	36,559,788	£.	36,120,793	20,503,496	56,624,229	47,859,388
1816 .....	35,989,650		44,048,701	16,929,608	60,978,309	53,209,809
1817 .....	30,105,565		36,697,610	14,545,964	51,243,574	42,955,256
1818 .....	33,971,025		41,590,516	11,534,616	53,125,132	43,614,136
1815 .....	32,620,770		33,200,580	19,157,818	52,358,398	43,447,572
1816 .....	31,822,053		41,712,002	15,708,434	57,420,436	49,653,245
1817 .....	26,374,920		54,774,520	13,441,665	48,216,185	40,328,940
1818 .....	29,916,320		39,235,397	10,269,271	49,504,668	40,337,118

2.—TRADE OF IRELAND.

An Account of the Value of all Imports into, and all Exports from, IRELAND, during each of the Four Years ending the 5th January 1818 (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.
1815 .....	6,687,732	2	9½	6,114,878	14	0½	475,370	9	11½	6,590,249	4	0	12,620,695	13	2½
1816 .....	5,637,117	16	1½	6,360,184	8	6	170,676	16	2	6,530,861	4	8	11,391,559	6	9½
1817 .....	4,693,745	4	6	6,042,253	15	9½	165,869	4	8	6,208,123	0	5½	8,510,977	1	5
1818 .....	5,644,175	16	5½	6,412,892	10	2	150,562	7	10½	6,563,454	18	0½	10,526,325	8	0½
1815 .....	1,134,493	1	10½	1,006,672	19	10	208,162	19	7½	1,214,835	19	5½	2,046,846	0	2
1816 .....	1,165,342	17	10	1,163,994	3	10½	40,117	17	2½	1,204,112	1	0½	1,946,752	18	4½
1817 .....	1,050,618	19	5	932,488	0	10½	42,374	6	4	974,862	7	2½	1,328,933	6	4
1818 .....	899,935	14	2½	851,543	5	9	23,413	4	10½	874,961	10	7½	1,411,397	9	11

NAVIGATION OF THE UNITED KINGDOM.

An Account of the Number of Vessels, with the Amount of their TONNAGE, that were Built and Registered in the several Ports of the British Empire, in the Years ending the 5th January 1815, 1816, 1817, and 1818 respectively.

	In the Years ending the 5th January,							
	1815.		1816.		1817.		1818.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
United Kingdom.....	706	86,075	913	102,943	851	84,676	758	81,263
Isles, Guernsey, Jersey and Man .....	27	805	36	1,536	15	443	8	845
British Plantations .....	131	11,069	234	24,061	408	32,282	182	13,712
TOTAL.....	864	97,949	1,183	128,540	1,274	117,401	948	95,820

An Account of the Number of Vessels, with the Amount of their TONNAGE, 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 1815, 1816, and 1817, respectively.

	On 30th Sept. 1815 :				On 30th Sept. 1816 :				On 30th Sept. 1817 :			
	Vessels.		Men.		Vessels.		Men.		Vessels.		Men.	
	Tons.	Men.	Tons.	Men.	Tons.	Men.	Tons.	Men.	Tons.	Men.	Tons.	Men.
United Kingdom .....	21,372	2,454,350	159,186	2,479,733	21,515	2,479,733	158,516	2,397,665	21,290	2,397,665	152,352	2,397,665
Isles, Guernsey, Jersey, and Man .....	497	23,481	3,417	24,564	511	24,564	3,445	23,689	485	23,689	3,190	23,689
British Plantations.....	2,991	203,445	14,706	279,645	3,775	279,645	16,859	243,652	3,571	243,652	15,471	243,652
TOTAL.....	24,860	2,681,276	177,309	2,783,940	25,801	2,783,940	178,820	2,664,986	25,346	2,664,986	171,013	2,664,986

An Account of the Number of Vessels, with the Amount of their Tonnage, and the Number of Men and Boys employed in Navigating the same (including their repeated Voyages), that entered INWARDS, and cleared OUTWARDS, at the several Ports of the United Kingdom, from and to all parts of the World (exclusive of the intercourse between GREAT BRITAIN and IRELAND respectively), during each of the Four Years ending 5th January 1818.

Years ending 5th January	INWARDS.									
	BRITISH AND IRISH.				FOREIGN.				TOTAL.	
	Vessels.	Tonn.	Men.	Vessels.	Tonn.	Men.	Vessels.	Tonn.	Men.	
1815	8,975	1,290,248	83,793	5,286	599,287	37,375	14,261	1,889,535	121,168	
1816	8,880	1,372,108	86,390	5,411	764,562	44,000	14,291	2,136,670	130,390	
1817	9,744	1,415,723	90,119	3,116	379,465	25,345	12,860	1,795,188	115,464	
1818	11,255	1,625,121	97,273	3,396	445,011	27,047	14,651	2,070,132	124,320	
	OUTWARDS.									
1815	8,620	1,271,952	84,100	4,622	602,941	34,828	13,242	1,874,893	118,928	
1816	8,795	1,381,041	88,586	4,701	751,377	40,956	13,496	2,132,418	129,542	
1817	9,044	1,340,977	86,651	2,579	399,160	23,481	11,623	1,739,437	110,132	
1818	10,713	1,558,336	97,362	2,905	440,622	25,270	13,618	1,998,958	122,632	

V.—PUBLIC EXPENDITURE.—JAN. 1818.

	£.	s.	d.	£.	s.	d.	£.	s.	d.
I. For interest, &c. on the Permanent Debt of the United Kingdom unredeemed; including Annuities for Lives and Terms of Years	.	.	.	.	.	.	44,108,233	8	7½
II. The Interest on Exchequer Bills.....	.	.	.	.	.	.	1,815,926	17	8½
III. The Civil Lists of { England..... Ireland .....	1,028,000	0	0	1,191,168	11	4			
IV. { The Courts of Justice, in England..... Charges on the Mint..... other Charges Allowances to the Royal Family, Pensions, &c. on the Salaries and Allowances..... Bounties and Compensations..... Consolidated Fund..... Miscellaneous..... Permanent Charges in Ireland.....	.	.	.	64,541	15	10¼			
	.	.	.	15,000	0	0			
	.	.	.	447,637	14	4¾			
	.	.	.	62,920	10	2			
	.	.	.	5,841	0	0			
	.	.	.	133,270	1	2			
	.	.	.	385,282	9	10½			
V. The Civil Government of Scotland .....	.	.	.	.	.	.	2,303,662	2	9½
	.	.	.	.	.	.	130,646	3	4
VI. The other Payments in Anticipation of the Exchequer Receipts, viz. Bounties for Fisheries, Manufactures, Corn, &c. { Customs..... Excise.....	278,095	11	4¼	330,045	12	4¾			
	51,950	1	0½						
Pensions on the Hereditary Revenue { Excise..... Post Office .....	14,000	0	0	27,700	0	0			
	13,700	0	0	93,657	18	2			
Militia, and Deserters Warrants, &c.....	.	.	.	.	.	.	451,403	10	6½
VII. The Navy, viz. Wages..... General Services..... The Victualling Department .....	.	.	.	2,524,000	0	0			
	.	.	.	2,793,586	8	11			
	.	.	.	1,155,476	4	9¾			
	.	.	.				6,473,062	13	8½

1,435,401 9 6

VIII. The Ordnance .....					
IX. The Army, viz.					
Ordinary Services.....	7,014,494	5	4½		
Extraordinary Services, including Remittances and Advances to other Countries.....	3,859,518	14	1½		
Deduct the Amount of Repayments for which Credit is given in the Extraordinaries of the Army.....				10,874,382	19 5½
Also, the Amount of Remittances and Advances to other Countries, included in Appendix I.....				1,252,016	12 9
				7,502	1 11
X. Loans, Remittances, and Advances to other Countries, viz.					
Ireland .....				25,770	16 8
Russia .....	54	14	9		
America.....	544	1	11½		
Morocco .....	5,673	11	7		
Tunis .....	153	19	10½		
Holland.....	1,075	13	8½		
				7,502	1 11
XI. Issues from Appropriated Funds for Local Purposes.....					
XII. Miscellaneous Services, viz.					
At home .....	2,301,698	17	0		
Abroad .....	164,784	4	7½		
Deduct Remittance to Ireland .....	25,770	16	8		
Sinking Fund on Loan to East India Company .....	139,268	9	8		

33,272 18 7  
42,585 7 4½

2,466,483 1 7½

68,875,541 18 7½  
165,039 6 4

68,710,502 12 2½



VI.—PUBLIC FUNDED DEBT.

An Account of the PUBLIC FUNDED DEBT of GREAT BRITAIN, as it stood on the 5th of January 1818.

	CAPITALS, at £. 3 per Cent. per Annum.												Consolidated £. 4. per Cent.
	Bank of England.		South Sea Old and New Annuities, 1751.		Consolidated Annuities.		Reduced Annuities.		£. 3½ per Cent Annuities.	£. s. d.			
	£.	£.	£.	£.	£.	£.	£.	£.		£.	s.	d.	
TOTAL DEBT of the United Kingdom, payable in Great Britain .....	15,686,800	21,037,684	13 11½	396,790,459	2 4½	185,258,864	19 5	13,983,746	74,935,719	2 2	789,784	12 4½	
..... payable in Ireland .....	-	-	-	-	-	-	-	-	-	-	-	-	
..... Loans to the Emperor of Germany, payable in Great Britain	-	-	-	7,502,633	6 8	-	-	-	-	-	-	-	
..... Ditto to the Prince Regent of Portugal, payable in Ditto .....	-	-	-	-	-	895,592	7 9	-	-	-	-	-	
In the names of the Commissioners of the National Debt .....	15,686,800	21,037,684	13 11½	404,293,092	9 0½	186,154,357	7 2	13,983,746	75,725,503	14 6½			
Transferred to Commissioners for Purchase of Life Annuities, per 48 Geo. 3, cap. 142 .....	299	7,294,500	0 0	23,747,238	8 1	48,539,643	17 2	4,686,460	195,654	18 11½			
TOTAL .....	15,686,500	13,743,184	13 11½	380,545,854	0 11½	137,614,713	10 0	9,297,286	75,529,848	15 6½			
	-	-	-	2,937,620	0 0	1,453,569	0 0	-	3,824	0 0			
	15,686,500	13,743,184	13 11½	377,708,234	0 11½	136,161,144	10 0	9,297,286	75,526,024	15 6½			

PARLIAMENTARY ACCOUNTS. 413

	CAPITALS, at £. 5 per Cent.			FORMERLY PAID BY IRELAND, NOW PAYABLE IN GREAT BRITAIN.			TOTAL CAPITALS.			ANNUAL INTEREST.		
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.
(Repeated Column).												
TOTAL DEBT of the United Kingdom, payable in Great Britain .....	134,900,057	9	7	1,021,968	1,667,703	10 8	831,299,297	10	5½	28,440,128	12	1½
..... payable in Ireland .....	11,080,698	3	7	—	—	—	25,854,229	8	6½	1,075,057	8	6
..... Loans to the Emperor of Germany, payable in Great Britain	.	.	.	.	.	.	7,502,633	6	8	225,079	0	0
..... Ditto to the Prince Regent of Portugal, payable in Ditto .....	.	.	.	.	.	.	895,522	7	9	26,865	13	5½
In the names of the Commissioners of the National Debt .....	145,980,755	13	2	1,021,968	1,667,703	10 8	865,551,612	13	5½	29,767,130	14	1
	16,351	10	10	5,675	—	—	84,485,824	4	1	2,560,404	2	6½
	145,964,404	2	4	1,016,292	1,667,703	10 8	781,065,788	9	4½	27,206,726	11	6½
Transferred to Commissioners for Purchase of Life Annuities, per 48 Geo. 3, cap, 142 .....	28,372	0	0	—	—	—	4,323,385	0	0	130,307	4	7½
Total .....	145,936,032	2	4	1,016,292	1,667,703	10 8	776,742,403	9	4½	27,076,419	6	11½

	Annuities for Lives.		Charges of Management.		Annual or other Sums by Sanitary Acts.		TOTAL of ANNUAL-EXPENSE.	
	£.	s. d.	£.	s. d.	£.	s. d.	£.	s. d.
<i>(Repeated Column).</i>								
TOTAL DEBT of the United Kingdom, payable in Great Britain .....	1,432,834	1 13½	269,556	18 11½	11,654,357	0 4½	41,796,876	12 8
..... payable in Ireland .....	43,908	18 5¼	2,928	2 8½	436,388	3 9	1,557,582	13 4¾
..... Loans to the Emperor of Germany, payable in Great Britain .....	230,000	0 0	3,809	7 6	36,693	0 0	495,581	7 6
..... Ditto to the Prince Regent of Portugal, payable in Ditto .....	-	-	140	15 0½	30,000	0 0	57,006	8 5¾
In the Names of the Commissioners of the National Debt.....	1,706,742	19 7	275,735	4 2¾	12,157,438	4 1¾	43,907,047	2 0½
	558	10 7	-	-	2,560,962	13 1¼	-	-
Transferred to Commissioners for Purchase of Life Annuities, per 48 Geo. 3, cap. 142 .....	1,706,184	9 0	275,735	4 2¾	14,718,400	17 3	43,907,047	2 0½
	5,720	0 0	-	-	136,027	4 7¼	-	-
Total .....	1,700,464	9 0	275,735	4 2¾	14,885,428	1 10¼	43,907,047	2 0½
Add Annuities payable at the Exchequer, Unclaimed for three years, at 5th January 1818 .....	-	-	-	-	30,747	12 0	-	-
Deduct Life Annuities payable at the Bank of England .....	-	-	-	-	14,885,175	13 10¼	-	-
Amount applicable to the Reduction of Debt of the United Kingdom .....	-	-	-	-	288,491	2 0	-	-
	-	-	-	-	14,596,684	11 10¼	-	-

WM. ROSE HAWORTH.

EXCHEQUER, 28th of May, 1818.

REDEMPTION OF THE PUBLIC FUNDED DEBT.

An Account of Progress made in the Redemption of Public Funded Debt of the United Kingdom, payable in GREAT BRITAIN, 5th Jan. 1818.

FUNDS.	CAPITALS.			Long Annuities at the Bank of England.			Transferred to, or redeemed by the Commissioners from 1st August 1786 to 5th Jan. 1818.			TOTAL SUMS paid.			Average price of Stocks.
	£.	s.	d.	£.	s.	d.	£.	s.	d.	£.	s.	d.	
Consolidated £.3 per Cent Annuities . . . . .	490,385,913	4	5½	-	-	-	100,992,884	0	0	63,837,913	18	9	63¼
Reduced . . . . . Ditto . . . . .	355,906,772	0	1	-	-	-	207,098,085	0	0	199,676,037	7	5	62½
Old South Sea Annuities . . . . .	24,065,084	13	11½	-	-	-	6,392,000	0	0	4,371,036	17	0	68¾
New . . . . . Ditto . . . . .	1,919,600	0	0	-	-	-	4,765,500	0	0	3,295,598	16	9	69½
£.3 per Cent Anno 1751 . . . . .	82,732,119	2	2	-	-	-	1,084,000	0	0	762,665	10	0	70¾
Consolidated £.4 per Cent Annuities . . . . .	133,042,057	9	7	-	-	-	7,796,400	0	0	6,586,934	8	9	84½
Ditto . . . . . £.5 Ditto . . . . .	-	-	-	-	-	-	145,500	0	0	130,113	7	6	89¾
£.5 per Cent Annuities, Annis 1797 and 1802 . . . . .	1,021,968	12	4	-	-	-	328,274,369	0	0	208,660,300	6	2	-
£.3 per Cent . . . . . Ditto . . . . . Anno 1726 . . . . .	1,000,000	0	0	-	-	-	-	-	-	-	-	-	-
Ditto . . . . . Bank Annuities . . . . .	14,686,800	0	0	-	-	-	-	-	-	-	-	-	-
£.5 per Cent formerly paid by Ireland . . . . .	1,900,000	0	0	-	-	-	180,226	9	4	155,334	10	3	86¼
Consolidated Long Annuities . . . . .	-	-	-	1,359,435	18	8½	-	-	-	-	-	-	-
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 . . . . .	-	-	-	-	-	-	570,637	2	3	208,815,634	16	5	-
Transferred to Commissioners, on account of Land Tax Redeemed . . . . .	1,108,659,615	2	6½	1,359,435	18	8½	329,025,302	11	7	-	-	-	-
..... Ditto . . . . . for purchase of Life Annuities, per Act 48 Geo. 3 . . . . .	25,389,233	2	9	-	-	-	-	-	-	-	-	-	-
	1,083,270,381	19	9½	-	-	-	-	-	-	-	-	-	-
	4,323,385	0	0	5,720	0	0	-	-	-	-	-	-	-
	1,078,946,996	19	9½	1,353,715	18	8½	-	-	-	-	-	-	-

Total brought forward .....	1,078,946,996 19 9½	1,353,715 18 8½
Redeemed by the Commissioners, including Capitals the Dividends upon which have not been claimed for 10 Years and upwards.....	329,025,302 11 7	548 2 11
Debt unredeemed at 5th January, 1818	749,921,694 8 2¾	1,353,167 15 9½
Deduct Irish £.5 per Cents payable in England, transferred to the £.5 per Cents payable in Ireland .....	52,000 0 0	
Unredeemed Debt of the United Kingdom, payable in Great Britain .....	749,869,694 8 2¾	

SUMS Annually applicable to the Reduction of the NATIONAL DEBT.

	£.	s.	d.
Annual Charge, per Act 26 Geo. 3 .....	1,000,000	0	0
Ditto..... 42 .....	200,000	0	0
£.1 per Cent on Exchequer Bills, Outstanding and unprovided for, at 5th January 1817 .....	330,000	0	0
Annuitiess for 99 or 96 Years, Expired 1792.....	54,880	14	6
Ditto .....	25,000	0	0
Exchequer Life Annuitiess Unclaimed for Three Years, at 5th January 1818 .....	30,747	12	0
Ditto..... of which Nominees shall have died prior to 5th July 1802 .....	21,481	6	1
Dividend on £.320,332,469, at £.3 per Cent .....	9,609,974	1	4¾
..... £.7,796,400 .....	311,856	0	0
..... £.145,500.....	7,975	0	0
..... £.180,296 9 4. Irish £.5 per Cents payable in England .....	9,014	16	5½

ANNUITIES fallen in since 22nd June 1802, or that will fall in hereafter.

	£.	s.	d.
Exchequer Annuitiess, 2nd and 3rd Anne; Expired 5 April 1803....	23,369	13	4
Ditto.....Ditto...5 Jan. 1805....	7,030	6	8
Ditto, 4 Anne .....	23,254	11	6
Ditto, 5 Ditto .....	7,776	10	0
Ditto, 6 Ditto .....	4,710	10	0
Ditto.....Ditto..... 1806....	10,181	0	0
Bank Short Annuitiess Ditto... 5 July .....	418,333	0	11
Ditto Long Ditto...will expire 5 Jan. 1860....	1,359,435	18	8½

By an Act of 42nd Geo. 3, cap. 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.

Consolidated with the General Account above.

PARLIAMENTARY ACCOUNTS. 417

1st February 1793 to 1812 (both inclusive) .....	6,640,220	3	7½
Dividend on £.4,323,385, transferred to purchase Life Annuities.....	130,307	4	7
..... £.5,720 Long Annuities, for Ditto .....	5,720	0	0
The proportion of Sinking Fund on Loanraised and Bills funded, Anno 1815, to be borne by Consolidated Fund Annual Appropriation on £.12,000,000, part of £.14,200,000, Loan 1807, 47 Geo. 3, cap. 55.....	543,494	6	11½
Annual Interest on Capital, purchased by the Commissioners at £.3 per Cent, on account of Ditto .....	626,255	10	5
Interest on £.222,037 2 3, Capital unclaimed, on account of Great Britain .....	-	-	-
Long Annuities..... Ditto..... Ditto .....	7,354	16	6½
Interest on £.348,600 Reduced Annuities purchased with Unclaimed Dividends .....	548	2	11
.....	10,458	0	0
Chargeable on Sinking Fund :	19,564,587	15	5½
Life Annuities.....£.288,491 2 0			
Loans and Bills, funded from 1813 to 1815, (both inclusive) per 53 Geo. 3, cap. 35.....	7,632,969	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 .....	7,930,475	13	2½
.....	2,213,024	18	10½
Actual Sinking Fund of the United Kingdom, payable in Great Britain .....	13,847,137	1	1½

An Account of the Progress made in the Redemption of the IMPERIAL DEBT, at 5th January, 1818.

FUNDS.	CAPITALS.		Long Annuities at the Bank of England.		Transferred to, or Redeemed by the Commissioners from 1st August 1786 to 5th Jan. 1818.		TOTAL SUMS Paid.		Average Price of Stock.
	£.	s. d.	£.	s. d.	£.	s.	£.	s. d.	
Imperial £. 3 per Cent Annuities Redeemed by the Commissioners, including Capital transferred to them, the Dividends on which have not been claimed for 10 Years and upwards	7,502,633	6 8	230,000	0 0	2,047,928	0	1,955,882	15 1	61 $\frac{1}{2}$
Debt Unredeemed at 5th January, 1818	2,048,328	3 0	10 7	8	400	3			
	5,454,305	3 8	229,989	12 4	2,048,328	3			

SUMS Annually Applicable to the Reduction of the DEBT.	ANNUITIES fallen in since 23d June 1802, or that will fall in hereafter.		Imperial Annuities will expire 1st May 1819:	
	£.	s. d.		£.
Annuity at £. 1 per Cent on Capital created by Loans, 1797	36,693	0 0		
Dividend on £. 2,047,928. £. 3 per Cent	61,437	16 9 $\frac{1}{2}$		
Ditto... £. 400. 3. Unclaimed Capital, £. 3 per Cent.	12	0 1		
Ditto... Imperial Annuities for 25 Years	10	7 8	£. 230,000	0 0
	98,153	4 6 $\frac{1}{2}$		

An Account of the Progress made in the Redemption of the Debt of PORTUGAL, at 5th January, 1818.

	£.	s.	d.	£.	s.	d.	£.	s.	d.
Reduced £. 5 per Cent Annuities .....	895,522	7	9				309,520	6	6½
Redeemed by the Commissioners .....	481,549	0	0						
<b>Debt Unredeemed at 5th Jan. 1818 .....</b>	<b>413,973</b>	<b>7</b>	<b>9</b>						

2  
4  
2

	£.	s.	d.
Annual Appropriation for Redemption of Loan, 1809 .....	30,000	0	0
Dividend on £. 481,549. 5 per Cent.....	12,446	9	4½
	<u>44,446</u>	<u>9</u>	<u>4½</u>



VII.—UNFUNDED DEBT.

An Account of the UNFUNDED DEBT and DEMANDS OUTSTANDING on the 5th day of January 1818.

	AMOUNT OUTSTANDING.	
	£.	s. d.
<b>EXCHEQUER:</b>		
Exchequer Bills		
{ Provided for	£. 607,000	s. 0 d. 0
{ Unprovided for	56,122,400	0 0
	56,729,400	0 0
<b>TREASURY:</b>		
Miscellaneous Services	965,529	17 8
Warrants for Army Services	504,064	2 0
Treasury Bills of Exchange drawn from Abroad	164,178	0 0
Irish Treasury Bills	5,666,930	15 4 $\frac{1}{2}$
{ Provided for	£. 982,315	7 8 $\frac{1}{2}$
{ Unprovided for	4,684,615	7 8 $\frac{1}{2}$
Loan Debentures	2,053	16 11 $\frac{1}{2}$
Lottery Prizes	23,565	4 7 $\frac{1}{2}$
	7,326,321	16 8
ARMY	839,590	13 1 $\frac{1}{2}$
NAVY	1,614,105	10 3
ORDNANCE	169,893	18 11
BARRACKS	2,314	6 2
	66,681,626	5 1 $\frac{1}{2}$

C. ARBUTHNOT.

Whitehall, Treasury Chambers, }  
25th March 1818.

# PARLIAMENTARY ACCOUNTS. 421

## 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 1817, have been disposed of; distinguished under their several Heads, to the 5th of January 1818.

### SERVICES.

NAVY . . . . .	7,596,022	1	2
ORDNANCE . . . . .	1,270,696	5	10
FORCES . . . . .	9,412,373	14	0½
For defraying the Charge of the Civil Establishments under-mentioned; viz.			
Of Sierra Leone, from the 1st of January to the 31st of December 1817 . . . . .	15,814	0	0
Ditto . Nova Scotia . . . . . from Ditto to Ditto . . . . .	13,440	0	0
Ditto . New South Wales . . . . . from Ditto to Ditto . . . . .	12,815	0	0
Ditto . Upper Canada . . . . . from Ditto to Ditto . . . . .	11,325	0	0
Ditto . New Brunswick . . . . . from Ditto to Ditto . . . . .	6,247	10	0
Ditto . Newfoundland . . . . . from Ditto to Ditto . . . . .	5,485	0	0
Ditto . St. John (now called } Prince Edward Island) } from Ditto to Ditto . . . . .	3,826	0	0
Ditto . Bahama . . . . . from Ditto to Ditto . . . . .	3,301	10	0
Ditto . Cape Breton . . . . . from Ditto to Ditto . . . . .	2,550	0	0
Ditto . Dominica . . . . . from Ditto to Ditto . . . . .	600	0	0
Expenses of a Civil Nature in Great Britain, as do not form a part of the Ordinary Charges of the Civil List . . . . .	500,000	0	0
Interest on Exchequer Bills . . . . .	1,900,000	0	0
One hundredth part of 33 millions of Exchequer Bills, authorized last Session to be issued and charged upon the Aids granted in the present Session, 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 of February 1818 . . . . .	330,000	0	0
For paying off and discharging, on the 5th of April 1817, certain Annuities granted by two Acts of the 37th and 42nd of his Majesty . . . . .	41,829	8	4
For the Relief of American Loyalists; for the Year 1817 . . . . .	13,500	0	0
Expense of Confining and Maintaining Criminal Lunatics; for 1817 . . . . .	3,000	0	0
Charge of the Superannuation Allowance, or Compensation to one of the late Paymasters of Exchequer Bills; for 1817 . . . . .	266	13	4
Superannuation Allowances, or Compensations to Retired Clerks and other Officers, formerly employed in the Office of the Commissioners for Auditing the Public Accounts; for 1817 . . . . .	1,950	0	0
Superannuation Allowances, or Compensations to Retired Clerks and other Officers, formerly employed in the Lottery Office; for 1817 . . . . .	631	10	0
To Ditto - - - Ditto - - - formerly employed in his Majesty's Mint; for 1817 . . . . .	620	0	0
To be applied, in further Execution of an Act of the 43rd of			

SERVICES

SERVICES—*continued.*

	£.	s.	d.
his Majesty, towards making Roads and building Bridges in the Highlands of Scotland; for 1817	20,000	0	0
Towards the Repair of Henry the Seventh's Chapel; for 1817	2,695	18	10
Expense of the National Vaccine Establishment; for 1817	3,000	0	0
Expense of Works carrying on at the College of Edinburgh; for 1817	10,000	0	0
Expense of the Establishment of the Penitentiary House; from the 24th of June 1817, to the 24th of June 1818	11,400	0	0
Towards defraying the Expense of the building of a Penitentiary House at Milbank; for 1817	40,000	0	0
Expense of making an Inland Navigation, from the Eastern to the Western Sea, by Inverness and Fort William; for 1817	25,000	0	0
To complete the original estimated Expense of the Works at Holyhead Harbour; for the present Year	7,614	0	0
Landing-place at Port Devargh, on the Hill at Holyhead, for the landing of the Mails from the Packets by Boats	450	0	0
Expense of improving sundry Portions of the Holyhead Roads	20,000	0	0
Expense of maintaining and repairing the British Forts on the Coasts of Africa for 1817	23,000	0	0
Board of Agriculture; for 1817	3,000	0	0
Royal Military College; for 1817	28,155	4	9
Royal Military Asylum at Chelsea; from the 25th Dec. 1816, to the 24th Dec. 1817	34,415	5	5
Expense attending the confining, maintaining, and employing Convicts at Home; for 1817	75,300	0	0
To defray Bills drawn, or which may be drawn; from New South Wales; for 1817	80,000	0	0
Charge of 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 1817	17,000	0	0
Printing 1,250 Copies of the 49th Volume of the Journals of the House of Peers	2,552	12	3
To make good the deficiency of the Grant of 1816, for printing 1,750 Copies of the 69th Volume of the Journals of the House of Commons	815	8	4
For defraying the expense that may be incurred in 1817, for Printing 1,750 Copies of the 70th Volume of the Journals of the House of Commons; being for the session 1815	3,500	0	0
For defraying the Expense that may be incurred in 1817, for Printing 1,750 Copies of the 71st Volume of the Journals of the House of Commons; being for the Session 1815	3,250	0	0
For Ditto - - Ditto - - for 72nd Volume of Ditto	3,250	0	0
For defraying the Expense that may be incurred for re-printing Journals and Reports of the House of Commons; for 1817	8,500	0	0
To make good the deficiency of the Grant for 1816, for re-printing Journals and Reports of the House of Commons	6,472	17	0
To defray 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
To make good the deficiency of the Grant of 1816, for defraying the Expense of printing Bills, Reports and other Papers, by Order of the House of Commons, during the last Session	8,197	6	8

# PARLIAMENTARY ACCOUNTS. 423

## SERVICES—continued

	£.	s.	d.
To defray the Expense of printing the Votes of the House of Commons during the present Session	2,500	0	0
Charge of the Superintendence of Aliens, for the Year 1817	4,895	6	0
To defray the Expense of Law Charges; for 1817	20,000	0	0
For defraying the Extraordinary Expenses that may be incurred for Prosecutions, &c. relating to the Coin of this Kingdom; for the Year 1817	4,000	0	0
On account of the Expenses to be incurred in the Management of the British Museum; for 1817	8,577	16	5
To make good the deficiency of the Grant in the present Session, for printing 1,750 Copies of the 70th Volume of Journals of the House of Commons	400	10	5
Supplemental Charge for Miscellaneous Printing done by Order of the House of Commons, in the Session of 1816	8,951	0	6
Extraordinary Expenses of the Mint, in the Gold Coinage; for 1817	40,000	0	0
Charges of preparing and drawing the Lotteries, for 1817, &c.	18,000	0	0
For defraying the Charge of the following CIVIL SERVICES in Ireland:			
To make good the permanent Charges of Ireland, outstanding and unprovided for, on the 5th of January 1817	246,508	14	2
Rémuneration of several Public Officers in Ireland, for their extraordinary trouble in 1817	1,153	16	11
Expenditure of the Board of Works in Ireland; for 1817	19,859	1	6½
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 Jan. 1818	20,809	11	9¼
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 Jan. 1818	9,692	6	1¼
Expense of Printing 1,290 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 Ditto, bound, for the use of the Lords, Bishops, and Public Officers in Ireland	3,439	12	3¼
Criminal Prosecutions and other Law Expenses in Ireland; from 5th Jan. 1817, to 5th Jan. 1818	23,076	18	5½
Expense of apprehending public Offenders in Ireland; from 5th Jan. 1817 to 5th Jan. 1818	2,307	13	10
For completing the Sum necessary for the Support of the Non-conforming Ministers in Ireland; from 5th Jan. 1817 to the 5th Jan. 1818	8,581	16	11
For the Support of the Seceding Ministers from the Synod of Ulster in Ireland; for one year, from the 25th March 1817 to 25th March 1818	3,794	15	4¼
Salaries of the Lottery Officers in Ireland; for one year, ending the 24th June 1817	1,949	10	9¼
Expense of Pratique of the Port of Dublin; from the 25th Dec. 1815 to the 5th Jan. 1817	939	0	9¼
Charge of Clothing the Battle-Axe Guards; for 18 months, commencing from the 1st Dec. 1817	683	1	6¼

SERVICES

## SERVICES—continued.

	£.	s.	d.
To complete the Works of the Harbour of Howth . . . . .	10,153	16	11
To carry on the Works at Dunmore Harbour in the current year	12,923	1	6½
Civil Contingencies in Ireland; for the year ending 5th Jan. 1818	40,000	0	0
Board of Inland Navigation in Ireland . . . . .	4,000	0	0
Expense of building Churches and Glebe Houses, and purchasing Glebes in Ireland; for one year, ending 5th Jan. 1818	9,230	15	4½
To be paid to the Trustees and Commissioners of First Fruits in Ireland, to be by them employed towards the building, rebuilding, and enlarging of Churches and Chapels, the building of Glebe Houses, and procuring Glebes in Ireland, in such manner as they shall think fit	18,461	10	9½
For defraying the Expense of the Trustees of the Linen and Hemp Manufactures of Ireland; for one year, ending the 5th Jan. 1818, 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
For defraying the Expense of the Commissioners for making wide and convenient Streets in Dublin; for one year, ending the 5th Jan. 1818	11,076	18	5½
Additional Allowance to the Chairman of the Board of Inland Navigation in Ireland; for 1817 . . . . .	276	18	5½
Royal Irish Academy of Dublin; for the year ending 5th Jan. 1818 . . . . .	323	1	6½
Foundling Hospital at Dublin; for Ditto . . . . .	32,515	7	8½
House of Industry and Asylum for industrious Children in Dublin; for Ditto . . . . .	36,647	1	6½
Richmond Lunatic Asylum at Dublin; for Ditto . . . . .	7,310	15	4½
Hibernian Society for Soldiers Children at Dublin; for Ditto . . . . .	7,752	18	5½
Hibernian Marine Society in Dublin; for Ditto . . . . .	2,755	7	8½
Female Orphan House, in the Circular Road, Dublin; for Ditto . . . . .	2,769	4	7½
Westmorland Lock Hospital in Dublin; for Ditto . . . . .	8,316	18	5½
Lying in Hospital in Dublin; for Ditto . . . . .	3,148	12	3½
Dr. Steeven's Hospital; for Ditto . . . . .	1,467	13	10½
House of Recovery and Fever Hospital in Cork-street, Dublin; for Ditto . . . . .	4,615	7	8
Hospital for incurables at Dublin; for Ditto . . . . .	465	4	7½
Association for discountenancing Vice, and promoting the knowledge and practice of the Christian Religion; for Ditto . . . . .	3,430	3	1
Green Coat Hospital for the City of Cork; for Ditto . . . . .	104	6	2
Society for Promoting the Education of the Poor in Ireland; for Ditto . . . . .	8,910	9	2½
Dublin Society; for Ditto . . . . .	9,230	15	4½
Farming Society of Ireland; for ditto . . . . .	4,539	13	10
Cork Institution; for Ditto . . . . .	2,307	13	10
Protestant Charter Schools of Ireland; for Ditto . . . . .	38,343	13	10
Roman Catholic Seminary; for Ditto . . . . .	8,928	18	5½
	22,364,627	18	3½

# PARLIAMENTARY ACCOUNTS. 425

## 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. 3, cap. 1	375	0	0
Expenses in the Office of the Commissioners for Reduction of the National Debt	3,500	0	0
Bank of England, for Management on Life Annuities	1,006	7	11
Expenses in the Office for issuing Exchequer Bills for Employment of the Poor	2,200	0	0
	7,081	7	11
Amount of Sums voted; as per preceding Account	22,364,627	18	3¼
Payments for Services not Voted	7,081	7	11
	22,371,709	6	2¼

## 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
Surplus Consolidated Fund, at 5th April 1817	1,225,978	2	2½
Excise Duties, continued per Act 56 Geo. 3. cap. 17	1,300,000	0	0
Arrears of Property Tax	1,500,000	0	0
Surplus of Grants for 1815	15,749	15	2
Ditto for 1816	1,824,656	0	1¼
Profits of Lotteries	236,750	0	0
Monies to arise from the Sale of Old Naval and Victualling Stores	400,000	0	0
Voluntary Contributions from the Civil List Revenue, and from Persons holding Offices and Places in his Majesty's Service	70,000	0	0
Interest on Land Tax redeemed by Money	788	8	9¼
Surplus of Exchequer Bills and Irish Treasury Bills, granted in the last Session of Parliament, after reserving sufficient to pay off similar Bills charged on Aids 1817	12,538,100	0	0
	22,112,022	6	4

Amount of Sums Voted, and of Payment for Services not Voted; as above	22,371,709	6	2¼
Amount of Ways and Means; as above	22,112,022	6	4
Deficiency of Ways and Means	259,686	19	10¼

Whitehall, Treasury Chambers, }  
4th April 1818

CHARLES ARBUTHNOT.

END OF THE FINANCE ACCOUNTS FOR 1818.

An

# 426 ANNUAL REGISTER, 1818.

An Account of the Nett Produce of all the PERMANENT TAXES of GREAT BRITAIN :  
taken for Two Years, ending respectively the 5th of January 1817, and the  
5th of January 1818.

CONSOLIDATED CUSTOMS .....	In the YEARS ending the					
	5th January 1817.			5th January 1818.		
	£.	s.	d.	£.	s.	d.
Permanent, 1813 ...	2,751,751	17	8 $\frac{3}{4}$	2,973,295	13	3 $\frac{3}{4}$
Isle of Man .....	516,885	18	8	437,017	16	7
Quarantine Duty ...	6,180	2	11 $\frac{1}{2}$	7,144	17	7 $\frac{1}{2}$
Canal and Dock Duty	17,716	19	11	17,112	2	2 $\frac{1}{2}$
Temporary or War	28,241	16	4	21,510	8	1 $\frac{1}{2}$
Duty, 1809 .....	1,080,077	0	2 $\frac{3}{4}$	1,745,212	18	11
Do. 1810 and 1811						
(made permanent	47,782	3	11 $\frac{1}{2}$	100,426	6	9 $\frac{3}{4}$
1816).....						
- - - EXCISE .....	15,378,406	15	7 $\frac{1}{2}$	14,026,703	17	3 $\frac{1}{2}$
British Spirits, 1806	292,300	0	0	577,850	0	0
Do. Do. 1811	516,640	0	0	471,415	0	0
Foreign Do. —	87,640	0	0	84,364	0	0
- - - STAMPS ..... 1815	5,965,434	17	0	6,357,423	18	7
Lottery Licences.....	4,289	11	10	3,479	15	1
- - - ASSESSED TAXES,						
1808 .....	5,782,875	15	10	6,125,384	1	1 $\frac{1}{2}$
Letter Money .....	1,426,000	0	0	1,358,000	0	0
Land Taxes .....	1,069,417	13	8	1,117,551	6	5 $\frac{1}{2}$
Hawkers and Pedlars.....	25,660	0	0	23,030	0	0
Seizures .....	14,584	0	5	9,447	15	1
Proffers .....	603	6	0	624	19	0
Compositions .....	0	3	4	—		
Fines and Forfeitures .....	100	0	0	1,435	16	6
Rent of a Light-House .....	26	13	4	6	13	4
Do. Alum Mines .....	864	0	0	960	0	0
Alienation Duty .....	3,049	18	8	2,582	12	0
Hackney Coaches and Chairs ... 1711 ...	10,692	0	0	10,800	0	0
Do. .... 1784 ...	15,473	0	0	14,430	0	0
Husbandry Horses .....	3	18	3 $\frac{1}{2}$	—		
Two-Wheeled Carriages .....	400	0	0	—		
Four-Wheeled Do. ....	—	—	—	100	0	0
Servants .....	—	—	—	100	0	0
Houses .....	—	—	—	100	0	0
Windows .....	—	—	—	1,100	0	0
Husbandry Horses .....	—	—	—	100	0	0
Riding Do. ....	—	—	—	100	0	0
Dogs .....	—	—	—	200	0	0
Windows .....	7	8	0	58	1	11 $\frac{1}{2}$
Houses.....	0	10	6	117	4	4
Horses and Mules .....	1	19	7	19	19	9

†

PARLIAMENTARY ACCOUNTS. 427

In the YEARS ending the

5th January 1817.

5th January 1818.

	£.	s.	d.	£.	s.	d.
Horses..... 180½ ...	26	5	5	16	10	0
Horse Dealers Licences..... — ...	1	1	0	—	—	—
Servants..... — ...	4	0	0	7	0	0
Hair Powder..... — ...	—	—	—	0	10	6
Carriages..... — ...	—	—	—	63	14	6
Dogs..... — ...	2	8	0	65	5	6
£ 10 per Cent..... 1806 ...	—	—	—	0	1	1
6d. per lib. on Pensions..... 1813 ...	1,292	5	0	—	—	—
1s. Do. - - Salaries..... — ...	190	13	0	—	—	—
6d. Do. - - Pensions..... 1814 ...	694	5	7½	530	8	0
1s. Do. - - Salaries..... — ...	1,879	4	11½	—	—	—
6d. Do. - - Pensions..... 1815 ...	6,180	0	0	1,380	15	5½
1s. Do. - - Salaries..... — ...	14,635	0	0	2,117	13	0½
6d. Do. - - Pensions..... 1816 ...	2,600	0	0	5,500	0	0
1s. Do. - - Salaries..... — ...	4,000	0	0	10,800	0	0
6d. Do. - - Pensions..... 1817 ...	—	—	—	2,000	0	0
1s. Do. - - Salaries..... — ...	—	—	—	4,000	0	0

**SURPLUS DUTIES**  
Annually granted,  
after discharging  
£3,000,000  
Exchequer Bills,  
charged thereon.

Sugar and Malt .....	550,528	6	6¾	1,588,265	14	9
Tobacco .....	153,740	0	0	251,411	0	0
Additional Malt .....	889,844	3	2	661,243	12	10½
Annual Do. ....	553,428	0	0	297,971	0	0
Land Tax on Offices	58,516	7	11½	45,756	12	5¼

37,260,874 12 6¼      38,320,355 2 3

**DUTIES**  
Annually granted  
to pay off  
£3,000,000  
Exchequer Bills,  
charged thereon.

Sugar and Malt .....	2,393,202	12	2	2,871,506	13	10½
Tobacco .....	312,734	0	0	223,803	0	0
Additional Malt .....	220,604	0	0	34,226	7	1¼
Annual Do. ....	786	0	0	—	—	—
Land Tax on Offices	4,016	18	4	—	—	—

40,192,218 3 0¾      41,449,891 3 3

EXCHEQUER,  
the 3rd day of April 1818. }

W. ROSE HAWORTH.

BANK



## BANK OF ENGLAND NOTES.

An Account of the average Amount of Bank Notes in circulation, including Bank Post Bills; in each half year, from the 1st of January 1797 to the 1st of January 1818, inclusive.

1797 :	1808 :
January to June . . . 10,821,574	January to June . . . 16,953,787
July to December . . . 11,218,084	July to December . . . 17,303,512
1798 :	1809 :
January to June . . . 12,954,685	January to June . . . 18,214,026
July to December . . . 12,204,547	July to December . . . 19,641,640
1799 :	1810 :
January to June . . . 13,374,874	January to June . . . 20,894,441
July to December . . . 13,525,714	July to December . . . 24,188,605
1800 :	1811 :
January to June . . . 15,009,457	January to June . . . 23,471,297
July to December . . . 15,311,824	July to December . . . 23,094,046
1801 :	1812 :
January to June . . . 16,134,249	January to June . . . 23,123,140
July to December . . . 15,487,555	July to December . . . 23,351,496
1802 :	1813 :
January to June . . . 16,284,052	January to June . . . 23,939,693
July to December . . . 16,571,726	July to December . . . 24,107,445
1803 :	1814 :
January to June . . . 15,967,094	January to June . . . 25,511,012
July to December . . . 17,043,450	July to December . . . 28,291,832
1804 :	1815 :
January to June . . . 17,623,680	January to June . . . 27,155,824
July to December . . . 17,192,440	July to December . . . 26,618,210
1805 :	1816 :
January to June . . . 17,271,429	January to June . . . 26,468,283
July to December . . . 16,480,713	July to December . . . 26,681,393
1806 :	1817 :
January to June . . . 16,941,887	January to June . . . 27,339,768
July to December . . . 16,641,761	July to December . . . 29,210,035
1807 :	Bank of England, 18th April, 1818.
January to June . . . 16,724,368	
July to December . . . 16,687,438	

WILLIAM DAWES,  
Accountant General.

An Account of the Total Weekly Amount of Bank Notes and Bank Post Bills in circulation, from the 3rd of February to the 3rd of March 1818; distinguishing the Bank Post Bills; the Amount of Notes under the value of Five Pounds; and stating the aggregate Amount of the whole.

	Bank Notes of £.5 and upwards.	Bank Post Bills.	Bank Notes under £.5.	Total.
1818.	£.	£.	£.	£.
February . . . . 10	19,650,590	1,848,380	7,446,610	28,945,580
— . . . . 17	19,574,780	1,847,280	7,424,720	28,846,780
— . . . . 24	18,996,980	1,855,000	7,364,620	28,216,600
March . . . . 3	19,047,570	1,828,470	7,372,080	28,248,120

# PARLIAMENTARY ACCOUNTS. 429

## ACCOUNTS RELATING TO PROSECUTIONS FOR FORGING BANK OF ENGLAND NOTES:—viz.

1.—An Account of the Number of Persons prosecuted for Forging Notes of the Bank of England, and for uttering or possessing such Notes knowing them to be forged; from the 1st of January 1816, to the 25th of February 1818; distinguishing the Years, and the Number convicted and acquitted of such Offences respectively.

Year.	Capital Convictions	Convictions for having forged Bank Notes in possession.	Acquittals.	Total Number Prosecuted.
1816.....	20	84	16	120
1817.....	32	95	15	142
1818... } to Feb. 25 }	4	21	1	26

2.—An Account of the Number of Persons prosecuted for Forging Notes of the Governor and Company of the Bank of England, and for uttering such Notes knowing them to be forged; during the 14 Years preceding the Suspension of Cash Payments by the Bank in February 1797, distinguishing the Years.

Year.	Capital Convictions.	Acquittals.	Total.
1783 . . .	nil.		
1784 . . .	- 2 -	- - -	2
1785 . . .	} nil.		
1786 . . .			
1787 . . .			
1788 . . .	- 1 -	- - -	1
1789 . . .	- - -	1	1
1790 . . .	} nil.		
1791 . . .			
1792 . . .			
1793 . . .			
1794 . . .			
1795 . . .			
1796 . . .			

3.—An Account of the Number of Persons prosecuted for Forging Notes of the Governor and Company of the Bank of England, and for knowingly uttering or possessing such Forged Notes, knowing them to be forged, since the Suspension of Cash Payments by the Bank in February 1797, to the 25th of February 1818; distinguishing the Years, and the Numbers Convicted and Acquitted.

Year.	Capital Convictions.	Convictions for having forged Bank Notes in possession.	Acquittals.	Total Number Prosecuted.
1797 . .	1	—	1	2
1798 . .	11	—	1	12
1799 . .	12	—	3	15
1800 . .	29	—	15	44
1801 . .	32	1	21	54
1802 . .	32	12	19	63
1803 . .	7	1	1	9
1804 . .	13	8	4	25
1805 . .	10	14	4	23
1806 . .	—	9	1	10
1807 . .	16	24	5	45
1808 . .	9	23	2	34
1809 . .	23	29	16	68
1810 . .	10	16	3	29
1811 . .	5	19	9	33
1812 . .	26	26	12	64
1813 . .	9	49	7	65
1814 . .	5	39	3	47
1815 . .	7	51	5	63
1816 . .	20	84	16	120
1817 . .	32	95	15	142
1818 . .	4	21	1	26
to 25 Feb. }				

4.—An Account of the total Number of Forged Bank Notes, discovered by the Bank to have been Forged, by presentation for payment, or otherwise, from 1st January 1812 to 10th April 1818; distinguishing each Year, and also distinguishing the Number of Notes of £.1, of £.2, £.5, of £.10, of £.20, and above £.20, in Value.

Years.	Number of Notes of £.1.	Notes of £.2.	Notes of £.5.	Notes of £.10.	Notes of £.15.	Notes of £.20.	Notes above £.20.	Total Number	Years.
1812 .	12,255	4,261	1,125	205	-	34	5	17,885	1812
1813 .	11,347	3,097	827	38	-	4	2	15,315	1813
1814 .	10,342	3,320	1,011	38	-	10	1	14,722	1814
1815 .	14,085	2,829	806	41	2	1	1	17,765	1815
1816 .	21,860	2,141	795	24	-	5	24	24,849	1816
1817 .	28,412	1,839	875	52	-	-	2	31,180	1817
1818 .	8,937	330	307	21	-	-	-	9,645	1818
10 Apr. }									
<hr/>									
107,238	17,787	5,826	419	2	54	35	131,361		

Bank of England, }  
13th May 1818. }

H. HASE,  
Chief Cashier.

FRENCH INDEMNITY.

An Account of all Sums received by Great Britain, since the 20th November, 1815, as Portions of the Indemnity to be paid by France, by the Treaty of that date, specifying the mode in which such Sums have been applied, and what part of them has been paid into the Exchequer.

Under the Convention concluded in conformity to the 4th Article of the principal Treaty, France was to pay Great Britain 125,000,000 *francs*, at the periods hereafter specified; viz.

	<i>Francs.</i>	<i>Francs.</i>
In the Year . . . 1816 . . .	15,000,000	
— . . . 1817 . . .	27,500,000	
— . . . 1818 . . .	27,500,000	
— . . . 1819 . . .	27,500,000	
— . . . 1820 . . .	27,500,000	
	<u>125,000,000</u>	<u>125,000,000</u>

In pursuance of this Convention, the following Sums have been actually paid; viz.

1815. December 22 . . .	615,000		
1816. January 2 . . .	749,000		
— — 8 . . .	3,636,000	<i>cents.</i>	
— April 8 . . .	1,666,666		66
— August 1 . . .	8,333,333		34
	<u>9,166,666</u>		15,000,000
— November 28 . . .	9,166,666		66
1817. April 7 . . .	458,000		
— — 14 . . .	524,000		
— — 21 . . .	524,000		
— — 28 . . .	524,000		
— May 5 . . .	524,000		
— — 12 . . .	524,000		
— — 15 . . .	524,000		
— — 26 . . .	524,000		
— June 2 . . .	457,000		
— October 24 . . .	4,583,666		66
— November 10 . . .	4,583,000		
— — 30 . . .	4,583,000		68
	<u>9,166,666</u>		27,500,000
— — 27 . . .	9,166,666		66
1818. March 26 . . .	9,166,666		66
	<u>18,333,335</u>	<i>cents.</i>	32

An Agreement was subsequently made with France, for postponing the payment of one half the quadremetre becoming due from 1 April to 31 July 1817, to the 20 October 1817; and for postponing the whole of the quadremetre becoming due from the 1 August to the 30 November 1817, to the 10 and 30 November 1817; and Interest was charged to France for such postponement, amounting to *fs.* 133,106 . 52; and which was paid as follows; viz.

	<i>francs</i>	<i>cents</i>
1817. October 27 . . .	67,106	52
— November 13 . . .	44,000	
— December 28 . . .	22,000	
	<u>133,106</u>	52

Making the total received from France to the 1 May 1818. *fs.* 60,966,439 . 84

This Sum has been applied as follows :

Retained by the British Commissioner, on account of the Expenses of his Establishment . . . . .	555,666 . 66
Paid into the Military Chest in France towards the Expenses of the Army of Occupation, over and above the Sums received from France on account of that Army . . . . .	14,534,277 . 29
Paid to his Grace the Duke of Wellington, in Paris, towards the Sum of 25,000,000 francs, granted by Parliament as Prize Money to the Troops under his Grace's command . . . . .	8,000,000
Remitted to England, and which produced the Sum of £.1,406,916 11 11 sterling . . . . .	31,886,833 . 34
<b>TOTAL applied . . . . .</b>	<b>54,976,777 . 29</b>
Remaining in the Indemnity Chest in Paris, in Mandats becoming due between the 1 May and 1 August . . . . .	5,989,662 . 55
<b>TOTAL Amount received from France <i>fs.</i></b>	<b>60,966,439 . 84</b>

The Sum of £.1,406,916 11 11 sterling, the Proceeds of the *£*31,886,833 . 34 remitted from France, as above stated, was applied as follows :

Towards completing the Grant of the Sum of 25,000,000 francs, as Prize Money to the Army under the command of his Grace the Duke of Wellington . . . . .	707,263 10 5
To the Paymaster General of the Forces, in re-payment of Sums advanced and paid out of the Extraordinaries of the Army in England, for the use of the Troops serving in France in 1816 and 1817 . . . . .	104,579 0 0
To the Paymaster General of the Forces, in re-payment of Sums advanced and paid in England, out of the Sums granted for the Ordinary Service of the Army, on account of the Troops serving in France in 1816 and 1817 . . . . .	595,074 1 6
	<b>£.1,406,916 11 11</b>

Whitehall, Treasury Chambers, }  
14 May 1818.

C. ARBUTHNOT.

## C H A R A C T E R S .

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### BIOGRAPHICAL ACCOUNT OF THE LATE LORD STANHOPE.

**C**HARLES Stanhope, third Earl Stanhope, was born in the year 1753. His grandfather, and his father, were both of them warmly attached to the Whig party, and on all occasions constantly supported the liberal side of all public questions. The subject of this memoir was sent very young to Eton College, from which he was removed at the age of ten, for the purpose of accompanying his father's family to Geneva, in which place the elder son soon died. Charles was now left to assume the title of Viscount Mahon; and in this state he passed ten years in that city, where his education was chiefly conducted under the inspection of M. le Sage, well known as the author of a theory of gravity, and of various tracts connected with mineralogy, chemistry, and other departments of natural philosophy. During the young nobleman's residence in Switzerland, he made a considerable progress in scientific pursuits; and while still resident in Geneva, he obtained a prize from

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the society of Arts and Sciences at Stockholm, for the best essay on the structure of the pendulum.

On his return to England, he appeared to inherit from his parents a set of political opinions, which would doubtless be fostered by his long abode at Geneva; and in after life, he was not unfrequently regarded as carrying his notions of liberty to an extravagant length. His honesty and integrity, however, were unquestionable; and it cannot be doubted, that although mistaken in his judgment, he acted from conviction. His first appearance in the political world was as a candidate for Westminster, in which, however, he did not succeed: he was afterwards returned for the borough of Wycombe, and continued a member of the lower House, till the death of his father in 1786, gave him a seat as a Peer of the realm.

Although Lord Stanhope was chiefly known by his contemporaries as a politician, it is rather as a philosopher, that he has made himself generally known to the world. Of his works which relate to a strictly scientific ob-

2 F

ject

ject, his treatise on electricity seems to stand first, in which he endeavours to establish some new principles respecting the electric fluid. In this piece he attempts to prove the existence, and to explain the effect, of what he calls the *returning stroke*, namely an action induced at a considerable distance from the principal discharge, depending upon the tendency of the fluid to equalize itself in all bodies. Since the publication of this hypothesis, some accidents from lightning have occurred, which seem the best accounted for by it, and which indeed cannot be easily explained upon any other principle. In this treatise, the great object of practical utility is not neglected: the best method of preserving buildings from the effects of lightning is minutely considered, and exact directions are laid down for accomplishing this purpose.

Another object of great practical utility was, the means of preserving buildings from fire. This object he endeavoured to accomplish by practising the simple and well known expedient, that combustion can never take place where the air is excluded. To illustrate this principle, and at the same time to bring the fact to the test of very ample experiment, he caused to be erected a wooden house rendered fire-proof, and after filling the lower chamber with a collection of very inflammable materials, he set fire to it. The result was, that during the burning, a number of persons of distinction who were present in the upper apartment, sat without any inconvenience in the

same. An account of these experiments was published in the *Phil. Trans.* for 1778.

Another object which engrossed a considerable share of Lord Stanhope's attention, was, the employment of steam for the propulsion of vessels. For a period of 20 years he continued his experiments, and is said to have spent large sums of money in prosecuting them. In the meantime, Mr. Fulton had the same objects in view; and although it is known, that they both, at one period, frequently conversed on the topic of steam-vessels, it is probable that no documents exist which can decide on the share which each of them had in this curious invention.

His Lordship also published a pamphlet on the means of preventing frauds on the gold coin; and afterwards, on bank-notes; in both cases proceeding upon the obvious principle of employing very skilful workmen, whose performances could not be imitated by those who engage in attempts at forgery. He is further well known for having suggested some important improvements in the construction of the printing press, by which a single stroke upon the center of the machine, is rendered equal to one of double the force at each end.

Lord Stanhope died in December 1816, in the 64th year of his age, exhibiting in the last scene of his life an uncommon degree of philosophical resignation.

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BIOGRAPHICAL MEMOIR OF PROF.  
SMITH AND MR. CRANCH.

*Chretien Smith* was born in the  
year

year 1785 of respectable parents, near the town of Drammen in Norway. Early in life, being then destined for the profession of medicine, he acquired a decided taste for botany, especially that part of it which belongs to the investigation of the cryptogamic plants. For this purpose, when only in his 22nd year, he took a journey to the mountains of Tellemarck, where he made so many discoveries of new mosses and lichens as to acquire considerable celebrity for his botanical acumen. He paid a second visit to these mountains in 1812; and the reputation he now acquired was such as to point him out to the patriotic society of Norway, as a proper person to explore the valleys of Walders, Guldtransdal, and Romsdal, about the 62nd degree of latitude. This object he accomplished in a very satisfactory manner; and he devoted his attention especially to ameliorating the condition of the inhabitants of that sequestered district, by teaching them the best means of improving the few advantages afforded them by a barren soil and an inclement climate.

By the death of his father, Mr. Smith came into possession of a small patrimonial estate; and he determined to devote this independence to foreign travel for the purpose of studying natural history. He had received the appointment of professor of Botany in the university of Christiania; and one object of his travels was, to form a collection of plants for a new botanical garden which had been established there. He first came to London, and visited the principal gardens near it; then

went to Edinburgh, and after examining its mountains, with those of the north of England and Wales, made an excursion to Dublin, and finally returned to London about the close of 1814. He met at Sir Joseph Banks's with the distinguished naturalist Von Buch, and they agreed upon an expedition to the Canaries, where they passed between six and seven months, and returned to England in December.

In London he remained a short time, chiefly for the purpose of arranging his botanical treasures; but while he was thinking of returning to his native country, an offer was unexpectedly made to him of the appointment to the botanical department in the expedition for exploring the African river of Zaire, which he embraced with his accustomed zeal and enthusiasm. The expedition left Falmouth on the 19th of March, and it was nearly two months before they arrived at the mouth of the Zaire. For the first time the professor made a short excursion on shore on July 7; and in his journal he describes the vegetation as magnificent and extremely beautiful. The subsequent history of the expedition is little else than a relation of disappointments and disasters. It was found that the information obtained in England was extremely defective and erroneous. The magnitude of the Zaire had been much exaggerated. It was found, almost at the commencement, to be difficult and nearly impracticable for the larger vessels; and at the distance of 130 or 140 miles from its mouth, a succession of rapids completely obstructed even the passage



passage of the canoe. Captain Tuckey and his companions were under the necessity of travelling on foot along the banks of the river; and it was not long before fatal fevers began to manifest themselves. The captain, on September 9th, found himself obliged to turn his back on the river. Professor Smith had as yet preserved his health; but within four days he was himself attacked with a fatal disease. He was taken ill before they reached the vessels. Becoming dangerously indisposed, he was at length carried on board, but he now refused to take any thing either in the form of food or medicine. On Sept. 21st, he became delirious, and died on the following day.

*John Cranch*, born at Exeter in 1785, was the son of poor parents, of whom he lost his father at the age of ten. His mother, unable to take upon herself the care of his education, consigned him to the care of an uncle, with whom he passed six years. Notwithstanding the disadvantages of his situation, his natural genius soon began to display itself; and in the little leisure which was allowed him, he drew up correct and classical descriptions of all the insects which he was able to procure. He also, by his unaided exertions, acquired a knowledge of the Latin and French languages, so that he was able to understand the descriptions of the zoological writers that were written in them. Being apprenticed by his uncle to a shoemaker, at its conclusion he went to London, probably with the idea of renouncing his trade, and devoting himself to a life of science; he

was, however, compelled to leave the capital, and resumed his mechanical occupation in his native county. Shortly after his return, he married, probably to a person of some property, since we are informed that his domestic circumstances were so much improved by this event, as to enable him to consign his business entirely to his journeymen, while he devoted his own time and attention almost exclusively to the pursuit of natural history. He commenced his career as an author about this period, by some short essays in the "Weekly Examiner;" and he gradually acquired a collection of subjects in natural history, the reputation of which extended to the metropolis. Dr. Leach, of the British Museum, in company with other naturalists, visited Mr. Cranch, and expressed his admiration of his collection of shells, crustacea, insects, birds, &c. all assembled by himself, and disposed with the greatest accuracy; and he found him conversing on all subjects connected with natural history, with modesty, but with that confidence which is the result of knowledge.

When the expedition to the Zaire was planned, Mr. Cranch was immediately thought of as a person peculiarly fitted for the undertaking; and the offer being made to him he immediately accepted it, though not without "some painful struggles with his feelings," probably owing to a presentiment that he was not likely to return. His ardour, however, did not relax during the short period in which he was enabled

enabled to devote himself to the objects of his voyage. His fever commenced on August 23rd, while the expedition was traversing the banks of the river where it is intercepted by the rapids. He was carried back to the navigable part of the stream in a hammock, on the shoulders of the natives, and conveyed thence in a canoe to the ships, being ten

days in the passage. The symptoms of his complaint were an extreme languor and general exhaustion, approaching at times to a delirium. At length his countenance became of a dirty yellow; he grew much worse; his pulse became imperceptible at the wrist; and he expired after uttering a devout prayer for the welfare of his family.

## MANNERS, CUSTOMS, &amp;c.

OF

## NATIONS AND CLASSES OF PEOPLE.

PERSONAL NARRATIVE OF TRAVELS, &c. BY ALEXANDER DE HUMBOLT.

(Translated by Helen Maria Williams).

THE road skirted with bamboos led us to the small village of San Fernando, which is situate in a narrow plain, surrounded by very steep calcareous rocks. This was the first mission\* we saw in America. The houses, or rather the huts of the Chayma Indians, separated from each other, are not surrounded by gardens. The streets, which are wide and very straight,

\* A certain number of habitations collected round a church, a missionary monk performing the ministerial duties, is called in the Spanish colonies *Mision* or *Pueblo de mision*. Indian villages, governed by a priest, are called *Pueblos de doctrina*. They make a distinction between the *Cura doctrinero*, who is the priest of an Indian parish, and the *Cura rector*, priest of a village inhabited by whites and men of mixed race.

cross each other at right angles. The walls, which are very thin and slight, are made of clay, strengthened by lianas. The uniformity of this construction, the grave and taciturn air of the inhabitants, and the extreme neatness that reigns throughout their habitations, reminded us of the establishments of the Moravian brethren. Every Indian family cultivates, at some distance from the village, besides its own garden, the *conuco*\* of the community. In this the adults of each sect work one hour in the morning, and one in the evening. In the missions nearest the coast, the garden of the community is generally a sugar or indigo plantation, under the direction of the missionary; and the produce of which, were the law strictly observed, can be employed only for the support of the church, and the purchase of the sacerdotal ornaments. The great square of San Fernando, in the centre of

\* *Conuco de la comunidad.*

the

the village, contains the church, the dwelling of the missionary, and that humble edifice, which is pompously called the king's house—*Casa del Rey*. This is a real caravanserai, destined to lodge travellers; and, as we often experienced, infinitely valuable in a country, where the name of an inn is still unknown. The *Casas del Rey* are to be found in all the Spanish colonies, and may be deemed an imitation of the *tamboes* of Peru, established according to the laws of Manco Capac.

We had been recommended to the friars, who govern the Missions of the Chayma Indians, by their syndic, who resides at Cumana. This recommendation was so much the more useful to us, as the missionaries, either from zeal for the purity of the morals of their parishioners, or to conceal the monastic system from the indiscreet curiosity of strangers, often adhere with rigor to an old regulation, by which a white man of the secular state is not permitted to sojourn more than one night in an Indian village. In order to travel agreeably in the Spanish Missions, it would be in general imprudent, to trust solely to a passport issued by the secretary of state's office at Madrid, or that of the civil governors. A traveller must provide himself with recommendations from the ecclesiastical authorities, particularly from the guardians of the convents, or the generals of the orders, residing at Rome; who are infinitely more respected by the missionaries, than are the bishops. The Missions form, I will not say accord-

ing to their primitive and canonical institutions, but in fact, a distinct and nearly independent hierarchy, the views of which seldom accord with those of the secular clergy.

The missionary of San Fernando was a capuchin, a native of Arragon, far advanced in years, but strong and healthy. His extreme corpulency, his hilarity, the interest he took in battles and sieges, ill accorded with the ideas we form in our northern countries of the melancholy reveries, and the contemplative life of missionaries. Though extremely busy about a cow, which was to be killed the next day, the old monk received us with kindness, and permitted us to hang up our hammocks in a gallery of his house. Seated, without doing any thing, the greater part of the day, in an arm chair of red wood, he bitterly complained of what he called the indolence and ignorance of his countrymen. He asked a thousand questions on the real object of our journey, which appeared to him hazardous, and at all events useless. Here, as at Oronoko, we were fatigued by that restless curiosity, which the Europeans preserve in the forests of America, respecting the wars and political convulsions of the Old World.

Our missionary, however, seemed well satisfied with his situation. He treated the Indians with mildness; he beheld his mission prosper, and he praised with enthusiasm the waters, the bananas, and the dairy produce of the canton. The sight of our instruments, our books, and our dried plants,

plants, drew from him a sarcastic smile; and he acknowledged, with the *naïveté* peculiar to those climates, that of all the enjoyments of life, without excepting sleep, none was comparable to the pleasure of eating good beef (*carne de vacca*); so true it is, that sensuality obtains an ascendancy, where there is no occupation for the mind. Our host often engaged us to pay a visit with him to his cow, which he had just purchased; and on the morrow, at sunrise, he would not dispense with our seeing it killed after the fashion of the country, that is, by hamstringing the animal, and then plunging a large knife into the vertebræ of the neck. This disgusting operation served to show us the great address of the Chayma Indians, eight of whom, in less than twenty minutes, cut up the animal into small pieces. The price of the cow was only seven piastres; but this price seemed to be thought very considerable. The same day the missionary had paid eighteen piastres to a soldier of Cumana, for having succeeded, after many fruitless attempts, in bleeding him in the foot. This fact, though seemingly very unimportant, is a striking proof how greatly, in uncultivated countries, the price of things differs from that of labour.

The Mission of San Fernando was founded toward the end of the 17th century, near the junction of the small rivers of the Manzanarès and Lucas Perez.\* A fire, which consumed the church,

\* Caulin, Hist. corogr. de la Nueva Andalusia, p. 309.

and the huts of the Indians, induced the capuchins to place the village in its present fine situation. The number of families is increased to one hundred, and the missionary observed to us, that the custom of marrying at thirteen or fourteen years of age contributes greatly to this rapid increase of population. He denied that old age was so premature among the Chaymas, as is commonly believed in Europe. The government of these Indian parishes is very complicated; they have their governor, their major-alguazils, and their militia commanders, who are all copper-coloured natives. The company of archers have their colours, and perform their exercise with the bow and arrow, in shooting at a mark; this is the *national guard* [militia] of the country. This military establishment, under a purely monastic system, seemed to us very singular.

In this village lives a labourer, Francisco Lozano, who presented a physiological phenomenon, highly calculated to strike the imagination, though it is very conformable to the known laws of organized nature. This man has suckled a child with his own milk. The mother having fallen sick, the father, to quiet the infant, took it into his bed, and pressed it to his bosom. Lozano, then thirty-two years of age, had never remarked till that day that he had milk: but the irritation of the nipple, sucked by the child, caused the accumulation of that liquid. The milk was thick and very sweet. The father, astonished at the increased size of his breast, suckled his child two or three times

times a day during five months. He drew on himself the attention of his neighbours, but he never thought, as he probably would have done in Europe, of deriving any advantage from the curiosity he excited. We saw the certificate, which had been drawn up on the spot, to attest this remarkable fact, eye-witnesses of which are still living. They assured us, that, during this suckling, the child had no other nourishment than the milk of his father. Lozano, who was not at Arenas during our journey in the Missions, came to us at Cumana. He was accompanied by his son, who was then thirteen or fourteen years of age. Mr. Bonpland examined with attention the father's breast, and found it wrinkled like those of women who have given suck. He observed, that the left breast in particular was much enlarged; which Lozano explained to us from the circumstance, that the two breasts did not furnish milk in the same abundance. Don Vicente Emparan, governor of the province, sent a circumstantial account of this phenomenon to Cadiz.

It is not a very uncommon circumstance, to find, both among humankind and animals,\* males whose breasts contain milk; and the climate does not appear to exert any marked influence on the more or less abundance of this secretion. The ancients cite the milk of the he goats of Lemnos and Corsica. In our own time, we have seen in the country

of Hanover, a he goat, which for a great number of years was milked every other day, and yielded more milk than a female goat.\* Among the signs of the pretended weakness of the Americans, travellers have mentioned the milk contained in the breasts of men.† It is however improbable, that it has ever been observed in a whole tribe, in some part of America unknown to modern travellers; and I can affirm, that at present it is not more common in the new continent, than in the old. The labourer of Arenas, whose history we have just related, is not of the copper-coloured race of Chayma Indians: he is a white man, descended from Europeans. Moreover, the anatomists of Petersburg ‡ have observed, that among the lower orders of the people in Russia, milk in the breasts of men is much more frequent, than among the more southern nations; and the Russians have never been deemed weak and effeminate.

There exists among the varieties of our kind a race of men, whose breasts at the age of puberty acquire a considerable bulk. Lozano did not belong to this class; and he often repeated to us, that it was only the irritation of the nip-

\* Blumenbach, Vergleich. Anat. 1805, p. 504. Hancœvrishesches Magaz. 1787, page 753. Reil. Arch. der Physiol. T. 3, p. 449. Montegre, Gazette de Santé, 1812, p. 110.

† It has even been seriously related, that in a part of Brazil it is the men, and not the women, that suckle children. Clavigero, Storia di Messico. T. 4. 169.

‡ Comment. Petrop. Tom. 3, p. 278.

\* Athanas. Joannides de Mammarum Struct. 1301, p. 6. Haller, Elem. Physiol. T. 7, P. II, page 18.

ple in consequence of the suction, which caused the flow of the milk. This confirms the observation of the ancients, "that men, who have a small quantity of milk, yield it in abundance, when their breasts are sucked."\* These singular effects of a nervous stimulant were known to the shepherds of Greece; those of Mount Oeta rubbed the dugs of the young goats, that had not yet conceived, with nettles, to make them produce milk.

When we reflect on the whole of the vital phenomena, we find, that no one of them is entirely isolated. In every age examples are cited of young girls not marriageable, or women withered by age, who have suckled children. Among men these examples are infinitely more rare; and after numerous researches, I have not found above two or three. One is cited by the anatomist of Verona, Alexander Benedictus, who lived toward the end of the fifteenth century. He relates the history of an inhabitant of Syria,† who, to calm the uneasiness of his child, after the death of the mother, pressed it to his bosom. The milk immediately came with such abundance, that the father

could take on himself the nourishment of his child, without assistance. Other examples are related by Santorellus, Paria, and Robert, bishop of Cork.\* The greater part of these phenomena having been noticed in times very remote, it is not uninteresting to physiology, that we can confirm them in our own days. Besides, they bear very strongly on the long disputed question respecting final causes. The existence of the nipple in men has long puzzled philosophers; and it has even been recently affirmed, "that nature has refused to one of the sexes the faculty of suckling, because this faculty would not accord with the dignity of man."†

Our host had visited the new world with an expedition, which was to form establishments for cutting wood for the Spanish navy on the shores of the gulf of Paria. In these vast forests of mahogany, cedar, and brasil-wood, which border the sea of the West Indies, they reckoned on choosing the trunks of the largest trees, giving them in a rough way the shape adapted to the building of ships, and sending them every year to the dock-yard of the Caraccas, near Cadiz. White men, unaccustomed to the climate, could not support the fatigue of labour, the heat, and the effect of the noxious air exhaled by the forests. The same winds that are loaded with the perfume of flowers,

\* Gabr. Rzaczynski, *Hist. natur. Cur. Sandomir.* 1721, p. 332, *Misc. Acad. Nat. Cur.* 1688, p. 219. *Phil. Trans.* 1741, p. 810.

† *Comment. Petrop.* Tom. 3, p. 277.

\* Arist. *Hist. Anim. lib. 3, cap. 20*, ed. Duval, 1639, Tom. 2, p. 259.

† Maripetrus sacri ordinis equestris tradidit, Syrum quemdam, cui filius infans, mortua conjuge, supererat, ubera sæpius admovisse, ut famem filii ragientis frustraret, continuatque suctu lacte manasse papillam; quo exinde nutritus est, magno totius urbis miraculo. Alex. Benedicti hum. Corp. Anatomie, Bas. 1549, lib. 3, cap. 4, p. 595. Barthol. Vindic. Anatom. 1648, p. 32.

leaves,

leaves, and woods, infuse also, as we may say, the germs of dissolution into the vital organs. Destructive fevers carried off not only the ship-carpenters, but the persons who had the management of the establishment: and this bay, which the first Spaniards named *Golfo Tristo, Melancholy Bay*, on account of the mournful and savage aspect of its coasts, became the grave of European seamen. Our host had the rare good fortune to escape these dangers. After having witnessed the death of a great number of his friends, he withdrew far from the coasts to the mountains of Cocollar. Without neighbours, the quiet possessor of five leagues of savannahs, he enjoyed at once that independence, which belongs to solitude, and that serenity of mind, which a pure and bracing air produces in men who live agreeably to the simplicity of nature.

Nothing can be compared to the impression of majestic tranquillity, which the aspect of the firmament inspires in this solitary region. Following with the eye, at the entrance of the night, those meadows that bound the horizon, that plain covered with verdure, and gently undulated, we thought we saw from afar, as in the deserts of the Oronoko, the surface of the ocean supporting the starry vault of heaven. The tree under which we were seated, the luminous insects flying in the air, the constellations that shone toward the south; every object seemed to tell us, that we were far from our native soil. If amid this exotic nature the bell of a cow, or the roaring of a bull, were heard from

the depth of a valley, the remembrance of our country was awakened suddenly in the sound. They were like distant voices resounding from beyond the ocean, and with magical power transporting us from one hemisphere to the other. Strange mobility of the imagination of man, eternal source of our enjoyments, and our pains!

We began in the cool of the morning to climb the Tumiriquiri. Thus is called the summit of the Cocollar, which, with the Brigantine, forms one single mass of mountain, formerly called by the natives the *Sierra de los Tiges*. We travelled along a part of the road on horses, which roam about these savannahs; but some of them are used to the saddle. Though their appearance is very heavy, they pass lightly over the most slippery turf. We first stopped at a spring, that issues not from the calcareous rock, but from a layer of quartzose sandstone.\* The temperature was 21°, consequently 1-5° less than the spring of Quetepe; hence the difference of the level is nearly 220 toises. Wherever the sandstone appears above ground the soil is level, and constitutes as it were small platforms, which follow like steps. To the height of 700 toises, and even beyond, this mountain, like those in its vicinity, is covered only with gramineous plants.† This failure of trees is attributed at Cumana to the great

\* Direction: hor. 4.3. Dip. 45° south-east.

† The most abundant species are the paspalus; the andropogon fastigiatum, which forms the genus dictomis of Mr. Palissot de Beauvois; and the panicum olyroides.



elevation of the ground; but a slight reflection on the distribution of plants in the Cordilleras of the torrid zone will lead us to conceive, that the summits of New Andalusia are very far from reaching the superior limit of the trees, which in this latitude is at least 1800 toises of absolute height. The smooth turf of the Cocollar begins to appear at 350 toises above the level of the sea, and the traveller may contrive to walk upon this turf, till he reaches a thousand toises of height. Farther on, beyond this band covered with gramineous plants, we found, amidst peaks almost inaccessible to man, a small forest of cedrela, javillo,\* and mahogany. These local circumstances induce me to think, that the mountainous savannahs of the Cocollar and Turimiquiri owe their existence only to the destructive custom the natives have of setting fire to the woods, which they want to convert into pasturage. Thus, where during three centuries grasses and alpine plants have covered the soil with a thick carpet, the seeds of trees can no longer germinate and fix themselves in the earth, though the birds and winds waft

\* *Hura crepitans*, of the family of the euphorbiums. The growth of its trunk is so enormous, that Mr. Bonpland measured vats of javillo wood, 14 feet long, and 8 wide. These vats, made out of one log of wood, are employed to keep the guarapo, or juice of the sugar-cane, and the melasses. The seeds of javillo are a very active poison, and the milk that issues from the petioles when broken frequently produced inflammation in our eyes, if by chance the least quantity penetrated between the eyelids.

them continually from the distant forests into the savannahs.

The climate of these mountains is so mild, that at the farm of Cocollar the cotton and coffee-tree, and even the sugar-cane, are cultivated with success. Whatever the inhabitants of the coasts may allege, hoar frost has never been found in the latitude of 10°, on heights scarcely exceeding those of the mount D'Or, or the Puy de Dome. The pastures of Turimiquiri become less rich in proportion to the elevation. Wherever scattered rocks afford shade, lichens and some European mosses are found. The *melastoma guacito*,\* and a shrub, the large and tough leaves of which rustle like parchment† when shaken by the winds, rise here and there in the savannah. But the principal ornament of the turf of these mountains is a liliaceous plant with golden flowers, the *marica martinicensis*. It is generally observed in the province of Cumana, and Caraccas, only at four or five hundred toises of elevation.‡ The whole rocky mass of the Turimiquiri is composed of an alpine limestone, like that of Cumanacoa, and a pretty thin strata of marl and quartzose sandstone. The limestone contains masses of brown oxidated iron, and carbonat of

\* *Melastoma xanthostachyum*, called *guacito* at Caraccas.

† *Palisourea rigida*, *chaparro bovo*. In the savannahs, or *llanos*, the same Castilian name is given to a tree of the family of the proteaceæ.

‡ For example, in the Montanna de Avila, in the road from Caraccas to La Guayra, and in the Silla de Caraccas. The seeds of the *marica* are ripe at the end of December.

iron.

iron. I have observed in several places, and very distinctly, that the sandstone not only reposes on the limestone, but that this last rock frequently includes and alternates with the sandstone.

We distinguished clearly the round summit of the Turimiquiri, and the lofty peaks or *Cucuruchos*, covered with a thick vegetation, and inhabited by tigers, which are hunted on account of their size, and the beauty of their skin. This round summit, which is covered with turf, is 707 toises above the level of the ocean. A ridge of steep rocks stretches out toward the west, and is interrupted at the distance of a mile by an enormous crevice, that descends toward the gulf of Cariaco. At the point where we might suppose the continuation of the ridge, two calcareous paps or peaks arise, the northernmost of which is the most elevated. It is this last which is more particularly called the *Cucurucho de Turimiquiri*, and which is considered as higher than the mountain of the Brigantine,\* so

\* This popular opinion on the height of the Brigantine favors the supposition, that the distance from the port of Cumana to the mountain is much less than twenty-four nautical miles. For we have seen already (vol. ii, p. 206), that the angles of elevation measured at Cumana give 1255 toises for the height of the Brigantine, if we admit the exactness of the distance indicated in the map of the *Deposito hydrografico* at Madrid. I find, that to make the observed angle agree with a supposed elevation of a thousand toises, the summit of the Brigantine cannot be more than nineteen miles distant from Cumana. The chain of the mountains of New Andalusia is in the

well known by the sailors who frequent the coasts of Cumana. We measured by angles of elevation, and a basis, rather short, traced on the round summit bare of trees, the peak, or *Cucurucho*, which was about 350 toises higher than our station, so that its absolute height exceeded 1050 toises.

The view we enjoyed on the Turimiquiri is of vast extent, and highly picturesque. From the summit to the ocean we perceived chains of mountains extended in parallel lines from east to west, and bounding longitudinal valleys. These valleys are intersected at right angles by an infinite number of small ravines, scooped out by

same direction as the neighbouring coast, nearly from east to west; and, admitting a distance more considerable than nineteen miles, the Brigantine would be more south than the parallel of Cocollar. But the inhabitants of Cumana wanted to lay out a road to Nueva Barcelona over the Brigantine, and I did not find the latitude of this town less than  $10^{\circ} 6' 52''$ . This circumstance confirms the result of a trigonometrical calculation made at the Salado de Cumana; while on the other side the magnetic bearing of the Brigantine, taken at the summit of the *Impossible*, gives a greater distance. This bearing would be highly important, if we were perfectly certain of the longitude of the *Impossible*, and of the variation of the needle in a place, where the sandstone is strongly impregnated with iron. It is the duty of the traveller, to declare with candour the doubts he may still entertain respecting points, the position of which is not yet sufficiently ascertained. On making land on the coast of Cumana, the pilot reckoned the distance of the Tataraqual fifteen or sixteen miles,

the torrents: the result of which is, that the lateral ranges are transformed into so many rows of paps, some round, and others pyramidal. The ground in general is a gentle slope, as far as the *Impossible*; farther on, the precipices become bold, and continue so to the shore of the gulf of Cariaco. The form of this mass of mountains reminded us of the chain of the Jura; and the only plain, that presents itself, is the valley of Cumanacoa. We seemed to see the bottom of a funnel, in which we distinguished, amidst tufts of scattered trees, the Indian village of Aricagua. Toward the north, a narrow slip of land, the peninsula of Araya, formed a dark stripe on the sea, which, illumined by the rays of the sun, reflected a strong light. Beyond the peninsula the horizon was bounded by Cape Macanao, the black rocks of which rise amid the waters like an immense bastion.

What gives most celebrity to the valley of Caripe, beside the extraordinary coolness of the climate, is the great *Cueva*, or cavern of the *Guacharo*.\* In a country where the people love what is marvellous, a cavern that gives

\* The province of Guacharucu, which Delgado visited in 1534, in the expedition of Hieronimo de Ortal, appears to have been situate south, or south-east from Macarapana. Has its name any connexion with those of the cavern and the bird? or is this last of Spanish origin? (Laet, Nov. Orb., p. 676). Guacharo means in Castilian "one who cries and laments himself;" now the bird of the cavern of Caripe, and the guacharaca (phasianus parraka), are very noisy birds.

birth to a river, and is inhabited by thousands of nocturnal birds, the fat of which is employed in the Missions to dress food, is an everlasting object of conversation and discussion. Scarcely has a stranger arrived at Cumana, when he is told of the stone of Araya for the eyes; of the labourer of Arenas, who suckled his child; and of the cavern of Guacharo, which is said to be several leagues in length; till he is tired of hearing of them. A lively interest in the phenomena of nature is preserved wherever society may be said to be without life; where, in dull monotony, it presents only simple relations little fitted to excite the ardour of curiosity.

The cavern, which the natives call a *mine of fat*, is not in the valley of Caripe itself, but at three short leagues distance from the convent, toward the west-south-west. It opens into a lateral valley, which terminates at the *Sierra del Guacharo*. We set out toward the Sierra on the 18th of September, accompanied by the Alcalds, or Indian magistrates, and the greater part of the monks of the Convent. A narrow path led us at first during an hour and a half toward the south, across a fine plain, covered with a beautiful turf. We then turned toward the west, along a small river, which, issues from the mouth of the cavern. We ascended during three quarters of an hour, walking sometimes in the water, which was shallow, sometimes between the torrent and a wall of rocks, on a soil extremely slippery and miry. The falling down of the earth, the scattered trunks of trees over which the mules could scarcely

scarcely pass, the creeping plants that covered the ground, rendered this part of the road fatiguing. We were surprised to find here, at scarcely 500 toises of elevation above the level of the sea, a cruciferous plant, *raphanus pinnatus*. It is well known how scarce the plants of this family are between the tropics; they display in some sort a northern form, and as such we never expected to see it on the plain of Caripe at so little an elevation. Those northern forms seem also to appear in the *galium caripense*, the *valeriana scandens*, and a sanicle not unlike the *s. marilandica*.

At the foot of the lofty mountain of Guacharo, we were only four hundred steps from the cavern, without yet perceiving the entrance. The torrent runs in a crevice, which has been hollowed out by the waters; and we went on under a cornice, the projection of which prevented us from seeing the sky. The path winds like the river: at the last turning we came suddenly before the immense opening of the grotto. The aspect of this spot is majestic even to the eye of a traveller accustomed to the picturesque scenes of the higher Alps. I had before this seen the caverns of the peak of Derbyshire, where, extended in a boat, we traversed a subterranean river, under a vault of two feet high. I had visited the beautiful grotto of Treshemienshiz, in the Carpathian mountains, the caverns of the Hartz, and those of Franconia, which are vast cemeteries\* of

bones of tigers, hyenas, and bears, as large as our horses. Nature in every zone follows immutable laws in the distribution of rocks, in the exterior form of mountains, and even in those tumultuous changes, which the exterior crust of our planet has undergone. So great a uniformity led me to believe, that the aspect of the cavern of Caripe would differ little from what I had observed in my preceding travels. The reality far exceeded my expectations. If the configuration of the grottoes, the splendor of the stalactites, and all the phenomena of inorganic nature, present striking analogies, the majesty of equinoxial vegetation gives at the same time an individual character to the aperture of the cavern.

The Cueva del Guacharo is pierced in the vertical profile of a rock. The entrance is toward the south, and forms a vault eighty feet broad, and seventy-two feet high. This elevation is but a fifth less than that of the colonnade of the Louvre. The rock,

caverns of Gaylenreuth and Muggendorf in Franconia, emits even now choke-damps, or gaseous mixtures of hydrogen and nitrogen, that rise to the roof of their caves. This fact is known to all those who show these caverns to travellers; and when I had the direction of the mines of the Fichtelberg, I observed it frequently in the summer time. Mr. Laugier found in the mould of Muggendorf, beside phosphate of lime, 0.10 of animal matter. (Cuvier, *Recherches sur les Ossemens fossiles*, T. 4. Ours, p. 14). I was struck, during my stay at Steeben, with the ammoniacal and fetid smell produced by it, when projected on a red hot iron.

\* The mould, that has covered for thousands of years the soil of the

that surmounts the grotto, is covered with trees of gigantic height. The mammee-tree, and the genipa\* with large and shining leaves, raise their branches vertically toward the sky; while those of the courbaril and the erythrina form, as they extend themselves, a thick vault of verdure. Plants of the family of pothos with succulent stems, oxalises, and orchidæ of a singular structure, † rise in the driest clefts of the rocks; while creeping plants, waving in the winds, are interwoven in festoons before the opening of the cavern. We distinguished in these festoons a bignonia of a violet blue, the purple dolichos, and for the first time that magnificent solandra, ‡ the orange flower of which has a fleshy tube more than four inches long. The entrance of grottoes, like the view of cascades, derive their principal charm from the situation, more or less majestic, in which they are placed, and which in some sort determines the character of the landscape. What a contrast between the Cueva of Caripe, and those caverns of the north crowned with oaks and gloomy larch-trees!

But this luxury of vegetation embellishes not only the outside of the vault, it appears even in the vestibule of the grotto. We saw with astonishment plantain-leaved heliconias eighteen feet

\* Caruto, genipa americana. The flower, at Caripe, has sometimes five, sometimes six stamens.

† A dendrobium, with a golden flower, spotted with black, three inches long.

‡ Solandra scandens. It is the gousatchia of the Chayma Indians.

high, the praga palm-tree, and arborescent arums, follow the banks of the river, even to those subterranean places. The vegetation continues in the cave of Caripe, as in those deep crevices of the Andes, half excluded from the light of day; and does not disappear, till, advancing in the interior, we reach thirty or forty paces from the entrance. We measured the way by means of a cord: and we went on about four hundred and thirty feet, without being obliged to light our torches. Daylight penetrates even into this region, because the grotto forms but one single channel, which keeps the same direction, from south-east to north-west. Where the light begins to fail, we heard from afar the hoarse sounds of the nocturnal birds; sounds, which the natives think belong exclusively to those subterraneous places.

The guacharo is of the size of our fowls, has the mouth of the goatsuckers and procnias, and the port of those vultures, the crooked beak of which is surrounded with stiff silky hairs. Suppressing, with Mr. Cuvier, the order of picæ, we must refer this extraordinary bird to the passeræ, the genera of which are connected with each other by almost imperceptible transitions. I have noted it under the name of steatornis, in a particular monography, contained in the second volume of my observations on Zoology and Comparative Anatomy. It forms a new genus,\* very different from the

\* Its essential characters are: rostrum validum, lateribus compressum, apice aduncum, mandibula, su-goat-sucker

goat-sucker by the force of its voice, by the considerable strength of its beak, containing a double tooth, by its feet without the membranes that unite the anterior phalanges of the claws. It is the first example of a nocturnal bird among the *passeres dentirostrati*. In its manners it has analogies both with the goat-suckers and the alpine crow.\* The plumage of the guacharo is of a dark bluish gray, mixed with small streaks and specks of black. Large white spots, which have the form of a heart, and which are bordered with black, mark the head, the wings, and the tail. The eyes of the bird are hurt by the blaze of day; they are blue, and smaller than those of the goat-suckers. The spread of the wings, which are composed of seventeen or eighteen quill feathers, is three feet and a half. The guacharo quits the cavern at night-fall, especially when the moon shines. It is almost the only frugiferous nocturnal bird, that is yet known; the conformation of its feet sufficiently shows, that it does not hunt like our owls. It feeds on very hard fruits; as the nut-cracker † and the pyrrhocorax. The latter nestles also in clefts of rocks, and is known under the

periori subbidentata, dente anteriori acutiori. Rictus amplissimus. Pedes breves, digitis fassis, unguibus integerrimis.

\* *Corvus pyrrhocorax*.

† *Corvus caryocatactes*, c. glandarius. Our alpine crow builds its nest, toward the top of Mount Libanus, in subterranean caverns, nearly like the guacharo; the horribly shrill voice of which it also has. (*Labillardière*, *Ann. du Musée*, T. 18, p. 455).

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name of *night-crow*. The Indians assured us, that the guacharo does not pursue either the lamellicornous insects, or those phalænæ which serve as food to the goat-suckers. It is sufficient to compare the beaks of the guacharo and goat-sucker, to conjecture how much their manners must differ. It is difficult to form an idea of the horrible noise occasioned by thousands of these birds in the dark part of the cavern, and which can only be compared to the croaking of our crows, which, in the pine forests of the north, live in society, and construct their nests upon trees, the tops of which touch each other. The shrill and piercing cries of the guacharoes strike upon the vaults of the rocks, and are repeated by the echo in the depth of the cavern. The Indians showed us the nests of these birds, by fixing torches to the end of a long pole. These nests were fifty or sixty feet high above our heads, in holes in the shape of funnels, with which the roof of the grotto is pierced like a sieve. The noise increased as we advanced, and the birds were affrighted by the light of the torches of copal. When this noise ceased a few minutes around us, we heard at a distance the plaintive cries of the birds roosting in other ramifications of the cavern. It seemed as if these bands answered each other alternately.

The Indians enter into the Cueva del Guacharo once a year, near midsummer, armed with poles, by means of which they destroy the greater part of the nests. At this season several thousands of birds are killed; and the

the old ones, as if to defend their brood, hover over the heads of the Indians, uttering terrible cries. The young,\* which fall to the ground, are opened on the spot. Their peritoneum is extremely loaded with fat, and a layer of fat reaches from the abdomen to the anus, forming a kind of cushion between the legs of the bird. This quantity of fat in frugivorous animals, not exposed to the light, and exerting very little muscular motion, reminds us of what has been long since observed in the fattening of geese and oxen. It is well known how favourable darkness and repose are to this process. The nocturnal birds of Europe are lean, because, instead of feeding on fruits, like the guacharo, they live on the scanty produce of their prey. At the period which is commonly called at Caripe *the oil harvest*,† the Indians build huts with palm leaves, near the entrance, and even in the porch of the cavern. Of these we still saw some remains. There, with a fire of brush-wood, they melt in pots of clay the fat of the young birds just killed. This fat is known by the name of butter or oil (*manteca* or *aceite*) of the guacharo. It is half liquid, transparent without smell, and so pure that it may be kept above a year without becoming rancid. At the convent of Caripe no other oil is used in the kitchen of the monks but that of the cavern; and we never observed, that it gave the aliments a disagreeable taste or smell.

The quantity of this oil col-

\* Los pollos del Guacharo.

† La cosecha de la manteca.

lected little corresponds with the carnage made every year in the grotto by the Indians. It appears, that they do not get above 150 or 160 bottles\* of very pure *manteca*; the rest, less transparent, is preserved in large earthen vessels. This branch of industry reminds us of the harvest of pigeons' oil,† of which some thousands of barrels were formerly collected in Carolina. At Caripe, the use of the oil of guacharoes is very ancient, and the missionaries have only regulated the method of extracting it. The members of an Indian family, which bears the name of Morocoymas, pretend, as descendants of the first colonists of the valley, to be the lawful proprietors of the cavern, and arrogate to themselves the monopoly of the fat; but, thanks to the monastic institutions, their rights at present are merely honorary. In conformity to the system of the missionaries, the Indians are obliged to furnish guacharo-oil for the church lamp: the rest, we were assured, is purchased of them. We shall not decide either on the legitimacy of the rights of the Morocoymas, or on the origin of the obligation imposed on the natives by the monks. It would seem natural, that the produce of the chase should belong to those who hunt: but in the forests of the New World, as in the centre of European cultivation, public right is modified according to the relations, which are established between the strong and

\* Sixty cubic inches each.

† This *pigeon oil* comes from the *columba migratoria* (Pennant's Arctic Zoology, T. 2, p. 13),



the weak, the victors and the vanquished.

The race of the guacharoes would have been long ago extinct, had not several circumstances contributed to its preservation. The natives, restrained by their superstitious ideas, have seldom the courage to penetrate far into the grotto. It appears also, that birds of the same species dwell in neighbouring caverns, which are too narrow to be accessible to man. Perhaps the great cavern is re-peopled by colonies, that abandon the small grottoes; for the missionaries assured us, that hitherto no sensible diminution of the birds had been observed. Young guacharoes have been sent to the port of Cumana, and have lived there several days without taking any nourishment; the seeds offered to them not suiting their taste. When the crops and gizzards of the young birds are opened in the cavern, they are found to contain all sorts of hard and dry fruits, which furnish, under the singular name of guacharo seed, *semilla del guacharo*, a very celebrated remedy against intermittent fevers. The old birds carry these seeds to their young. They are carefully collected, and sent to the sick at Cariaco, and other places of the low regions, where fevers are prevalent.

We followed, as we continued our progress through the cavern, the banks of the small river, which issued from it, and is from twenty-eight to thirty feet wide. We walked on the banks, as far as the hills formed of calcareous incrustations permitted us. When the torrent winds among very high masses of stalactites, we were

often obliged to descend into its bed, which is only two feet in depth. We learnt, with surprise, that this subterraneous rivulet is the origin of the river Caripe, which, at a few leagues distance, after having joined the small river of Santa Maria, is navigable for canoes. It enters into the river Areo under the name of *Canno de Terezen*. We found on the banks of the subterraneous rivulet a great quantity of palm-tree wood, the remains of trunks, on which the Indians climb to reach the nests hanging to the roofs of the cavern. The rings, formed by the vestiges of the old footstalks of the leaves, furnish as it were the footsteps of a ladder perpendicularly placed.

The Grotto of Caripe preserves the same direction, the same breadth, and its primitive height of sixty or seventy feet, to the distance of 472 metres, or 1458 feet, accurately measured. I have never seen a cavern, in either continent, of so uniform and regular a construction. We had great difficulty in persuading the Indians to pass beyond the outer part of the grotto, the only part which they annually visit to collect the fat. The whole authority of *los padres* was necessary, to induce them to advance as far as the spot, where the soil rises abruptly at an inclination of sixty degrees, and where the torrent forms a small subterraneous cascade.\* The natives connect mystic ideas with this cave, inhabited by noc-

\* We find this phenomenon of a subterranean cascade, but on a much larger scale, in England at Yordas Cave, near Kingsdale, in Yorkshire.



turnal birds; they believe, that the souls of their ancestors sojourn in the deep recesses of the cavern. "Man," say they, "should avoid places which are enlightened neither by the Sun (*Zis*), nor by the Moon (*Nuna*)." To go and join the guacharoes, is to rejoin their fathers, is to die. The magicians (*piaches*) and the poisoners (*imorons*) perform their nocturnal tricks at the entrance of the cavern, to conjure the chief of the evil spirits (*ivorokiamo*). Thus in every climate the first fictions of nations resemble each other, those especially which relate to two principles governing the world, the abode of souls after death, the happiness of the virtuous, and the punishment of the guilty. The most different and most barbarous languages present a certain number of images, which are the same, because they have their source in the nature of our intellect and our sensations. Darkness is every where connected with the idea of death. The Grotto of Caripe is the Tartarus of the Greeks; and the guacharoes, which hover over the rivulet, uttering plaintive cries, remind us of the Stygian birds.

At the point where the river forms the subterraneous cascade, a hill covered with vegetation, which is opposite the opening of the grotto, presents itself in a very picturesque manner. It appears at the extremity of a straight passage, 240 toises in length. The stalactites, which descend from the vault, and which resemble columns suspended in the air, display themselves on a background of verdure. The opening of the cavern appeared singularly

contracted, when we saw it about the middle of the day, illumined by the vivid light reflected at once from the sky, the plants, and the rocks. The distant light of day formed somewhat of magical contrast with the darkness, that surrounded us in those vast caverns. We discharged our pieces at a venture, wherever the cries of the nocturnal birds, and the flapping of their wings, led us to suspect, that a great number of nests were crowded together. After several fruitless attempts, Mr. Bonpland succeeded in killing a couple of guacharoes, which, dazzled by the light of the torches, seemed to pursue us. This circumstance afforded me the means of drawing this bird, which hitherto had remained unknown to naturalists. We climbed, not without some difficulty, the small hill whence the subterraneous rivulet descends. We saw, that the grotto was perceptibly contracted, retaining only forty feet in height; and that it continued stretching to the north-east, without deviating from its primitive direction, which is parallel to that of the great valley of Caripe.

In this part of the cavern, the rivulet deposes a blackish mould, very like the matter, which in the grotto of Muggendorf, in Franconia, is called the *earth of sacrifice*.\* We could not discover, whether this fine and spongy mould fall through the cracks, which communicate with the surface of the ground above; or be washed down by the rainwater,

\* *Opfer-erde* of the cavern of *Hole Berg* (mountain pierced entirely through).

that

that penetrates into the cavern. It was a mixture of silex, alumin, and vegetable *detritus*. We walked in thick mud to a spot, where we beheld with astonishment the progress of subterraneous vegetation. The seeds, which the birds carry into the grotto to feed their young, spring up wherever they can fix in the mould, that covers the calcareous incrustations. Blanched stalks, with some half formed leaves, had risen to the height of two feet. It was impossible to ascertain the species of plants, the form, colour, and aspect of which had been changed by the absence of light. Those traces of organization amid darkness forcibly excited the curiosity of the natives, in general so stupid, and difficult to be moved. They examined them in that silent meditation inspired by a place they seemed to dread. It might be thought, that these subterraneous vegetables, pale and disfigured, appeared to them phantoms banished from the face of the earth. To me the scene recalled one of the happiest periods of my early youth, a long abode in the mines of Freiberg, where I made experiments on the effects of blanching (*étiolement*),\* which are very different, according as the air is pure, or overcharged with hydrogen or azot.

The missionaries, with all their authority, could not prevail on the Indians to penetrate farther into the cavern. As the vault grew lower, the cries of the gua-

charoes became more shrill. We were obliged to yield to the pusillanimity of our guides, and trace back our steps. The appearance of the cavern was indeed very uniform. We find, that a bishop of St. Thomas of Guiana had gone farther than ourselves. He had measured nearly 2500 feet\* from the mouth to the spot where he stopped, though the cavern reached farther. The remembrance of this fact was preserved in the convent of Caripe, without the exact period being noted. The bishop had provided himself with great torches of white wax of Castille. We had torches composed only of the bark of trees, and native resin. The thick smoke which issued from these torches, in a narrow subterranean passage, hurts the eyes, and obstructs the respiration.

We followed the course of the torrent to go out of the cavern. Before our eyes were dazzled with the light of day, we saw, without the grotto, the water of the river sparkling amid the foliage of the trees that concealed it. It was like a picture placed in the distance, and to which the mouth of the cavern served as a frame. Having at length reached the entrance, and seated ourselves on the bank of the rivulet, we rested after our fatigues. We were glad to be beyond the hoarse cries of the birds, and to leave a place where darkness does not offer even the charm of silence and tranquillity. We could scarcely persuade ourselves, that the name of the Grotto of Caripe had hi-

\* Humboldt, *Aphorismi ex Physiologia chemica Plantarum* (Flora Friberg. subterranea, p. 181).

\* 960 varas.

therto remained unknown in Europe.\* The guacharoës alone would have been sufficient, to render it celebrated. These nocturnal birds have been no where yet discovered, except in the mountains of Caripe and Cumanao.

The mildness of the Spanish legislation compared with the Black Code of the greater part of other nations that have possessions in either India, cannot be denied. But such is the state of the negroes, dispersed in places scarcely begun to be cultivated, that justice, far from efficaciously protecting them during their lives, cannot even punish acts of barbarity, that have caused their death. If an inquiry be attempted, the death of the slave is attributed to the bad state of his health, to the influence of a warm and humid climate, to the wounds which he has received, but which, it is asserted, were neither deep nor dangerous. The civil authority is powerless with respect to whatever constitutes domestic slavery; and nothing is more illusory than the effect so much vaunted of those laws, which prescribe the form of the whip, and the number of lashes which it is permitted to give *at a time*.

\* We have reason to be surprised, that Father Gili, author of the *Saggio di Storia Americana* (Tom. 4, p. 414), did not mention it, though he had in his possession a manuscript composed in 1780 at the convent of Caripe. I gave the first information respecting the *Cueva del Guacharo* in 1800, in my letters to Messrs. Delambre and Delam  therie, published in the *Journal de Physique*. See also my *Geog. des Plantes*, p. 84.

Persons who have not lived in the colonies, or have inhabited only the West India islands, believe in general, that the interest of the master in the preservation of his slaves must render their condition so much the milder as their number is less considerable. Nevertheless, even at Cariaco, a few weeks before my arrival in the province, a planter, who had only eight negroes, killed six by beating them in the most barbarous manner. He thus voluntarily destroyed the greater part of his fortune. Two of his slaves expired on the spot. He embarked with four, who seemed more robust, for the port of Cumana, but they died on the passage. This act of cruelty had been preceded in the same year by another, the circumstances of which are equally horrible. Such great crimes remain almost always unpunished; the spirit, that dictated the laws, is not that which presides over their execution. The governor of Cumana was a just and humane man; but the judiciary forms are prescribed, and the power of the governor does not extend to a reform of abuses, which are almost inherent in every system of European colonization.

I shall begin by the nation of the Caymas, of whom more than fifteen thousand inhabit the Missions that have just been described. This nation, little warlike, which father Francisco of Pamplona\* began to reduce

\* The name of this monk, celebrated for his active intrepidity, is still revered in the province. He sowed the first seeds of civilization among these mountains. He had  
long

to subjection in the middle of the seventeenth century, has the Cumanagotoes toward the west, the Guaraounoes toward the east, and the Caribbees toward the south. It occupies a space along the elevated mountains of the Cocollar and the Guacharo, the banks of the Guarapiche, of the Rio Colorado, of the Areo, and of the Cano of Caripe. According to a statistical survey made with great care by the father Prefect,\* there were in the Missions of the Arragonese Capuchins of Cumana—

Nineteen villages of *Missions*, of which the oldest was established in 1728; containing one thousand four hundred and sixty-five families, and six thousand four hundred and thirty-three persons: sixteen villages *de doctrina*, of which the oldest dates in 1660; containing one thousand seven hundred and sixty-six families, and eight thousand one hundred and seventy persons.†

These Missions suffered greatly in 1681, 1697, and 1720, from the invasions of the Caribbees, then independent, who burnt whole villages. From 1730 to 1736, the population diminished from the ravages of the small-pox, a disease always more fatal to the copper-coloured Indians, than to the whites. Many of the Guaraounoes, who had been

assembled together, fled back again to their marshes. Fourteen old Missions remained deserted, and have not been rebuilt. The Chaymas are in general short; and they appear so particularly, when compared, I shall not say with their neighbours the Caribbees, or with the Payaguas or Guayquilits\* of Paraguay, equally remarkable for their stature, but with the ordinary natives of America. The common stature of a Chayma is 1.57 met. or four feet ten inches [five feet two inches nearly], their body is thick set, shoulders extremely broad, and breast flat. All their limbs are round and fleshy. Their colour is that of the whole American race, from the cold table lands of Quito and New Grenada to the burning plains of the Amazons. It is no longer changed by the varied influence of climate; it is connected with organic dispositions, which for ages past have been unalterably transmitted from generation to generation. If the uniform tint of the skin be more coppery and redder toward the north, it is on the contrary among the Chaymas of a dull brown inclining towards tawny. The denomination of *copper coloured* [*rouges-cuivrés*] men could never have originated in equinoxial America to designate the natives.

long been captain of a ship; and before he became a monk, bore the name of Tiburtio Redin.

\* Fray Francisco de Chiprana (*manuscript memoir*).

† Cultivated land (*labranzas*), belonging to these thirty-five villages, 6554 *almudas*. The number of cows in 1792 amounted only to 1883.

\* The ordinary stature of the Guayquilits or Mbayas, who live between the 20th and 22nd degrees of south latitude, is, according to Azara 1.84, met. or five feet eight inches [six feet and half an inch Eng.] The Payaguas, equally tall, have given their name to Payaguay, or Paraguay.

The

The expression of the countenance of the Chaymas, without being hard or stern, has something sedate and gloomy; the forehead is small, and but little prominent. Thus in several languages of these countries, to express the beauty of a woman, they say "that she is fat, and has a narrow forehead." The eyes of the Chaymas are black, sunk, and very long; but they are neither so obliquely placed, nor so small, as in the people of the Mongul race, of whom Jordanes says, that they have rather points, than eyes; *magis puncta quam lumina*. The corner of the eye is however sensibly raised up toward the temples; the eyebrows are black, or dark brown, slender, and little arched; the eyelids are furnished with very long eyelashes, and the habit of casting them down, as if they were lowered by lassitude, softens the look of the women, and makes the eye thus veiled appear less than it really is. If the Chaymas, and in general all the natives of South America and New Spain, resemble the Mongul race, by the form of the eye, their high cheek bones, their straight and flat hair, and the almost entire want of beard; they essentially differ from them in the form of the nose, which is pretty long, prominent throughout its whole length, and thick toward the nostrils, the openings of which are directed downward, as with all the nations of the Caucasian race. Their wide mouth, with lips but little protuberant, though broad, has often an expression of goodness. The passage from the nose to the mouth is marked in both sexes by two furrows, which run

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diverging from the nostrils toward the corners of the mouth. The chin is extremely short and round; and the jaws are remarkable for their strength and width.

Though the Chaymas have fine white teeth, like all people who lead a very simple life, they are however not so strong as those of the Negroes. The habit of blackening the teeth, from the age of fifteen, by the juices of certain herbs\* and caustic lime, had engaged the attention of the earliest travellers; but it is at present quite unknown. Such have been the migrations of the different tribes in these countries, particularly since the incursions of the Spaniards, who carried on the slave trade, it may be admitted, that the inhabitants of Paria, visited by Christopher Columbus, and by Ojeda, were not of the same race as the Chaymas. I doubt much, whether the custom of blackening the teeth were originally connected, as Gomara affirmed,† with extravagant ideas of beauty, or were practised with the view of preventing the tooth-ach. This disorder is almost unknown to the Indians; the whites

\* The first historians of the conquest attribute this effect to the leaves of a tree, that the natives call *hay*, which resembled the myrtle. Among nations very distant from each other, the pimento bears a similar name; among the Haytians (of the island of St. Domingo) *aji* or *ahi*; among the Maypures of the Oroonoko *a-i*. Some stimulant and aromatic plants, which do not all belong to the genus *capsicum*, were designated by the same name.

† Cap. 78, p. 101. The nations, that were seen by the Spaniards on the coast of Paria, had probably the  
even

even suffer very seldom from it in the Spanish colonies, at least in the warm regions, where the temperature is so uniform. They are more exposed to it on the back of the Cordilleras, at Santa-Fe, and at Popayan.

The Chaymas, like almost all the native nations I have seen, have small, slender hands. Their feet are large, and their toes retain an extraordinary mobility. All the Chaymas have a family look; and this analogy of form, so often observed by travellers, is so much the more striking, as between the years of twenty and fifty difference of age is no way denoted by wrinkles of the skin, the colour of the hair, or decrepitude of the body. On entering a hut, it is often difficult among adult persons to distinguish the father from the son, and not to confound one generation with another. I attribute this family

custom of stimulating the organs of taste by caustic lime, as others employed tobacco, the chimo, the leaves of the cocca, or betel. This practice is found even in our days, but more toward the west, among the Guajiros, at the mouth of the Rio la Hacha. These Indians, still savage, carry small shells, calcined and powdered, in the shell of a fruit, that serves them as a vessel for various purposes, suspended to their girdle. The powder of the Guajiros is an article of commerce, as was anciently, according to Gomara, that of the Indians of Paria. In Europe the immoderate habit of smoking also makes the teeth yellow and blackens them: but would it be just to conclude from this fact, that they who smoke with us do it because we think yellow teeth handsomer than white?

look to two different causes, the local situation of the Indian tribes, and their inferior degree of intellectual culture. Savage nations are subdivided into an infinity of tribes, which, bearing a cruel hatred toward each other, form no intermarriages, even when their languages spring from the same root, and when only a small arm of a river, or a group of hills, separates their habitations. The less numerous are the tribes, the more the intermarriages, repeated for ages, between the same families, tend to fix a certain equality of conformation, an organic type, which may be called national.\* This type is preserved under the government of the Missions formed by a single horde. The isolated state is the same, and marriages are contracted only between the inhabitants of the same hamlet. Those ties of blood, which unite almost a whole nation, are indicated in a simple manner in the language of the Indians born in the Mission, or by those, who, taken from the woods, have learned Spanish. To designate the individuals, who belong to the same tribe, they employ the words *mis parientes*, my relations.

These causes, which depend only on the isolated state, and the effects of which are found among the Jews of Europe, among the different casts of India, and among mountaineer nations in general, are connected with causes hitherto

\* Nullis aliis aliarum nationem connubiis infecta, propria et sincera, et tantum sui similis gens. Unde habitus quoque corporum, quamquam in tanto hominum numero, idem omnibus. Tac. Germ. c. 4.

neglected. I have observed elsewhere, that it is intellectual culture which contributes most to diversify the features. Barbarous nations have rather a physiognomy of tribe or horde, than one peculiar to such or such an individual. The savage and civilized man are like those animals of the same species, several of which rove in the forest, while others, connected with us, share in the benefits and evils that accompany civilization. The varieties of form and colour are frequent only in domestic animals. How great is the difference, with respect to mobility of features and variety of physiognomy, between dogs again become savage in the New World, and those the slightest caprices of which are indulged in the houses of the opulent! Both in men and animals the emotions of the soul are reflected in the features; and the features acquire the habit of mobility, in proportion as the emotions of the mind are more frequent, more varied, and more durable. But the Indian of the Missions, distant from all cultivation, guided only by his physical wants, satisfying almost without difficulty his desires, under a happy climate, drags on a dull monotonous life. The greatest equality reigns among the members of the same community; and this uniformity, this invariableness of situation, is pictured on the features of the Indians.

Under the system of the monks, violent passions, such as resentment and anger, agitate the native more rarely than when he lives in the forest. If the savage man give himself up to impetuous and

quick emotions; his physiognomy, till then calm and motionless, changes instantly to convulsive contortions. His passion is transient in proportion to its violence. With the Indians of the Missions, as I have often observed on the Oroonoko, anger is less furious, less frank, but of longer duration. Besides, in every condition of man, it is not the energy or the transient bursts of the passions, which give expression to the features; it is rather that sensibility of the soul, which brings us continually into contact with the external world, multiplies our sufferings and our pleasures, and reacts at once on the physiognomy, the manners, and the language. If the variety and mobility of the features embellish the domain of animated nature, we must admit also, that both increase by civilization, without being produced by it alone. In the great family of nations, no other race unites these advantages to a higher degree than that of Caucasus, or the European. It is only in white men, that the instantaneous penetration of the dermoidal system by the blood can take place; that slight change of the colour of the skin, which adds so powerful an expression to the emotions of the soul. "How can those be trusted, who know not how to blush?" says the European, in his inveterate hatred to the Negro and the Indian. We must also admit, that this insensibility of the features is not peculiar to every race of men of a very dark complexion: it is much less apparent in the African, than in the natives of America.



To this physical sketch of the Chaymas we shall add a few summary remarks on their manner of living, and on their morals. Unacquainted with the language of the people, I do not pretend to have penetrated their character during my short abode in the Missions. Whenever I speak of the Indians, I shall add what we heard from the missionaries to the little we observed ourselves.

The Chaymas, like all savage people, who dwell in regions excessively hot, have an insuperable aversion to clothing. The writers of the middle age inform us, that in the north of Europe the shirts and drawers, distributed by the missionaries, greatly contributed to the conversion of the Pagan. Under the torrid zone, on the contrary, the natives are ashamed as they say to be clothed; and flee to the woods, when they are too soon compelled to give up their nakedness. Among the Chaymas, in spite of the remonstrances of the monks, men and women remain naked within their houses. When they traverse the village, they wear a kind of tunic of cotton, which scarcely reaches to the knees. It is furnished with sleeves for the men; but the women, and the young boys to the age of ten or twelve, have the arms, shoulders, and upper part of the breast naked. The tunic is so cut, that the fore part is joined to the back by two narrow bands, which cross the shoulders. When we met the natives, without the Mission, we saw them, especially in rainy weather, stripped of their clothes, and holding their shirts rolled up under their arms. They preferred

receiving the rain on their body quite naked, to wetting their clothes. The oldest women hid themselves behind trees, and laughed aloud when they saw us pass. The missionaries complain in general, that the sentiments of decency are scarcely more felt by young girls than by the men. Ferdinand Columbus\* relates, that in 1498 his father found the women entirely naked in the island of Trinidad; while the men wore the *guayuco*, which is rather a narrow bandage than an apron. At the same period, on the coast of Paria, the girls distinguished themselves from the married women, either, as cardinal Bembo asserts,† by being quite naked, or, according to Gomara,‡ by the colour of the *guayuco*. This bandage, which is still in use among the Chaymas, and all the naked nations of the Oroo-

\* Life of the Admiral, cap. 71, (Churchill's Collection, 1723, vol. ii, p. 586). This Life, written after the year 1537, from original notes in the hand-writing of Christopher Columbus, is the most valuable record of the history of his discoveries. It exists only in the Italian and Spanish translations of Alphonso de Ulloa and Gonzales Barcia; for the original, carried to Venice in 1571 by the learned Fornari, has neither been published nor found since. *Napione della Patria di Colombo*, 1804, p. 109, and 295. *Cancellieri sopra Chris. Colombo*, 1809, p. 129.

† See the eloquent description of America, in the History of Venice, (Book 12). "Feminæ virum passæ nullam partem, præter muliebria; virgines ne illam quidem tegebant."

‡ Las donzellas se conocen en el color y tamaño del cordel, y traerlo así, es señal certissima de virginidad. (Gomara, cap. 73, p. 96).

noko,



noko, is only two or three inches broad, and is tied on both sides to a string, that encircles the middle of the body. The girls are often married at the age of twelve years; until nine the missionaries allow them to go to church naked, that is to say without a tunic. I need not repeat here, that among the Chaymas, as well as in all the Spanish Missions and the Indian villages, which I have visited, a pair of drawers, or shoes, or a hat, are objects of luxury unknown to the natives. A servant, who had been with us during our journey to Caripe and the Oroonoko, and whom I brought to France, was so much struck on landing, when he saw the ground tilled by a peasant with a hat on, that he thought himself in a miserable country, where even nobles (*los mismos caballeros*) followed the plough. The Chayma women are not handsome, according to the ideas that we annex to beauty; yet the girls have something soft and melancholy in their looks, which forms an agreeable contrast with the expression of the mouth, which is somewhat austere and savage. They wear the hair plaited in two long tresses; they do not paint their skin, and from their extreme poverty are acquainted with no other ornaments than necklaces and bracelets made of shells, birds' bones, and seeds. Both men and women are very muscular, but fleshy and plump. It is superfluous to add, that I saw no person, who had any natural deformity; I might say the same of thousands of Caribs, Muyscas, and Mexican and Peruvian In-

dians, whom we observed during the course of five years. Bodily deformities, deviations from nature, are infinitely rare among certain races of men, especially those nations, who have the dermoid system highly coloured. I cannot believe, that they depend solely on the progress of civilization, a luxurious life, or the corruption of morals. In Europe a deformed or very ugly girl marries if she have a fortune, and the children often inherit the deformity of the mother. In the savage state, which is a state of equality, nothing can induce a man to unite himself to a deformed woman, or one who is very unhealthy. If therefore such a woman have had the misfortune of attaining an adult age, and have resisted the chances of a restless and disturbed life, she dies without children. We might be tempted to think, that savages all appear well made and vigorous, because feeble children die young for want of care; and that the strongest alone survive; but these causes cannot act on the Indians of the Missions, who have the manners of our peasants, and the Mexicans of Cholula and Tlascalala, who enjoy wealth, that has been transmitted to them by ancestors more civilized than themselves. If in every state of cultivation, the copper-coloured race manifests the same inflexibility, the same resistance to deviation from a primitive type, are we not forced to admit, that this property belongs in great measure to hereditary organization, to that which constitutes the race? I use intentionally the expression *in great measure*, not entirely to exclude

exclude the influence of civilization. Besides, with copper-coloured men, as with the whites, luxury and effeminacy, by weakening the physical constitution, had heretofore rendered deformities more common at Couzco and Tenochtitlan. It is not among the Mexicans of the present day, who are all labourers, and leading the most simple lives, that Montezuma would have found the dwarfs and hump-backs, that Bernal Diaz saw waiting at his table when he dined.\* The custom of marrying very young, according to the testimony of the monks, is no way detrimental to population. This precocious nobility depends on the race, and not on the influence of a climate excessively warm. It is found on the north-west coast of America, among the Eskimoes, and in Asia, among the Kamtschadales, and the Coriaks, where girls of ten years old are often mothers. It may appear astonishing, that the time of gestation, the duration of pregnancy, is never altered in a state of health, with any race, or in any climate.

The Chaymas are almost without beard on the chin, like the Tungooses, and other nations of the Mongul race. They pluck out the few hairs that appear; but it is not just to say in general, that they have no beard merely because they pluck out the hairs. Independently of this custom, the greater part of the natives would be nearly beardless.† I say the

greater part, for there exist tribes, which, appearing distinct among the others, are so much more worthy of fixing our attention. Such are in North America the Chippeways,\* visited by Mackenzie, and the Yabipaees,† near the Toltec ruins at Moqui, with bushy beards; in South America, the Patagonians, and the Guaranies. Among these last individuals are found, some of whom have hairs on the breast. When the Chaymas, instead of extracting the little hair they have on the chin, attempt to shave themselves frequently, their beard grows. I have seen this experiment tried with success by young Indians, who served at mass, and who anxiously wished to resemble the Capuchin Fathers, their missionaries, and masters. The greater part of the people, however, have as great an antipathy to the beard, as the Eastern nations hold it in reverence. This antipathy is derived from the same source as the predilection for flat foreheads, which is seen in so singular a manner in the statues of the Azteck heroes and divinities.

physiologists upon the existence of the beard among the Americans; if they had paid attention to what the first historians of the Conquest of their country have said on this subject; for example, Pigafetta, in 1519, in his journal preserved in the Ambrosian Library at Milan, and published (in 1800) by Amoretti, p. 18; Benzoni, Hist. del Mundo Nuovo, 1572, p. 35; Bembo, Hist. Venet., 1557, p. 36.

\* Bernal Diaz, Hist. verd. de la Nueva Espana, 1630, cap. 91, p. 68.

† There would never have been any difference of opinion between

\* Between latitude 60° and 65° north.

† Humb., Nouv. Esp. T. ii, p. 410.  
Nations

Nations attach the idea of beauty to every thing, which particularly characterizes their own physical conformation, their natural physiognomy.\* Thence it results, that, if Nature have bestowed very little beard, a narrow forehead, or a brownish-red skin, every individual thinks himself beautiful, in proportion as his body is destitute of hairs, his head flattened, his skin more covered with *annotto*, or *chica*, or some other coppery or red-colour.

The Chaymas lead a life of the greatest uniformity. They go to rest very regularly at seven in the evening; and rise long before day-light, at half after four in the morning. Every Indian has a fire near his hammock. The women are so chilly, that I have seen them shiver at church when the centigrade thermometer was not below 18°. The inside of the huts of the Indians is extremely clean. Their hammocks, their mat of reeds, their pots to hold cassava and fermented maize, their bows and arrows, every thing is arranged in the greatest order. Men and women bathe every day, and being almost constantly naked, they are exempted from that want of cleanliness, of which the garments are the principal cause among the lower people in cold countries. Beside a house in the village, they have generally in their *conucos*, near

some spring, or at the entrance of some solitary valley, a small hut, covered with the leaves of the palm or plaintain-tree. Though they live less commodiously in the *conuco*, they love to retire thither as often as they can. We have already spoken of that irresistible desire of fleeing from society, and of entering again on a savage life. The youngest children sometimes leave their parents, and wander four or five days in the forests, living on fruits, palm-cabbage, and roots. When travelling in the Missions, it is not uncommon, to find the villages almost deserted, because the inhabitants are in their gardens, or in the forests, *al monte*. Among civilized nations, the passion for hunting is owing perhaps in part to the same sentiments, to the charm of solitude, to the innate desire of independence, to the deep impression made by Nature, whenever man finds himself in contact with her alone.

The condition of the women among the Chaymas, like that in all semibarbarous nations, is a state of privation and suffering. The hardest labour is their share. When we saw the Chaymas return in the evening from their gardens, the man carried nothing but the knife (*machette*), with which he clears his way among the under-wood. The woman however bent under a great load of plantains; she held a child in her arms; and sometimes two other children were placed upon the load. Notwithstanding this inequality of condition, the wives of the Indians of South America appear to be in general happier than those of the savages of the North.

Between

\* Thus, in their finest statues, the Greeks exaggerated the form of the forehead, by elevating beyond proportion the facial line. (Cuv., Anat. Comp. T. ii, p. 6. Humb., Monum. Americ., T. i. p. 158).

Between the Alleghany mountains and the Mississippi, wherever the natives do not live in great part on the produce of the chase, the women cultivate the maize, beans, and gourds; and the men take no share in the labours of the field. Under the torrid zone, the hunting nations are extremely scarce, and, in the Missions, the men work in the fields like the women.

Nothing can exceed the difficulty with which the Indians learn Spanish. They have an absolute aversion to it, while, living separate from the whites, they have not the ambition to be called polished Indians, or, as it is termed in the Missions, *latinized Indians*, *Indios muy latinos*. But what struck me most, not only among the Chaymas, but in all the very distant Missions, which I afterwards visited, is the extreme difficulty, which the Indians have to arrange and express the most simple ideas in Spanish, even when they perfectly understand the meaning of the words, and the turn of the phrases. When a white questions them concerning objects which surround them from their cradle, they seem to discover an imbecility, which exceeds that of infancy. The missionaries assert, that this embarrassment is not the effect of timidity; that in the Indians who daily visit the missionary's house, and who regulate the public works, it does not arise from natural stupidity, but from the obstacles they find in the structure of a language so different from their native tongues. The more remote man is from cultivation, the greater his stiffness and moral inflexibility.

We must not then be surprised, to find obstacles among the isolated Indians in the Missions, which are unknown to those, who inhabit the same parish with the mestizoes, the mulattoes, and the whites, in the neighbourhood of towns. I have often been surprised at the volubility, with which, at Caripe, the *alcalde*, the *governador*, and the *sargento mayor*, harangue for whole hours the Indians assembled before the church; regulating the labours of the week, reprimanding the idle, threatening the disobedient. Those chiefs, who are equally of the Chayma race, and who transmit the orders of the missionary, speak all at the same time, with a loud voice, with marked emphasis, but almost without action. Their features remain motionless; but their look is imperious and severe.

These same men, who displayed quickness of intellect, and who were tolerably well acquainted with the Spanish, could no longer connect their ideas, when, accompanying us in our excursions around the convent, we put questions to them through the intervention of the monks. They were made to affirm or deny, whatever the monks pleased: and indolence, attended with that wily politeness, to which the least cultivated Indian is no stranger, induced them sometimes to give to their answers the turn, that seemed to be suggested by our questions. Travellers cannot be enough on their guard against this officious assent, when they wish to support their opinions by the testimony of the natives. To put an Indian Alcalde to the proof,

proof, I asked him one day, if he did not think the little river of Caripe, which issues from the cavern of the Guacharo, returned into it on the opposite side by some unknown entrance, after having ascended the slope of the mountain. After appearing gravely to reflect on the subject, he answered, by way of supporting my hypothesis: "How else, if it were not so, would there always be water in the bed of the river at the mouth of the cavern?"

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*An Autumn near the Rhine; or Sketches of Court, Society, Scenery, &c. in some of the GERMAN STATES, bordering on the Rhine.*

Frankfort on the Maine—the ancient place of inauguration of the German Emperors, the residence of the Diet which is to reconstruct the dismembered empire, a centre for colonial commerce, and the great money market of Germany, may, on every account be considered one of its most interesting cities. The approach from Darmstadt, through a noble beech wood, within the little territory of the free city, is very striking. The road gradually ascends to an old Roman tower, on the brow of the hill, half a mile distant, when the City, with its handsome white slated houses, its venerable Cathedral, and cheerful citizens' mansions and gardens, lies before you in the middle of the rich wide valley of the Maine. On the left you trace the ample course of the river towards Mayence; and a few leagues beyond the town rises the bold wooded

chain of the Taunus Mountains, the highest points of which, above Homberg, are just opposite Frankfort. The road, as far as the suburb, is lined with highly cultivated gardens and vineyards, interspersed with cheerful boxes, whose air of smart comfort announces at once the affluence and mercantile taste of their possessors.

You pass the Maine from the fauxbourg of Saxenhausen, by an ancient stone bridge, to the city. The river on both sides presents a respectable little cluster of shipping, and the quays, with their antique buildings, have a degree of life and bustle which would be more striking to any one than an Englishman familiar with London and Bristol. If the commercial navy of the free city is comparatively insignificant, the general construction of the city itself is, in some respects, more picturesque and interesting than that of the above-mentioned money-getting Cities. A cockney would, however, no doubt, prefer the tight tenements of Cornhill, denoting the value of every foot of ground, to the stately rambling mansion, where you enter a large court-yard by a ponderous porte cocher, which does not appear constructed for the momentary ingress and egress of a very lively commerce. In almost every town in Germany, the top of one of the church towers is inhabited by a family, who watch during the night, and give alarm in case of fire. They sound a small horn at every quarter or half-hour, in evidence of their vigilance: and are provided with an immense fire-horn or alarum-bell, to rouse the

the inhabitants in case of danger. From the tower of the church on the central Parade Place, which serves this purpose, we enjoyed a fine panoramic view of Frankfort. The compact oval city, with its handsome buildings, and white cheerful streets, lay beneath us; the Main running along the southern side, and surrounded on all others by the luxuriant shrubberies and gardens of the merchants. The Zeil, a noble wide street, traversing the town, is the only handsome one; but the old narrow lanes, with their lofty houses, quaint casements, and gable fronts, have an antique respectability, and remind one of the early splendor of the Imperial City. The more modern parts of the town abound with handsome mansions, some of which deserve the name of palaces. The old ramparts are levelled, the ditches filled in, and their place occupied by rich shrubbery walks, laid out in the irregular English style: embellishments, chiefly the work of the Prince Primate, during his occupation of the city and territory. In a fine day you meet here the substantial bourgeois, and stately belles of the city, walking with a sedate tranquillity and grave decorum, equally remote from the gay flutter of a Parisian promenade, and the gaping curiosity of the Cockney assemblage in Hyde Park.

Frankfort is one of the four Imperial Cities, which are all that the legislators of Vienna have thought fit to restore to their ancient privileges and republican constitution. A small territory, to the extent of half a league

each way, is carved out for it round the city. The two Burgo-masters, the Senate, and the Council are again invested with the ensigns of republican sovereignty. The city is garrisoned by its own civic troop, of about 5 or 600 men, besides a militia of about 3,000; and the mercantile commonwealth is ostensibly established on the same footing, as in its old Imperial days. But the free cities are elements of the old constitution, which are, I fear, little calculated to survive it in their former flourishing condition. As long as the Empire existed, their dependence on its head procured the defenceless commonwealth a protection against powerful and despotic neighbours: their gold cementing their friendly union with the Imperial House—but who are the worthy burghers of Frankfort to look to now in times of oppression—more likely to occur since their quiet ecclesiastical neighbours have been wiped away, to make room for keen military sovereigns, ever on the watch for aggrandizement?

As far as I could learn, the government of the Baron Dalberg, Prince Primate of the Rhenish Confederation, and Grand Duke of Frankfort, was by no means unpopular in the city. The impositions were nearly the same as at present, and an expensive Court produced a circulation of money and a bustle and show which help to content people as much as solid advantages. The visits of Napoleon to his crowned minion, were to be sure rather redoubtable to the good merchants. On one occasion, the happy event of his arrival

arrival was announced by an order for a forced loan of an immense sum of florins. The simple Dalberg thought the sum intended for him, and began to beseech his munificent master not to load him with a superfluous bounty. Napoleon departed and left his General to execute his orders. The city sent deputies to Paris with petitions and remonstrances, who returned with the usual success. The Prince Primate is described as a weak man of talents and literary acquirements, more expert as an author than as a sovereign. His family is one of the most ancient and considerable in Germany. An office at the coronation was always filled by one of them, whom the Emperor demanded by calling out, "Is there no Dalberg here?" The Prince Primate had been originally Coadjutor, that is Archbishop elect of Mayence. On the destruction of the Ecclesiastical Electorate he was made Bishop of Ratisbon, and Prince Primate of the Empire. Here Napoleon found him a ready tool for accomplishing his alliance with the German Princes; and for his eminent services, rewarded him with the Grand Duchy of Frankfort, Aschaffenburg, and a territory in the neighbourhood, besides other gifts. His brother is attached to the royalists in France, and has been created Duke Dalberg, by Louis XVIII.

Notwithstanding the sufferings of Frankfort, in the late war, I could not discover among the citizens with whom I conversed, that satisfaction at their present

tranquillity which might have been anticipated. I have even observed in some a regret, but half concealed, of the past days of war and activity. They had then a Court, Generals, Staff, and troops. The French army, since the revolution, have generally been well supplied with money, from the General to the private. They spent freely, and conducted themselves tolerably well—is the general account given of them at Frankfort. In several German towns they were preferred to the native troops. Civility would go a great way with a French soldier, but a German was always grumbling. An old servant of a gentleman of my acquaintance came to him in dismay at having a couple of French officers billeted on him, not knowing how to provide for them. The gentleman, who had had some experience of the French character, recommended him to treat them with civility, and lent him a few silver forks and dishes to serve up the scanty fare he could afford them. The experiment answered. The Frenchmen ate their bread-soup and potatoes off plate with great content, and returned the man's attentions with so many little acts of generosity, that he came to his master with tears in his eyes when his guests departed. On the occasion of the arrival of Napoleon, or any of his generals, money was scattered about with a profusion, by which all ranks profited. When a body of French troops approached, the poor mechanics and little shopkeepers would rush out of the gates to meet them, sure to return loaded



loaded with the prices of their baskets of small merchandize, which the soldiers would eagerly purchase. Now the complaint is, that every thing is stagnant—the nobility poor—the merchants impoverished—the manufacturers ruined by their English rivals; and the scantiness of expenditure thus produced, is by no means made up by the Ambassadors of the Diet, who live with that mixture of ostentation and narrowness so common among the German nobility.

The citizens, of more enlarged views and consequence, whom I know, are not vastly more pleased with their condition. As their superior wealth drew down on them severer pecuniary calamities, their actual condition is, they admit, ameliorated; but they have little or no faith in its security or duration. Under the Prince Primate they were, at least, attached to a system which could protect them while it existed; if they were oppressed they had but one virtual master; they are now in possession of a freedom which they cannot defend—surrounded by ambitious military sovereigns—an isolated atom in the chaos of unorganized Germany—without appui or support, except in their little civic trainbands, or in their Excellencies, the German Diet.

The affair of Colonel Massenbach, which you have no doubt read of in the papers, has put to the test the value of the free city's independence. The Colonel took refuge in the city on being pursued by the Prussian Government. The Prussian Ambassador at the Court of Hesse, was com-

missioned to demand his delivery. The Burgomasters hesitated, deliberated, consulted with the Senators, to come at last to the only prudent determination—not to hazard a refusal to the King of Prussia. Their conduct is much condemned by the citizens, who consider the proceeding as the first violation of their newly regained privileges; and no one doubts that the magistrates themselves would fain have evaded the summons, if a compliance had not been the only politic course.

Frankfort, for so considerable a city, is by no means rich in public buildings and objects of curiosity. The Cathedral, a large aukward edifice, possesses little interest but in its antiquity, and as the scene of the coronation of the ancient emperors. The celebrated Roemer (town-house) has still less architectural beauty: it is an ordinary old white house, on the Roemer Square, in the ranks of the other buildings. In a shabby office of the municipality, you are shown, by one of the clerks, the renowned Golden Bull; a musty parchment, settling the constitution of the Empire, in the time of the Emperor Frederick II. The modern destroyer of the Empire, had conveyed this precious archive to Paris; but it is now restored. Above is the Kayser Saal, (Emperor's Saloon,) a large shabby chamber, with an arched boarded roof—the scene of the coronation entertainment. The walls are decorated with old fresco paintings of the different Emperors: the last compartment being singularly enough filled by the figure of His present Majesty of Austria. By another curious coincidence.



coincidence, I have been assured, that in the church of St. Stephen, at Vienna, where the statues of the Emperors are placed in niches round the walls, the present Emperor occupies the last niche. And to complete the list of incidents of ominous import to the unfortunate house of Austria, a lady who was present at the present Emperor's coronation, as Emperor of Germany, assured me that the crown sat so painfully, during the ceremony, on his Imperial Majesty's head, that he was obliged to relieve himself by taking it off.

The Michaelmas fair, during which I was in Frankfort, commences early in September; and its bustle and vivacity lasts throughout the month. The considerable wholesome transactions are, however, transacted within the first week, when numbers of the merchants flock to the fair at Leipsic. The Exchange, a small neat quadrangle, surrounded by a range of warehouses and shops, called the Braunfels, is thronged during the fair with a respectable cluster of merchants of all nations; perhaps a twentieth part of the number who assemble daily on our Exchange. High Change is about 12 o'clock, from which the merchants return home to dinner; they generally commence business at six or seven in the morning, and toil till 10 or 11 at night; not having, as yet, attained to that methodical celerity, which in London, dispatches a hundred times the amount of affairs between the commodious hours of nine and six. The large rooms in the Braunfels, are fitted up as show

rooms and shops, like those of Exeter Change, loaded with merchandizes, showy and useful, from all quarters of Germany, Switzerland, Hungary, Bohemia, &c. as you are apprised by boards, with the name and domicile of every tradesman. Every vacant house, warehouse, or single room, in the busy neighbourhood of the Exchange, is hired by the foreign shopkeepers, for the exposition of their goods. The fairs, which had naturally declined during the obstructions of war, are gradually resuming their former alacrity. Frankfort, at other times, by no means lively, has, during the Fair, the cheerful aspect of a bustling trading city; the inns, the Theatre, the Casino, the Exchange, are thronged and lively; the streets present a respectable number of equipages; the stalls and shops are crowded by well dressed and handsome women; and though there are no extraordinary amusements, or objects of attraction for a mere spectator, there is a life and variety in the scene, which gives it an interest.

The Casino at Frankfort, one of the most splendid in Germany, is a noble establishment, occupying one of the handsomest mansions in the city, and furnishing all the literary or political journals of Germany, besides the newspapers of almost all Europe. The order, luxury, and convenience of the arrangements, might tempt the most listless reader. Billiard tables and card rooms find a place in the suite of apartments, which are fitted up with elegance; and present, amongst other *agrèmens*, handsome carpets—luxuries confined

finer in Germany to Courts, and the houses of a very few individuals.

The merchants of Frankfort are resolved not to be behind their princely neighbours, in giving their city the attraction of the Fine Arts. A rich banker, M. Städel, has lately bequeathed a sum of above 100,000*l.* sterling, for the foundation of an Academy, together with a respectable collection, containing some morsels of the Flemish school, of considerable merit. His will is litigated by his family; but it is probable, that the interests of the fine arts will triumph. Private collections are extremely numerous; there is scarcely a merchant or banker in Frankfort, of moderate affluence, who has not his little gallery of *chef d'œuvres*, which with his music, forms his favourite relaxation from the fatigue of business.

But the object of the fine arts, which gave me the greatest gratification, was a single statue, belonging to M. Bethmann, the great banker. In a summer house in his pleasing garden, in the suburbs, you find a collection of admirable casts, executed at Paris, from the celebrated antiques; besides, one marble statue by Danekker, of Stutgard, surpassing any thing I have seen in modern sculpture. It is an Ariadne seated on a Lion—in an attitude of great difficulty of execution, but easy and graceful in the highest degree. She is reclining on one side—her right elbow supported on the Lion's shoulder, her head turned with a pensive grace—one drooping hand holds the clue of thread, while the other lightly supports her right

foot. The position is so involved, that nothing but the most consummate art could have reconciled it with nature. It is one of the happiest conceptions of grace that an artist's imagination ever hit upon. The figure is the perfection of feminine beauty—with none of the pomp of a Goddess—reclining in the soft graces of a voluptuous, but simple form.—The marble seems, from the exquisite truth of execution, to have a warmth—and the *contours* are as soft and as round as those of Titian. The Lion is a majestic beast, worthy of the load he bears. The statue stands on a pedestal turning on a pivot for the convenience of viewing it in various lights.—A rose coloured window is also contrived, the light through which, when raised, is intended to shed on the marble the warm hue of flesh; but the effect is rather that of salmon-colour—and the natural light is far preferable.—Danekker had this admirable work fifteen years in hand.—He composed it for M. Bethmann, and received one thousand guineas for his inimitable labours. M. B. has, I understand, since been offered for it nearly three times the sum. The artist is now employed for him on another work to match it.

Society at Frankfort is divided into the circles of the Diet and those of the citizens, who, with the exception of *rencontres* at the public assemblies, keep pretty scrupulously apart. At the balls dreadful altercations for precedence have sometimes taken place between the wives and daughters of their Excellencies the Ministers, and of their Worships the Civic Magistrates—but their opposing claims are, I believe, now adjusted

in favour of the latter. The rich bankers, some of whom eclipse in their establishments the most splendid of the Plenipotentiaries, are, as you may suppose, often convenient friends for the Diplomats; and their smart wives and daughters, agreeable resources to the young nobles—the belles of their own class being somewhat scanty. A gay young Count, attached to a Legation, was the acknowledged beau of a pretty banker's wife—and a young merchant of my acquaintance was a welcome guest at the Diplomatic balls—purely from being a good dancer. The line of demarcation is in this way frequently broken through, and becomes every day less exclusive—and the opposition class of citizens sometimes accuse the Burgomasters and Senators of aristocratic ideas, caught in intermixing with the Representatives of Sovereigns. The Merchants generally live in a hospitable style. As they have no occasion for the Court dresses, carriages, *chasseurs*, &c. which drain the pockets of the *Vons*, they can afford to treat you with a solid dinner, and hock of a good vintage. The lemonade of the evening noble circles is often substantial *bouilli* among the merchants; and instead of insipid sentiment or gossip, you often meet with rational conversation.

The Diet, who have done so little, and have so much to do, is held at the residence of the President, the Ambassador of Austria—a stately gloomy mansion—perhaps not without influence on the character of its proceedings.—A sketch of the composition of the Assembly may throw light on

your political acquaintance with Germany in its present state.—There are seventeen votes; eleven of which are enjoyed by eleven Powers, considered important enough to possess a whole vote to themselves.—These are Austria, Prussia, Bavaria, Saxony, Hanover, Wurtemberg, Baden, Electoral Hesse, the Grand Duchy of Hesse, Denmark for her German Province of Holstein, and the Netherlands for that of Luxembourg.—Then follow about twenty, *οι πολλοι* Principalities, who, with the free cities, divide among them, the remaining six votes—the houses of Saxony, possessing one amongst them, of which the King of Prussia comes in for his quatum as Duke of Saxony.—Brunswick shares one with Nassau; and Mecklenburg Strelitz and Schwerin are loving cousins and co-partners. Then comes the respectable firm of Anhalt, Oldenburg, and Schwartzburg—the first of which is subdivided into Bernburg, Cöthen, &c. the insignificance of the latter of which Sovereignities caused a separation between an English lady and her German husband, who had attained the elevated office of Governor to the Prince's sons; and when he wrote to his spouse to join him at the capital of Cöthen, she declined a search for him in a place which she could not distinguish on the Map.—Hohenzollern is at the head of another joint Stock Company, of five or sixty Proprietors; and by a singular disregard of proportion, the four free Cities of Hamburg, Lubeck, Bremen, and Frankfort, each containing perhaps, a score Merchants, of greater opulence and consequence

consequence than any of the small reigning fry, are put off with one Vote amongst them. It is easy to imagine their weight in the scale.

Thus the Diet is ordinarily composed of seventeen Plenipotentiaries—besides which, most of the great Powers of Europe have a Minister at Frankfort accredited to the Diet, as the supreme Power of Germany.—On occasions of unusual moment, or matters affecting the basis of the confederation, the Assembly will expand itself into sixty-nine votes—for the benefit of the deliberations of sixty-nine wise heads, instead of seventeen.—The kingly powers, of which Wurtemberg is the last, will then enjoy four Votes; Baden, Electoral Hesse, and the Grand Duchy of Hesse three—and so in proportion: on these occasions a question must be carried by three-fourths of the votes—on ordinary ones by a simple majority.—The Powers are bound not to make war on each other, but to submit to the pacific arbitration of their disputes by the Assembly.—Commerce among the States is declared free, and emigrations and transfers of property, which were formerly prohibited or taxed, are freely permitted.—They engage early to occupy themselves with general regulations for securing the Freedom of the Press, and the restoration of the States General to every State.

The deliberations take place in German, and of course are private.—Hitherto territorial and statistic arrangements have principally occupied attention. During my visits to Frankfort the

Diet was not sitting. The more interesting and difficult task will soon be brought before them, of settling the constitutions of each State, and arranging the extent of the concessions which absolute monarchies must make to the demands for rational freedom.

An address to the Diet, praying for the establishment of the States in all the Governments, in compliance with the express engagement in the act of the Confederation, is now circulating from house to house for signatures. No one knows whence it comes—a request to sign and circulate it is annexed—and it is loaded with names of inhabitants of almost all States. How far the Serene Assembly are likely to fulfil the expectations of the people, and to hold the scales with prudence and authority, as head of the Germanic Confederation is a subject on which the Germans are far from sanguine. The slow forms, and the preference of trite details, to momentous points, which they have hitherto displayed, have subjected them to much ridicule and distrust. It is rare to hear the sage Conclave spoken of with confidence, and almost with respect: A French Ambassador, in Germany, replied to my enquiry, what the Diet were doing? "*Ils parlent—ils font de superbes oraisons—voilà tout.*" Among Noblesse and Bourgeois the same remark is often made, almost in the same words. Even official Courtiers and brother Diplomats, allude to the Assembly with a smile of doubt, and a sceptical shrug as to its competency to the high functions assigned to it. It would seem hardly probable that  
the

the people should meet with any great consideration from an assembly of Ministers, from Sovereign Powers. But on my hinting this to one of the Members of the Assembly, he assured me that Russia, Prussia, and the great Powers of Europe who have Ambassadors at Frankfort, are resolved to exert their influence to put the States in possession of Constitutions—whatever may be the reluctance of many Sovereigns. I trust these liberal intentions may be acted on—called for as they are by the claims of reason and enlightened justice, the repeated promises of Sovereigns, when in want of their people's services—and the solemn engagement of the Act of Confederation.

I made the other day a short excursion into the Odenwald (*the wood of Odin*)—a wild and interesting district extending about ten leagues from Darmstadt to the Neckar in length, and from the Berg-strasse to the Maine in breadth. We posted as far as Heppenheim—a small village under the mountains on the Berg-strasse, which so much resembles all the villages on this beautiful road, that to describe one is to describe all. They are generally situated at the opening of a narrow valley in the chain of woody mountains. A rapid stream descends through this opening by a winding valley from the mountainous Odenwald, rattling along the village street—the village housewives washing their cloaths—the children playing—and the ducks and geese dabbling in its limpid course.

We took a *bot* or guide at

Heppenheim, and pursued on foot the course of the little stream, which came brawling through the narrow valley between two high shelving mountains, covered with trim vineyards, or luxuriant beech woods. The mountain on the right, at the mouth of the valley, is crowned by the mouldering walls of the old castle of Starkenburg—one of the most considerable of the many ruins along the Berg-strasse chain. The castle was built in 1066 by an old Abbot of Lorsch, as a bulwark against the attacks of his rival, a Bishop of Bremen, who coveted the Abbot's fat monastery. In later years it fell into the hands of the Elector of Mayence, and was the residence of a Burgrave, and a Garrison, giving its name of Starkenburg (Strong Castle) to the surrounding county of Starkenburg, now comprised in the Grand Duchy of Hesse.

After proceeding up the valley for some distance, we crossed the fields, gradually ascending a hill, from whence the wild, rich, scenes of the Odenwald with their forests and mountains lay before us as far as the eye could reach. We appeared now in an entirely new world. The interminable plain of sands and fir forest stretching on the west side of the Berg-strasse mountains, now gave place to a rich diversified scene—presenting a continual succession of abrupt mountain and dale, forest and corn country. With all its cultivated fertility, the rugged mountains, the luxuriance of the beech forests which cover them, the masses of granite stuck in the slopes of every hill, and the rough rocky

rocky roads impassable to any but pedestrians, give an air of sequestered wildness to the country which adds much to its interest. The whole scene for thirty miles each way has the air of a chaos of hills thrown one against another in picturesque irregularity. The valleys between them are deep and romantic—dotted with spires and smoking villages whose pastures and orchards are watered by streams from the mountains which find a rambling passage through the valleys towards the Rhine.

The soil no longer a meagre sand, is infinitely richer than that of the plains below the mountainous district—and it is cultivated with a proportionate care. The small farms of from ten to fifty acres, are tilled by the peasants to whom they belong. Their farming establishment consists of a small cottage, the exterior better and cleaner than the interior, a hovel used for a barn, a home-built waggon, and two or three small fawn-coloured cows, which supply the dairy, and do the work of horses. The light waggons drawn by these handsome little animals, climbing the sides of the hills, driven by the peasant in his cocked hat and blue jerkin, pleasingly enliven the landscape. The cows and oxen draw by the horns and forehead, a mode which the Germans assert is easier than drawing on the shoulder.

In spite of these Arcadian scenes and this Arcadian mode of life, I am sorry to say my friends the Odenwalders are not renowned for a romantic virtue. Half the crimes of the Grand Duchy are said to be committed

by them; and the *Gens d'armes* generally make their first searches in their wild woods and valleys. But their country affords so excellent a shelter, that they have probably gained credit for furnishing some delinquents whom they only concealed.

At two long leagues from Huppenheim we descended to a small village called Furth—Its dirty street watered by the little river Weschnitz, which rises on one of the highest points in the Odenwald, and whose name the antiquaries rather circuitously derive from a God Visucius, to whom an inscribed stone was erected near its source. We entered here the first little *Wirth's Haus*, (a low inn,) denoted by the usual withered bush over the door. The kitchen, a black dirty room, with a stove in one corner—the floor caked with dirt—was crowded with peasants lounging over their *chioppine* (pint) of sour Berg-strasse wine. Beer is very bad, and little drunk in these wine districts. Those, who cannot afford grape wine, drink, in summer, *apfel wein*, (apple wine,) a flat muddy cider; and in winter a frequent *schnapps* (dram) of a cheap sort of gin. To this feeble and deleterious beverage, and the quantities of sour black bread which they devour, the sallow unhealthy looks of the German peasants are perhaps, in some degree, to be attributed. You constantly see stout square-built fellows, equal to any labour, with pale cheeks, dim eyes, and all the air of invalids. The sun, which in the sandy fields is extremely powerful, rarely gives men or women the ruddy brown, which seems

seems the peasant's natural colour. The blood seems cold in their veins—their animal life appears dull—and they have none of that over-flowing health natural to their occupations, and which helps to vivify character.

Having refreshed ourselves with some wine soup, and taken another guide, we walked on another league to Lindenfels,—The road winds up to the village, at first through well cultivated fields of corn and vegetables; afterwards through a fine wood of beeches. The women were working in the fields, and the woods resounded with the cracking whips of the boys keeping their cows on the sides of the hills. Lindenfels is one of the most romantic spots in the Odenwald—perched on the apex of a conical hill, surrounded on all sides by deep glens, their sides covered with luxuriant forests, sloping pastures, and orchards of walnut and apple. The hill by which you ascend forms a sort of false breast-work to Lindenfels itself. When you are nearly on the summit of the former, the castle seems almost within a stone's throw: but a few minutes ascent discovers that Lindenfels is on a detached hill, separated by a deep valley, round the edge of which it is necessary to wind half a mile to the village. The old ruin of the Castle crowns the highest part of the mountain, above the little town. It is a mass of rough wall, in which one discovers vestiges of a large octangular tower, and an outer rampart. The village—like so many others in the neighbourhood of an equally picturesque exterior—is dirty and miserable in the

extreme. The *amt-mann*, or bailiff, lives in a large dismal house, in a court-yard, with great gates: his gardens sloping beautifully down the sides of the hill. The *amt-mann* is the Grand Seigneur of the little district; and dispenses justice among the peasants, and those who are not entitled by birth to seek it at a higher source. These offices, which are of some emolument and influence, are filled by men of no birth or consequence, and who belong to about the third ranks of the *bourgeoisie*. Our long walk, and the ascent of the mountain, disposed us to be by no means fastidious as to the accommodation of the inn—a miserable black hole, full of filth and wretchedness. It, however, furnished a good supper of milk, and bread, and butter; and beds, in which, though none of the cleanest, we slept with all the luxury of fatigue.

The next morning early, under the auspices of a new *bot*, a neat little peasant girl, with her trim blue frock and straight combed hair, we directed our course towards the Berg-strasse, in order to regain it near the Meliboeus mountain. Our walk lay through scenery of the same description as the day before; along a rough, irregular path, ascending and descending; winding through woods of beech, or rich orchards; and at the brow of a hill occasionally agreeably surprised by a picturesque village lying immediately beneath us. The village stream, after being conducted with much management through artificial sluices and troughs far above its bed, frequently turns a gigantic, rude mill-wheel, of a construction



construction more picturesque than ingenious. The sides of the hills were still chequered with masses of granite, of all shapes, and immense size; sometimes lying so thick as to form a sort of sea of rock; at others scattered here and there in the corn-fields. In the woods of tall young beech, where the grey masses are not less frequent, and covered with green moss, their appearance is still more striking.

In the Odenwald, the great granites, which are called the ribs of the earth, lie scattered about on the sandy surface, like wrecks of some storm of the elements. The whole country which is abruptly irregular and diversified, and displays more of what has been called the beautiful deformity of nature, than is often to be seen, affords traces of severe convulsions of nature. Even the vast plains of sand through which the Rhine runs, from Basle to Bingen, have hardly the character of her ordinary features. Skeletons and bones of gigantic animals, have been found in the flats of Darmstadt, and are preserved in the Grand Duke's Museum. These circumstances add to the interest of a country—they appear to bring one more forcibly into contact with nature's primæval features. The great granites, lying useless in the fertile fields, defying the power of man, are so many pleasing mementos of her supremacy—which, in these days of advancement, art appears continually to be questioning.

After breakfasting for about five-pence, on eggs and milk, at the pretty little village of Gadenheim, we walked on to Reichen-

bach, a larger village, in a fine valley, the residence of a pastor. We procured with difficulty rough peasants' nags, to ride to Auerbach, the nearest village on the Berg-strasse. The ride was romantic, in the highest degree; the road following the course of the stream, which watered Reichenbach, and had now swollen into rattling importance. A rich valley of pasture, sunk between irregular mountains, presented points of view of constantly varying beauty, in which a sequestered wildness was unusually mixed with smiling fertility. Schönberg, a village with an old chateau, belonging to the Count of Erbach, a mediatized prince, now subject to the grand duke of Hesse,—is the most beautiful spot on the road. The mountains on each side, majestic in their cloathing of beeches and firs, have here assumed a bolder character, and nod at each other across the valley at no great distance. On the edge of the most abrupt, nearly perpendicular, and called the *Altanberg*, stands the castle of the count; his plantations sloping down the gentler parts of the declivity. The village lies in the valley, by the side of the brook, and the road winds steeply up to the castle, passing through the outer court.

From Schönberg, we descended to the deep valley of Auerbach, which, for its mineral waters, its delightful walks and points of view, was chosen by the grand duke and duchess of Hesse for a place of summer retirement. A gravel road winds up the valley, through rows of poplars, from the village, to the cluster of small white buildings of the court. The  
sides



sides of the mountains immediately round are laid out in shrubby walks, with seats and summer-houses, from which one catches a view of the village beneath, and, through the opening of the valley, of the wide plain of the Rhine.

A fortnight ago I spent a delightful day at Auerbach, in company with a party of agreeable friends. The chamberlain of the Count lent us the keys of the court buildings, in which we enjoyed a merry pic-nic dinner.

No traveller who passes the Berg-strasse should omit exploring the beauties of Auerbach—one of its most picturesque villages. The neat white church, with its slated spire, stands on a little grassy ledge, on one of the vineyard mountains that overhang the village. The mountain on the other side rises more boldly—covered half way up with vines trained with the greatest care, and crowned by a thick copse and beech wood, out of which rise the tall towers, and battlemented ruins of Auerbach castle. The castle, which tradition says was built by Charlemagne, was, in later days, the residence of the counts of Catzenellenbogen, whose territory came by marriage to the Landgraves of Hesse Darmstadt. The ruin is still black from the storming by the French in the last war. It resembles in architecture and situation those which abound in the neighbourhood. Tall round turrets, so thin as to have the appearance of columns at a distance, with a battlemented head, sometimes round, sometimes octangular, are the most picturesque and perfect parts of the

ruin. Almost every mountain on the Berg-strasse, and many of those in the Odenwald, are crowned by one of these relics of the days of knighthood, which, embosomed in the woods of beech, or surrounded by vineyards, adds the interest of its associations to the charm of the landscape.

We slept at Auerbach, at a good inn—the scene of a grand assembly every Sunday evening of the *Badauds* of Darmstadt and the beaux and belles of the whole neighbourhood—at which waltzing and smoking are the never-failing resources.

Passing once on a Sunday evening, the windows were open, and the whole house appeared alive. I descended and walked up stairs—the saloon was one cloud of smoke—some fiddlers were playing in the little gallery above, and twenty or thirty couple of almost all ages, dresses, and ranks, excepting the very low and the very high, were in full whirl to a quick waltz; while several couples were reposing from their exertions in the windows—the men wiping their faces and puffing tobacco; the belles adjusting their drooping curls. The first person I saw was a little Pastor, whom I knew, with a pipe as long as his arm in his mouth—being the walking-stick (convertible, at will, into that indispensable companion) with which he had walked four leagues after service from his cure, to celebrate Sunday evening, according to the German manner. The fondness for the pleasures of these assemblies sometimes even gets the better of that aristocratic decorum for which the higher Germans are remarkable;

able; and a princess too well known to be named, has been known to join in them with as much gaiety as a plebeian belle.

From Auerbach we proceeded early in the morning on horseback, accompanied by a peasant guide to the Meliboeus—the king of the Berg-strasse mountains, and one of the loftiest in this part of Germany.

Leaving the Berg-strasse at Zwingenberg, a village under the mountains, with a dismal old residence of the counts of Erbach, we passed by a bye-road to Alsbach—a little village situated beautifully at the foot of the Meliboeus. Having here procured a guide, with a key of the tower on the top, we entered the thick forest of beeches, ascending by a steep and difficult path, which did not, however, oblige us to dismount. Our nags, being true German animals, passed, with all the *sang froid* of their master trudging by their side, the startling openings in the forest, which occasionally let in a view of the vast plain low beneath us. The mountain is nearly conical, and its fine vesture of rich beech foliage, here and there relieved by a few dark firs, gives to it an air of appavelled majesty; which the white tower, on the top, glistening in the sun, renders more conspicuous at a distance. The view from this tower, is one of the noblest and most extensive in Europe, owing to the flatness of the valley of the Rhine below. It was about seven in the morning when we arrived on the summit—the vapours from the Rhine, and the streams in the valleys, were hanging about the woody moun-

tains, and obscuring the scenes in the distance. As the sun gradually dispersed the mist, the spires and villages in the plain lay, one after another, clear and glittering beneath us. The distant objects came one by one into view—Spires and Manheim to the left—Worms and its Gothic cathedral opposite—and Mayence lower down. The tower is built on the edge of the declivity. The plains below, with their pine forests and cultivated sands, and the villages of the Berg-strasse, which we had just left, appeared immediately beneath us. We traced the course of the Rhine which now glittered in the sun, and appeared little removed from the base of the mountain—though at four leagues distance—from above Manheim, almost to Bingen—a distance of nearly 60 miles, where it loses itself in the Rhingan mountains which bound the view on that side. The course of the Neckar and its junction with the Rhine is very visible, as also that of the Maine. A good telescope is kept in the tower, by the help of which, in a clear day, we were told, you might distinguish the tower of Strasburg Cathedral, at a distance of above 100 English miles. On the opposite side, towards the north, the view reaches the mountains in the neighbourhood of Giessen, in northern Hesse, sixty miles distant. To the east lies the Odenwald, over the chaotic hills, of which the prospect stretches as far as the vicinity of Wurtzburg—a distance of sixty or seventy miles; while on the west, across the Rhine, it is bounded by the Mont Tonnerre and the Vosges mountains,

mountains, at a nearly equal distance. We descended delighted with this noble prospect, after having inscribed our names in the travellers' book in the tower, in which we recognized some few of our compatriots.

From Carlsruhe we made a pleasant excursion to Baden, the capital of the old Margraviate of Baden-Baden—now as fashionable a place of water-drinking, bathing, and gaming resort in this part of Germany, as Toeplitz, Pyrmont, or Carlsbad, more to the north and east. The last season was unusually brilliant, and boasted among its guests half the crowned heads and grandees of Germany. We hired for the journey a *Lohn Kutsch*, an old crazy caleche, tumbling along behind a couple of animals of the true hackney-coach breed, at the true German rate—about a league in an hour; for these mensurative terms of distance and time so exactly correspond in German, that they are synonymes in the language; and a league and an hour are both expressed by the phlegmatic *stunde*.

Our route to Rastadt crossed the fertile plain of the Rhine, between rows of young fruit trees for five leagues of undeviating, but cheerful formality. Rastadt is a neat town on the river Murg, not without traces of its former consequence, at the residence of the last Margraves of Baden-Baden. The castle, a sort of miniature imitation of that of Versailles, is a formal edifice, with a Belvedere surmounted by a gilt Jupiter, whose flaring limbs were burnished by his friend Phœbus into conspicuous lustre. The God

holds, however, a decayed sceptre, and looks down on desolate colonnades and grassy quadrangles which now distinguish the palace of the great hero, the Margrave Louis of Baden, whose exploits against the Turks, live in the traditions of the people and the trophies of the palace. The physiognomy and figure of the warrior, recorded in large portraits in the gallery of the castle, are remarkably striking, though by no means characteristic of his profession; but rather expressive of intellectual superiority and refinement, looking doubly sapient under the flowing wig of the day, and which distinguish him not a little from his moustachio'd and harnessed grandfathers and great uncles around, who all appear better fitted than himself for ransacking the haram, and capturing the Bashaw's tails. A large glass case of swords, turbans, embroidered saddle-cloths, chemises, and other appendages of eastern state, are shown as testimonies of his prowess; and a picture of a soft eastern beauty—the Briseis who graced his spoils. Besides a variety of family pictures, in which the hero and his wife Syhilla (as the housekeeper, according to the stately German idiom, entitled her) are often times repeated, the castle displays a collection of stags' branches, and pictures of forest monsters, killed at a recorded time and place by this and that Margrave, and the famous Congress saloon.

The memorable negociations on the politics of Europe, of which it has been the scene, give an interest to this homely white-washed chamber. Here the Prince Eugene

Eugene and Villars concluded the peace of Utrecht, and, in later days, the famous Congress of Rastadt, to which the eyes of Europe were directed from 1797 to 1799, held here their sittings.

After dining at the table d'hôte, crowded with Swiss merchants returning from the Frankfort fair, we crossed the rapid Murg, and leaving the high Basle road, entered a rich pasture valley, in the green recesses of which Baden is situated. The villages by the road side were neat and bustling, and the hills higher and bolder as we penetrated up the valley, now and then covered with vines, but more frequently with rich forest foliage, beginning to reflect the diversified tints of autumn.

Baden is romantic without being wild. A chain of the fir-clad Black Forest Mountains rise on one side of the smiling valley; while another irregular ridge screens the back of the town, its rocky wooded top crowned by the ruins of the old Castle of Baden. The town stands stragglingly on an abrupt slope, with the stream of the valley at the bottom; the more modern Castle overlooking it from a commanding terrace. The streets are narrow, and not remarkable for cleanliness. The summer residences of the Grand Duchess of Baden, and some others, occupied by different princes during the season, are neat and pleasantly situated: but its natural beauties, and the virtues of its waters, are the only recommendations of the place. This was peculiarly the case on our visit, when the season was at an end; the saloons shut up, the actors gone, the *rouge et noir*

tables dusty and deserted, and about a dozen heavy Germans, the only remnants of the motley assemblage of all nations who had enlivened it in July and August.

We lodged at one of the principal bathing hotels, containing about twenty four baths, and thirty or forty rooms, fitted up with tolerable comfort; but almost all empty. There were seven or eight more houses of similar capacity in the town, and one-third of the private houses let lodgings in the season. Baden contains not less than thirteen sources of hot water; the heat of the principal one is about fifty-four degrees. Their names are curious enough; such as the Jew's Spring, the Moor's Spring, the Hellish Spring, which rises in a part of the town called the Hell, and the Scalding Spring, christened from the useful purpose it serves of scalding pigs, poultry, &c. A fat kitchen maid was saving herself the trouble of picking a lapful of pigeons by dipping them in the spring, which, with a slight rubbing, stripped them with an agreeable expedition. The waters are increasing every year in celebrity, and are said to work surprising cures of gout, rheumatism, indigestion, and surgical disorders. The air of the place is fresh and pure, and the neighbouring scenery abounds with beauties, which good roads render accessible.

In spite of the unfashionable season, a pretty numerous party assembled at the table d'hôte, headed, as usual, by the substantial landlord and his pretty wife, who fed daintily, and looked and talked softly to the admiring *con-vives*. Her spouse was a complete

German

German host, dignified, bulky, and stupid. On discovering my country, he recounted a long list of Englishmen who had lately visited Baden: but who might as well have been Hindoos, for any indication of their country, conveyed by the names the good host assigned them. They were all, however, either lords or *vornehme leute* (people of distinction); but as to most of them he remarked, with some surprise, "*Sie machten nicht viele aufwande, nicht viele pomp,*" they did not spend a great deal, or make much show; a circumstance which seemed not to accord with his notions of a *Milord Anglais*. A German host presides at the table d'hote, carves the dishes, and dispenses his politenesses to the guests with a sort of taciturn dignity which are sometimes highly amusing. The subaltern officers, and other regular frequenters of the table, court his conversation, and are pleased to be well with this important personage—generally a well-fed portly man, who, especially if he happen to be a State *employé*, as Mr. Post-master of the station, is well wrapped up in fat official self-complacency. His eldest son has, perhaps, held a commission in the army—Mrs. Post-mistress has been, or is yet a beauty—or he has a fine family of little ones, who, in such case, frequently adorn the walls of the saloon, and whom I have seen appear in their best dresses after dinner, as if their company must be as interesting to the guests as that of the children of a friend. If the sons and daughters dine at table they generally occupy, with their visitors, the best places round papa

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and mamma—rarely offering civility to any one, rather declining intercourse, talking easily among themselves, and showing, by their whole deportment, that they consider themselves to the full the equals of papa's guests. One of the sons frequently holds the office of *Herr Ober Keller*, (Mr. Upper Waiter,)—the Germans never cheating this useful personage of his title—who, after waiting upon his sisters and their beaux, in common with the company, during dinner, I have seen resign his official napkin, and take a hand at whist with the family friends, which he would not lay down though the bells rang, and "*Herr Keller*" resounded from all corners of the inn. I have not often met with any thing like real civility in a German inn, for the matter of course bows, and old-fashioned wishes of "a good appetite," "a prosperous journey," "sound sleep," &c., &c., are mere German formalities. The host's indifferent *hauteur* rarely gives way to any thing but a stupid servility towards consequence which he is capable of appreciating. Our Baden host, the most silent and sententious of his breed, became all bows and awkward graciousness to a little man with the cross of Malta, who came in late to supper, and who proved to be a baron, holding some office under government. "*Would the Gnadiger Herr (Gracious Gentleman) like this dish,*" or "*should he fetch something hot for His Grace?*" and other similar attentions, were poured forth with an alacrity quite surprising. This servility to rank proceeded from the same littleness

littleness of mind which made the good Boniface dignifiedly incommunicative to all without badges or titles; and its contrast with the promise of independence held out by his broad rubicund face and solid figure, gave it an air of the ludicrous, which reminded of Falstaff's solidity of person, coupled with his milky heart.

Baden presents in the season all the usual resources of a German watering-place; a theatre, balls, promenades, hazard, and *rouge et noir* tables. Gaming, with the exception, perhaps, of the great capitals, appears exclusively confined to the bathing places, where it forms the principal resource of all ranks; and the sums lost in a season by princes and other individuals would sound considerable in countries where fortunes are more colossal than in Germany. With such distinguished patrons, it is easy to conceive that the government of Baden is more ready to tax than to prohibit the gaming establishments. They pay a considerable duty for the benefit of the poor, and almost as much to the landlord of every bathing house, where they set up their bank; in spite of which, three or four banks find it a good trade, and return every year. A distinguished Russian general whom I knew at Carlsruhe, had been stripped at the tables of Baden of a small portion of the spoils which his Cossacks had procured him in the war. His propensity was too inveterate to be cured by experience. His debts had been once paid, and his fortune augmented by the Emperor of Austria, in reward for the dispatch with which he had brought the

news of the birth of the young Napoleon from Paris to Vienna—a journey which the gallant General performed on horseback in five days and nights. Sensible persons complain loudly of the effects of these absorbing gaming-tables on the society of Baden. Ladies, as usual on the continent, partake their enjoyments, to which every other pursuit is sacrificed. The agitation of the game counteracts the benefit of the waters; and unfortunate players are often obliged to shorten their stay, and depart with their disorders uncured, and their bills unpaid.

A principal table is in the old Jesuit's Convent—now converted into a *Maison de Conversation*—the choir of the church unhalloedly serving for a *Salle à Manger*. The building stands prettily on the edge of a sort of cliff, planted with shrubs, up which you ascend by some winding rocky steps to the saloon. A cave in the rocks below, which served the Jesuit *bons vivans* for their cellar now answers the same purpose to the *restaurateur* of the establishment. Here and at the Promenade House the balls and assemblies are held. Sunday is the day when they are gayer and more crowded than ordinary; and, of all others, the hours from four to eight, immediately following dinner, are frequently selected in the heat of summer for the vigorous exertion of waltzing.

The inhabitants of Baden are principally Catholic; the Margraviate of Baden-Baden, having been a Catholic principality, now devolved on the family of Baden-Durlach, who have long been Protestants.

The *ci-devant* collegiate, but (to use a violent Germanism) in eighteen hundred secularized Catholic church is an awkward building, of that sort of impure Gothic, with a minaret steeple, so universal in this part of Germany. It is now the parochial church, the foundation being united to the Gymnasium or Lyceum, the professors of which have stepped into the ancient stalls, and officiate at the mass. Their salaries, though, like other ecclesiastical emoluments by no means enormous, are somewhat raised since the foundation of the college in the fifteenth century; when the worthy Provost had one hundred florins), between nine and ten pounds), a year, the Dean half the sum, and so in proportion. The modern priests of Baden would probably consider the old statutes of the founder as unreasonable, and obsolete as his salaries; one of them enacting that none of the choir shall laugh or make faces in service time; that no Prebend go in ironed wooden shoes into the choir; and "that if any shall behave himself unpriestlike, be it in ladies, gaming, or other gross cause, the chapter shall not pay him his salary, be it money, fruit, or wine, until he give up *concupinatum publicum*, gaming, or other matter for which he was suspended." The church, which was like the castle, and most of the considerable buildings in the country, damaged in the devastation by the French in 1689, presents nothing remarkable but the monuments of the Catholic Margraves of Baden. A benefactress of the church is recorded by an inscription modestly begin-

ning "Here lies N. I." but afterwards explaining that she had bestowed 5,000 florins, under an express injunction of concealment of her name. Surely there is some coquetry in the modesty of Madame N. I., whose bounty becomes known to every visitor of the church from the peculiarity of this record; whereas the simple statement of her name would have effectually answered the object of attracting no notice.

The Lyceum, or Foundation School, was formerly an institution of the Jesuits, who, on the dissolution of their order, contrived, by intrigues, and exciting the popular spirit in their favour, to retain possession of it for some time in spite of the government. At first a single secular teacher of philosophy was introduced, but found their cabals too hot to remain. The celebrated Martin Wierhl was then placed in his stead, whom they involved in disputes on his philosophical tenets, which were referred to six Universities. Wierhl was, however, protected by the Margrave Charles Frederic, and the Jesuits were at last driven out.

There is at Baden a neat small convent, with its little church, of nuns of the Order of the Holy Sepulchre, who originally came from Liege, and who have avoided secularization, in latter days, by undertaking a school for poor girls of the place. They have also a few boarders, of higher rank, who pay little more than eleven or twelve louis a-year for board and education. The convent has its own baths, and the nuns are strict in not showing themselves.

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The poor appear to be well taken care of at Baden. Besides a considerable hospital or poor-house, and a smaller one called, the Good-people House (less from the qualifications of its occupants than the dispositions of its founders), there is a large bath for them—where, besides the benefit of the waters, they receive weekly allowances, good Rumford soups, and other comforts.—The establishment is, in part, supported by the heavy tax on gaming, and by a weekly contribution for the poor, collected by a police officer, from the company at the bathing hotels.

Nothing can be imagined more striking than the contrast between an English and a German university. In the former, the Gothic buildings, the magnificent colleges, the noble libraries, the chapels, the retired walks, the scholastic grace of the costume, are all so many interesting indications of the antiquity, the munificence, and the dignity of the institution. The University of Heidelberg is one of the most distinguished in Germany—but the constitution of a German University has necessarily no monument of architecture, no appendage of dignity, scarcely any decent building connected with it. The *Universität Gebäude*, or public building, containing the library and the lecture rooms of the professors, barely comes under this last description. An Englishman might pass the town a dozen times without remarking any traces of its institutions, unless he happened to encounter a string of swaggering mustachioed youths, their hair flowing on their

shoulders, without cravats, with pipes in their mouths, parading the streets with a rude impudence. These are the students—who resemble each other in all the Universities, in main points, both of costume and character. It is hardly necessary to say this is not an academical costume. A German student would disdain—as a pert young gentleman of this number told me—to wear a dress not of his own free choice; and his choice under the influence of a luminous patriotism, takes the direction of reviving the *alt Deutsche Kleidung*, or the old costume of the worthy Germans three centuries ago. “They were sturdy patriots, and right good Germans, and stuck up for our liberties against the Emperor Charles and the princes. We want some of this spirit in our days—therefore we will begin by copying them in their dress, and thus we shall introduce it.” This is the reasoning of the independent philosophers from fourteen to five and twenty, who attend lectures, if they please, when they please, and on what they please, in the Professors’ rooms at the Universities.

The Universities are, with slight variations, constructed upon the same plan. They are not, as in England, composed of colleges where the students are obliged to reside, forming large households under the control of a head; and submitting to wholesome regulations, both as to conduct and study. A German University is little more than a place where there is a good library and a collection of professors who read lectures to those who choose to attend them. They afford bare opportunities



opportunities for study—with few facilities, no compulsion, no discipline, no subordination. The professor reads his lecture, the student pays him for it—If he attends it, which he does or not as he likes, he walks off at the conclusion as independent of the professor as a man of his drawing-master at the end of the hour's lesson. There are, besides, private tutors who can be engaged for assistance, at leisure hours.

At Heidelberg, the University is divided into four faculties—Divinity, Jurisprudence, Medicine, and Philosophy. Each department has several professors, and a pro-rector, chosen annually among them, is the actual head of the University. The Grand Duke of Baden, in whose territory Heidelberg is comprised, is the nominal head under the title of Rector. There are a smaller and greater senate chosen from the professors, the former of which meets every fourteen days for transacting the business of the University—and four *Ephori*, who are said to superintend the industry and morals of the students, to correspond with their parents, &c. But these last have an office of little efficacy. Their admonition is without authority; for, short of the power of the police in criminal offences, the students are subject to no power whatever of punishment or control. They can, consequently, neglect all study, and push their excesses to the verge of a breach of the law in defiance of Rector, Ephori, and professors. Offences which overstep this bound are liable to punishment by the University Police; for the University is not

subject to the ordinary police of the country—a University *Amtmann* (Bailiff) and Beadles, supplying the place to the University of the ordinary provincial Bailiff and *Gens d'arme*. The consequence is, the broken windows, riots, and disturbances, with which the students annoy the citizens, are visited very lightly by the University Magistrates, who often observe them with a secret satisfaction as symptoms of a spirit of independence which they hope may be one day turned to better purposes. With such licence it is not to be wondered that the students find the authorities of the law nearly as much employment as our students give to the gentler advice and correction of the heads of houses, proctors, &c. In some universities the students are almost as much the terror and nuisance of the neighbourhood, as the worthy associates of Robin Hood or Rob Roy, were to the inhabitants of the scenes of their exploits. In an inn where I slept at Manheim, it was discovered, one morning, that one of these young gentlemen had decamped by his bed-room window, taking with him the sheets of his bed. At Heidelberg, where there are many of noble and respectable families, they are rather better behaved than usual—and a lady of the town, told me she found them “tolerably quiet considering.”

The students live in lodgings, at the houses of the shopkeepers in the town; a system which if their superiors possessed any control over their conduct would almost entirely frustrate it. They dine at the tables d'hote of the inns,

inns, to which they are good customers.—I dined with an acquaintance of their number, at a table filled with them. Their manners were, in general, as coarse and as rude as their appearance; they had all the air of low mechanics or persons much less civilized. Some of them were young nobles—others had the ribbons of orders in their button-holes; and they often wear the cockade of their country in their caps or hats, which is sometimes the symbol of a provincial patriotism, much of a-kin to the national one indicated by their clothes. Since the flame of national feeling has been kindled by late events, the distinctions of country are however *professedly* abandoned. The separate associations of the students from different states are done away; and they now loudly assert that they form but one body of Germans. But it is easier to assume the title than to suppress national prejudices, or neutralize distinctions of character. The light subtle Prussian is little formed to harmonise with the fat phlegmatic Bavarian or Austrian; and if the students of different states mix in amusements pretty indiscriminately, a quarrel (an event of the commonest occurrence) draws out their provincial prepossessions, and ranges the parties accordingly.

The number of students at Heidelberg, for the last spring *semestre*, or course of lectures, was above 400. Goettingen sometimes musters 1,200. The professors at Heidelberg are now in high repute; and on their attraction depends the fulness of the

University.—When a favourite professor departs, sometimes nearly half a university follow him. The students generally enter very young—many at sixteen or seventeen; for as every young man, intended for the civil service of any prince, must spend two years, by way of qualification, at a university, the object of parents is, to qualify them for office as early as possible. Raw children from the Gymnasium are consequently sent to the University, rather to get over these two years than for the purpose of study. Finding themselves here, all at once, their own masters, and exposed to every temptation, they naturally follow the stream, assuming the vices and caricaturing the consequence of full-grown men. The necessary two years are often spent in drinking, gaming, rioting, and insulting others, more from the intoxication of liberty than from vicious inclination. The pride of premature manhood makes them jealous of their little dignities, and ape the punctilios of false honour. Perpetual duels are the consequence, which have all the ill effect of brutalising the feelings without the questionable advantage of exercising courage—for their execution is, in general, ludicrously devoided of danger. The breasts and faces of the doughty combatants are cased in pasteboard, in the security of which panoply, they chivalrously engage with small rapiers till incensed honour is satisfied, sometimes by the first sprinkling of blood, at others, by nothing less than a wound of a certain length and depth, to be ascertained by measurement of the

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the seconds. New comers are beset, on their matriculation, with incitements to quarrel, till they put their valour beyond dispute, in one of these combats. Sometimes bodies of disputants, (often of different countries) settle their differences by a combat *en masse*. These fights generally terminate in slight wounds—but more fatal consequences are by no means unfrequent. In spite, however, of constant disturbances, and now and then a death occasioned by them, they are still freely permitted, like all other excesses, from the fear of checking the exuberant fervour of youth.

All titles and distinctions of rank are dropped among the students for the common appellation of *Bursch* (Fellow); and when on giving some particulars of our universities to a student, I mentioned the distinction of costume, &c. given to noblemen, this spark of liberty exclaimed—"that would not be suffered among us—we are all equal—we have no distinctions." I could not help smiling when I reflected that after his two years swing of lawlessness and equality, this young man was destined for a pastor's cure or some petty office under a despotic government, where he would find himself pinned down in the third rate circles, and encompassed by the barriers of rank on all sides.

Theatres are wisely prohibited at Heidelberg, and I believe generally in the German universities; they would merely be rallying-places for the riotous dispositions of the students, which they often indulge freely when they meet at the theatres of other towns. Troops are now removed

to avoid broils between them and the students, which were sometimes attended with serious consequences.

The spirit of patriotism and political follies of the students are the natural consequence of the same unbounded licence which often corrupts their morals. Most of them have been inoculated with this spirit by the patriotic games and songs of the gymnasium, where they already ape the dress and manners of the university. Or if they come fresh from their father's abode in the residence, the transfer from a scene of cringing servility to power, to one of boundless independence, is equally likely to intoxicate young heads. Finding themselves here distinguished by large privileges from their fellow-citizens in a despotic state, they become insolent, and set about reforming their country with well meant but childish extravagance. The professors seldom check, and often partake, the spirit though not all the follies of the students. In spite of their academical privileges the professors have a sense of belonging to the excluded classes: they are not received at court or in the circles of the noblesse—where the few who can appreciate talents would deem their presence a decided acquisition. It is a mistake to suppose that learned men despise these little distinctions—they often feel them more cuttingly than others; and the professors of Germany have the character of being at once discontented and haughty. Two of those of Heidelberg were sometime since arrested by the Grand Duke of Baden, for their  
bold

bold language on the subject of the restoration of the States; but the students demanded their liberation so vehemently, that the Grand Duke, who is a weak man, did not long detain them.

No place can be more delightfully situated as a retreat of study and science than Heidelberg, enclosed as it is between picturesque ranges of mountains; the majestic and placid Neckar in the valley; the castle ruins on the declivities above the town which are covered with the luxuriant hanging gardens of the castle, whose terraces, thickets, and umbrageous walks afford solemn and silent retreats for study, and prospects over the Rhine and the Neckar valley of the most ravishing and varied beauty. The castle is an immense mass of rambling ruins, of architecture of different centuries and descriptions, whose mouldering remains rear their ragged masses with a most striking effect, overhanging the Neckar, and embosomed in the wild shrubberies and woods which cover the slope of the mountain. The town is old, dark, and irregular, and presents few traces of the consequence it enjoyed till the early part of the last century as the residence of the splendid court of the electors Palatine. A few families of more consequence than wealth still reside here, some of whom we had the pleasure of meeting at the house of the hospitable Count —.

Manheim, the *ci-devant* capital of the Electors Palatine, those showy pillars in the old political fabric of Germany, is now a provincial town in the modern Grand Duchy of Baden—like

Mayence, Worms, and other places in the neighbourhood, a striking remnant of ancient splendour humbled beneath a little military sovereign of yesterday. Mayence and Worms are, however, filled with Catholic dirt and decay—one has little regret at their desertion—but Manheim is still a modern elegant little city, bespeaking, in its regular streets and squares, its palace, walks, and gardens, the taste and dignity of its former princes. It does not, however, possess any monuments of architecture that stand out very strikingly from the rest. The Jesuits church, with its slated dome and belfries, and its rich fresco paintings in the interior, is handsome and tasteful.—The *Kaufhaus*, or building of commerce, in the central square, with colonades filled with shops, rears its tall quaint steeple above the other buildings; but its uniform respectability and neatness, unmixed with meanness or decay, gives to the town that air of compact genteel superiority which has acquired for it the name of Berlin in miniature. A handsome wide public walk, through double avenues of acacias, called the Planken, runs across the town, forming a gay promenade chained in from the carriage way on each side. Baden officers, in blue uniforms and stuffed out breasts, *à la Prussienne*, and the young belles of the town with their plaited hair without bonnets (a common *coiffure*, even in cold weather) were parading under the trees. A police, renowned for activity, strictly keep out of sight all nuisances that might sully the decorous gentility of the town.

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The spacious red stone palace of the Electors flanks the town, next the Rhine. This once splendid edifice, which stretches its wings and quadrangles over ground enough to hold half a dozen royal palaces of Stutgard or Carlsruhe, now looks forlorn under royal neglect. The great clock stands still—the gilded pannels and other symptoms of interior magnificence peep through a mean casement—and the drying shirts of the Baden soldiers hang out of the windows of one wing degraded to a caserne. The wide gravel terrace, under the windows of the palace, is the favourite Sunday promenade of the beaux and belles of Manheim; but the weeds that sprout up in spite of them, the unpruned luxuriance of the shrubberies and lawns, denote the absence of the court gardener. The Rhine flows at the bottom of the gardens, which are protected from this formidable neighbour by a substantial mound planted with shrubs. On the top runs a fine terrace, commanding the majestic stream as it glides through a bridge of boats, the little cluster of barges, and the scanty bustle of the quay; while behind, the expanse of shrubbery is crowned by the desolate looking *corps de logis* and wings of the palace, once the scene of gay imitations of the splendors of Versailles.

The munificent Charles Theodore, the last Elector Palatine, was the *Louis Quatorze* of the Palatinate—the costly decorator and oppressor of his country. His cypher recalls his memory on most of the handsome buildings, and every child is familiar with the

name of *Karl Theodor*, who built the right wing of the palace, and erected the noble portals, whose stud drank out of marble troughs, now profaned by the Baden troop-horses, whose German and Italian opera, and French theatre, were the admiration of the *cognoscenti* of Germany.

One theatre still survives, and supports some of the reputation which it acquired as the nursery of Iffland, and a school of great tragedians, to whom Germany looks back as we do to our Garrick, Cooke, and Kemble. I saw a new piece performed on these classic boards, in which the practical jokes, the gorgeous scenery, and a troop of cantering Hussars, headed by a graceful heroine, seemed to denote that modern German managers cater for the public something like our own; but, on admiring the military evolutions, I found they had gone a step farther, and, that no one might accuse their biped and quadruped performers of want of *nature*, the dramatic troop was neither more nor less than a file of the Baden Light Dragoons from the garrison in the town. Though the theatre is still celebrated and much frequented, it declines like every thing here, for want of patronage. A German theatre never supports itself by its prices of admittance, which generally vary from about twelve *kreutzers* (about four-pence half-penny) for the gallery, to a florin and a half (three shillings) for the boxes. The Grand Duke of Baden allows the theatre at Manheim 25,000 florins a-year: but the townsmen complain that this is a poor recompence for the favoured

favoured rivalry of his Court theatre at Carlsruhe, to which every successful actor is invited, professedly to amuse the Court only for a few nights, but, if he pleases the Court, he is never permitted to return. This is a slight instance of the spirit of petty despotism which generally extends itself to the pleasures as well as the rights of its subjects.

The monopoly of all consequence by the Prince and the Palace, among the dependants of the little residence is sometimes exemplified in the most laughable trifles. For instance, all the clocks in the duodecimo capitals are naturally regulated by the Palace clock, which, invested with the privilege of its reigning master, never can go wrong. The great clocks at the Palace of course go by the little clock in his Royal Highness's cabinet; and this going according to his Royal Highness's whim, the hour of the day throughout the State is dictated by the Prince instead of the sun. One sovereign, whom I have the honour of knowing, makes very free with this empire over time; and just as it happens that he wishes to cut short a tiresome audience, or to have a favourite piece of music twice repeated at a rehearsal or a concert, the town clocks and the chimes of the Palace are sure to be at odds, half the dinners of the metropolis are spoilt, grave appointments broken, while few but the Prince and his valet de chambre are in the secret.

The people of Mannheim, proud of their ancient consequence, do not regard very complacently their desolate buildings, and dreary walks, the rude reign of troops,

whom they do not yet regard as countrymen, and the other marks of their humiliating incorporation with a little state. Many of the nobles cling to the dreary dignity of the old residence instead of mixing freely in the gaieties of the capital of their new sovereign. At Carlsruhe they are accused of sulky *hauteur*, and the Mannheimites in revenge turn up their noses at the narrow ideas and petty spirit of their rivals. These lively jealousies extend to all classes, and are aggravated by continual little preferences and favours shown by the Grand Duke to his capital and residence; so that you rarely hear a good word of Carlsruhe at Mannheim, or of Mannheim at Carlsruhe. The Grand Duke consequently enjoys very little of the affection of his new subjects. The towns-people complain of his thoughtlessness and indifference, and his submission to favourites at Carlsruhe, who extort any privileges by importunity and intrigue. All the little Princes seek to advance the splendor of their residences by immunities to persons who build houses, &c.; but the Grand Duke of Baden goes the arbitrary length of contributing, besides wood, one-third of the expense, which he of course draws from the public revenue. The taxes are now very heavy, and the inhabitants of Mannheim naturally complain that while their own town declines in population, they are thus compelled to contribute to the extension of Carlsruhe.

The commerce of Mannheim is quite inconsiderable, and the little that it has suffers severely from the separation of the left bank of the



the Rhine, which from Worms to Weisenberg, the frontier of France, has been given by the politicians of Vienna, to Bavaria. This patch of territory is totally unconnected with the kingdom it is assigned to. His Bavarian majesty probably procured it as comprising (though with great additions) his old patrimonial state, the Duchy of Deux Ponts. He now looks with a covetous eye on Manheim, and his old family possessions on the right bank; but the Grand Duke of Baden is little disposed to accommodate him, and continually refuses his offers of money or exchange of territory. His majesty, consequently, cannot visit his possessions without the permission of passage through Wirtemberg and Baden, or by a great *detour* through Baden alone.

The Grand Duchy of Baden is divided into circles governed by resident directors, who are noblemen of some consequence. Manheim is the residence of the director of the Neckar circle, and also the seat of the Courts of Judicature, of the first and second instance, to one or the other of which, people have access according to their birth.

Aix-la-Chapelle stands in a fertile bowl, surrounded by bold hills, on descending from which, either on the road from Liege, or from Juliers, the slated roofs and minarets of the *Hotel de Ville*, and the grotesque dome of the cathedral, give to the old Imperial City an air of imposing dignity. On entering it you find it, however, far from a handsome town, according to the modern acceptation of the phrase—nor is the

interest of antiquity united with any of that architectural curiosity, which give the great cities of the Netherlands so striking a character. The city, which is by no means large, is as usual surrounded by a thick rampart, now half in decay, with small Roman towers at nearly equal distances. Below the ramparts are agreeable shrubberies and gardens, chiefly the work of the French, and which form favourite promenades to the company of the bathing-place.

Our visit in the summer, when the place was overflowing with company, gave us some idea of the mode of life of the diversified groupes who were drinking deeper of its waters and amusements than ourselves: both of which have no small resemblance to those of similar scenes in England. Gaiety has, however, a more decided character; pleasure is more the avowed business of every body; and if *ennui* may be the motive of as many visits to this place, as to similar ones in Great Britain, the remedy here appears more successful; for you can rarely read in a single countenance, as you so often may in the libraries of Brighton or Cheltenham, the inveterate disease of which persons come to be cured. The system of the day commences with a bath, taken early, for about half an hour. After breakfast follow excursions in the environs, the walks in the gardens, visits to the *cafés* and billiard-rooms, and, above all, the pleasures of the Redoubt, or Grand Saloon, which occupy the gay world till dinner, at two or three. This last-mentioned place of rendezvous is the great centre of attraction; and with

with the exception of much more gaiety, more avowed vice, and the absence of all pretence at rational resources, acts the part of the library at an English watering-place. The Redoubt is a large handsome building, the ground floor open with a colonnade in front, appropriated to print, toy-shops, &c. A wide stair-case conducts to the first-floor, where, after depositing your hat and stick with the *gens d'armes* at the door, you enter the Grand Saloon—a splendid room, with a carved ceiling, and lined with mirrors. On one side a crowd of motley, but well-dressed and gay-looking persons, (I regret to say, of both sexes), are pressing over each other's heads, round two large banks of *Rouge et Noir*. An anxious silence reigns, only interrupted by the rattling of the roulette, the clink of the Napoleons and francs, and the titters and jokes of the few whose speculations are a matter of mere frolic. The play is frequently very high, but the bank does not refuse to sweep in a solitary franc. Pretty, interesting women were putting down their Napoleons, and seeing them swept away, or drawing them in doubled, with a *sang froid* which showed they were no novices in their employment.

A Russian officer of my acquaintance was subject, like many of his countrymen whom I have known, to the infatuation of play to a most ridiculous excess. His distrust of himself, under the assailments which he anticipated at a place like Aix-la-Chapelle, had induced him to take the prudent precaution of paying in advance at his hotel for his board and

lodging, and at the bathing-house for his baths, for the time he intended to stay. The remaining contents of his purse he thought fairly his own; and he went of course to the table all the gayer for the sort of licence he had taken of his conscience. On fortune showing him a few favours, he came to me, in high spirits, with a purse full of Napoleons, and a resolute determination to keep them by venturing no more: but a gamester can no more be stationary than the tide of a river, and in the evening he was put out of suspense by having not a Napoleon left, and nothing to console himself but congratulation on his foresight, and the excellent supper which was the fruit of it.

Between four and five o'clock, groupes of the *beau monde* repair to the Louisberg—a bold sandy hill, rising abruptly just above the ramparts of the town, the view from which overlooks the city and the rich valley beneath, and stretches over the neighbouring hills and fertile pastures, to a range of even mountains which bound the horizon towards Germany. The scene of attraction on the mountain is a large tavern, with a splendid saloon, commanding a noble prospect. Music, dancing, smoking, tea-drinking, walks in the gardens, &c., occupy the various descriptions of guests; and the scene has few features of difference from our cockney rendezvous near town, except the characters of the parties, who, instead of being worthy cits, with fat spouses, are often a gay assemblage, of Counts, Barons, &c. &c. of various nations and qualities.

During the continuance of the season



season there is generally a company of German players at Aix-la-Chapelle, and the company hastily return from the Louisberg to the theatre. The building is small, and by no means handsome. An opera was given the night I was there, the music of which was agreeable, but the actors by no means extraordinary.

The Cathedral of Aix is interesting for its history, and its rude specimens of early Saxon architecture: but has neither beauty nor grandeur to recommend it. The quaint old dome, which comprehends the whole edifice, except the light Gothic choir of a later date, is a venerable relic of the old minster with which Charlemagne adorned his native city. It was consecrated by Pope Leo III. in 804, with a ceremony worthy of its splendor. Three hundred and sixty-five archbishops and bishops were to be present at the solemnity; but unluckily two were missing, and there is no knowing what might have resulted if two reverend prelates of Tongres, long ago dead and buried at Maestricht, had not been so kind as to walk out of their graves and supply the vacant seats at the ceremony. Some of the variegated marble pillars which adorned the old edifice are now returned from their temporary visit to Paris, and are shown with the curiosities of the church. Under the centre of the dome repose the ashes of the great Charles, with the simple but impressive inscription on the pavement—*Carolo Magno*. Immediately above hangs an immense circular sort of chandelier in the shape of a crown, composed of silver and brass—a

present to the church from Frederick the Great, called Charlemagne's crown.

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*Narrative of my Captivity in JAPAN, during the years 1811, 1812, and 1813. By Captain Golownin, R. N.*

In the year 1811, Capt. Golownin had the command of the imperial sloop of war, Diana, lying in the month of April at Kamtschatka, where he received an order from the Russian minister of marine, directing him to survey the Southern Kurile and Shanter islands, from lat. 53° 38' north to Okotsk. Before this expedition took place, one Lieut. Chwostoff, a commander in one of the American Company's ships, had made a predatory expedition, in which, without any notice given, he attacked the Japanese villages on the Kurile islands.

On the 17th of June, 1811, Capt. Golownin found himself near the western coast of the northern extremity of the island Eetoorpoo; and sending a boat with an officer of descry, he learned that some Kuriles who had been detained by the Japanese, were still kept in a kind of imprisonment on the island. After some delay from fogs and adverse winds, the Russian sloop at length reached the straits between Matsmai and Kunashier, and on the 5th of July, anchored in a harbour in the latter place.

As we advanced, guns were twice fired at us from the castle; the shot, however, fell into the water without reaching our vessel. From this circumstance, we concluded

cluded that the Japanese on the Island of Eetooroop had not yet made known to those here our favourable intentions; and as the fortress and the bay were still enveloped in darkness, we again cast anchor. When the weather cleared up, we stood in towards the fortress, from which there was now no more firing; though the boat, which was a-head of us, and in which some of our crew were taking soundings, was within range of the guns. The works were hung round with white and black, or dark blue striped cloth, so that we could perceive neither walls nor palisades. Sentinels were posted in various places, and above them embrasures were painted, but in so rough a style that even at a considerable distance we could perceive the deception. Within the fortress we could only descry a few buildings which stood upon an acclivity and overtopped the wall. Among these buildings the governor's house was distinguished by numerous flags and weather-cocks being fixed upon the roof; we likewise saw flags waving on other houses in the town, but not in such number. For this circumstance Alexei could not account, though he told us that the town was always so ornamented whenever a foreign vessel or any personage of distinction entered the harbour. We cast anchor at a distance of about two wersts from the garrison, and the pilot's assistant, named Srednoy, four sailors, the Kurile and myself, got on board a boat and rowed towards the shore. We had already come within fifty fathoms of the shore, when the Japanese

unexpectedly began to fire their cannon upon us from different points. We immediately put about, and, as will readily be supposed, began to row off as quickly as possible. The first guns which were fired had nearly proved fatal to us, for the shot passed close to the boat; but afterwards they fired less frequently, and appeared to point their guns very badly.

On hearing the report of the first firing, Captain Lieutenant Rikord, the senior commanding-officer under me, immediately dispatched all the armed boats to our assistance; fortunately, however, we had no occasion for them, as not a single ball touched us. Even when we were out of the reach of their shot, the Japanese did not cease firing, and we still heard the reports of their cannon after we had got on board the sloop. I was not a little indignant at this aggression. It appeared to me that none except the rudest barbarians would have been guilty of firing from the fortress upon a little boat, containing only seven men, when they could not but be aware that a single ball might have sent us all to the bottom. I at first thought I should be justified in taking vengeance on them, and had already ordered a cannon to be pointed at the castle, to convince the Japanese how powerfully our sloop was armed; but I soon reflected that the moment for vengeance would not be lost, and that without the consent of my government I should not be justified in resorting to hostile proceedings; I therefore altered my intention, and stood off from the  
garrison

garrison. A thought now suddenly came across my mind. I imagined that by means of signs I might make myself understood by the Japanese. For this purpose, on the 6th of July, I caused a cask to be sawed in two, and set both parts afloat in the water in front of the town. In the inside of one half of the cask were placed a glass containing fresh water, a piece of wood, and a handful of rice, to denote that we were in want of these articles; the other half contained a few piastres, a piece of yellow cloth, and some crystal beads and pearls, meaning thereby to intimate that we would give them either money or other articles in exchange for provisions. Upon this half of the cask we fixed a drawing of the harbour, the fortress and the sloop; which was very skilfully executed by the Midshipman, Moor. In this drawing the sloop's guns were very distinctly marked, but fixed in the ports with their tompkins in; but the guns of the garrison were represented as firing, and the balls flying over the sloop. By this means I wished, if possible, to make the Japanese sensible of their perfidy. No sooner had we set the cask afloat and rowed away, than the Japanese immediately seized it, and carried it into their fortress. On the following day we approached within gun-shot of the castle, for the purpose of receiving an answer; having, however, previously made every preparation for an engagement; but the Japanese did not seem to notice us. No one appeared near the works, which were still hung round with cloth.

I reflected seriously on all the circumstances that had occurred, and was convinced that I had a right to demand an answer of some sort or other from the Japanese. Our first intercourse with them had been purely accidental; the chief with whom we communicated had voluntarily given us a letter to the governor of a town, in order that we might be supplied not only with wood and water, but likewise with provisions. Relying on this assurance, we had sailed to Kunashier, and lost a fortnight, during which time we might have returned to Okotzk. Our provisions having in the meanwhile greatly diminished, we hoped to obtain a fresh stock from the Japanese, who, however, did not regard our proposal as worthy of an answer. In this critical situation, I requested that each officer should draw up a written declaration of his opinion respecting the course which ought to be adopted. They all agreed that nothing but the utmost provocation could justify us in proceeding to hostilities, until the command of the monarch authorized us so to do. In this particular, the opinions of the officers coincided with my own, and we moved farther from the castle.

I now dispatched a well-armed boat, under the command of Captain-Lieutenant Rikord, to a fishing-village on one side of the harbour, directing him to take the necessary quantity of wood, water, and rice, and to leave payment either in Spanish piastres or merchandize. I remained on board the sloop, which I kept under sail at a short distance from

from the shore, being fully resolved to obtain these articles by force, in case the Japanese should oppose the landing of Lieutenant Rikord. But neither soldiers nor any inhabitants were to be seen in the village. Here Lieutenant Rikord found only muddy rain-water; he, however, carried off some wood, rice, and dried fish, and left behind him various European articles, which Alexei declared to be far more valuable than what he carried away. In the afternoon curiosity induced me to go ashore to try to discover the plans of the Japanese, and I was highly pleased to observe that all the articles which Lieutenant Rikord had left were removed. The Japanese must, therefore, have visited the shore after his departure, and those who occupied the fortress would thus be convinced that plunder was not our object. There were two fishing villages on this side of the harbour, and we observed every necessary apparatus for fishing, salting, drying and extracting oil. The Japanese nets are excessively large, and every article used by fishermen, such as boats, buckets, vats for the oil, &c. were all in astonishing good order.

On the 8th of July we observed a cask floating before the town; I immediately weighed anchor in order to take it up. We found that it contained a little box wrapped up in several pieces of oil-cloth. The box contained three papers; one of which was a Japanese letter which we could not read, and the other two were drawings. Both these sketches represented the harbour, the castle, our sloop, the cask with a

boat rowing towards it, and the rising sun, but with this difference, that in one the guns of the castle were firing, whilst in the other the muzzles of the cannon were turned backwards. We were a long time occupied in considering these hieroglyphics, and each explained them after his own way; but this will not be thought wonderful, as the same thing frequently happens among greater scholars. We all, however, agreed in one thing, namely, that the Japanese declined holding intercourse with us.

For my own part I interpreted these drawings in the following manner: I supposed the Japanese to mean that, though they had not fired upon us when they observed us sending off the cask, yet if we attempted to send out another, they would immediately fire upon it. We then got under way and stood over to the mouth of a little river on the western side of the harbour, where we cast anchor. I now sent out some armed boats in quest of fresh water. The seamen continued at work all day on the shore without experiencing any opposition from the Japanese; they merely sent out some Kuriles from the castle, who at the distance of about half a werst observed the motions of our crew. On the following morning, the 9th of July, our boats again went ashore; a Kurile immediately came out of the castle, and approached them with a very slow pace, and an air of extreme apprehension. In one hand he held a wooden crucifix, and with the other continually crossed himself as he advanced towards the shore. He had lived for

for several years among our Kuriles on the island of Raschaua, where he was known by the name of Koosma; there he had probably learnt to cross himself, and having observed that the Russians venerate the cross, he now ventured forth under its protection to meet us in the character of a flag of truce. Lieutenant Rudakoff was the first who accosted him: he caressed him and gave him various presents; but nothing could subdue the terror of the Kurile, who continued to tremble as if he had been seized with the shivering fit of an ague. I next approached him, but was unable to make myself understood, as Alexei was not along with us. The Kurile was so terrified that he would neither wait for him nor accompany us on board, and we did not think it prudent to detain him by force. He could scarcely speak ten words of Russian, yet I understood from his gesticulation, that the governor of the city expressed a wish that he and I should meet in boats, accompanied by an equal number of people on both sides, in order to hold a conference. I joyfully testified my willingness to accede to this proposal, and I gave the Kurile a string of beads. This present seemed to inspire him with so much boldness that he ventured to ask me for a little tobacco; I, however, happened to have none with me, but promised to bring him some the next time I came on shore. I then took leave of him and put off with the boat.

Meanwhile the Japanese had placed another cask in front of the castle, but so close to the

batteries that I deemed it imprudent to venture to take it away; still nobody came out of the castle, though they beckoned to us with white fans to come on shore. I now began to suspect that I had misunderstood the Kurile: as we were preparing however to row back again, we observed a boat put off from the shore. In this boat were several officers and a Kurile interpreter, and they immediately rowed towards us. They had many more men on board than we, but as we were well armed I felt no reason to be afraid of them. The conference began on their side, with an apology for having fired upon us when we first attempted to land. To justify this proceeding, they declared that their distrust had been excited in consequence of an outrage committed upon them some years before, by the crews of two Russian vessels, who had at first landed under pretence of the same motives which we professed. They, however, perceived the difference between our conduct and that of their former visitors: every suspicion had now vanished, and they declared their readiness to do all they could to serve us. I desired our interpreter, Alexei, to explain to them, that those ships were merchantmen; that the aggression had been made without the consent of our government, and that the owners of the vessels, both of whom were now no more, had suffered due punishment for their reprehensible proceedings. I sought to convince them of the truth of this assurance by the same method which we had adopted with respect to the Japanese

nese on the island of Eetoorpoo. They replied that they believed all we had said, and rejoiced to hear that the Russians entertained such good dispositions towards them.

When I inquired whether they were satisfied with the payment they had received for the articles taken from the fishing village, they answered that what we had taken were mere trifles, and that we had paid infinitely beyond their value. They moreover assured me that the governor was ready to furnish us with any thing their island afforded, and inquired what other articles we stood in need of. I requested to have ten bags of rice, some fresh fish and vegetables, for which I offered to give as many piasters as might be required. They invited me to land in order to have an interview with the governor; this, however, I declined doing, and promised to go on the following day, when the sloop would be nearer the shore. According to my promise, I had brought some tobacco for Koosma; but the Japanese officers did not think fit to allow the Kurile to receive my present. I wished to have had some further conversation on various subjects with the Japanese, but Alexei who had recognized some of his old friends in the boat, was so fond of chattering with his countrymen, that he neglected to interpret my questions.

When we had parted from the Japanese, Alexei explained to us what his countrymen had communicated to him. They declared that the approach of our sloop had filled the Japanese with the utmost terror and consternation,

they were convinced that we intended to attack them, and had accordingly removed all their property, with the greatest haste to the forests. We had ourselves observed them driving loaded horses along the hills. The Kuriles added that they fired on our sloop merely through fear, and when they observed our boat approaching the fishing-village they felt assured that we intended immediately to plunder and set fire to their habitations. When, however, we quitted the shore they returned to inspect their houses, and finding every thing in the same order as they had left it, and that we had left many valuable European articles behind in exchange for the rice, fish and wood which we had carried away, the joy of the Japanese knew no bounds, and all their apprehensions ceased. I was the more ready to believe that they had fired upon us merely through terror, since they probably suspected that we had a strong party concealed in the bottom of the boat. The boat was indeed infinitely too small for any such purpose, but then they might have been blinded by fear. They would not else have attacked a handful of men, who, as it were, threw themselves into their power. They might have waited on the shore and have made us their prisoners whenever we landed. But Alexei had previously informed me that the very sight of a Russian inspired the Japanese with indescribable terror. They expressed great astonishment at the rapidity with which the Russians fired their guns, and the excellent order in which they fought, which they had witnessed



during the attack made upon them by the Company's vessels.

On the morning of the 10th of July we filled our last cask with water; which business and the state of the wind did not permit us to approach the castle. In the meanwhile the Japanese sent out a boat, and made signs that they wished to speak to us. We immediately rowed towards them, and as we approached, I observed that the persons in the boat threw a cask into the water and immediately put ashore. We found that this cask contained all the articles which we had left in the village as payment for what we had taken, and likewise all that we had placed in the cask which we had first sent off. I now put into it eighteen piasters and some East-India silks, and was preparing to row on board, when the Japanese began to beckon to us with white fans, and to make signs indicating that they wished us to land. This invitation was given when we had no longer need of any thing from them, and when we had obtained so abundant a supply of wood, water and provisions that we might have continued two months longer at sea, prosecuting our observations, and then have sailed back to Okotzk.

I wished, however, to communicate with the Japanese for other reasons. I considered it my duty, as an officer in the service of the Emperor of Russia, to assure them, if possible, that our government had taken no part in the outrages committed on their coasts by the Company's vessels; that the directors of the American Company, were not persons of great consideration in Russia,

but even they had never sanctioned that illegal proceeding, which was wholly attributable to the captains of the vessels, and that his Imperial Majesty had ever entertained a wish to establish friendly compacts and commercial relations between Russia and Japan. I reflected that my duty to my native country required that I should, in such a case, lay aside all consideration of personal danger. I therefore ordered the sailors, of whom I took four with me, to conceal their arms by wrapping sail-cloth about them, but to be careful to have them in readiness in case of an attack, and we landed at a distance of from sixty to eighty fathoms from the gates of the castle. The Kurile Alexei, one of the sailors and myself stepped ashore: I ordered the rest to keep the boat afloat, not to permit any of the Japanese to get on board of it, and to keep their eyes constantly fixed upon me in order to watch any signal I might make to them. We were met on the shore by an officer, called an Oyagoda (a term nearly equivalent to our commander of a district), two inferior officers, two privates and upwards of ten Kuriles. All the Japanese, though of different ranks, were dressed in costly silk garments, and were completely armed; each had a sabre and poniard fastened in his girdle, but the Kuriles, on the contrary, were without any arms. I had only a sabre by my side, but I had taken the precaution of concealing three pair of pistols in my pockets and my bosom. The Oyagoda received me with the utmost civility and politeness, and requested that I would wait

on the shore for the governor of the castle, who, he assured me, would soon come out to meet me.—I asked him what we were to understand by their having sent back in the cask all the articles we had left in the fishing-village. He replied that they wished to return them, because they supposed we did not intend to have any further intercourse with them, and that in that case they durst take nothing. I immediately recollected that Laxman, in his Narrative, mentioned that the Japanese would accept of no presents until the conclusion of the negotiation, though it did not appear that they afterwards declined any thing which he offered them. I therefore felt myself perfectly satisfied on this head.

I had not long to wait for the governor; he soon appeared completely armed and accompanied by two soldiers, one of whom carried his long spear, and the other his cap or helmet, which was adorned with a figure of the moon. In other respects it somewhat resembled the crowns which are occasionally worn at nuptial-ceremonies in Russia. It is scarcely possible to conceive any thing more ludicrous than the manner in which the governor walked. His eyes were cast down and fixed upon the earth, his hands pressed close against his sides; he besides proceeded at so slow a pace that he scarcely extended one foot beyond the other, and kept his feet as wide apart as though a stream of water had been running betwixt them. I saluted him after the European fashion, upon which he raised his left hand towards his forehead,

and bowed his head and his whole body towards the ground. Our conversation then commenced. I apologized for having been compelled, by the most urgent necessity, to occasion them so much inconvenience. He expressed his regret that the ignorance of the Japanese respecting the object of our visit should have occasioned them to fire upon us, and inquired why, on first entering the harbour, we did not send out a boat to meet that which had been dispatched from the garrison, as we might thereby have prevented the occurrence of such disagreeable hostilities. I assured him that no boat had been seen by any of the crew on board our sloop, and imputed our not having perceived it to the darkness of the evening. I plainly saw, however, that he was seeking to excuse his own conduct, and was at the same time asserting a direct falsehood; for when we entered the harbour, we could perceive every object around us with the utmost distinctness: not even the flight of a bird, and much less a boat proceeding from the shore, could have escaped our observation. He then asked whether I was the captain of the vessel, or whether it was commanded by some individual older than I; which question he repeated several times. He likewise asked where we were sailing to, why we had landed on their coasts, and whither we next intended to proceed? Lest an explanation of the real object of our visit to their islands, might create fear and suspicion, I informed him that we were sailing from the eastern extremity of our empire to St. Petersburg, that contrary winds



had considerably lengthened our voyage, and that, being greatly in want of fresh water and wood, we wished to enter some safe harbour to procure a supply of these articles. I added, that we had accidentally touched at the island of Eetoorpoo, where we found a Japanese garrison, the commander of which had furnished us with a letter to Oor-beetch, which I wished to have sent ashore; these were the reasons which had induced us to enter their harbour, and that we now wished to take the nearest course to Canton, for the purpose of procuring some articles from that place. Here he observed, that on landing at Eetoorpoo we had declared trade to be our object, but that we now told a very different story. I replied, that if he had been so informed, the mistake was to be ascribed to the Kuriles, who spoke but little Russian; and, as in the Kurile language there were no words signifying money or purchase, they had been obliged to translate these terms by the words exchange or trade. He then asked what was our Emperor's name, what was my name, whether I knew Resanoff, who had been sent as ambassador to their islands, and whether there were any persons in St. Petersburg who could speak the Japanese language? To all these questions, I returned suitable answers; I informed him of Resanoff's death, and told him that there were several persons in Russia who could translate the Japanese language. He carefully noted down every thing I said. He then invited me to partake of some tea, sagi and caviar, and to smoke

tobacco. Every thing was served upon separate dishes, and presented by different individuals, who were all armed with poniards and sabres; but instead of going away after having handed us any thing we wished for, they remained standing near, till at length we were surrounded by a formidable circle of armed men. Among the various articles which I had brought ashore as presents to the Governor, were several bottles of French brandy; I accordingly asked him whether he would choose to taste this liquor, and ordered my sailors to draw a bottle; at the same time taking an opportunity of repeating the order I had previously given them, namely, to hold themselves in readiness.

To desire that the overplus of the Japanese should remove, or to show that I was in any way alarmed by their presence, was what I could not stoop to do; besides, I thought it prudent not to let them suppose that I distrusted them. There was also no appearance of any intention to resort to violence on their part, notwithstanding that they might have done what they pleased with us, though certainly not without suffering some loss. We smoked, drank tea, and joked together; they were curious to know the Russian names of several things, and I in return asked the Japanese names. At last I stood up and inquired when I should receive the promised provisions, what I should have to pay for the same, and held up a piaster, in order that the number of that coin, which they required, might be mentioned. To my great astonishment I was then informed that

that the officer with whom I had been conversing was not the commander-in-chief of the fortress, and therefore could decide nothing on this point. He, however, invited me to go into the castle with him, in order to make the necessary arrangements with the Governor myself. This I declined, on the pretence that I had already spent too much time with him, and that were I to comply with his desire, a suspicion would probably be excited on board of the sloop, which might give rise to hostilities. I offered at the same time to follow him into the fortress, provided that some persons of distinction among them went on board the sloop in my boat, as that would satisfy the officers with respect to my safety.

The proposal was no sooner made, than one of the Japanese left us, as if for the purpose of obtaining the Governor's consent. The answer was a refusal, accompanied with an assurance that the Governor would immediately come out to us; but soon after a messenger announced that he was gone to dinner and could not yet come. I declined to wait any longer, but promised to bring the ship nearer the shore, and to visit the castle. The Lieutenant-Governor made no objection to my going, but on parting presented me with a flask of *sagi* and some fresh fish, expressing regret that he had not more of the latter to give. He, however, pointed to a large net which had been thrown, and requested that a boat might be sent on shore before the evening set in, as the whole draught should be given to us. He accepted from me a burning-glass

and a bottle of brandy, but would not permit the Kuriles to take any tobacco from us. As a mark of friendship, he gave me a white fan, with which he said we were to beckon when we came on shore, as a signal of our being peaceably disposed. During the interpretation of the Japanese officer's speech, Alexei talked frequently to me of the cross, but in so obscure and unintelligible a manner, that I could not comprehend him. It was not until we were again in the boat, and felt ourselves quite free, that he sufficiently collected himself to explain what he really meant. It was well known to the Japanese, he observed, that the Russians entertain the greatest veneration for the cross, and on that account he had wished me to cross myself, and signify that I made that sign in confirmation of our friendly disposition towards them. On hearing this I was exceedingly vexed that I had not been able to understand him before we left the shore.

Towards evening we stood in within gun-shot of the castle, and brought the sloop to anchor. It was now too late for me to think of entering on any conference, but I ordered midshipman Jakuschkin to go ashore with an armed boat, to deliver the letter we had brought from the Isle of Eetooroop, and to bring on board the fish which had been promised us. I further directed him to row to the place I had landed at, and not to leave the boat a single moment. He executed my orders with the greatest punctuality, and returned at twilight. The Japanese received him with much kindness, and sent us more than

a hundred large fish on board. When they were informed that they might expect me in the morning, they expressed their hope that I would not fail, and their wish to see some of my officers along with me. I must confess that this invitation ought to have excited some degree of suspicion, but I was led into the error of disbelieving Jakuschkin. As an officer, this midshipman was zealous in the performance of his duty, but his curiosity was insatiable; he wished to be every where, and to see every thing with his own eyes. I, therefore, conjectured that it was not agreeable to him to see me go ashore by myself, and that he had invented this invitation, in order that I might be induced to take him with me next day. What confirmed me in this notion was, that at the same moment he asked leave to make one of the party; this I was, however, under the necessity of refusing, as I had previously promised to take midshipman Moor and Mr. Chlebnikoff, the pilot.

Next morning, July 11th, at eight o'clock, I landed with the above-named officers, the Kurile Alexei, and four seamen. I was so fully persuaded that we stood on a friendly footing with the Japanese, that I had not ordered the seamen to arm themselves. The officers, three in number, including myself, had each a sword, in addition to which Mr. Chlebnikoff brought with him a pocket pistol, more for the purpose of making a signal in the case of a fog, than for defence. On passing the cask which we had sent on shore, we looked into it, and found all the things we

had placed there unremoved. I again recollected what had happened to Laxman, and ascribed this circumstance to the Japanese practice of accepting no presents while a negotiation was pending. At last we landed close to the fortress. The Oyagoda, and two officers whom I had seen the day before, came out to meet us, and begged that we would wait a little until every thing was prepared for our reception in the castle. Wishing by my confidence in the Japanese to extinguish any suspicion they might yet entertain, I ordered the boat to be hauled up on the shore until it was half out of the water, and left one sailor with it. The other seamen I directed to follow us, carrying seats, and the presents which I destined for the Japanese. We walked from ten to fifteen minutes on the shore, during which time I conversed with the Oyagoda. I made inquiries respecting the coast of Matsmai, of which we had a view, and the trade between their island and the peninsula of Niphon. I remarked, however, that he answered my questions with reluctance. Finally, we proceeded to the castle.

On entering the castle gate, I was astonished at the number of men I saw assembled there. Of soldiers alone, I observed from three to four hundred, armed with muskets, bows and arrows, and spears, sitting in a circle, in an open space to the right of the gate: on the left a countless multitude of Kuriles surrounded a tent of striped cotton cloth, erected about thirty paces from the gate. I never could have supposed this small insignificant place capable of containing so many

many men, and concluded that they must have been collected from all the neighbouring garrisons since we appeared in the harbour.

We were soon introduced into the tent, on a seat opposite to the entrance of which the Governor had placed himself. He wore a rich silk dress, with a complete suit of armour, and had two sabres under his girdle. A long cord of white silk passed over his shoulder; at one end of this cord was a tassel of the same material, and at the other a steel baton which he held in his hand, and which was doubtless the symbol of his authority. His armour-bearers, one holding a spear, another a musket, and a third his helmet, sat behind him on the floor. The helmet resembled that of the second in command, with this difference that instead of the figure of the moon, it bore the image of the sun. This officer now sat on the left of the Governor, on a seat somewhat lower than that of his superior; he too had his armour-bearers behind him. Four officers were sitting cross legged on the floor on each side of the tent; they wore black armour, and had each two sabres. On our entrance, the Governor and Lieutenant-Governor both rose up; we saluted them in our own manner, and they returned the compliment. They invited us to sit down on a bench which was placed directly opposite to themselves, but we chose to use the seats we had brought with us. Our sailors seated themselves on the bench behind us. After the introductory civilities were concluded, they entertained us with tea without sugar, in cups

which, according to the Japanese fashion, were only half filled; the cups had no saucers, but were handed to us on small trays made of varnished wood. Before they gave us the tea they asked whether we would prefer any thing else. Pipes and tobacco were afterwards brought to us, and the conference commenced. They desired to know our names and rank, the name of our ship, whence we came, whither we were bound, why we had visited them, what had induced Russian ships to attack their villages, and further, whether we knew Resanoff and where he now was? Our answers to these questions were conformable to the statements we had previously made, and were written down by the Lieutenant-Governor. We were next told that to enable them to prepare the proper quantity of provisions we wanted, it was necessary they should know the exact number of our crew. Ridiculous as this question was, they had an object in putting it. On our part we thought it advisable to make our force appear more considerable than it was, and therefore doubled it, calling it 102 men. Alexei could neither understand nor express this number; and I was obliged to make an equal number of marks with a black-lead pencil on paper, which the Japanese counted off. We were further asked whether we had any other ships of the size of the *Diana* in their seas? We answered that we had many in Okotzk, Kamtschatka and America. Among their questions were several of a very insignificant nature relative to our dress, customs, &c. They also

also carefully examined the presents I had brought for the Governor, among which were maps of the globe, ivory-handled knives, burning-glasses and piastres, with which I intended to pay the Japanese for a supply of provisions, as soon as I could ascertain the number they required.

While the conference was going on, Mr. Moor observed, that naked sabres had been distributed among the soldiers who were sitting in the open space. He immediately mentioned this to me, but I supposed that a sabre or two might have been accidentally out of their sheaths; and I asked him with a smile whether he had not made a mistake, as the Japanese always carry swords, and could at present have no reason for drawing them. This remark appeared to satisfy him; but circumstances soon occurred which roused all our suspicion, and convinced us that some mischief was intended against us. The Lieutenant-Governor having withdrawn for a short time, as if to make some arrangement, returned and whispered to the Governor, who immediately rose up to go away. We got up also to take our leave; and I repeated my question respecting the price of provisions, and also asked whether he intended to supply us with any? On hearing this he sat down, invited us to do the same, and, though it was early in the day, ordered dinner to be served up.

We accepted his invitation, and waited with impatience to see what would next occur, as it now appeared we were caught in a snare from which it would be difficult to escape. But the kind

behaviour of the Japanese and their assurances that we had nothing to fear, again tranquillized us, and induced us to abandon our suspicions of their treachery. They entertained us with rice, fish in a green sauce and other savory dishes, the ingredients composing which we did not know. They also gave us *sagi*. After we had dined, the Governor was again about to withdraw. I now declared that we could wait no longer, but must return immediately on board. On hearing this he once more sat down, and having intimated that he could not supply us with any thing without an order from the Governor of Matsmai, under whose jurisdiction he was, proposed that one of us should remain in the castle as a hostage, until a decision should be returned by that commander on the report he was about to transmit to him. The Japanese began now to throw off the mask. I desired to be informed what time would be occupied in sending the report to Matsmai and obtaining an answer; he replied a fortnight. I felt, however, that it would be dishonourable to leave an officer behind me as a hostage. There was, besides, no knowing when such an affair would be brought to a conclusion with a people like the Japanese. It was probable that when the report reached Matsmai the commander of that island would say he could do nothing without the authority of the general government; thus I should, perhaps, have to wait until winter for a decisive answer. I therefore stated that I could not wait so long without consult-  
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ing the officers who remained on board the *Diana*, and that I would leave no officer as a hostage: upon which we rose to go away.

The Governor, who had hitherto conversed in a soft and gentle voice, now altered his tone, spoke loud and with warmth; frequently mentioned Resanoto (Resanoff) and Nicola-Sandrejetsch (Nicolai Alexandroivitsch, meaning Chwo-stoff, the captain of the company's ship) and struck several times on his sabre. In this manner he made a long speech, of which the terrified Alexei interpreted to us only the following sentence:—"The Governor says that if he let a single one of us out of the castle, his own bowels will be ript up." This was brief and decisive! We instantly made all the haste we could to escape. The Japanese did not venture to close upon us, but set up a loud cry, and threw oars, and large pieces of wood at us, to knock us down. On our reaching the gate, they fired several times on us, but without effect, though one of their balls whistled past the head of Mr. Chlebnikoff. We now found that they had succeeded in detaining Mr. Moor, the sailor Makaroff and our Kurile Alexei in the castle. We ran, however, to our landing place; but on arriving there, perceived with horror that the tide had ebbed about five fathoms and left the strand quite dry. As the Japanese saw that it was impossible for us to get the boat afloat, and had previously ascertained that it contained no arms, they became confident, advanced against us with drawn sabres, which they held in both hands, muskets and spears, and surrounded us beside the boat.

I cast a look upon the boat, and said to myself;—It must be so; our last refuge is lost; our fate is unavoidable!—I surrendered. The Japanese seized me by the arms and conducted me to the castle, into which my unfortunate companions were also conveyed. On the way thither a soldier struck me several times on the shoulder with a small iron bar, but one of the officers said something to him, accompanied with a look of displeasure, and he immediately discontinued.

From the incommodious place in which they were first confined, the captives were transferred to the considerable town of Matsmai, in which the principal officer bore the name of the Bunyo. Their treatment here became gradually improved; but the despair of regaining their liberty, at length so far overpowered the spirits of Captain Golownin and his associates, that they made a desperate attempt to set themselves free. This was near the end of April 1812, and it is related in the following narrative:

About half an hour before midnight, Simanoff and Schkajeff stole into the yard, and concealed themselves under the steps. When 12 o'clock struck, and the Sangar soldiers had gone their rounds, they began to make a hole under the fence through which we all (Mr. Moor and Alexei excepted) crept one after another. I stumbled in going out, slipped down and struck my knee against a stake which was sunk in the ground close to the opening. The blow was extremely violent, but the pain soon diminished.

We found ourselves on a very narrow



narrow path between the fence and the hollow, so that it was with the utmost difficulty we succeeded in gaining the high road. With hasty steps we then passed between the trees, crossed the mound, and the cemetery; and in about half an hour, reached the foot of the first hill which we had to ascend.

Proceeding in our hazardous enterprize, we began, at the distance of about five wersts from the shore, to climb the hills, and endeavoured, wherever it was possible, to direct our course towards the north. The stars served to guide us. Whilst we were ascending the first hill I felt a violent pain in my knee, which, in a short time swelled prodigiously. When we proceeded along places which were level, I could, with the assistance of a stick, walk without much difficulty; but I experienced severe pain either in ascending or descending, as I was then obliged to tread heavily with the leg which had been hurt. Being thus unable to make an equal use of both feet, I was quickly overcome with fatigue. My companions were, therefore, under the necessity of stopping every half hour, in order that I might recover myself, and ease my knee by resting. Our object was to reach, before day-break, some hills, along which a thick forest extended, in order to conceal ourselves from the observation of the enemy; for we had now reason to regard the Japanese as implacably hostile to us. During our walks in the vicinity of the town, this forest appeared to us to be at no considerable distance, but we soon found how greatly we had mistaken its situation.

We could trace no footpath leading directly to the forest, and we therefore advanced straight forward. Owing to the darkness of the night we could see no farther than a few paces around us, and we sometimes unexpectedly found ourselves at the foot of a steep precipice which it was impossible to climb. We had then to search for a more practicable road; which, when found, we continued to ascend until new obstacles presented themselves.

In this way we spent three anxious hours, and having at last gained the summit, we proceeded northward along the level height. But fate had every where thrown interruptions and difficulties in our way. At the height we had now reached, the snow lay in some parts extremely thick; and the Japanese might easily have traced our footsteps across it. We were therefore obliged to search for such places as were not covered with snow; in doing this we crossed from one side to the other, and frequently turned back, by which we were greatly fatigued, and advanced but slowly. About an hour before daybreak, however, we unexpectedly found ourselves proceeding, in a direct line, for the forest, along a good road, which the Japanese had made for the purpose of conveying wood to the city on pack-horses. This road was thickly imprinted with the tracks of horses and men; there was no snow upon it, and therefore the Japanese could not trace our footsteps. It led in a straight northerly direction, and passed over the level summits of the hills. We were not a little delighted at the discovery, and advanced

advanced with increased rapidity. I still felt much pain in my knee, and through the whole of my leg; but as we were walking on level ground it was nothing to equal that which I experienced when ascending the side of the hill.

We hoped shortly to reach the forest, in the heart of which we intended to pass the day; but the sailor, Wassiljeff, who accidentally looked behind him, suddenly exclaimed, "they are pursuing us on horseback with lanterns."— With these words he quickly descended into a hollow on one side of the road. On looking round, we perceived some lights which appeared to be at no great distance from us. We immediately followed the example of Wassiljeff, and precipitated ourselves into a deep hollow. We descended to a considerable distance without finding either a tree or thicket under which we could conceal ourselves, and day was already beginning to dawn. Had it been broad daylight we might easily have been observed from any of the surrounding hills. We at length reached the bottom of the hollow, which was on every side overhung with naked precipices. The hollow itself was covered with thick snow, but no place of concealment presented itself, and the sun had now completely risen.

We stood still for a few moments, not knowing how to proceed; at last we perceived a small aperture in a rock, and on approaching it, found that it was a cavity which might, perhaps, though with difficulty, contain us all. A waterfall, which descended from the hill and passed by the

side of this cavity, had hollowed out a pit about ten feet deep almost directly under it. We were enabled to get near the cavity by advancing along the snow which was very high on the one side. This hole, in which we hoped to find shelter, was situated in the side of a rock, about nine feet from the bottom of the hollow, but the cataract had driven away so much of the snow, that it was with the greatest difficulty we could reach the aperture, our only assistance in climbing being a small tree which grew beside it. Had any of us missed a step, or had the tree failed to support our weight, we might have been precipitated into the pit, from which we could not easily have extricated ourselves. With my lame leg, it would have been next to impossible for me to have got out. We, however, succeeded in reaching the hole in safety.

When in it, we found that we had not sufficient room to sit down, and our grotto was, besides, half filled with a kind of sand stones, of which the whole hill was composed. Many of the stones lay with their sharp points and edges upwards, and we dared not to stir without the greatest caution, as there was a considerable slope towards the mouth of the hole; and had any of the stones given way, we might have rolled out along with them. We could neither lie down nor stretch out our feet, but were obliged to rest ourselves first on one elbow, and then on the other. In other respects our hiding place was well adapted to our purpose. The Japanese could not have traced us to it from any distance,

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for fortunately a keen frosty morning had so hardened the snow, that our footsteps were no longer visible. But there was one circumstance which excited our apprehension, our companion Schkajeff, as he was descending the hollow, lost his cap, which he had himself made out of a worsted stocking. Had it been picked up by the Japanese, they would have immediately recognised it as a part of our wardrobe, and it might perhaps have assisted them in discovering our asylum. We were, besides, afraid that the rays of the sun might melt the snow at the entrance of the cavity, and in that case we should have found it impossible to get out, as even in the morning we could not reach it without considerable difficulty.

In this situation we remained until sunset, reflecting on our fate, and deliberating how we should proceed. The day was extremely clear, but the rays of the sun did not penetrate to our retreat, and the neighbouring waterfall increased the coolness of the atmosphere, so that we frequently shivered till our teeth knocked against each other. During the whole day we distinctly heard the sound of hatchets in the forest, which was at no great distance from us. At sunset we peeped out of our hole and saw a number of people on the hills. No other remarkable circumstance occurred, except that we heard a rustling noise as if somebody had been slipping down the hill towards us. The noise became louder and louder; we even fancied that we beheld soldiers in search of us, and prepared for our defence, when we

suddenly perceived a wild deer, but the animal no sooner smelt us than he darted off at full speed.

When the stars began to appear we left our hole, and proceeded northwards to a high hill, which was here and there overgrown with underwood. My situation was dreadful. Whilst we were in the cave I had constantly kept my lame leg in one position, and therefore experienced but little uneasiness, but whenever I attempted to walk, and particularly to ascend the hill, the pain, which was not confined to my knee, but extended from the heel to the hip, was unbearable. I endured the utmost agony in climbing this hill, and we had yet many more to ascend. The circumstances of our case, however, required that we should advance without loss of time. Finding that I retarded my companions, and that I might perhaps occasion them to be overtaken by their pursuers, I entreated that they would abandon me to my fate, and proceed without me; but to this suggestion they would not listen. I represented that, from the commencement of our enterprise, fate had destined me to suffer, by rendering me incapable of following them. I begged that they would not sacrifice themselves for my sake, as I only occasioned them to linger, and from the excruciating pain which I endured, they must, sooner or later, leave me behind. But they were not to be prevailed on by my entreaties. They all protested that so long as I lived they would not abandon me, and that they would stop to let me rest at every quarter of a mile, and that, when they reached a  
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safe place of concealment, they would stop for two or three days, during which time I might recover the use of my leg. Makaroff besides offered to assist me in climbing the hills, if I would go behind him and hold by the skirts of his jacket or his girdle. In this manner I resolved to follow my companions; I was unable to walk, and was dragged along by the sailors.

Having ascended another hill, we reached a level spot which was covered with bamboo reeds and grass of the preceding year. Here we rested for a short time, and then advanced in a northerly direction, taking the stars for our guides. The night was calm and clear, and the snow-topped hills, which we had yet to ascend, shone in the distance. The level eminence which we were now crossing, was separated from the adjoining hill by a ravine of extraordinary depth, which we thought it imprudent to descend during the night, as we might have experienced considerable difficulty in extricating ourselves from the abyss. Instead therefore of advancing straight northwards, we turned a little towards the west, and proceeded along the edge of the ravine, in the hope of finding some convenient place for crossing it. Our embarrassment was not of long duration. We soon discovered a kind of mound which appeared to be indebted to art for its existence, and which connected together the summits of the hills, which were otherwise separated by the precipitous ravine. It was on account of its magnitude only that it could be regarded as a production of

nature. As we were proceeding onward we discovered, as we supposed, two huts, and at intervals heard the sound of a pipe resembling that which is used in Russia for alluring quails. We stooped down among the grass, and for a long while listened attentively without knowing whether the sound proceeded from a bird or from some hunters whom we suspected might be in the huts. We at length resolved to advance, being well aware that their number could not be so considerable as to prevent our resisting them with success in case they attacked us. On approaching, however, we discovered that what we had in the dark taken for huts were merely two heaps of poles. We armed ourselves with some of these poles, and then pursued our course.

On reaching the next hill we discovered a wide road leading to the north, along which coals and wood are conveyed on pack-horses to the city. We observed plainly that this road had not been trodden during the present spring, though we perceived in all directions fires which were doubtless kindled for making charcoal. The sides of this road were overgrown with thickets and high grass, among which we lay down to rest at midnight, for owing to the sharp stones with which the cave was filled, we had not enjoyed a moment's repose during the day. We slept for two or three hours and then resumed our course. From the summit of the hill we descended, by various turnings and windings, into a small valley, which was watered

watered by a little stream, on the surface of which the ice and deep snow were in many places sufficiently strong to bear our weight. We now lost sight of the road, and proceeded over the snow in an oblique direction across the valley, in the hope of finding the road again, but our attempt was unsuccessful: we however discovered a footpath, leading to the summit of a hill, which was higher than any we had hitherto crossed. As the precipice was extremely difficult to ascend, and we frequently found it necessary to stop to rest ourselves, we did not reach the summit until day was about to dawn. We then found a convenient resting place, where we resolved to halt for the day. We crept in among the thickest of the bushes, and for the sake of a little warmth lay close to each other, as the morning was extremely cold, and our clothing was not calculated to protect us from its influence. We did not, however, lie in this place above two hours, and we suffered so severely from the cold, that to sleep was quite impossible.

When daylight was completely set in, we arose to take a view of the objects around us. We found ourselves on a lofty eminence, which was on every side surrounded by mountains. Those towards the south were somewhat lower than the one on which we stood, but those to the north were, on the contrary, considerably higher. Hills, forests and snow were the only objects which met our eyes; yet the prospect was sublime. We observed that the tops of all the hills were enveloped in mist, and we con-

sequently concluded that if we kindled a fire among the bushes it would not be perceptible from any of the surrounding eminences; we therefore resolved to try the experiment, for the double purpose of warming ourselves and boiling our kettle; not indeed to make tea, for we had none with us, but to warm and render more palatable our rice, which was by this time dry and mouldy. We likewise searched for wild herbs, but in vain, for among these hills winter still raged with the utmost severity. We collected some dry twigs, kindled a fire, and warmed some snow-water, which we sucked up with small bamboo reeds, and eat the rice along with it.

In the meantime some heavy clouds arose behind the hills from the east, and the wind began to howl among the rocks. The clouds spread in every direction, and the wind blew with more and more violence. A storm appeared to be gathering. Persuaded that we should now meet nobody among the hills, and that our pursuers therefore could not discover us, we resolved to proceed without waiting for night. We were, moreover, induced to adopt this resolution on account of the extreme cold, from which, notwithstanding the fire, we suffered most severely.

We proceeded straight northwards, along the footpath which had been traced on the ridges of the mountains. This path, however, soon inclined to one side, and at length turned completely round; we therefore abandoned it, and pursued our course among the thickets. The declivity of the hill, which was covered with snow,

snow, soon conducted us into a hollow. The pain in my foot had not in the least abated, and I was dragged along, holding by the girdle of Makaroff. When we were descending the precipice the violence of the pain forced me to sit down on the snow and slide along. In doing this I guided my course with the pole to which the chisel was fixed, which also served to diminish the velocity of my motion where the declivity was very abrupt. Contrary to our expectations the storm did not arise, the clouds dispersed, and all the surrounding hills became perceptible.

This did not, however, induce us to alter our determination, and we still continued to advance. On reaching the hollow, we discovered on the banks of a little rivulet, two or three earthen huts, but there was nobody within them. We waded through the water, and again ascended a hill, which, however, had the advantage of being covered with trees, against which we frequently rested, and by which we were at the same time concealed from observation.

Having ascended to a considerable height, we suddenly found ourselves at the foot of a steep rock, which we could not climb without the greatest difficulty and danger. I had nearly reached the top of the rock, when I found myself under the necessity of loosening my hold of the girdle of Makaroff, who otherwise, overburthened as he was, would not have been able to have gained the summit. I therefore placed the toes of my sound foot firmly against a stone, and throwing my

right arm round a young tree, which was so much bent down, that it inclined almost to a horizontal direction, I resolved to wait until Makaroff should reach the top, and be able to release me from my perilous situation. But powerful and vigorous as Makaroff was, his great exertions had so overcome him, that he no sooner reached the summit, than he fell to the ground almost in a lifeless state. At this moment, the stone against which I had rested my foot detached itself and rolled to the bottom of a deep hollow which the rock overhung; I was thus left hanging by one hand, without the possibility of obtaining any other support, owing to the excessive smoothness of the rock.

The rest of the sailors were at no great distance, but fatigue rendered them unable to afford me any assistance. Makaroff still lay stretched upon the ground, and Mr. Chlebnikoff was labouring to climb the rock at another point. Having remained in this dreadful situation for several minutes, my hand began to smart severely, and I was on the point of ending my sufferings by precipitating myself into the gulph, more than a hundred fathoms beneath me—when Makaroff, suddenly recovering, beheld my situation, and hastened to my assistance. He rested his foot upon a stone which projected from the rock under my breast, and with one hand grasped a branch of the tree. With my hand which was free, I then seized his girdle, and by a great effort on his part, I was drawn to the top of the rock. We were no sooner both safe, than

thàn Makaroff again fell down in a state of insensibility. Had either the stone or the branch of the tree given way, we must both have been precipitated to the bottom, and have perished.

In the meanwhile, Mr. Chlebnikoff had climbed to the middle of the rock, when such obstacles presented themselves, that he could neither move backwards nor forwards. The sailors immediately tied together the sashes they wore as girdles, and having lowered one end until he was enabled to take hold of it, drew him from his perilous situation.

We rested for a short time on the top of this rock, and then proceeded to ascend the next hill, on the summit of which we perceived, in the distance, an earthen hut, or something resembling one, which we supposed would afford a convenient shelter for the night. Before sunset we reached the summit of this hill, one of the highest in Matsmai; it was overgrown with reeds, between which the snow lay very deep, and only a few scattered trees were to be seen. Contrary to our expectations, we found no earthen hut; but we were convinced we were now secure, as the Japanese would not look for us in that terrific spot. We immediately kindled a fire, and prepared a supper, consisting of wild garlic and sorrel, which we had gathered on the banks of the river through which we had that day (April 25th) waded. We likewise dried our clothes, which were completely soaked, as the water had in many places been more than knee deep. Towards

night we collected some reeds and built a hut.

Having eaten heartily of boiled herbs and a portion of our store of provisions, we laid ourselves down to rest, as night had already set in. In consequence of the extreme fatigue we had undergone, we quickly fell asleep. My repose was not, however, of long duration; being oppressed by the excessive heat of our hut, I awoke and walked out into the open air. I leant myself against a tree near the hut, and the majestic image of nature which I then beheld excited all my admiration. The sky was clear, and numerous black clouds were floating around the nearest hills. It probably rained in the plains. The snow glistened on the tops of the mountains in the distance; I never saw the stars shine with such brilliancy as on that night; a deadly stillness prevailed around me.

But this sublime spectacle vanished, when I suddenly recollected our situation, which now presented itself to my mind in all its horrors. Six men on the summit of one of the highest mountains in Matsmai, without cloathing, provisions, or even arms, by the help of which we might have obtained something to save us from starvation, and surrounded by enemies and wild beasts, wandering over a strange island, uncertain whether or not we should succeed in gaining possession of a vessel; and I in a state of lameness which occasioned the severest agony at every step. To reflect on so helpless a condition, was indeed to be verg-

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ing on despair! In the meanwhile some of my companions also awoke, and their sighs and prayers served only to increase my distress. I forgot my own misfortunes, and shed bitter tears for their unhappy fate. In this situation I remained for upwards of an hour, when the cold forced me again to take refuge in the hut; I stretched myself upon the ground, but to sleep was impossible.

We arose at daybreak (on the 26th of April) kindled a fire, cooked some wild garlic and sorrel, eat our breakfast, and then continued our journey. We now resolved no longer to climb the hills, but to pursue our course along the banks of a little stream which flowed in a westerly direction, and then to turn towards the north, to await on the seashore an opportunity of getting on board a vessel. We descended into a deep valley below the hill, and directed our course towards the west, along the side of the stream. But the road we had chosen was by no means an easy one. The stream frequently flowed with violence between narrow cliffs of rocks, which we could not pass without the greatest difficulty and danger. The least slip of the foot would have plunged us into the water, and we should have been carried down by the current and dashed to pieces against some of the projecting masses of rock. In addition to this, we were compelled at every quarter of a mile, and even at shorter distances, to wade across the rivulet, as the banks on one side were frequently so steep, that it was impossible to walk along them. Whenever we

found it necessary to cross from one side to the other, we, of course, chose those parts in which the water was shallow and flowed with little violence; but we frequently found it, even with the assistance of poles, difficult to resist the force of the current. The depth of the stream was various, sometimes reaching to our knees, and at other times above our waists.

Having travelled in this way to some distance, we discovered on the banks of the rivulet several empty huts, which, during the summer season, had been inhabited by wood-cutters and coal-burners. We entered them and searched for provisions, but we found only an old hatchet and a chisel, both completely covered with rust, and two lackered cups which we carried away. The day was clear and excessively warm; we therefore resolved, though the sun had not yet set behind the hills, to pass the night in one of the huts, in which, we found a stove for making charcoal. We were afraid to kindle a blazing fire, lest it should be perceived by the Japanese; we, however, made one sufficiently large to roast some wild garlic, *lysimachia* and sorrel, and to dry our clothes. We then lay down to rest in the hut, of which, one half of the roof had fallen in, so that we slept as it were, in the open air. The night was extremely cold, but from this, we did not suffer much inconvenience, as we lay among straw, with which, we completely covered ourselves.

On the following morning, the 27th of April, we took our usual breakfast, and pursued our course

along

along the banks of the river. Having proceeded about two miles, we discovered a hut, from the roof of which, smoke was issuing. To attack the poor inhabitants, would have been an unprovoked act of cruelty, and we, besides, thought it imprudent to show ourselves, lest they should give our pursuers information respecting us. We, therefore, ascended a hill which was covered with thickets, and proceeded westward. We then descended by a footpath into a valley, where, at noon, we seated ourselves by the side of a little brook, and eat some beans and rice. On reaching the summit of another hill, we observed various roads leading to the sea-side. The hills in this part of the island were entirely barren, without either bushes or high grass, and crossed by paths in various directions. The weather was so extremely clear, that we observed a dog running along a footpath on a distant hill. It seemed imprudent to advance, as owing to our number and size, the Japanese might easily have recognised us, and yet we were unwilling to lose time. Our object was to reach the coast by the evening, and after having taken a little rest, to proceed along the shore during the night. We therefore resolved to advance separately, stooping down, and keeping a strict watch on every side. We accordingly turned back about the distance of a mile, and reached a hill somewhat lower than the rest; but, here we were still in danger; for it would have been easy to see us from the high-way which lay along the shore; we therefore sat down among the

grass and deliberated on the most prudent mode of proceeding. At that moment, we discovered a party of soldiers on horseback, who were galloping along a footpath, in a direction towards us, we crept immediately into a hollow, and hid ourselves among the bushes, with which it was on both sides covered, and the soldiers rode past without perceiving us. We were now convinced of the danger of proceeding across the hills, for had we not been sitting down at the moment, the soldiers were riding up the hill, we should doubtless have been discovered and taken.

The valley in which we had concealed ourselves, was watered by a small brook, the bed of which was dirty and filled with decayed roots and leaves. We stirred up the mud, and found some small crabs about half an inch in length, which were indeed calculated rather to excite disgust, than to provoke appetite; but we eat them with as much pleasure, as if they had been the most exquisite dainties. Having sat about an hour in the valley, we resolved to advance in it as long as we should find bushes capable of concealing us, and to endeavour to regain the hills by some other road. The valley led straight towards the sea. We walked on for upwards of a mile, and came to a spot which could be seen from various roads. We therefore seated ourselves amidst shrubs and reeds. There we found several fine young trees, some of which we cut down to make pikes, fastening our knife to one, the chissel to another, and merely cutting the ends of others



others into sharp points with the hatchet which we had found in the hut, and with which one of the sailors was armed. Whilst we were busy at this work, we suddenly heard the sound of voices approaching us. They appeared to proceed from some persons on the other side of the valley. Mr. Chlebnikoff, who, at this time was seated the highest up of any of us, saw a number of working people pass by, among whom were several women.

When it began to grow dark, we resumed our journey, and at night reached the shore, along which, we proceeded in a northerly direction. We had, however, scarcely advanced to the distance of a werst, when we unexpectedly found ourselves in front of a village, which was built beside a steep rock, a circumstance which accounted for our not having sooner perceived it. We immediately halted, fearing to proceed lest guards might be stationed in the village; but finding that the rock was extremely high, and difficult to climb, we resolved at all hazards to venture onwards. We succeeded in passing unperceived; even the dogs never once barked at us. We found here, two boats which were good in their kind, but too small for our purpose, and we proceeded in the hope of falling in with some larger vessels.

This occurrence afforded us much satisfaction. We were convinced that the villages were not all so strictly guarded as we had supposed. In the course of the night we passed with equal boldness through one or two other villages, near which we saw several

boats, but they were all too small; besides, the road along the shore was not so passable and good as we had at first supposed. There was a large plain between the hills and the beach, which was frequently intersected by hollows, through which streams and brooks flowed from the hills into the sea. When the direct course towards the sea was obstructed by perpendicular rocks, the road passed along the plain through the hollows, in which the ascent and descent were very steep, and exceedingly difficult. We frequently lost the footpaths, particularly in the valleys, where the soil was usually composed of gravel and sand, and we sometimes knew not how to get out of them. We often spent whole hours in searching for the road, and when we did not succeed in finding it, we were compelled to climb the heights in the dark, with the greatest difficulty and danger. There was in general no trace of footsteps left among the sand in the hollows, and we were obliged to go forward trusting to chance for finding an outlet; but we frequently found our progress stopped by rocks, which it was necessary to avoid by making a circuit, or, to attempt to surmount at the risk of breaking our necks.

At daybreak, on the 28th of April, we again turned back to the mountains, where we proposed to remain during the day. When the sun had fully risen, we found ourselves upon a high hill, which was totally barren, and consequently afforded us no means of concealment. We at length, however, discovered some bushes in  
a hollow,



a hollow, and tearing up others from different places, we fixed them into the ground, and crept in beneath them. Unfortunately, there was neither water nor snow upon this hill, and we suffered excessively from thirst. On the other side of the hollow and opposite to us, was a path leading to a wood, along which, we frequently observed men and pack-horses going backwards and forwards, and saw them so plainly, that, had the former been our acquaintances, we should have found no difficulty in recognising them. They did not observe us, though a glance directed towards that part of the hollow in which we had taken refuge, would inevitably have betrayed us.

We were busily employed during the whole of this day. We stitched our shirts together for the purpose of forming two sails, and made all the necessary appurtenances out of the ropes and pieces of woollen cloth which we had carried off with us. There was a village at no great distance from our hiding place, and as evening approached, we observed that one of the vessels which were sailing along the coast, anchored near it. We resolved, therefore, in case the wind should prove favourable to board the vessel that very night.

At sunset we descended the hill, and proceeded towards the shore; but as we approached the vessel, we heard a noise and the sound of voices on board. We, therefore, withdrew, intending to wait until the dead of the night before we attempted the execution of our enterprise; but we soon discovered that the vessel

was weighing anchor, and that the noise was occasioned by that labour. Our design was therefore frustrated, and we pursued our course along the shore.

We had this night many more obstacles to contend with than on the preceding. The hollows were more numerous and deeper, and we frequently found it necessary to wade through streams. Towards midnight, we arrived at a village of considerable size. We at first wished to pass along the principal street, but we found it extremely long, and we, besides, heard the guards striking the hour with their boards. We then proposed going round the outside of the village, but the kitchen gardens were so large, that we must have made a very considerable circuit; we, therefore, proceeded across the gardens, and left traces of our footsteps behind us, which must have been remarkable, on account of their size. On the shore we observed several large fires, and, at first, were at a loss to conjecture what was meant by them. We imagined they were intended as watch-fires for the soldiers, but we soon discovered that they were signals for the vessels which were sailing past the coast, for they were lighted up immediately upon lanterns being hoisted on board the ships.

On the 29th of April, the morning dawn drove us to the adjoining heights. At sunrise we found ourselves on the summit of a high and barren hill, which afforded us no place of refuge. We perceived on every side foot-paths, along which the inhabitants passed from the villages to the forests. We, therefore, turned

to the opposite side, and entered a deep woody valley, in which there was a brook: we seated ourselves in a concealed place, and kindled a fire to dry our clothes and warm us, for the weather was extremely cold and windy; and having gathered some wild garlic and water-angelica, we cooked and eat it. These herbs were, however, none of the most palatable, and without the addition of other food, such as a handful of beans or rice, we could not possibly have eaten them. I lost all appetite, though I drank considerable quantities of water wherever it was to be found. We now began to consider how we should furnish ourselves with provisions; and our situation rendered it necessary that we should search for a convenient place in the forest, where we might repose and recover our strength, which, owing to want of sustenance, and excessive fatigue, was nearly exhausted. Unfortunately for us, the hills at a certain distance from the shore were completely barren; and, at every three wersts, there were villages, whose inhabitants were, during the day, continually going backward and forward to the forest. In the day-time, it was, therefore, impossible to conceal ourselves close to the shore, and we were obliged before sunrise, to hasten across the hills into the forest, and when night approached again to direct our weary steps towards the sea. When we reached the beach, we were usually so overcome with fatigue, that we were scarcely able to move along. We wished to procure a supply of provisions, but we determined that nothing

but the most urgent necessity should induce us to resort to measures of violence, which might irritate the Japanese, and give them reason to guard their coasts more strictly. Our great object was to obtain, as speedily as possible, possession of a vessel, confident that it would, according to the Japanese custom, be plentifully supplied with provisions and fresh water. We likewise resolved, when we should be passing through the villages, to search for the spot where the Japanese lay out their fish to dry, or, if possible, to catch two or three horses in the fields, carry them into the forest, and kill them and live upon their flesh.

At sunset, we quitted our hiding place, and proceeded, as usual, to grope our way to the coast. The obstacles which we before had to contend with were now increased; the valleys were deeper than any we had hitherto met with, the rivulets flowed with violence, and in wading through them the water frequently rose above our waists: in addition to this, the rain poured in torrents, so that we found it impossible to lie down on the grass to rest.

We this night encountered two adventures. Close to the shore, at some distance from us, we beheld a flame, which, however, suddenly vanished at our approach. On reaching the spot where we had seen it, we discovered an extremely high rock, but neither hole nor hut from which flame could have issued. It was, perhaps, merely the effect of illusion.

We now descended into a deep valley,

valley, whence we had to ascend to the level summit of a hill, by a steep, winding, and well beaten foot path, when we met with an accident which not a little distressed us. Mr. Chlebnikoff slipped his foot and fell into a hole. We once heard him stop, but he again rolled further down, and at length we knew not what had become of him. He returned no answer to our questions, and we dared not call loudly, as there were villages within hearing of us. The night was so extremely dark, that no object could be recognized at the distance of ten paces. We tied our girdles together, and fastening the one end about Wassiljeff, let him down into the hole into which Mr. Chlebnikoff had fallen. We lowered him gradually as far as the length of our united sashes would admit, and then drew him up again. Wassiljeff informed us, that, notwithstanding the depth to which he had descended, he could not discover the extent of the hole; and that he called Mr. Chlebnikoff, but received no answer. We, therefore, resolved to remain on the spot until daylight, and then to lower another of our party into the hole, to ascertain whether Mr. Chlebnikoff was yet living.

We remained, for two hours, in a state of the most painful uncertainty respecting the fate of our worthy companion. We at length heard a rustling among the grass, and, on looking round, to our astonishment, beheld Mr. Chlebnikoff. He had first rolled down about two fathoms from the surface, when something stopped him, and he endeavoured to climb up again; he, however,

slipped a second time, and fell perpendicularly into a pit, to the depth of four fathoms. Fortunately, there were no stones at the bottom of the pit, but he was, notwithstanding, severely bruised. He, at length, succeeded in climbing up the side of the hole, and reached the spot where he surprised us by his unexpected appearance. After having rested for a short time, he again accompanied us on our journey, although he felt severe pain in every part of his body.

Even now, I never look back without horror upon the frightful gulphs and huge rocks of Matsmai, and millions of money would not tempt me to travel over them again, even in the open day. Whilst we were ascending steep eminences, and beheld beneath us on every side nothing but masses of rock and torrents, we were frequently obliged to hold by small bushes, without being certain whether they might not be too weak or decayed. Had any of them given way, those who were trusting to their feeble support must have been precipitated into the abyss below, and dashed to pieces. A loose stone projecting from a rock was frequently our only reliance. But Heaven watched over us, and excepting Mr. Chlebnikoff's fall, no serious accident occurred. Our desperate situation made us disregard every danger. We climbed up the steepest rocks without ever thinking on death, and with as much indifference as if we had been proceeding along a level road. My only wish was, in case an accident should occur to me, that it might be a decisive one,

one, that my fall might be from such an immense height, as would put a speedy end to my suffering.

Before sunrise on the 30th of April, we proceeded towards the hills, and entered a wood, where we stationed ourselves not far from the road. We dared not kindle a fire, though we should have found it extremely acceptable, for the rain, which still continued with violence, had soaked our clothes completely through. We lay down close to each other, and covered ourselves over with our sails. In the course of the day, my companions ate some portion of their store of provisions, but I had lost all appetite for food, though I still suffered severely from thirst.

When night set in we again directed our course towards the shore. In all the villages through which we passed we neither found a good boat nor saw any fish laid out to dry. Either the fishing season had not commenced, or the fish had been removed into houses during the night. We saw several horses in the fields, and endeavoured to catch one, but they were all so extremely wild that we found it impossible. This night we descended down the side of a steep hill, for the purpose of proceeding to the shore; we had, however, scarcely got half way, when we found that we were advancing straight upon a village. In the dark we missed the foot-path, and mistook a heap of straw for a part of the declivity. We had no sooner set our feet upon it than we rolled down, and unexpectedly found ourselves in front of a house and barn. A dog

rushed out upon us, but we calmly proceeded on our way, though we were doubtless observed by two men who came out with lanterns.

We all suffered severely from thirst, and never passed a brook without taking hearty draughts of water. But immediately after I drank water, I felt myself affected with nausea, and the saliva flowed from my mouth. In the course of half an hour, however, I was usually so overcome with thirst, that on hearing the murmuring of a rivulet at a distance, I promised myself a speedy relief, and redoubled my pace in order to reach it quickly, but as soon as I had taken a draught of water the nausea returned, and I was thus alternately a martyr to thirst and sickness, and could eat nothing.

On the first of May we rested on a declivity, by the side of a rivulet, in a thick wood, near which there was a village built on a sandy point of land. We saw several horsemen and foot passengers cross the stream, on the outside of the wood, and people passing along a road near us.

We were, therefore, obliged to remain the whole day without fire. At night we again departed, but as we met several men with lanterns, we were obliged to hide ourselves behind the trees until they passed by. On approaching close to a village we heard the hours striking, and, of course, were pretty certain that the place had a guard of soldiers, who, as it was not perfectly dark, might discover us: we, therefore, determined to halt. In the meantime we observed a mare tied to  
a tree,

a tree, in a meadow near the village. We determined to carry her off, and had already cut the rope, when a foal suddenly sprang up, ran about, and neighed loudly. We found it impossible to catch it, and were obliged to run off and leave the mare behind, lest the noise should alarm the Japanese. We returned a short time afterwards, recollecting that the milk of the mare would be extremely acceptable to us; but the sailor, who set about milking her, received so severe a kick, that we thought it prudent to have nothing more to do with her.

When it grew darker we proceeded along the strand, and came close to a village, from which the dogs rushed out upon us. We were afraid lest the barking of these animals should attract the attention of the Japanese, who would immediately have perceived us, and we, accordingly, sat down behind a heap of sand. The dogs then stood still and growled, but no sooner did we attempt to rise than they flew at us, and by their barking compelled us to resume our station. We were thus obliged to remain in the same spot for the space of half an hour, the dogs having by that time left us; we started up and passed through the village without any further interruption.

Soon after, as we were passing through another village, we observed a boat in the water, close to the shore, and a tent near it. We advanced to inspect the boat, but Schkajeff, hoping to find something eatable in the tent, thrust in his hand, and grasped the head of a man who was sleeping there. The man roared out

loudly, and fearing that the noise might alarm the inhabitants of the village, and being, besides, uncertain whether the boat would contain us all, we ran off and concealed ourselves behind some stones. After a short time we dispatched two of our party to take a survey of the boat, but there was a man seated in it, who was looking round him on every side: we, therefore, thought it best to depart.

Before we reached the other extremity of this village, we observed a large boat which had been dragged ashore as far as the houses. On examination we found that it was well adapted to our purpose, but it was so far from the water that we despaired of getting it afloat, and we therefore proceeded onwards. We soon after discovered, under a shed on the shore, a very large boat; it was without sails, but was furnished with every other necessary appurtenance, and had even small buckets, in which we might have laid in a supply of fresh water. The wind and weather were more-over favourable. Unfortunately, however, the boat lay with one side towards the water, and we must consequently have turned it in order to get it afloat, but to accomplish this object we found our strength insufficient. Had either the head or the stern been towards the water we would soon have launched it; and after carrying off a supply of provisions from one of the houses, would have put to sea. But this was impossible; we therefore contented ourselves with merely taking a watering pot which we found in the boat, and which we thought,

thought would serve us to drink out of.

The approach of the morning drove us once more among the hills. Day-light, however, surprised us on the side of a barren mountain, covered only, here and there, with a few bushes. We beheld foot-paths on every side, and villages along the shore, as far as our eyes could see. A thick forest, in which we might have concealed ourselves, lay at such a distance, that it would have taken us a long time to reach it, we were, therefore, obliged to lie down under the bushes around us. The day being fine, we dried our clothes, and deliberated on new plans of escape. We were well aware that we could obtain provisions only by forcible means, and that, after having committed violence, we should no longer be in safety, as the Japanese would doubtless redouble their vigilance, and station guards along the coast; all chance, therefore, of getting on board a vessel would have been entirely at an end. We thought it a more adviseable scheme to gain possession of a couple of fishing-boats, which were to be met with at every point along the shore, and to row to a small island covered with wood, which lay between twenty-five and thirty wersts from the coasts, and which, when we were at Matsmai we had heard was uninhabited. We might there build a convenient hut, kindle fire when we pleased, and during the day gather, without danger of detection, shell-fish and sea weeds for our support. It would thus be very easy for us to wait until an opportunity presented

itself, in calm weather, of boarding a loaded vessel sailing past the island. This was a part of our plan, which we were of opinion could be executed without difficulty, as during the three days we had been on this part of the coast, we had observed that all vessels and boats passed between the island and the coast of Matsmai, and it appeared always stood near the island; we were besides aware, that in the summer calms very frequently occur in those seas. If this project should fail we still might, during the summer, when the wind is never violent, and almost always blowing from the east, trust to the fishing-boats for carrying us to the coast of Tartary, which is about four hundred and six wersts distant from Matsmai.

But while we were framing plans for our deliverance, an adverse fate was preparing for us. We saw people walking backwards and forwards on the foot-paths by which we were surrounded, but it did not appear that we were observed by them. At length, on a hill at some distance, Mr. Chlebnikoff perceived a woman who frequently pointed to the place in which we were, and turned round on every side, beckoning with her hand, as if calling on persons to approach her. We soon understood that these signs concerned us, and we descended into a hollow in the hope of escaping through it into the heart of the forest. Before, however, we reached the bottom of the hollow, we found it suddenly surrounded by men, who hastened to the spot from every side, on foot and on horseback.

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The moment they discovered us they raised a frightful cry. Makaroff and I fled to a part covered with bushes, and soon succeeded in getting out of sight; but we could not venture to move farther off, and lay down to wait for our companions, and observe the number of our enemies, and how they were armed. Our first supposition was, that they were country people; but, to our astonishment, we found that they were soldiers, headed by an officer on horseback. They were armed with muskets, and bows and arrows, in addition to their sabres and daggers. Our companions were immediately surrounded, and compelled to surrender. From between the bushes we saw the Japanese bind their hands behind their backs, and, after enquiring respecting Makaroff and me, led them towards the shore.

Meanwhile more Japanese had assembled, and a search for us was commenced. Makaroff now asked how we should proceed. Perhaps, said I, the Japanese may not discover us to-day; and, when it is dark, we may find our way to the shore, get into a boat, row to the uninhabited island, and from thence to the coast of Tartary. But where were our sails, our tea-kettle, our tinder-box, and the knife! Those things were with our companions, and all had now fallen into the hands of the Japanese. We had only two pikes; mine mounted with the chisel, and Makaroff's with a small knife. Nevertheless, I proposed to my companion, that in case we succeeded in eluding the search of the Japa-

nese, we should look out for a fishing-boat on the coast, and supply ourselves, by force, with whatever was necessary for our expedition. This was resolved upon.

From the thicket in which we sat, we saw soldiers and peasants searching about for us on both sides of the hollow. At length four soldiers advanced into the centre, two armed with sabres, and two with pikes. The rest ranged themselves in rows on each side of the hollow, and held their muskets and bows and arrows in readiness. Those who approached us thrust their pikes into every bush capable of hiding a dog; and, at last, came direct upon the one in which we were concealed. When they had advanced pretty near us, Makaroff, who observed me seizing my pike, entreated, with tears, that I would not attempt to defend myself, or kill any of the Japanese, as such a proceeding might prove highly injurious to the rest of our companions. He further observed, that I might, perhaps, be the means of saving all their lives if I delivered myself up to the Japanese, and declared that as I, who was their commander, had ordered them to attempt their escape, they were bound to do so; lest, they should ever chance to return to Russia, where they would be severely punished for disobedience. These words made so deep an impression on me, that I immediately struck my pike in the ground, rose and stepped out of the bush. Makaroff followed me. The Japanese were filled with amazement at our unexpected appearance. They started



started back when they first beheld us, but finding that we were unarmed, they advanced boldly, seized us, bound our hands slightly behind our backs, and conducted us to a village on the shore. Our guards never permitted themselves to offer us the slightest insult or ill-treatment of any kind; on the contrary, when they observed that I limped, and walked with pain, two of the soldiers took me by the arms, and assisted me in ascending the hill, and passing over slippery places. When we arrived at the village, they led us into a house where we found our companions.

Captain Golownin's narrative is concluded with the happy relation of their final release from this long captivity.

The 5th of October was the day appointed for my interview with captain Rikord. The Japanese proposed that Mr. Moor should be present; but this, to their astonishment, he declined. Mr. Chlebnikoff wished to enjoy the satisfaction of seeing his countrymen and companions, but the Japanese were of opinion, that considering Mr. Moor's disordered state of mind, it would not be prudent to leave him alone.

On the morning of the 5th one of the interpreters brought my hat, and the other my sword, which they presented to me with demonstrations of great respect, whilst they, at the same time, sincerely congratulated me. In compliance with the wish of the Japanese, I dressed myself in a rich silken jacket and loose trowsers, which had been made in Chakodade for the occasion. The

sword and cocked hat was calculated to add to the singularity of this dress in the eyes of Europeans; but this was an object of indifference to the Japanese. As, however, the restoration of our swords indicated that the Japanese no longer looked upon us as prisoners, I readily acceded to their wishes, and resolved to appear before my companions in a dress in which, had they not been prepared for the meeting, they might have found it difficult to recognise me. In addition, my hair was far from being cut in the Russian style, and had I not recently shaved my long beard, my appearance would have been altogether extremely ludicrous.

The place fixed upon for my interview with Captain Rikord was an apartment in the custom-house, which was situated near the shore. The three interpreters, the academician, and a few of the inferior officers, were ordered to be present as witnesses. At mid-day I was conducted to the custom-house, round which a number of troops were drawn up in parade. I proceeded along with the interpreters to the conference chamber. The Japanese, according to custom, seated themselves on the floor, but a seat was handed to me. Captain Rikord soon arrived in the Governor's barge, accompanied by Mr. Saweljeff, one of his officers, the interpreter Kisseleff, and a few sailors. The latter were stationed in an open place in front of the house, and Captain Rikord, Saweljeff, and Kisseleff entered the apartment in which I was waiting to receive them.—I leave the reader



reader to imagine the transport of our meeting!

A seat was immediately placed for Captain Rikord, and the interpreters having intimated that we might converse together as long as we pleased, they stepped aside and paid no attention to what we said. The joy, astonishment, and curiosity with which our questions and answers succeeded each other, may easily be conceived. Capt. Rikord wished to know all that had occurred to us during our imprisonment; and I, in my turn, inquired after the affairs of Russia, and thus we proceeded from one subject to another. At length I explained the object of our interview, and the wish of the Japanese; and he acquainted me with the instructions he had received from the Civil-Governor of Irkutsk, respecting a determination of boundaries, and a treaty of friendship between the two empires. On taking into consideration the whole business, it appeared to us that the propositions of the Japanese were reasonable, and that, consequently, we ought to comply with them; but that, for the following reasons, it would not be advisable, at that time, to negotiate for the fixing of boundaries and an alliance. From the documents which we had translated we knew the conditions on which the Japanese government had authorized the Bunyō to liberate us, and, likewise, what declaration he had to communicate; consequently, he could have returned no answer to any new proposal, on our part, without receiving instructions from the capital. The vessel must, besides,

have wintered in Chakodade; and this would have been placing ourselves completely in the power of the Japanese; for though the harbour seldom freezes, yet the winter is severe and of long duration. The crew on board the Diana would also have been exposed to considerable danger, and the vessel might even have been rendered unfit to perform the voyage home; for the violent storms which occur during winter, on the coast of Japan, might have parted her from her anchors, and driven her ashore. To have requested permission for the seamen to disembark and live on shore, and to have the ship unrigged in a safe place, would have been to subject ourselves to the same conditions which Resanoff and his suite had submitted to at Nangasaky, namely, to resign the vessel entirely to the Japanese—and this at a time when we ought to have asserted our claim to three islands, which, in our opinion, they had unjustly occupied.

Besides it had, at various times, been intimated to me by the interpreters (who always spoke the sentiments of the Bunyō), that notwithstanding the unfavourable answer of the Japanese government, they did not entirely despair of seeing a friendly alliance established between Russia and Japan, but that to accomplish it would require prudent management on our part. The interpreters suggested one method to us, but I shall pass it over, in order that I may not farther interrupt the thread of my narrative.

When every thing was arranged between Captain Rikord and me,

the Japanese produced the translated declaration of the Bunyo of Matsmai. Captain Rikord, in return, delivered in the document required by the Japanese, which Teske translated, showed to the officers present, and then informed us that they were perfectly satisfied with it. The Japanese did not evince the least sign of impatience at the length of this interview, and at the end of our conference, presented us with tea and sweetmeats. At length Captain Rikord departed. I accompanied him to the boat in which he embarked to go on board the Diana, and then returned to our house.

My companions awaited my return with the utmost anxiety. I acquainted them with all I had heard from Mr. Rikord respecting the political affairs of Europe, the entrance of the French into Russia, and every particular relative to our families and friends. Two circumstances, however, I was under the necessity of concealing; namely, that Tachatay-Kachi had communicated to the Japanese the instructions given to Mr. Rikord respecting the settling of the boundaries, and that the interpreter Kisseleff was a Japanese by birth. These facts I did not choose to disclose, in order to avoid giving uneasiness to my distrustful fellow prisoners, who to the last moment doubted the sincerity of the Japanese.

It will appear from Captain Rikord's account of his expedition to Matsmai how much we were indebted to him, and to his excellency the civil governor of Irkutsk. I must also with a feeling of gratitude mention that

Captain Rikord's bold decision to land and hold a conference in the town, contributed not a little to the favourable conclusion of the negotiation; for the interpreters had previously assured us, that if Captain Rikord did not come on shore, great difficulties would arise, the end of which could not be foreseen.

On the 6th of October, in the morning, the interpreters delivered to Messrs. Chlebnikoff and Moor their sabres and hats in the most respectful manner, and stated that we were on that day to be presented to the Bunyo, who would in person notify our liberation. He advised us to put on our best clothes, and to wear our swords when we appeared before the Bunyo.—To this proposal we gladly assented. At noon we were conducted to the house of the governor of the town where the Bunyo resided. We three officers were shown into a very neat apartment, and the sailors and Alexei were desired to remain in another. In a few hours Mr. Chlebnikoff, Mr. Moor, and I were requested to enter a spacious hall in which the officers, the academician, and the interpreters were assembled. They were more than twenty in number, and were seated in rows on each side of the hall. The Bunyo soon entered with his retinue, and took his seat. The officers made their obedience to him, we bowed in the European way, and he returned our salutation:—all the old ceremonies were repeated, except that the sword-bearer, instead of laying the sword by the side of the Bunyo as formerly, held it perpendicularly in  
both

both hands, with the hilt upwards. The Bunyo then drew a large sheet of paper from his bosom and holding it up said: "This contains the orders of the Government!"—The interpreters immediately translated these words; while the officers, however, sat with their eyes cast down, as if they had been deprived of all animation. The Bunyo then unfolded the paper, and read its contents aloud. It was the document, a copy of which has already been given, stating that Chwostoff's misconduct had been the occasion of our imprisonment; but that, as the Bunyo was convinced that the said Chwostoff had acted without the sanction of the Russian Government, he was authorized to grant us our liberty, and that we should embark on the following day.

The interpreters having translated this paper, and assured the Bunyo that we understood it, one of the senior officers was dispatched in company with Kumadschero to communicate its contents to the sailors. In the meanwhile, the Bunyo produced another paper which he likewise read aloud, and afterwards desired Teske to translate and to hand it to me. It was a congratulation from the Bunyo to the following effect:—

"You have now lived three years in a Japanese frontier town, and in a foreign climate, but you are now about to return to your native country. This affords me great pleasure. You, Captain Golownin, as the chief of your companions, must have endured most anxiety of mind, and I sincerely rejoice that you have

attained your happy object. You have, in some measure, become acquainted with the laws of our country, which prohibit us from maintaining any commerce with the people of foreign nations, and require that we should drive all foreign vessels from our coasts: explain this to your countrymen on your return home. It has been our wish whilst you remained in Japan to treat you with all possible kindness; but before you became acquainted with our customs, our behaviour may have appeared to you the very opposite of what we intended. Each nation has its peculiar customs, but good conduct will every where be esteemed as such. On your return to Russia, inform your countrymen of this likewise. I wish you all a safe voyage."

We thanked the Bunyo for his condescension. Having listened to our acknowledgments, he withdrew, and we were requested to return to our house.

Throughout the whole of these proceedings, not the slightest indication of joy was observable on Mr. Moor's countenance; he merely repeated, that he was unworthy of the acts of kindness which the Japanese conferred upon him.

On our return home a number of officers, soldiers and other individuals, came to wish us joy. The three officers next in rank to the Bunyo also presented to me a written congratulation, which they requested I would preserve, as a memorial of our friendship. The following is a translation of this paper:—

"From the Ginmiyaks.

"You have all lived for a long period

period in Japan, but you are now to return to your native country by order of the Bunyo. The period of your departure is fast approaching. During your long residence here such an intimacy has arisen between us, that we cannot help regretting the necessity of our separation. The distance between the island of Matsmai and our eastern capital is very considerable, and in this frontier town there are many deficiencies. You have, however, been accustomed to heat, cold, and other variations of weather, and are now prepared for your happy voyage home. Your own joy must be extreme; we, on our part, rejoice at the happy issue of the affair. May God protect you on your voyage, for that we pray to him. We write this as a farewell letter."

The joy of the Japanese was, indeed, unfeigned. We understood from the interpreters, that in consequence of an application from the High Priest of the city, the Bunyo had issued orders that prayers for our safe voyage should be offered up in all the temples for the space of five days.

On the 6th of October, one of the officers, accompanied by Kumadschero, was sent on board the Diana, to inform Captain Rikord that the orders for our liberation had been officially announced by the Bunyo. At their request, I wrote a letter to this effect to Mr. Rikord. In the evening, by the Governor's order, a supper was laid out for us in the upper apartment of our house. This supper consisted of ten different dishes, containing fish, game, ducks and geese, cooked

in various ways. After supper, some of the best Japanese sagi was served out to us. Several boxes, containing lackered vessels, were afterwards brought in, as presents from the interpreters, in return for the books which, with the consent of the government, they had received from us; but they had been ordered to accept of nothing more. We were, however, very well assured that these presents were sent to us at the expense of the government.

On the following day, the 7th of October, we put on our best clothes. The servants and guards packed up our other clothes in boxes, without omitting the least trifle, and placed them in the portico of the house. At midday we were conducted to the shore. Our clothes, the presents we had received, and the provisions for our voyage, were carried behind us by a number of attendants. On reaching the harbour, we entered a building near the custom-house, where Mr. Moor, Mr. Chlebnikoff, and I were shown into one apartment, and the sailors into another. We had been only a few moments in this place, when Capt. Rikord came ashore, accompanied by Mr. Saweljeff, the interpreter, Kisseleff, and some other individuals. He, and his two companions, were conducted to the same apartment in which, a few days before, my interview with him had taken place, and which Mr. Chlebnikoff, Mr. Moor, and I, were immediately requested to enter. Sampey and Chiogoro were among the officers whom we found assembled; they sat together on the place which had formerly been occupied

occupied by the Bunyo. The former desired one of the inferior officers to present to Capt. Rikord a salver, on which was a box, containing the declaration of the Bunyo of Matsmai, folded up in silken cloth. The officer, with much ceremony and respect, advanced towards Captain Rikord, who, at the request of the Japanese, read the translation of the document from beginning to end. The next ceremony was the delivery to me of the paper, entitled "a NOTIFICATION from the two officers next in rank to the Governor of Matsmai." It was enclosed in a box, and wrapt in silk, but it was not presented on a salver, nor by the same officer who had handed the other document to Captain Rikord. Though I knew perfectly well the contents of the paper, for the sake of formality, I was requested to read it. The presents sent by the Governor of Irkutsk were then returned to us, and we received a list of the provisions which had been provided for our voyage. The Japanese having wished us a happy voyage to Russia, took leave of us, and withdrew.

When every thing was in readiness for our departure, we were conducted to the Bunyo's barge, on board of which we embarked, accompanied by Tachatay-Kachi; our clothes, provisions, and the presents being placed in separate boats. On our way from the custom-house to the boats all the Japanese, not only those with whom we were acquainted, but the strangers who were looking on, bade us adieu, and wished us a safe voyage.

The officers and seamen on board the Diana received us with a degree of joy, or rather enthusiasm, which can only be felt by brothers or intimate friends after a long absence, and a series of similar adventures. With regard to ourselves, I can only say, that,—after an imprisonment of two years, two months, and twenty-six days, on finding ourselves again in an imperial Russian ship, surrounded by our countrymen, with whom we had, for five or six years, served in remote, dangerous, and laborious voyages—we felt what men are capable of feeling, but which cannot be described.

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*The Reports of Messrs. C. A. RODNEY and JOHN GRAHAM, Commissioners sent by the United States Government to inquire into the State of the Republic of RIO DE LA PLATA.*

*Mr. Rodney to the Secretary of State.*

SIR;—I have now the honour to submit to your consideration, my report on the subject of the late mission to South America, embracing the information derived from the various sources within my power, so far as I had an opportunity of improving the advantages possessed.

With the history of the conquest of the Spanish possessions in America, you must be familiar. They were principally, if not exclusively, achieved by private adventurers. When completed, a most oppressive system of government,

vernment, or rather despotism, was established by the parent country.

These extensive regions were originally swayed by two viceroys. The dominions of Spain, in North America, were under the government of the Viceroy of Mexico; and all her possessions in South America were subject to the control of the Viceroy of Peru.

The remoteness of some parts of the country from the residence of the viceroy at Lima occasioned, in 1718, the establishment of another viceroyalty at Santa Fé de Bogota, in the kingdom of New Grenada. In 1731, New Grenada was divided, and a number of the provinces composing that kingdom were separated from it. These were put under the jurisdiction of a captain-general and president, whose seat of government was at Caraccas.

In 1568, Chili was erected into a separate captain-generalship; in 1778, a new viceroyalty was established at Buenos Ayres, comprehending all the Spanish possessions to the east of the Western Cordilleras, and to the south of the river Marañon.

This immense empire seems, according to the laws of the Indies, to have been considered a distinct kingdom of itself, though united to Spain, and annexed to the crown of Castile. In this light it is viewed by Baron Humboldt, in his Essay on New Spain.

With some slight shades of difference in the regulations established in these governments, the prominent features of their political institutions exhibit a

striking resemblance, as the general system was the same.

Their commerce was confined to the parent country and to Spanish vessels exclusively. They were prohibited, under the penalty of death, to trade with foreigners. The natives of Old Spain composed the body of their merchants. Though this part of the system had, previously to the revolution, been relaxed, in some degree, particularly by the statute of free commerce, as it is styled; the relief was partial, and the restrictions continued severe and oppressive.

All access to the Spanish settlements was closed to foreigners; and even the inhabitants of the different provinces were prohibited from intercourse with one another, unless under the strictest regulations.

The various manufactures that might interfere with those of Spain were not permitted. They were prevented, under severe penalties, from raising flax, hemp, or saffron. In climates most congenial to them, the culture of the grape and the olive was prohibited. On account of the distance of Peru and Chili, and the difficulty of transporting oil and wine to these remote regions, they were permitted to plant vines and olives, but were prohibited the culture of tobacco. At Buenos Ayres, by special indulgence of the viceroys, they were allowed to cultivate grapes and olives merely for the use of the table.

They were compelled to procure from the mother country articles of the first necessity; and were thus rendered dependent

on her for the conveniences of life, as well as luxuries. The crown possessed the monopoly of tobacco, salt, and gunpowder.

To these oppressive regulations and restrictions was added an odious system of taxation. From the Indians was exacted a tribute in the shape of a poll-tax, or a certain servitude in the mines, called the mita. A tenth part of the produce of cultivated lands was taken, under the denomination of tithes. The alcavala, a tax varying from two and a half to five per cent on every sale and resale of all things moveable and immovable, was rigidly exacted, though, in some cases, a commutation was allowed. Royal and municipal duties were laid on imports, and on the tonnage, entrance, and clearance of vessels, under the different appellations of *almoxarifasgo*, *sea-alcavala*, *corso*, *consulado*, *armada* and *armadilla*. To these may be added the royal fifths of the precious metals, the most important tax in the mining districts. Besides all these, there were stamp taxes, tavern licences, and sums paid for the sale of offices, of titles of nobility, papal bulls, the composition and confirmation of lands, with a number of others of inferior grade.

Under the Spanish monarchs, who had early obtained from the Pope the ecclesiastical dominion, and thus had united in their royal persons all civil and religious authority, a most oppressive hierarchy was established, with its numerous train of offices and orders, succeeded by the inquisition.

The posts of honour and profit,

from the highest to the lowest, were filled, almost exclusively, by natives of Old Spain.

The principal code of laws, thus maintaining the supremacy of Spain over those distant regions, almost locked up from the rest of the world, emanated from the Council of the Indies, established by the King, in which he was supposed to be always present. The royal rescripts, the *recopilaciones* of the Indies, and the *partidas*, furnished the general rules of decision; and when these were silent or doubtful, recourse was had to the opinions of professional men.

This system was generally executed by the viceroys, captains-general, and by the tribunals of justice, with a spirit corresponding with the rigorous policy that produced it. To this form of government, the country had for centuries submitted with implicit obedience, and probably would have continued to submit much longer but for events in this country, and the changes in Europe. The sagacious minds of many able writers, penetrating into the future, had predicted, at some distant date, a revolution in South America, before that in North America had commenced. From the period of the successful termination of our own struggle for independence, that of the inhabitants of the South has been with more confidence foretold; and there is reason to believe it has been hastened by this fortunate event. The conduct of Spain, during the war of our revolution, was calculated to make a lasting impression on her colonies. This result was then foreseen  
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by intelligent politicians; many were surprised that she could be so blind to her own interests, after she had on one occasion manifested the strongest suspicion of Paraguay; for to her scrupulous jealousy of this power the expulsion of the Jesuits from that country, in 1750, is to be attributed.

The wars that arose from the French Revolution have produced in Europe changes of the greatest magnitude, which have had an immense influence on the affairs of South America. When Spain joined France against the combined princes, she exposed her distant possessions to British hostilities. The great naval power of England gave her ready access to the American colonies. Engaged in an arduous contest, she was prompted by her feelings and interests to retaliate on Spain the conduct she experienced from her during the war of our independence. Encouraged, perhaps, by the counsels of her enemies, the first symptoms of insurrection in the continental possessions of Spain were exhibited in the year 1797, in Venezuela. These were succeeded by the attempts of Miranda in the same quarter, which were accompanied or were followed, since the vacillating state of the Spanish monarch, by revolutionary movements in Mexico, Grenada, Peru, Chili, and Buenos Ayres; and from which scarcely any part of the Spanish dominions in America has been entirely exempt.

The occurrences that led the way to the subsequent important events in the provinces of La Plata, were the invasion of the British, under Popham and Be-

resford, in the year 1806; and their expulsion, a few months afterwards, by the collected forces of the country, under Liniers and Pueyrredon. These incidents fortunately gave to the people a just idea of their own strength; and they afterwards repelled, with a firmness and bravery that did them great honour, the formidable attack of the British under General Whitelock.

The wretched state to which Spain was reduced, by the policy, the power, and the arts of Napoleon; the resignation of Charles IV in favour of Ferdinand VII, and the renunciation of both in favour of Napoleon, were productive of the most important results. They threw the kingdom into the greatest confusion. The alternate successes and disasters of the French armies produced a new era in Spain. The people, generally, revolted at the idea of being governed by the brother of Napoleon, to whom he had transferred the crown. Juntas were established, who acted in the name of Ferdinand, then confined in France. These were substituted for the ancient Cortes, and the regular counsel of the nation, to which, in times of imminent danger, they ought to have recurred agreeably to their usages. Conflicting authorities produced a distracted state of affairs. In the scenes that ensued, the proper attention was not paid to the American provinces. Their conduct towards them was versatile and inconsistent: they were lost sight of or neglected, until it was too late. Conceiving they were abandoned by the parent state, they thought it justifiable to act

for themselves. It was not very long before the inhabitants of Buenos Ayres, embracing the example of their brethren in Spain, established a junta, which assumed the reins of government, and finally in the year 1810, sent off the Viceroy Cisneros, and his principal adherents. For a summary of events subsequent to this period, until the time of my departure, I beg leave to refer to "An Historical Sketch of the Revolution of the United Provinces of South America," &c. from the pen of Dr. Funes, drawn up, in part, at my request. Without vouching for the perfect accuracy of the work, I think, from the information received, it will probably be found to contain, in general, a correct and impartial sketch of the prominent transactions and occurrences.

In perusing this interesting document, I have to lament, that its pages are marked with some cases of severity and cruelty, which seem almost inseparable from great revolutions. It must, however, be consoling to observe, that they appear to have passed through the state which might possibly have rendered examples necessary, and to have arrived, perhaps, at that stage, when the passions becoming less turbulent, and the people more enlightened, a milder system may be expected to prevail.

Their dissensions have produced most of their calamities. In such seasons they were naturally to be expected. But their disputes have been principally healed by the prudent and energetic measures of the Congress, which commenced its sittings in Tucumán

in the year 1815, and adjourned in the year following from thence to Buenos Ayres, where it remained in session, occupied with the task of forming a permanent constitution. This respectable body, besides acting as a convention, or a constituent assembly, exercises temporarily legislative powers. Their sittings are public, with a gallery of audience for citizens and strangers. The debates are frequently interesting, and are conducted with ability and decorum: they are published every month for the information of the people.

The dispute with Artigas, the chief of the Orientals, has not been adjusted. This, with a certain jealousy of the superior influence of the city of Buenos Ayres on the general affairs of the provinces; the conduct of the government of Buenos Ayres towards the Portuguese, and the high tariff of duties, which I understand have been since reduced, appeared to constitute the principal causes of dissatisfaction at the time of my departure.

The declaration by Congress of that independence which they had for many years previously maintained in fact, was a measure of the highest importance, and has been productive of an unanimity and a decision before unknown. This summit of their wishes was only to be reached by slow and gradual progress. The public mind had to be illumined on the subject by their pulpits, their presses, and their public orations. The people were to be prepared for the event. When the season arrived, they cut the knot which could not be untied.

untied. The declaration of independence was adopted in the directorship of Mr. Pueyrredon, on the 9th day of July, 1816. It was succeeded by an able exposition of the causes that extorted it, to justify, to their fellow-citizens and to the world, the measure they had deliberately voted to support with their fortunes and their lives.

The salutary influence of this bold and decisive step, was at once felt throughout the country. It gave new life and strength to the patriotic cause, and stability to the government. The victories of Chacabuco and Maipo, achieved by the arms of Chili and Buenos Ayres, have produced and confirmed a similar declaration of independence by the people of Chili, and cemented the cordial union existing between the confederate states. The consequence has been, that, within these extensive territories, there is scarcely the vestige of a royal army to be found, except on the borders of Peru.

Having thus traced the principal events, since the revolution in Buenos Ayres, I shall proceed to state the result of the information received, according to the best opinion I could form of the extent, population, government and resources of the united provinces, with their productions, imports and exports, trade and commerce.

The late viceroyalty of Buenos Ayres, of which that city was the metropolis, was by many considered the largest, as well as the most valuable of all the Spanish dominions in South America, extending in a direct line, from

its north to its south boundary, a distance of more than two thousand miles; and from its eastern to its western not less than eleven hundred.

It was composed, at the commencement of the revolution, of the nine provinces, or intendencias following:—Buenos Ayres, Paraguay, Cordova, Salta, Potosi, La Plata, Cochabamba, La Paz, and Puno.

Watered by the great river La Plata and its numerous tributary streams, which afford an easy communication with countries of an immense extent, and furnishing an easy access to the treasures of South America, it has always been regarded by Spain as one of her most precious acquisitions. Enjoying every variety of climate to be found between different and distant latitudes, and blessed with a large portion of fertile soil, it is capable of producing all that is to be found in the temperate or torrid zones. Immense herds of cattle and horses graze on its extensive plains, and constitute at this time their principal source of wealth. The mines of Potosi are also included within its boundaries. There are no woods for a very considerable distance from Buenos Ayres. No forest trees are to be seen on the widely extended Pampas, except at intervals a solitary umboo. After passing the Saladillo in a northerly direction, the woods begin, and proceeding in the upper provinces, the hills appear, and mountains rise in succession, interspersed with rich valleys. On the east side of the rivers La Plata and Parana, the country is said to be very fine. The Entre Rios is represented

represented as capable of being made a garden spot; and the Banda Oriental presents hills and dales, rich bottoms, fine streams of water, and at a distance from the great river, on the banks of the smaller streams, some excellent wood-land. Between Maldonado and Montevideo, the east ridge of the Cordilleras terminates on the river La Plata.

Since the revolution, five more provinces have been erected, making in all fourteen within the limits of the ancient viceroyalty; viz. Tucuman, taken from Salta; Mendoza or Cuyo, taken from Cordova; Corrientes, Entre Rios, comprising the country between the Uruguay and the Parana, and the Banda Oriental, or eastern shore of the river La Plata. The two last were taken from the province of Buenos Ayres, which was thus reduced to the territory on the south side of that river.

Of the fourteen provinces into which the ancient viceroyalty is now divided, five were, at my departure, principally occupied by the royal forces (which, in consequence of the victory of Maipo, were expected soon to retreat to Lower Peru), or partially under their influence, viz. Potosi, La Plata, Cochabamba, La Paz, and Puno; and the nine following independent *de facto* of Spain, were in the possession of the patriots, viz. Buenos Ayres, Paraguay, Mendoza, Cordova, Tucuman, Salta, Corrientes, Entre Rios, and Banda Oriental. But Paraguay and the city of Santa Fé act independently of Buenos Ayres, though Paraguay is not on unfriendly terms with them, and it is hoped by some will before

long join the union. Entre Rios and the Banda Oriental, under General Artigas, in the character of chief of the orientals, are in a state of hostility with Buenos Ayres.

Montevideo, the capital of the eastern shore, was occupied by a Portuguese army; and a squadron of ships of war from Brazil blockaded the ports of Colonia and Maldonado, and prohibited the entrance of neutral vessels, unless they paid them the same duties on their cargoes, that were charged on the importation of the goods when landed in the country.

The territory of the United Provinces is computed to contain 150,000 square leagues, though it probably exceeds that quantity. The lands occupied in the country, remote from the cities, are generally converted by their owners into estancias, or large grazing farms for cattle, and chacras for growing grain. The small farms or quintas, in the neighbourhood of cities, are in fine order. Those around Buenos Ayres, which furnish their market with an ample supply of fruit and vegetables, are, by irrigation, in the highest state of culture.

The population, exclusive of the Indians, is now calculated at 1,300,000; but, adding the civilized Indians only, who are of great importance, it would in all probability exceed two millions.

The whole population consists of natives of Old Spain, and their descendants, born in the country, or, as they style themselves, South Americans; of Indians civilised, or unreclaimed, with different "castes," or mixed blood; of Africans;

Africans, and their descendants, or Negroes and Mulattoes.

I could not ascertain, with satisfaction, the population of the different provinces: the province of Buenos Ayres contains about 120,000, whilst the population of Entre Rios, and Banda Oriental, is computed at 50,000.

The city of Buenos Ayres contains a population of 60,000. The inhabitants of this place appear to be amiable, and an interesting people. They are considered brave and humane; possessing intelligence, capable of great exertions and perseverance, and manifesting a cheerful devotion to the cause of freedom and independence.

There is also a certain mediocrity and equality of fortune prevailing among them, extremely favourable to a union of the popular sentiment, in support of the common weal. Many industrious mechanics and enterprising merchants are, however, increasing their estates, and adding to the stock of capital in the country.

The people of the province of Buenos Ayres, residing out of the city, are, generally speaking, poor, and rather indolent, though a hardy race; and when excited to action, they become zealous defenders of the liberties of their country. They are capable of great improvement, and, under the influence of a good example when a change takes place in their habits and manner of living, they bid fair to become useful and industrious citizens.

The inhabitants of Cordova are said to be more superstitious, and more industrious, but less patri-

otic. This is principally attributed to the loss of the trade with Peru, occasioned by the revolutionary war.

Tucuman, I was informed, possessed an excellent population.

The people of Mendoza, or Cuyo, are moral, industrious, and patriotic. They have sacrificed largely at the shrine of independence, supporting with zeal and confidence the cause of their country; whilst the citizens of Santa Fé are represented as immoral and insubordinate, and manifesting, on most occasions, an extreme jealousy of their neighbours.

The population of Entre Rios and Banda Oriental is perhaps not inferior in valour to that of Buenos Ayres. Nor is it deficient in military skill, particularly in carrying on a partizan warfare, for which its troops are admirably adapted. Their other good qualities have been probably somewhat impaired by the system pursued in that quarter, where they have been compelled to give up every thing like civil avocations, and to continue without any regular kind of government, under the absolute control of a chief, who, whatever may be his political principles or professions, in practice concentrates all power, legislative, judicial, and executive, in himself.

The general Congress of the United Provinces, assembled at Buenos Ayres, on the 3rd of December, of 1817, established, by a provisional statute, a temporary form of government.

The Congress is comprised of deputies from the different provinces. It actually consists of twenty-six

twenty-six members. But, as a representative is allowed for every 15,000 citizens, it would be more numerous, if all the provinces had sent delegates in that ratio of population.

With some exceptions, and particularly of that palladium of our rights, which is unknown to the civil law, the trial by jury, the provisional constitution will be found, on an attentive perusal, to contain a distinct recognition of many of the vital principles of free government. A church establishment also, that of the Catholic faith, is contrary to our ideas of religious freedom; though a measure adopted from necessity, perhaps, by them.

It declares, that all power, legislative, judicial and executive, resides in the nation. The Congress are to be chosen by electors, who are to be voted for by the people in the primary assemblies. The Cabildos, or municipalities, are to be elected immediately by the citizens. It recognizes the independence of the judiciary, and declares the tenure of office, with respect to the superior judges, to be during good behaviour. It provides for the election of a chief magistrate by Congress, removable when they choose to appoint a successor, and responsible for the execution of the duties of his office, which are defined and limited. In the oath of office, he is sworn to preserve the integrity and independence of the country.

The three great departments of state, of the treasury, and of war, are distinctly marked out, and their respective powers and duties assigned.

On some subjects it enters more into detail than is usual with us, particularly in those of their army, navy, and militia. But this, perhaps, in their situation, was necessary.

It provides that no citizen shall accept a title of nobility, without forfeiting the character of citizenship.

It provides, also, against general warrants, and the arrest of individuals, unless on probable proof of guilt.

It contains a salutary provision, that a judge, having original jurisdiction, before taking cognizance of the cause, shall use all possible means of reconciling the parties. This constitution is but temporary. The Congress are engaged in the task of forming a permanent one. In the mean time, no alteration can be made in the present, unless with the consent of two thirds of the members. In this manner some alterations have been adopted.

The subject of a permanent constitution was before a committee of sixteen members of Congress. There was a difference of opinion prevailing among them on the point of a confederated or a consolidated government. If they should adopt the former, they will frame the constitution, in all probability, nearly after the model of that of the United States. Should they decide on the latter, it is highly probable they will incorporate the leading features of our system into their form of government. They seem to concur in the proposition to have a chief magistrate elected for a term of years, and a representative legislature, to consist of two branches.

A senate,

A senate, to constitute the most permanent body, and a house of representatives, whose term of service shall be of shorter duration.

Perhaps it would be better for them to delay the completion of this all important task, after the example of the United States, until a period of peace. Their present provisional statute is an improvement on those which preceded it; and we may expect their proposed constitution will be still more perfect, as they advance in the knowledge of those principles on which republican governments are constituted.

But, however free in theory this provisional statute may be, it is undoubtedly true that, unless administered agreeably to its letter and spirit, it will not afford security to the citizen. Whether any infractions have occurred since the date of its existence, I cannot pretend to determine, not being in full possession of the facts.

When we recollect that they have the benefit of our example, it may reasonably be expected that they will, in general, adhere to the constitution. They have also the fatal result of the French Revolution, warning them of the dangers of its excesses, of which they appear to be sensible.

Of the productions and the manufactures of the different provinces, I was unable to procure any satisfactory estimates of the probable value or amount in each province. There is, however, a considerable internal trade carried on in the interchange of various articles between the several provinces; cattle, horses,

and mules, furnish a considerable source of barter: with the latter, Peru is usually supplied; the Paraguay tea is a great article of trade throughout the country. The brandy, wine, raisins, and figs, of Mendoza and San Juan, are becoming important; the hides of oxen, the skins of the vicuna and guanaco, with a number of fine furs, afford valuable articles of exchange. These, with the foreign goods transported in every direction from Buenos Ayres, very readily, by oxen and mules, which also furnish the means of carrying their native productions to their sea-ports, form a branch of trade of great magnitude, considering the population of the country.

Their exports are calculated, with some degree of accuracy, at ten millions of dollars. These consist principally of ox-hides, jerk-beef, and tallow, the present great staples of the country. A variety of furs and peltries, some grain, copper, mostly brought from Chili, with gold and silver, in bullion and coin, chiefly from the mines of Potosi.

The imports are computed to be about equal to their exports. British manufactures form the principal mass, and they are to be had in great abundance. They consist of woollen and cotton goods of every description; some of them wrought to imitate the manufactures of the country; ironmongery, cutlery, hardware, saddlery, hats, porter, ale, and cheese, are among the remaining articles.

From the United States they receive lumber of all kinds, and furniture of every description; coaches



coaches and carriages of all sorts, codfish, mackarel, shad, and herring, leather, boots, and shoes, powder, and munitions of war, and naval stores, ships and vessels, particularly those calculated for their navy, or for privateers.

From Brazils, they receive sugar, coffee, cotton, and rum.

From the north of Europe, they receive steel and iron; and from France, a number of articles of its manufacture.

Their foreign commerce is principally carried on by British capitalists, though there are some Americans, a few French and other foreign merchants, also settled at Buenos Ayres; they are all placed, I believe, on the same footing of equality.

The revenue of the state may be estimated at about three millions of dollars annually; but their system of finance is very imperfect; and, although their debt is small, their credit is low. They have hitherto avoided the issuing of paper money, and they have no established bank; but they have sometimes anticipated their revenue, by giving due bills receivable in payment for duties or goods imported, or articles exported; the impost furnishes the principal part of the revenue. A copy of their tariff, as at first established, was some time since transmitted, I believe, to the department of state; in this, the duties were generally specific and high. I understand they have been lately reduced, as their exorbitancy had occasioned much smuggling.

Voluntary contributions from those friendly to the revolution,

and forced loans from the Old Spaniards, have constituted another portion of their funds. To show the public capital adequate to all exigencies, their different civil, military, and naval establishments have been taken into view, and are comprised in the estimate furnished—a thing unusual with us; but they have omitted their public lands, which, if a prudent use be made of them, must, at no distant day, become a very productive source of revenue to the state.

The mines of Potosi, which, in all probability, will very soon fall into their hands again, may furnish them with a considerable supply of the precious metals. It is stated, on respectable authority, that so late as the year 1790, the amount of gold and silver coined at Potosi in that year was calculated to have been 299,846 dollars in gold, and 2,983,176 dollars in silver.

Their army is composed of regular troops, civicos, and militia. In one or other of these classes, they are educated to the military art; and, as far as I had an opportunity, and was capable of judging, they appeared to be well acquainted with the elements of their profession. Their forces, according to the paper furnished, are estimated at nearly 30,000 men. They are composed of 1,296 artillery, 13,693 infantry, and 14,718, cavalry; of which 12,143 are troops of the line, 7,041 are civicos, and 10,573 militia. These form the different armies of the centre of Peru, of the Andes, of Cordova, and the auxiliary forces in the Entre Rios. This statement, however, only

includes the militia of the province of Buenos Ayres itself. Their supply of arms and munitions of war is ample.

Their navy is small, and some of their vessels are laid up in ordinary. Their private armed vessels are subjected to very strict regulations, agreeably to their prize code, which is among the original papers presented and herewith delivered. It may be proper in this place to introduce the subject of the irregular conduct of the privateers under the patriot flag, against which the commissioners were directed to remonstrate. Having taken an opportunity of explaining to Mr. Tagle, the Secretary of State, the proceedings of our government relative to Amelia Island and Galveston, agreeably to their instructions, the commissioners embraced a suitable occasion to urge the just cause of complaint, which the malpractices of private armed vessels, wearing the patriot colours, had furnished our government; on both topics they had long and interesting conversations. With the conduct of the government respecting Amelia Island and Galveston, Mr. Tagle expressed himself perfectly satisfied; and he disclaimed for his government any privity or participation in the lodgments made at those places, by persons acting in the name of the patriots of South America.

In reference to the acts of cruisers under the patriotic flags, he said he was sensible that great irregularities had occurred, though his government had done every thing in their power to prevent them, and were willing, if any

instance of aggression were pointed out, to direct an inquiry into the case, and if the facts were established, to punish those concerned, and redress the injured individuals. He professed his readiness to adopt any measures that would more effectually prevent a recurrence of such acts, in which he expressed his belief that the privateers of Buenos Ayres had rarely participated, though the character of the government had suffered from the conduct of others. He stated that they had on one occasion sent out some of their public vessels to examine all cruisers wearing the Buenos Ayrean flag, to see that they were lawfully commissioned, and to ascertain whether they had violated their instructions.

Amongst the causes of dissatisfaction to which I have alluded, the preponderance of the capital has been mentioned. Its great weight in the scale of national affairs is to be ascribed to its greater exertions in the national cause. These are owing to its comparative wealth, and to its active, intelligent, and enterprising population. The armies that have been raised in this city and the neighbouring country, with the supplies in money, and munitions of war drawn from these sources, have been truly extraordinary.

It would be a difficult task to make an exact calculation, or to form even a probable estimate, but all seemed to concede the superior merit claimed on account of their exertions, when compared with their wealth and population; and it is not unlikely that Buenos Ayres has, in consequence, as-  
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sumed a higher tone, and acquired a controlling influence, which she has sometimes abused.

Another source of discontent is the unfortunate dispute between the Banda Oriental and Buenos Ayres, which had an influence on the proceedings of the latter towards the Portuguese.

The original cause of division may be traced to a jealousy long subsisting between the rival cities of Montevideo and Buenos Ayres. This has become habitual, and has extended to the country. Private interests and personal views have also increased their dissensions.

General Artigas (who bears the character of chief of the Orientals, as has been already stated, and has also assumed that of Protector of the Entre Rios and Santa Fé) was originally in the royal service, a captain in a provincial corps. In this he continued for some time after the revolution had commenced at Buenos Ayres. But, in the year 1811, taking offence, as it is said, at some conduct of the Spanish commandant of Colonia, he abandoned the royal cause, and entered into the service of the patriots. So early as the year 1813, when acting against Montevideo, he became dissatisfied with Sarratea, the commander-in-chief from Buenos Ayres. On his removal from the head of the army, he quarrelled with General Rondeau, who, it was supposed, would have been acceptable to him, and finally withdrew, before the siege of Montevideo was finished under General Alvear. For this conduct, Posadas, when he succeeded to the government,

treated him as a deserter from their service. By a proclamation, he offered a reward for his apprehension, and set a price upon his head—an act which General Artigas never forgot or forgave.

During the subsequent directorship of Alvear, he induced the cabildo of Buenos Ayres to issue a similar proclamation against General Artigas. When Alvear was dismissed, the people of Buenos Ayres endeavoured to atone for their conduct, by burning, with every mark of ignominy, the degrading proclamation. They also addressed a conciliatory letter to the General, and received from him a corresponding answer. These were preliminary to a fruitless attempt at reconciliation, made by the director, *ad interim*, Colonel Alvares, who succeeded Alvear. Other endeavours to reconcile him have failed, notwithstanding the changes in the office of director at Buenos Ayres. On one occasion the proposition was made, that the Banda Oriental should remain independent of Buenos Ayres, and merely send deputies to the General Congress, to concert measures against the common enemy. On another, when the Portuguese army was approaching the frontiers of the Banda Oriental, an effort was made by Pueyrredon to reconcile him, and to unite him in the common defence. Ample supplies of arms and munitions of war were offered, and some furnished; but this attempt also failed.

It is but justice to add, that General Artigas is thought, by persons entitled to credit, to be a firm friend to the independence of

of the country. To express a decided opinion on this delicate question, would scarcely be expected of me, as my position did not command a view of the whole ground. I had not the satisfaction to be derived from a personal interview with General Artigas, who is, unquestionably, a man of rare and singular talents. But if I were to hazard a conjecture, I think it not improbable that in this, as in most family disputes, there have been faults on both sides. It is to be lamented that they are in open hostility. The war has been prosecuted with great animosity; and, in two late engagements, the troops of Buenos Ayres have been defeated with great loss. By some it was said, that the inhabitants of the eastern shore were anxious that a reconciliation should take place, whilst the people in the country preferred their present state.

I must not omit to take a glance at the situation of Paraguay. This province presents a singular spectacle. It stands aloof from the rest. The people, with the aid of the few remaining royal troops, repulsed an army sent to compel them to join the common standard. Very soon afterwards they expelled the royalists, and set up for themselves. Since this period, they appear to have adopted a partial non-intercourse system. But Buenos Ayres, on one occasion, succeeded in obtaining an understanding with them. Some suspect that they are secretly inimical to the existing order of things, and wish to keep themselves within their shell, that, in case of a change, they may profit by future events;

others calculate with some confidence on their ultimate union with Buenos Ayres, with which at present they indulge a limited and reluctant intercourse. Paraguay is under the immediate control of a person named Francia, who styles himself Director of Paraguay.

From the domestic concerns of the provinces, we naturally turn to their foreign relations. On this subject the Commissioners were informed, that they had nothing more than a friendly understanding with any foreign nation. With the Portuguese government, they concluded an arrangement in 1812, under the mediation, it is said, of the British, with respect to the Banda Oriental. They have since had a correspondence with them on the subject of their entrance into that province, and the forcible occupation by the Portuguese army of the city of Monte Video. The superior naval force of the Portuguese, stationed in the river La Plata, could have effectually blockaded all the ports of Buenos Ayres. By this means they would have prevented supplies of arms and munitions of war, and entirely destroyed the great source of revenue to the state, the duties on imports and tonnage, at a season when money was much wanted.

For about this period Buenos Ayres had a powerful army to contend with on the side of Peru, and had taken the burden of the renewed contest of Chili with Spain. Under such circumstances they were in some measure obliged to adopt a cautious and moderate policy. Their conduct in this respect seems to have been coerced.

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Their unhappy state with the Orientals had also an influence on their measures; they alleged that the restless conduct of Artigas had furnished the Portuguese a pretext for the invasion; but it is probable that they will ultimately break with the government of Brazils.

The British government has, through their official agents, entered into commercial stipulations with General Artigas, as the chief of the Orientals, on the subject of their trade with the eastern shore.

The government of Buenos Ayres have a confidential person in Europe, soliciting from England and other Powers, it is said, assistance of every kind, and a recognition of their independence. England has a consul, who, with her naval commander on that station, appeared to conduct the confidential affairs of the British cabinet with the government of Buenos Ayres.

What effects the victory of Maipo will produce abroad, it would be hazardous in me to conjecture. Whether, like the capture of Burgoyne, it will procure for the United Provinces foreign alliances, I cannot pretend to say.

From a source which is entitled to credit, I was informed that the raising and embarkation of Osorio's army in Peru was not accomplished without serious difficulties. Alternate force and persuasion were used to collect them, and nothing but the name, character, and promises of their General, could have induced them to go on board of the vessels prepared for the purpose, at the port of Callao. Some of them were actually in a state of mutiny,

notwithstanding they were told they would be received with open arms by their brethren in Chili.

The forces finally embarked, agreeably to an account furnished by a gentleman of undoubted veracity on the spot, consisting of the following troops:—

One company of artillery	70
One ditto sappers and miners.....	81
regiment of Burgos	900
ditto of San Carlos infantry.....	907
ditto of Arequipa...	1000
Arequipa dragoons.	160
Lamas.....	144
	<hr/>
	3262

This army was composed of all the regular soldiers they could spare from Lima, who were united, at Talcaguna, to the royal forces left in Chili. By the battle of Maipo it has ceased to exist. The probable effects in Peru, and other parts of South America, may be conjectured, but cannot be affirmed. The same gentleman who has been mentioned, and who is conversant in Peruvian affairs, apprehended that important changes would result.

I cannot conclude this paper without drawing your attention to a rapid survey of the reforms and improvements in the province of Buenos Ayres, produced by the Revolution, and its influence on knowledge, society, and manners.

The effects of the Revolution are visible in the changes produced in the state of society. The difference in the freedom of acting and thinking, which preceded the revolution, must necessarily be great. The freedom of commerce

commerce must have given a spring to exertions of native enterprise and intelligence, while the active scenes of war and politics, for the last ten years, have awakened the genius of the country, which had so long slumbered. The generation now on the stage may almost be said to have been reared under a new order of things. The common stock of ideas among the people has been greatly augmented—the natural consequence of the important political events which daily transpire, and in which every man, like the citizen of Athens, feels an interest. The newspapers are every where circulated, together with the manifestos of the government, which is obliged to court the approbation of public opinion on all measures of moment. It is not very unusual for the same countryman, who, a few years ago, never troubled himself about any thing beyond the narrow circle of his domestic concerns, to purchase a newspaper on coming to town as a matter of course, and, if unable to read, to request the first one he meets to do him that favour. The country curates are, moreover, enjoined to read the newspapers and manifestos regularly to their flocks.—The spirit of improvement may be seen in every thing. Even some of those who are under the influence of strong prejudices against the revolution, frequently remark the changes for the better which have taken place. Their habits, manners, dress, and mode of living, have been improved by intercourse with strangers, and the free introduction of foreign cus-

toms, particularly English, American, and French. Great prejudices prevail against whatever is Spanish. It is even offensive to them to be called by this name—they prefer to be identified with the aborigines of the country. The appellation which they have assumed, and in which they take a pride, is that of South Americans.

A powerful stimulus must necessarily have been given to their industry, by two important circumstances—the diminution in prices of foreign merchandize, and the great increase in value of the products of the country, with the consequent rise of property. Though the grounds in the neighbourhood of cities are highly improved, as I have already stated, agriculture, comparatively speaking, is in a low condition. In general the lands are badly tilled. The plough is rarely used, and the substitute is a very indifferent one. But notwithstanding the disadvantages of the present method of culture, I was informed by reputable persons, that the average crop of wheat is not less than fifty bushels per acre in good seasons.

On the subject of religion, especially, the change in the public mind has been very great. The Catholic faith is established as that of the state, but there are many advocates, both in conversation and in writing, of universal toleration. Some members of congress are said to be strongly in favour of it; but the ignorant and superstitious part of the people, together with the regular clergy, would not be satisfied with such a measure—while the  
liberality

liberality prevailing among the better informed classes is such as to secure a virtual toleration for the present. Besides, from the circumstance of there being no sects in the country, such a provision may wait the progress of liberality in public opinion. In fact, the human mind has been set free on all matters of a general abstract nature, although the liberty of the press is circumscribed in some degree with respect to strictures on public measures and men, and the established religion; but there is neither inquisition nor previous licence. They acknowledge the Pope as a spiritual head merely, and do not think him entitled to any authority to interfere with their temporal concerns. His Bull in favour of the King of Spain against the colonies, which may be almost regarded as an excommunication, produced little or no sensation.

The number of monks and nuns was very great in Buenos Ayres, when compared with other portions of the Spanish dominions. They have diminished since the revolution. There was at one time a positive law passed, forbidding any one to become a monk or a nun; but they were obliged to repeal it, and it was afterwards passed with some modifications. The restrictions substituted, aided by public opinion, have nearly produced the desired effect. Few of the youth of the country apply themselves to the study of theology, since other occupations, much more tempting to their ambition, have been opened to their choice. Formerly the priesthood was the chief aim of young men of the best families,

who were desirous of distinction; as, in fact, it constituted almost the only profession to which those who had received a liberal education could devote themselves; which will readily account for the circumstance of so many of the secular clergy directing their attention, at present, almost exclusively to politics. The regular clergy, who are not permitted by the nature of their profession, to take part in the business of the world, or to hold secular offices, are many of them Europeans; but those of them who are natives, take the same lively interest in passing events, with the other classes of the community.

They have gone cautiously to work in reforms in the different branches of their municipal laws, and the administration of them. The number of offices has been considerably diminished, and responsibility rendered more direct and severe. The judiciary system has undergone many improvements, and nearly all the leading features of the law, which did not harmonize with the principles of free government, have been expunged, though some of the former evils still remain. The barbarous impositions on the aborigines have been abolished—the odious alcavala, and other obnoxious taxes, modified, so as to be no longer vexatious—slavery, and the slave trade, forbidden in future—and all titles of nobility prohibited, under the pain of loss of citizenship.—The law of primogeniture is also expunged from their system. In the provisional statute, as has already been stated, nearly all the principles of free representa-

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tive government are recognized, accompanied, it is true, with certain drawbacks, for which they plead the necessity of the times, but which they profess their intention to do away, on the final settlement of the government—a consummation anxiously desired by all classes of inhabitants. The example of France has warned them not to attempt too much at first; they have followed the plan of the United States in the introduction of gradual reforms, instead of resorting to violent and sudden innovations and revolutions.

Next to the establishment of their independence by arms, the education of their youth appears to be the subject of the most anxious interest. They complain that every possible impediment was thrown in the way of education previous to the revolution; that, so far from fostering public institutions for this purpose, several schools were actually prohibited in the capital, and the young men were not without restraint permitted to go abroad for their education. There was a college at Cordova, at which those destined for the bar, or the priesthood, completed their studies, upon the ancient monkish principles. Another, called San Carlos (now the Union of the South), had been opened at Buenos Ayres, but was afterwards converted into barracks for soldiers. It is an immense building, more extensive, perhaps, than any which has been dedicated to learning in this country; and it has lately been fitted up at a very great expense. The school was to have opened in May or June

last, on a more modern and liberal plan of discipline and instruction. The library of the state is kept in an adjoining building; it occupies a suite of six rooms, and contains nearly 20,000 volumes, the greater part rare and valuable. It is formed out of the library of the Jesuits, the books collected in the different monasteries, donations from individuals, and an annual appropriation by the government, and contains works on all subjects, and in all the languages of the polished nations of Europe. A very valuable addition has been lately made of several thousand volumes, brought to Buenos Ayres by M. Bonpland, the companion of the celebrated Humboldt.

Besides the university of Cordova, at which there are about 150 students, there are public schools in all the principal towns, supported by their respective corporations. In Buenos Ayres, besides an academy in which are taught the higher branches, and the college before mentioned, there are eight public schools, for whose support the corporation contributes about seven thousand dollars annually; and, according to the returns of last year, the number of scholars amounted to 864. There are five other schools exclusively for the benefit of the poor, and under the charge of the different monasteries. These are supplied with books and stationery at the public expense. There are also parish schools in the country, for the support of which a portion of the tithes has been lately set a part. It is rare to meet with a boy ten or twelve years of age, in the city of Buenos

Ayres, who cannot read and write. Besides the scholars thus instructed, many have private tutors. In addition to all this, I must not omit to mention the military academies supported by government at Buenos Ayres and Tucuman, at which there are a considerable number of cadets.

There are no prohibited books of any kind; all are permitted to circulate freely, or to be openly sold in the book stores; among them is the New Testament in Spanish. This alone is a prodigious step towards the emancipation of their minds from prejudices. There are several book-stores, whose profits have rapidly increased; a proof that the number of readers has augmented in the same proportion. There had been a large importation of English books, a language becoming daily more familiar to them. Eight years ago, the mechanic art of printing was scarcely known in Buenos Ayres; at present there are three printing offices, one of them very extensive, containing four presses. The price of printing is, notwithstanding, at least three times higher than in the United States; but as there is no trade or intercourse with Spain, all school books used in the country, some of them original, are published at Buenos Ayres; the business is, therefore, profitable and rapidly extending. There are many political essays, which, instead of being inserted in the newspapers, are published in loose sheets; there are also original pamphlets, as well as republications of foreign works. The

constitutions of the United States, and of the different states, together with a very good history of our country, and many of our most important state papers, are widely circulated. The work of Dean Funes, the venerable historian of the country, comprised in three large octavo volumes, considering the infancy of the typographic art in this part of the world, may be regarded as an undertaking of some magnitude.

There are three weekly journals or newspapers published in the city, which have an extensive circulation through the United Provinces. They all advocate the principles of liberty and republican forms of government, as none other would suit the public taste. The year before last, it is true, one of the papers ventured to advocate the restoration of the Incas of Peru, with a limited monarchy, but it was badly received. No proposition for the restoration of hereditary power of any kind, as far as I could learn, will be seriously listened to for a moment by the people. Even the ordinary language has changed. They speak of "the state," "the people," "the public," "country," and use other terms, as in the United States, implying the interest that each man takes in what appertains to the community. The first principle constantly inculcated is, "that all power rightfully emanates from the people." This, and similar dogmas form a part of the education of the children, taught at the same time with their catechism. It is natural that the passion for free government

vernment should be continually increasing.

A fact may be mentioned to show the solid advancement they have made, which is, that the number of votes taken at their elections increases every year. In becoming habituated to this peaceful and orderly mode of exercising their right of choosing those who are to be invested with authority, the tumultuous and irregular removal by a kind of general oratory or acclamation, of those who have been chosen, will gradually cease.

Rather than disturb the order of society, they will endure with patience, until the time arrives for effecting a regular and constitutional change. Since the election of the present Director, none of these tumults before so frequent have occurred. These tumults have seldom been attended with bloodshed; yet they produce great confusion and disorder, and give rise to habits of insubordination, at the same time that they are ruinous to the character of a nation.

The vicerealty of Buenos Ayres differed from the rest in one important particular. It contained no nobility, or, if any, very few. This may be regarded as a favourable circumstance in their society. Another favourable feature, very necessary to the successful administration of their affairs, is the conduct of many individuals who have filled the highest office of state, in descending from that dignified situation to inferior posts, and discharging their duties with alacrity. Thus we behold General A. Balcarce, who was formerly Director, acting as

second in command to Colonel San Martin. Colonel Alvarez, also a Director at one period, now serving in the staff under the chief of that department, General Azcuenaga, and General Rondeau, once elected to the chair of state, is at present employed in a minor office. There are others who have occupied the same elevated post, who have retired to the station of private citizens.

The general capacities of the United Provinces for national defence are also important in many respects. The nature and extent of the country afford the inhabitants numerous advantages over an invading army. The ease with which their herds of cattle may be driven to distant places, beyond the reach of an enemy, and the rapid movements which the troops of the country can make, from the ample supply of horses and mules, are circumstances of great consequence in a military view. Even the towns not fortified, from the manner in which they are built, and from the construction of their houses, furnish powerful means of defence, as the British army, under General Whitelock, experienced in their attack on Buenos Ayres.

I am sensible that, in the course of these statements and remarks, some inaccuracies and errors must have occurred, but they have been unintentional.

I have only to add, that the reception of the commissioners at Buenos Ayres, by the chief magistrate, was friendly and flattering. From every class they met with a cordial welcome. The people, in general, appeared

to be very much attached to the American character, and to the government and citizens of the United States.

Should any thing further occur, it shall be made the subject of a future paper.

I have the honour to be,

With great respect,

Your most obedient Servant,

(Signed) C. A. RODNEY.

*Mr. Graham to the Secretary of State.*

City of Washington,  
Nov. 5, 1818.

SIR;

Mr. Rodney having undertaken to draw up, for our joint signature, a report respecting the present situation of the country we recently visited under the orders of the President, and circumstances having prevented him from presenting it to me for perusal, until his late arrival in this city, I was not aware until then that I should have occasion to present to you my individual views on that subject. But on an attentive perusal of the paper he drew up, I found that although there was not perhaps any important fact on which we essentially differed, yet that some were stated of which I was not aware; and that we had taken views which it might be difficult to combine during the short time then allowed to us, and of which it might be proper that you should be put in possession. Under these circumstances, I thought it better to submit to the disadvantage of hastily throwing my observations together, and of presenting them separately, than to ask him to derange the general tenour of his report by introducing them into it.

The arrival of Mr. Bland, who will necessarily make a separate report, will I trust, reconcile the President to the course I have taken; as, from a combined view of what we individually state, he may perhaps be better enabled to draw his own inferences as to the actual situation and future prospects of the country we visited, than from any joint report in which we could all have agreed, as, under ordinary circumstances, that must have been the result of a compromise of opinions, and would probably have excluded some facts, or some views, which one or the other of us will, in the mode now adopted, present to you.

In my particular situation, however, I thought it less necessary to go into detail, as I knew that the report of Mr. Rodney would furnish information on points which I omit.

With great respect,

I have the honour to be, Sir,

Your most obedient Servant,

JOHN GRAHAM.

*The Hon. John Q. Adams,  
Secretary of State.*

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 was divided into the intendencies or provinces of Buenos Ayres, Paraguay, Cordova, Salta, Potosi, Plata, Cochabamba, La Paz,

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, Corientes, 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 having 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 the 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; that 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 these people their own strength, and the incapacity of Spain to give them protection or enforce obedience. The ground-work 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 as narrow limits as circumstances would permit

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 great 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. Dissensions 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 dissensions 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 at Lima, 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 of 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 have been obliged to yield up the government and abandon the country, or submit to the ruling power. The peculiar situation of Montevideo, 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 given rise to many jarring incidents between those that came from the opposite shores of the river; probably the effect, in part at least, of ancient jealousies, kept alive by the individual interests of particular 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 at Buenos Ayres.

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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 of some of his 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 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 Santa Fé, 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 with them. After having aided the Spanish authorities placed over them, to repel a military force which had been sent to overthrow them, they themselves expelled



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 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 that 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

theatre of action have grown up since the commencement of the revolution, and have had the advantage 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 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 manufacture 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 chin-chilla; copper from Chili, and some of the precious metals, drawn principally from Peru; but

but as gold is worth seventeen dollars the doubloon, 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 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, and 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 1,300,000, 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 statement 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 government 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

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 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 recollection of former sufferings and deprivations; upon a conscientiousness 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 the 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.

They are yet, however, from their indolence, general want of education, and the great mixture of "castes" among them, in a degraded state, but little felt in the affairs of the government. The stimulus now given will operate to produce a change in them for the better, and it is to be presumed, will gradually have its effect, as their docility, intelligence, and activity, when called into service, give evidence that they are not deficient in natural or physical powers.

Labour, as it becomes more general, will become less irksome to individuals, and the gradual acquisition of property which must necessarily result from it in such a country, under a good government, will doubtless produce the happy effects there which

it has uniformly produced elsewhere, and more especially in countries where the population is small when compared to the extent of territory.

I am very sensible that I may have been led into errors of fact or inference. In that case I can plead honesty of intention, and the difficulty of collecting at a single point, and within a limited time, correct information; or of analyzing that which was collected, respecting a people in a state of revolution, who are spread over an immense country, and whose habits, institutions, and language, are so different from our own.

I have only to add, that we were politely received by the Supreme Director, who made every profession for our government, and every offer of accommodation to us, as its agents, which we had a right to expect, and that the people manifested on all occasions the most friendly dispositions.

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*Description of Greenland, by Hans Egede.*

As every nation has its peculiar way of living and of getting their livelihood, suiting their genius and temper to the nature and produce of the country they inhabit; so the Greenlanders likewise have theirs, peculiar to themselves and their country. And though their way and customs may seem to others mean and silly, yet they are such as very well serve their turn, and which we can find no fault with. Their

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ordinary employments are fishing and hunting; on shore they hunt the rein deer, and at sea they pursue the whales, morses, seals, and other sea animals, as also sea fowls and fishes. The manner of hunting the rein deer has been treated of above in the fifth chapter; but there we took no notice of their bows and arrows, which they make use of in the killing those deer. Their bow is of an ordinary make, commonly made of fir tree, which in Norway is called tenal, and on the back strengthened with strings made of sinews of animals, twisted like thread: the bow string is made of a good strong strap of seal skin, or of several sinews twisted together; the bow is a good fathom long. The head of the arrow is armed with iron, or a sharp pointed bone, with one or more hooks, that it may keep hold, when shot into a deer's body. The arrows they shoot birds with are at the head covered with one or more pieces of bone blunt at the end, that they may kill the fowl without tearing the flesh. The sea fowls are not shot with arrows, but with darts, headed with bones or iron, which they throw very dexterously, and with so steady a hand at a great distance, that nobody can hit surer with a gun. They are more frequently employed at sea than on shore; and I confess they surpass therein most other nations; for their way of taking whales, seals, and other sea animals is by far the most skilful and most easy and handy.

When they go whale catching, they put on their best gear or apparel, as if they were going to a wedding

a wedding feast, fancying that if they did not come cleanly and neatly dressed, the whale, who cannot bear slovenly and dirty habits, would shun them and fly from them. This is the manner of their expedition: about fifty persons, men and women, set out together in one of the large boats, called *kone* boat; the women carry along with them their sewing tackles, consisting of needles and thread, to sew and mend their husbands' spring coats, or jackets, if they should be torn or pierced through, as also to mend the boat, in case it should receive any damage; the men go in search of the whale, and when they have found him they strike him with their harpoons, to which are fastened lines or straps two or three fathoms long, made of seal skin, at the end of which they tie a bag of a whole seal skin, filled with air, like a bladder; to the end that the whale, when he finds himself wounded, and runs away with the harpoon, may the sooner be tired, the air bag hindering him from keeping long under water. When he grows tired, and loses strength, they attack him again with their spears and lances, till he is killed, and then they put on their spring coats, made of dressed seal skin, all of one piece, with boots, gloves, and caps, sewed and laced so tight together that no water can penetrate them. In this garb they jump into the sea, and begin to slice the fat of him all round the body, even under the water; for in these coats they cannot sink, as they are always full of air; so that they can, like the seal, stand upright in the sea: nay they are sometimes so daring, that they

will get upon the whale's back while there is yet life in him, to make an end of him, and cut away his fat.

They go much the same way to work in killing of seals, except that the harpoon is lesser, to which is fastened a line of seal skin six or seven fathoms long, at the end of which is a bladder or bag made of a small seal skin filled with air, to keep the seal, when he is wounded, from diving under the water, and being lost again. In the northern parts, where the sea is all frozen over in the winter, they use other means in catching of seals. They first look out for holes, which the seals themselves make with their claws, about the bigness of a halfpenny, that they may fetch their breath; after they have found any hole, they seat themselves near it upon a chair, made for this purpose; and as soon as they perceive the seal come up to the hole and put his snout into it for some air, they immediately strike him with a small harpoon, which they have ready in their hand, to which harpoon is fastened a strap a fathom long, which they hold with the other hand. After he is struck, and cannot escape, they cut the hole so large, that they may get him up through it; and as soon as they have got his head above the ice, they can kill him with one blow of the fist.

A third way of catching seals is this: they make a great hole in the ice, or, in the spring, they find out holes made by the seals, through which they get upon the ice to lie and bask themselves in the sun. Near to these holes they place a low bench, upon which

which they lie down upon their belly, having first made a small hole near the large one, through which they let softly down a perch, sixteen or twenty yards long, headed with a harpoon, a strap being fastened to it, which one holds in his hand, while another (for there must be two employed in this sort of capture) who lies upon the bench with his face downwards, watches the coming of the seal, which when he perceives, he cries "Kæ;" whereupon he, who holds the pole, pushes and strikes the seal.

The fourth way is this: in the spring, when the seals lie upon the ice near holes, which they themselves make to get up and down, the Greenlanders, clothed with seal skins, and a long perch in their hand, creep along upon the ice, moving their head forwards and backwards, and snorting like a seal, till they come so near him, that they can reach him with the perch and strike him. A fifth manner of catching seals, is when in the spring the current makes large holes in the ice, the seals flock thither in great shoals; there the natives watch their opportunity to strike them with their harpoons, and haul them upon the ice. There is yet a sixth way of catching seals, when the ice is not covered with snow, but clear and transparent; then the catchers lay under their feet foxes or dogs' tails, or a piece of a bear's hide, to stand upon and watch the animal, and when by his blowing and snorting they find what course he takes, they softly follow him and strike him.

In fishing they make use of hooks and angles of iron or bones.

Their lines are made of whale-bones cut very small and thin, and at the end tacked together; and with such lines they will draw one hundred fishes to one which our people can catch with their hemp lines. But to catch halibut they use strong lines made of seal skin, or thick hemp lines.

Their way of fishing the small salmon or sea trout is this: at low water they build small enclosures with stone, near the river's mouth, or any other place where the salmon runs along; and when it begins to flow, and the tide comes in, the salmon retreats to the river, and in high water passes over the enclosure, and remains in the river till the water again falls; then the salmon wants to go to sea again; but the fishermen way-lay him at the enclosure and stop his passage. And soon after, when the water is quite fallen, and it is low ebb, the salmon remains upon dry land, and may be caught with hands. And where they are left in holes, they take them with an instrument made for this purpose, viz. a perch headed with two sharp hooked bones, or with one or two iron hooks.

The rogn fish, or roe fish, so named from the great quantity of roe that is found in it, as he is commonly found in shallow water and upon the sands, so he is caught like the salmon with the before-mentioned instrument. There is such abundance of these fishes, that, as they cannot consume them all fresh, they are obliged to dry them on the rocks, and keep them for winter provision. When roe fish catching is over, which happens in the month of May,



May, then the Greenlanders retire into the bays and creeks, where the lod or stint fishing then takes place. There are such numberless shoals of them near the shore, that they catch them in a kind of sieves, fastened upon long poles, and throw them upon the shore; they open and dry them upon the rocks, keeping them for their winter stock. This fish is not agreeable, nor reckoned wholesome, when eaten fresh; besides they have a nauseous smell, but when dried they may pass. The natives eat them with a bit of fat, or soused in train oil: and so of all other sorts of fishes, what the Greenlanders cannot consume fresh they dry upon the rocks in the sun, or in the wind, and lay them up for the winter.

Now as to the Greenland boats, there are two sorts of them; the one, of which the men alone make use, is a small vessel sharp and pointed at both ends, three fathoms in length, and at most but three quarters of a yard broad, with a round hole in the midst, just large enough for a man's body to enter it, and sit down in it, the inside of the boat is made of thin rafts tacked together with the sinews of animals, and the outside is covered with seal skins, dressed and without hair; no more than one can sit in it, who fastens it so tight about his waist, that no water can penetrate it. In these small boats they go to sea, managing them with one oar of a fathom in length, broad at both ends, with which they paddle, sometimes on one side and sometimes on the other, with so much swiftness, that they are said to row ten or twelve Norway miles

in a day. They chiefly make use of them in catching of seals and sea fowls, which they can approach on a sudden and unawares; whereas we in our large boats can very seldom come so near as to touch them. They do not fear venturing out to sea in them in the greatest storms, because they swim as light upon the largest waves as a bird can fly; and when the waves come upon them with all their fury, they only turn the side of the boat towards them, to let them pass, without the least danger of being sunk: though they may happen to be overset, yet they easily raise themselves again with their paddle; but if they are overset unawares (as it often happens) and the boat be not close and tight about their waist, they are inevitably drowned.

The other kind of boats are large and open, like our boats, some of them twenty yards long; and these are called kone boats, that is, women's boats, because the women commonly row them; for they think it unbecoming a man to row such a boat, unless great necessity requires it: and when they first set out for the whale fishing, the men sit in a very negligent posture, with their faces turned towards the prow, pulling with their little ordinary paddle; but the women sit in the ordinary way, with their faces toward the stern, rowing with long oars. The inside of these boats is composed of thin rafts, and the outside clothed with thick seal skins. In these boats they transport their baggage, as tents and the like household furniture, when they go to settle in some distant places in quest of provision. In these boats they also carry sails,

made of the bowels and entrails of seals. The mast is placed foremost on the prow, and as the sail is broad at the upper end, where it is fastened to the yard, and narrow at the lower end, so they neither want braces nor bowlines and sheet ropes, and with these sails they sail well enough with the wind, not otherwise. These boats, as they are flat-bottomed, can soon be overset.

The men meddle with no work at home but what concerns their tools for hunting and fishing tacklings, viz. their boats, bows, arrows, and the like. All other work, even of building and repairing their houses, belongs to the women. As dexterous and skilful as the men are at their work, the women are not behindhand with them, but according to their way and manner deserve to be praised and admired.

The Greenland Sea abounds in different sorts of animals, fowls, and fishes, of which the whale bears the sway, and is of divers kinds, shapes, and sizes. Some are called the finned whales, from the fins they have upon their back near the tail; but these are not much valued, yielding but little fat or blubber, and that of the meaner sort; they consist of nothing but lean flesh, sinews, and bones. They are of a long, round, and slender shape, very dangerous to meddle with, for they rage and lay about them most furiously with their tail, so that nobody cares to come at them, or catch them. The Greenlanders make much of them, on account of their flesh, which, with them, passes for dainty cheer. The other sort of whales are

reckoned the best for their fat, and fins or whalebones. These differ from the first sort, in that they have no fin on the back towards the tail, but two lesser ones near the eyes, and are covered with a thick black skin, marbled with white strokes. With these side fins they swim with an incredible swiftness. The tail is commonly three or four fathoms broad. The head makes up one-third of the whole fish. The jaws are covered, both above and beneath, with a kind of short hair. At the bottom of the jaws are placed the so called barders, or whalebones, which serve him instead of teeth, of which he has none. They are of different colours, some brown, some black, and others yellow with white streaks. Within the mouth, the barders or whalebones are covered with hair like horse-hair, chiefly those that inclose the tongue. Some of them are bent like a scymitar, or sabre. The smallest are ranged the foremost in the mouth, and the hindermost near the throat; the broadest and largest are in the middle, some of them two fathoms long, by which we may judge of the vast bigness of this animal. On each side there are commonly two hundred and fifty, in all five hundred pieces. They are set in a broad row, as in a sheaf, one close to the other, bent like a crescent or half-moon, broadest at the root, which is of a tough and grisly matter, of a whitish colour, fastened to the upper part of the jaws, near the throat, and they grow smaller towards the end, which is pointed; they are also covered with hair, that they may not hurt the tongue. The undermost jaw is commonly white

white, to which the tongue is fastened, inclosed in the barders, or long whalebones; it is very large, sometimes about eighteen feet, and sometimes more, of a white colour, with black spots, of a soft, fat, and spongy matter. The whale has a bunch on the top of his head, in which are two spouts or pipes, parallel one to the other, and somewhat bent, like the holes upon a fiddle. Through these he receives the air, and spouts out the water, which he takes in at his mouth, and is forced upwards through these holes in very large quantities, and with such violence and noise, that it is heard at a great distance, by which, in hazy weather, he is known to be near, especially when he finds himself wounded, for then he rages most furiously, and the noise of his spouting is so loud, that some have resembled it to the roaring of the sea in a storm, or the firing of great guns. His eyes are placed between the bunch and the side fins; they are not larger than those of an ox, and are armed with eyebrows.

These sea animals, or rather monsters, are of different sizes and bulks; some yield one hundred and some two or three hundred tuns of fat or blubber. The fat lies between the skin and the flesh, six or eight inches thick, especially upon the back and under the belly. The thickest and strongest sinews are in the tail, which serves him for a rudder, as his fins do for oars, wherewith he swims with an astonishing swiftness, proportioned to his bulk, leaving a track in the sea, like a great

ship; and this is called his wake, by which he is often followed.

These sea monsters are as shy and timorous as they are huge and bulky, for as soon as they hear a boat rowing, and perceive any body's approach, they immediately shoot under water and plunge into the deep; but when they find themselves in danger, then they show their great and surprising strength; for then they break to pieces whatever comes in their way, and if they should hit a boat, they would beat it in a thousand pieces. According to the relation of the whale-catchers, the whale, being struck, will run away with the line some hundreds of fathoms long, faster than a ship under full sail. Now one would think, that such a vast body should need many smaller fishes and sea animals to feed upon; but on the contrary, his food is nothing but a sort of blubber, called *pulmo marinus*, or whale food, which is of shape and bigness, as represented in the cuts; it is of a dark-brown colour, with two brims of flaps, with which it moves in the water, with such slowness, that one may easily lay hold of it, and get it out of the water. It is like a jelly, soft and slippery, so that if you crush it between your fingers you find it fat and greasy like train oil. The Greenland seas abound in it, which allures and draws this kind of whales thither in search of it; for as their swallow or throat is very narrow (being but four inches in diameter), and the smaller whalebones reaching down his throat, they cannot swallow any hard or large piece

of other food, having no teeth to chew it with, so that this sort of nourishment suits them best, their mouth being large and wide to receive a great quantity, by opening it and shutting it again, that nature has provided them with the bards or whalebones, which by their closeness only give passage to the water, like a sieve, keeping back the aliment. Here we ought to praise the wise and kind providence of an Almighty Creator, who has made such mean things suffice for the maintenance of so vast an animal.

Next to this there is another sort of whales, called the North Capers, from the place of their abode, which is about the North Cape of Norway, though they also frequent the coasts of Iceland, Greenland, and sundry other seas, going in search of their prey, which is herring and other small fish, that resort in abundance to those coasts. It has been observed, that some of these North Cape whales have had more than a tun of herrings in their belly. This kind of whales has this common with the former called fin-whale, in that it is very swift and quick in its motion, and keeps off from the shore in the main sea, as fearing to become a prey to its enemies, if it should venture too near the shore. His fat is tougher and harder than that of the great bay whale; neither are his bards or bones so long and valuable, for which reason he is neglected.

The fourth sort is the sword-fish, so called from a long and broad bone, which grows out of the end of his snout on both sides,

indented like a saw. He has got two fins upon his back, and four under the belly, on each side two; those on the back are the largest: those under the belly are placed just under the first of the back: his tail broad and flat underneath, and above pointed, but not split or cloved. From the hindermost fin of the back he grows smaller: his nostrils are of an oblong shape: the eyes are placed on the top of his head, just above his mouth. There are different sizes of sword-fish, some of twenty feet, some more, some less. This is the greatest enemy the true whale has to deal with, who gives him fierce battles; and, having vanquished and killed him, he contents himself with eating the tongue of the whale, leaving the rest of the huge carcase for the prey and spoils of the morses and sea birds.

The cachelot or pot-fish is a fifth species of whales, whose shape is somewhat different from that of other whales, in that the upper part of his head or skull is much bigger and stronger built; his spouts or pipes are placed on the forehead, whereas other whales have them on the hinder part of the head: his under jaw is armed with a row of teeth which are but short: his tongue is thin and pointed, and of a yellowish colour: he has but one eye on the side of the head, which makes him of easy access to the Greenlanders, who attack him on his blind side. Of his skull that wrongly so called spermaceti is prepared, one yielding twenty to twenty-four tun thereof. The rest of the body and the tail are like unto those  
of

of other whales. He is of a brownish colour on the back, and white under the belly; he is of different sizes, from fifty to seventy feet long.

Then comes the white fish, whose shape is not unlike that of the great bay whale, having no fins upon the back, but underneath two large ones; the tail like a whale; his spouts, through which he breathes and throws out the water, are the same; he has likewise a bunch on the head: his colour is of a fading yellow; he is commonly from twelve to sixteen feet in length, and is exceeding fat. The train of his blubber is as clear as the clearest oil: his flesh as well as the fat has no bad taste, and when it is marinated with vinegar and salt, it is as well tasted as any pork whatsoever. The fins also and the tail, pickled or sauced, are good eating. This fish is so far from being shy, that whole droves are seen about the ships at sea: the Greenlanders catch numbers of them, of which they make grand cheer.;

There is yet another smaller sort of whales, called but-heads, from the form of its head, which at the snout is flat, like a but's end: he has a fin upon his back towards the tail, and two side fins: his tail is like to that of a whale. In the hinder part of the head he has a pipe to fetch air, and spout the water through, which he does not spout out with that force the whale does: his size is from fourteen to twenty feet: he follows ships under sail with a fair wind, and seems to run for a wager with them; whereas, on the contrary, other

whales avoid and fly from them. Their jumping, as well as that of fishes and sea animals, forebodes boisterous and stormy weather.

The sea horse or morse has the shape of a seal, though much larger and stronger. He has five claws on each of his feet, as the seal: his head rounder and larger. His skin is an inch thick, especially about the neck, very rough, rugged and wrinkled, covered with a short, brown, and sometimes reddish, or mouse-coloured hair. Out of his upper jaw there grow two large teeth or tusks, bended downwards over the under jaw, of the length of half a yard, and sometimes of a whole yard and more. These tusks are esteemed as much as elephants' teeth; they are compact and solid, but hollow towards the root. His mouth is not unlike that of a bull, covered above and beneath with strong bristles as big as a straw: his nostrils are placed above his mouth, as those of the seal: his eyes are fiery red, which he can turn on all sides, not being able to turn his head, by reason of the shortness and thickness of his neck. The tail resembles a seal's tail, being thick and short: his fat is like hog's lard. He lies commonly upon the ice shoals, and can live a good while on shore, till hunger drives him back into the seas; his nourishment being both herbs and fishes: he snores very loud, when he sleeps; and when he is provoked to anger, he roars like a mad bull. It is a very bold and fierce creature, and they assist each other, when attacked, to the last. He is continually at war with the white bear,

bear, to whom he often proves too hard with his mighty tusks, and often kills him, or at least does not give over till they both expire.

The seals are of different sorts and sizes, though in their shape they all agree, excepting the clap-myss, so called from a sort of a cap he has on his head, with which he covers it when he fears a stroke. The paws of a seal have five claws, joined together with a thick skin, like that of a goose or a water fowl: his head resembles a dog's with cropped ears, from whence he has got the name of sea dog; his snout is bearded like that of a cat: his eyes are large and clear with hair about them: the skin is covered with a short hair of divers colours, and spotted; some white and

black, others yellowish, others again reddish, and some of a mouse colour; his teeth are very sharp and pointed. Although he seems lamish behind, yet he makes nothing of getting up upon the ice hills, where he loves to sleep and to bask himself in the sun. The largest seals are from five to eight feet in length; their fat yields better train oil than that of any other fish. This is the most common of all the sea animals in Greenland; and contributes the most to the subsisting and maintaining of the inhabitants, who feed upon the flesh of it, and clothe themselves with the skin, which likewise serves them for the covering of their boats and tents: the fat is their fuel, which they burn in their lamps, and also boil their victuals with

## NATURAL HISTORY.

## RHINOCEROS.

(From the Asiatic Journal.)

I have frequently heard it questioned if a musket-ball would penetrate the hide of a rhinoceros. I remember having the opportunity of making the experiment on the carcase of an old animal of uncommon size, which had been killed near Givalpara, on the border of the wild country of Asam, a spot where rhinoceroses abound. After repeated trials the bullet was found always to fly off, for the skin being very thick and extremely loose, it was constantly by that means put out of its course.

In that part of the country there are many rhinoceroses, and elephants in vast numbers. So numerous a flock was seen crossing the Burhampura river, at a breadth of two miles, that the channel seemed full, nor was the end of the line perceptible, although they had been some time passing. E. S.'s boat, going down the river, was obliged to put about, as it was impossible to get by them; and it was a considerable time before the line had left the jungles of the eastern side, whilst the jungles

on the western side, prevented their course being traced by the eye.

The people of the country say, that the rhinoceros is much an overmatch for the elephant; as the former being very nimble gets round the elephant, makes his attack in the same manner as the wild boar, and rips up the belly of his antagonist.

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*On the Dryobalanops Camphora, or Camphor-tree of Sumatra. By H. T. Colebrooke, Esq., President of the Asiatic Society.*

(From the same.)

In the fourth volume of the Researches of the Society, in an essay on the express subject, the camphor of *Sumatra* is stated to be "the produce of a tree growing on the north-west side of *Sumatra*, from the line to 3° north." A familiar description of the tree is given, on the authority of a gentleman who long resided at *Tapanooly*: and its botanical place is assigned, "in the class *Enneandria Monogynia* of Linnæus, differing however in the form of the leaf from the *Arbor camphorifera Japonica*, and much resembling the bay in leaves."

It



It is evident that the author of that essay (M. Macdonald), or the person from whom he derived his information (Lieut. Lewis), considered the plant in question to be a laurel; as the camphor tree of Japan is described to be.\* But, as neither of those gentlemen seems to have been conversant with botany, it continued to be far from improbable that the botanical character of the plant might have been mistaken by them; and that it was referred by the author of the essay cited, to the genus *Laurus*, or to the class and order to which that genus belongs, upon no other foundation but a preconceived notion grounded upon the existing information concerning the camphor tree of Japan. It was the less unlikely, that the two plants might belong to different genera, or even to different orders, as camphor is well known to be a production of a great variety of plants, though in a less pure state, and not so readily and abundantly afforded; and, as it was observed by Kœmpfer, in speaking of the *Laurus camphorifera* and of the extraction of camphor from its wood and roots with the aid of heat, that “natural camphor in substance and of greatest value is furnished by a tree on the islands of *Sumatrá* and *Borneo*, which is not of the *Laurus* genus.” “Camphoram naturalem et cristallinam perquam pretiosam ac raram impertitur arbor in *Sumatrá* et *Borneo* insulis. Sed hæc arbor ex *Daphneo sanguine* non est.”†

Considering then the specific character of the camphor tree of *Sumatrá* to be unsettled, and the generic character dubious, botanists in India have been long solicitous of more correct and definite information on this subject, and Doctor Roxburgh, in particular, was at great pains to procure living plants with specimens of the fructification. His endeavours had not been successful at the time of his quitting India; but he had received a rough sketch of the fruit and leaf, from the appearance of which he was led to name the plant *Shorea camphorifera*; and his conjecture, as will be shown, was not very remote from the truth.

It has been my fortune, in his absence, to receive from Doctor Roxburgh's correspondent at *Tapanooly* (Mr. Prince, the resident at that station), a number of the seeds in very perfect condition, and a few living plants. The latter, I am sorry to say, did not outlive the subsequent cold season; but the examination of the seed enables me to determine the genus of the plant with entire confidence. It undoubtedly belongs to the *Dryobalanops* of the younger Gærtner; and is not unlikely to be the identical species which furnished the specimen inspected by him, and which he named *Dryobalanops aromatica*. Gærtner's information, indeed, states the specimen to have been received from *Ceylon*, with an intimation that the bark of the tree is the genuine and best cinnamon. But, as there is every reason to be satisfied, that cinnamon is exclusively produced

\* Kœmpf. Amœn. p. 770.

† Amœn, Exot. p. 773.

produced by a species of the laurel, the information which accompanied the specimen in question may have been in every part inaccurate.

As this point, however, is uncertain, and the specific characters of Gærtner's species are unknown, or at least unpublished, it is for the present necessary to allot a distinct name to the camphor tree of *Sumatrá*. I propose therefore to name it *Dryobalanops camphora*, until its identity with *D. aromatica* be established. The description which I shall offer of it is unavoidably imperfect, as the flower has not yet been seen by a botanist. But the generic character is so strongly pronounced in the fruit, that there can be no doubt of its place in the same natural order with the *Shorea*, the *Dipterocarpus*, and *Vateria*, to which the *Hopea* of Doctor Roxburgh is to be added; and most probably in the same class and order in the Linnean artificial arrangement, viz. *Polyandria monogynia*.

This section of Juissieu's natural order of *Guttifera* comprises trees remarkable for their aromatic and resinous productions. *Shorea robusta* and *Zambuga*, and perhaps other species of the genus, yield in great abundance the resin called by the Hindustánis *Dhuna*, and by the English in India *Dammer*, which is very generally used as a substitute for pitch for marine purposes. The natives of India also employ it in their temples in the manner of incense. *Dipterocarpus costatus*, *turbinatus*, *incanus*, *alatus*, and probably other species of the genus, afford the several

sorts of balsam called by the natives of India *Garjan*; by the Singhalese, *Dhornatél*; and by the English, *Wood Oil*. *Vateria Indica* produces the resin in India called *Copal*, as very nearly approaching the true resin of that name. The best specimens are employed as ornaments, under the denomination of amber (*Kahroba*) to which it bears exterior resemblance; in its recent and fluid state it is used as a varnish in the south of India, (Buchanan's Mysore, 2, p. 476), and dissolved by heat in closed vessels is employed for the same purpose in other parts of India. Another plant of the same genus, *Vateria lancéæ-folia*, affords a resin, from which, as from other resins, the Indians prepare one of the materials of their religious oblations.

## DESCRIPTION.

*Dryobalanops Camphora. Cole.*  
Ess. Char.

Calyx one-leaved, permanent: the five divisions of the border growing into long, remote, reflex wings.

Corol—

*Capsule*, superior, one-celled, three valved, one seeded. Embryo inverse without perisperm.

A large tree, native of forests on the north-western coast of *Sumatrá*; and especially in the vicinity of *Tapanooly*. *Sans.* *Carpura*. *Arab.* *Cáfúr*. *Mal.* *Cápúr*. *Hind.* *Cápúr*.

*Trunk* arboreous. *Bark* brownish.

*Leaves*, superior alternate: inferior ones opposite; elliptic, obtusely acuminate, parallel veined, entire, smooth; 3-7 inches long; 1-2 broad.

*Petioles*

*Petioles* short. *Stipules* in pairs, subulate, caducous. *Petioles* one-leaved; five-parted, persistent.

*Capsule* superior, ovate, woody, fibrous, finely streaked with longitudinal furrows, embraced at the base by the calycine hemispherical cup and surrounded by its enlarged leaflets, which are converted into remote, foliaceous, spatulate, rigid, reflex wings; one-celled, three-valved.

*Seed* solitary, conform to the cavity of the capsule. *Integument* simple, thin, membranaceous, thickened along one side and thence penetrating to the axis, and continued between the interior fold of the cotyledons. *Perisperm* none. *Embryo* conform to the seed, inverse, milk-white. *Cotyledons* two, unequal, almond-fleshy, thick, chrysaloid-contortuplicate; the exterior one larger, convolute, and cherishing the interior one, smooth without, wrinkled within; the interior one much smaller, wrinkled on both sides, uniform or round cordate (as is the exterior one, if its folds be expanded). *Plumule* simple, conical, two-leaved. *Radicle* near the summit towards the back, columnar, a little curved and ending in a short conical tip; ascending.

The seed has a strong terebinthine fragrance.

The following particulars concerning the extraction of the camphor, were communicated by Mr. Prince, resident at *Tapanooly*, to Doctor Roxburgh.

"This tree grows spontaneously in the forests, and is to be found in abundance from the back of *Ayer Boney*, as far

north as *Bacongan*, a distance of two hundred and fifty miles. It may be classed among the tallest and largest trees that grow on this coast; several within daily view measuring six or seven feet diameter. Before it acquires such dimensions its age is conjectured to be years; but it will produce camphor at a much earlier period when the tree does not exceed two and two and a half feet in diameter. The same tree which yields the oil, would have produced camphor if unmolested, the former being supposed to be the first stage of the latter's forming, and is consequently found in younger trees. The natives have no certain means of ascertaining the tree which produces either the one or the other, although there are some men styled *Toongoo Nyr Cappoor* who pretend to that knowledge, but they cannot give any reasons for their judgment beyond favorable dreams, which superstition has rendered infallible: and it must be admitted that the success of this description of people, in discovering and procuring, is greater than the majority of those who go in search of the camphor. The distinction may have arisen from the peculiar favor of fortune to some individuals over others, as in most other circumstances of life from whence they have acquired a celebrity, otherwise they could give some rational explanation of their superior success. Both oil and camphor are found in the heart of the tree, occupying a vacuum, which, in others, is frequently filled with pitch; but it does not extend to the whole length;

length; on the contrary, they are found in small portions of a foot, and a foot and a half long, at certain distances. The method of extracting the oil is merely by making a deep incision with a *Billiong* or *Malay* axe, in the tree, about fourteen or eighteen feet from the ground, till near the heart, where a deeper incision is made with a small aperture; and the oil, if any in the tree, immediately gushes out, and is received in bamboos, or any other utensil better approved of; in this manner, a party proceeds through the woods wounding the camphor trees till they attain their object. The camphor is procured in pretty nearly the same way. The trees are cut to the heart about the same height from the ground as in the former instance, till the camphor is seen. Hundreds may be thus mutilated before the sought-for tree is discovered; when attained, it is felled, and cut in junks of a fathom long, which are again split, and the camphor is found in the heart, occupying a space in circumference of the thickness of a man's arm. The produce of a middling sized tree is about eight *China catties*, or nearly eleven lbs. and of a large one, double the quantity. The camphor thus found is called *Se Tantong*. It is often the case that the trees which have been cut, and left standing in that state, will produce camphor in seven or eight years after, which is distinguished by the name of *Oogar*, but is inferior in appearance, though of the same quality. The sorts of camphor called belly and foot, are the scraping of the wood which surrounded it."

## BRAHMINY LIZARD.

(From the same.)

My tent having remained pitched on the same spot for a length of time, a small lizard, of the species known amongst Europeans at the presidency by the name of the Brahminy lizard, became in a great degree domesticated, and without any alarm frequently made its appearance. One day while reading, my attention was suddenly diverted from my book by hearing a noise resembling that of scratching on the carpet just behind the chair.—On looking round, I perceived the lizard had caught a centipede (about an inch and a half in length) and held it fast by the middle. The centipede struggling violently to get free, and the lizard at first with some difficulty preserving its hold.—In about three minutes, however, the lizard had contrived to master and in part to swallow the centipede, the extremity of which, as long as it remained in sight, continuing to be much agitated—after it had entirely disappeared, the lizard crawled away, apparently well satisfied with its prey.

## LOCUSTS IN INDIA.

(From the same.)

About the 20th June 1812, a very large flight of locusts was observed hovering about Etawah, which at length settled in the fields east of the town, where they remained some time, and were seen copulating in vast numbers; they then took their departure, but continued to hover about the place for a month afterwards.

On the 18th of July, while riding in that direction, I discovered a tremendous swarm of very small dark coloured insects in the vicinity of a large pool of stagnate water; they were collected in heaps, and covered the ground to a considerable distance. These, on minute inspection, proved to be locusts in miniature, but without wings. In this place they remained, hourly increasing in numbers, for some days, when the great body moved off, taking a direction towards the town of Etawah: they crept and hopped along at a slow rate, until they reached the town, where they divided into different bodies, still however keeping nearly the same direction, covering and destroying every thing green in their progress, and distributing themselves all over the neighbourhood. The devastation daily committed by them being almost incalculable, the farmers were under the necessity of collecting as many people as they could, in the vain hope that they might preserve the crop by sweeping the swarm backwards, but as often as they succeeded in repelling them in one quarter, they approached in another; fires were then lighted all round the fields with the same view—this had the effect of keeping them off for a short time, but sufficient fuel could not be supplied, and the moment the fires became extinguished, the insects rushed in like a torrent. Multitudes were destroyed by the birds, and many more by branches of trees, used by the farmers for that purpose, as well as by their being swept into large

heaps, and consumed by fire, yet their numbers seemed nothing diminished. They so completely covered some mangoe trees, and the hedges surrounding the gardens, that the colour of the leaves could not be distinguished. They had no wings and were about the size of small bees. They continued to creep along the ground, or hopped when their progress was interrupted.

July 27.—They were increasing in size, and had overspread that part of the country in every direction. From the want of rain, and the overwhelming inroad of these insects, the farmers were nearly ruined. Nothing impeded their progress, they climbed up the highest trees and scrambled over walls, and notwithstanding the exertions of several people with brooms, the verandah and outer walls of the hospital were completely covered with them. They no longer continued to move in one particular direction, but paraded backwards and forwards, wherever they could find food.

On the 28th of July, the rains set in with considerable violence; the locusts took shelter on trees and bushes, devouring every leaf within their reach, none seemed to suffer from the rain.

On the 29th it did not rain, and the young swarm again were on the move, continuing their depredations; they were fast increasing in size, and equally lively as before the rain.

It again rained on the 30th, and again the locusts took shelter on the trees and fences; several large flights of locusts passed over the cantonments, and I observed

served that the wings of the young ones began to appear. The head still retained the dark red colour, but the black lines on the body had become much fainter.

Again on the 31st, large flights continued to pass, driven by the wind to the southward; of course very few alighted. They caused

little mischief within our view. The wings of the young tribe (the whole four being now formed) were about one-eighth of an inch in length. After this time I made no particular observations on their progress, being otherwise engaged, but they disappeared in a few days.

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### VIZIER ALLY.

(From the Asiatic Journal.)

**I**N May last (1817,) died, in confinement, at Fort William, Calcutta, the Vizier Ally.

Those extraordinary vicissitudes of fortune which are so often the result of a turbulent and restless disposition, were never more fully exemplified than in the fate of this individual, whose early career of life commenced amidst all the gorgeous splendor of Eastern magnificence.

Vizier Ally was the adopted son of Asuf-ud-Dowlah, late nabob of Oude, whom he succeeded in his possessions and jurisdiction. His mother was the wife of a Forash (a menial servant of a low description, employed in India in keeping the metallic furniture of a house clean). His reputed father, Asuf-ud-Dowlah, was a wealthy and eccentric prince. Having succeeded to the musnud (throne) of Oude by the assistance of the East India Company, he professed great partiality to the English. Mild in manners, polite and affable in his conduct, he possessed no great mental powers; his heart was good con-

sidering his education, which instilled the most despotic ideas. He was fond of lavishing his treasures on gardens, palaces, horses, elephants, European guns, lustres, and mirrors. He expended every year about 200,000*l.* in English manufactures. This nabob had more than an hundred gardens, 20 palaces, 1,200 elephants, 3,000 fine saddle horses, 1,500 double barrel guns, seventeen hundred superb lustres, thirty thousand shades, of various forms and colours; several hundred large mirrors, girandoles, and clocks; some of the latter were very curious, richly set with jewels, having figures in continual movement, and playing tunes every hour; two of these clocks cost him thirty thousand pounds. Without taste or judgment, he was extremely solicitous to possess all that was elegant and rare; he had instruments and machines of every art and science, but he knew none; and his museum was so ridiculously disposed, that a wooden cuckoo clock was placed close to a superb time-piece which cost the price

\* For an account of his splendid hunting parties; see Asiatic Journal, Vol. I. p. 539.



of a diadem; and a valuable landscape of Claude Lorraine suspended near a board painted with ducks and drakes. His haram contained above 500 of the greatest beauties of India, immured in high walls which they were never to leave, except on their biers. He had an immense number of domestic servants, and a very large army besides, being fully protected from hostile invasion by the company's subsidiary forces, for which he paid five hundred thousand pounds per annum. His jewels amounted to about eight millions sterling. Amidst this precious treasure, he might be seen for several hours every day, handling them as a child does his toys." Asuf had no legitimate children, and it was doubted whether he had any natural ones. He was in the habit, whenever he saw a pregnant woman, whose appearance struck his fancy, to invite her to the palace to lie-in; and several women of this description were delivered there, and among the number was the mother of Vizier Ally. Several children so delivered were brought up and educated in the palace.

The sprightliness of Vizier Ally, while yet an infant, so entirely engrossed the affections of the old nabob, that he determined to adopt him. In conformity with this resolution, the youth received an education suitable to a prince who was destined to succeed to the musnud. He is said, however, to have developed at this period, a propensity to delight in the sufferings of the brute creation. The affection of the old nabob towards

his adopted son still increasing, he lavished upon him every mark of regard.

At thirteen his marriage took place. To give an idea of the splendor which attached to his youth, and from which he subsequently fell, the following account of his nuptials is extracted from Forbes' "Oriental Memoirs."

"The wedding of Vizier Ally was celebrated at Lucknow, in 1795, and was one of the most magnificent in modern times. The nabob had his tents pitched on the plains, near the city of Lucknow; among the number were two remarkably large, made of strong cotton cloth, lined with the finest English broad cloth, cut in stripes of different colours, with cords of silk and cotton. These two tents cost five lacks of rupees, or above fifty thousand pounds sterling; they were each 120 feet long, 60 broad, and the poles about 60 feet high; the walls of the tents were ten feet high; part of them were cut into lattice-work for the women of the nabob's seraglio, and those of the principal nobility, to see through. His highness was covered with jewels, to the amount at least, of two millions sterling. From thence we removed to the shumeena, which was illuminated by two hundred elegant girandoles from Europe, as many glass shades with wax candles, and several hundred flambeaux; the glare and reflection was dazzling and offensive to the sight. When seated under this extensive canopy, above a hundred dancing girls, richly dressed, went through their elegant, but rather lascivious dances

dances and motions, and sung some soft airs of the country, chiefly Persic and Hindoo-Persic.

“About seven o’clock, the bridegroom, Vizier Ally, the young nabob, made his appearance, so absurdly loaded with jewels, that he could scarcely stagger under the precious weight. The bridegroom was about thirteen years of age, the bride ten: they were both of a dark complexion, and not handsome.

“From the shumeena we proceeded on elephants to an extensive and beautiful garden, about a mile distant. The procession was grand beyond conception; it consisted of about twelve hundred elephants, richly caparisoned, drawn up in a regular line like a regiment of soldiers. About a hundred elephants in the centre had houdas, or castles, covered with silver; in the midst of these appeared the nabob, mounted on an uncommonly large elephant, within a houdah covered with gold, richly set with precious stones. The elephant was caparisoned with cloth of gold. On his right hand was Mr. George Johnstone, the British resident at the court of Lucknow; on his left the young bridegroom; the English gentlemen and ladies and the native nobility were intermixed on the right and left. On both sides of the road, from the tents to the garden, were raised artificial scenery of bamboo-work, very high, representing bastions, arches, minarets, and towers, covered with lights in glass lamps, which made a grand display. On each side of the pro-

cession, in front of the line of elephants, were dancing girls superbly dressed (on platforms supported and carried by bearers) who danced as we went along. These platforms consisted of a hundred on each side of the procession, all covered with gold and silver cloths, with two girls and two musicians at each platform.

“The ground from the tents to the garden, forming the road on which we moved, was inlaid with fireworks; at every step of the elephants the earth burst before us, and threw up artificial stars in the heavens, to emulate those created by the hand of Providence; besides innumerable rockets, and many hundred wooden shells that burst in the air, and shot forth a thousand fiery serpents; these, winding through the atmosphere, illuminated the sky, and, aided by the light of the bamboo scenery, turned a dark night into a bright day. The procession moved on very slowly, to give time for the fire-works inlaid in the ground to go off. The whole of this grand scene was further lighted by above three thousand flambeaux, carried by men hired for the occasion. In this manner we moved on in stately pomp to the garden, which, though only a mile off, we took two hours to reach. When we arrived at the garden gate we descended from the elephants and entered the garden, illuminated by innumerable transparent paper lamps or lanterns, of various colours, suspended to the branches of the trees. In the centre of the garden was a large edifice, to which we ascended  
and

and were introduced into a grand saloon, adorned with girandoles and pendant lustres of English manufacture, lighted with wax candles. Here we had an elegant, and sumptuous collation of European and Indian dishes, with wines, fruits, and sweetmeats; at the same time about a hundred dancing girls sung their sprightly airs, and performed their native dances.

“ Thus passed the time until dawn, when we all returned to our respective homes, delighted and wonder-struck with this enchanting scene, which surpassed in splendor every entertainment of the kind beheld in this country. The affable nabob rightly observed, with a little Asiatic vanity, that such a spectacle was never before seen in India, and never would be seen again. The whole expense of this marriage-feast, which was repeated for three successive nights in the same manner, cost upwards of 300,000*l.* sterling.”

As soon as Vizier Ally was recognized by Asuf as his successor to the throne, considerable opposition was manifested by the old nabob's family. But on the death of the latter, the young favourite was upheld by our government, which enabled him at once to ascend the musnud of a powerful and extensive territory. An adopted child by the Mohamedan law, is entitled to all the privileges of legitimate birth. The young nabob, however, had scarcely ascended the throne, when he evinced his treachery and ingratitude towards that government by which alone it had been secured to him; and

having afforded many palpable reasons to suspect his designs, the Governor-General deemed it expedient to depose him, and to raise Sadut Ally, the brother of the late nabob to the throne. A pension was allowed to Vizier Ally of two lacks of rupees per annum, but it was thought necessary that he should reside at Calcutta that his movements might be more strictly watched by the government. He was therefore ordered to repair from Lucknow to Benares, where Mr. Cherry, the Company's resident, was to make arrangements for his proceeding on his ultimate destination. Shortly after his arrival at Benares Mr. Cherry invited him to breakfast. He came attended by a large swarry or armed retinue. It had been previously intimated to Mr. Cherry that his appearance was hostile, and that he ought to be on his guard; but he unfortunately disregarded the caution. Vizier Ally made many complaints of the Company's treatment of him, and having continued his strain of reproach against them for some time, he finally gave the dreadful signal to his attendants who rushed in at the moment and literally cut Mr. Cherry to pieces. The next place to which the sanguinary ruffians directed their course, was the residence of Mr. Davis (now holding a seat in the Direction) who then filled an important situation under the government; but here they met with a most gallant and successful resistance. Mr. Davis having been kind enough to favour us with a copy of his official letter to Sir

Alured

Alured Clarke on that occasion, we shall lay the following extract from it before our readers, expressing at the same time our admiration of the determined firmness and cool intrepidity with which, in his individual capacity, he opposed a band of ruthless assassins.

Extract of a Letter to His Excellency Sir Alured Clarke, Vice-Resident.

*Benares, City Court, 15th Jan. 1799.*—“Followed by a numerous train of armed dependants, as constantly has been his custom, Vizier Ally about eight o'clock yesteday morning made a sudden attempt to massacre the Europeans residing here. He succeeded in regard to Mr. Cherry and Captain Conway, and also with Mr. Robert Graham, whom he met on the road between Mr. Cherry's and my house, where was his next visit. The mode of their approach apprized me of their intentions, and I had the good fortune to repel every attempt made by the assassins to gain the terrace where I had retired, though opposed to them singly at the top of the stairs leading thereto; and I have the satisfaction to think that the time spent in this fruitless attack contributed to enable the other Europeans either to conceal themselves or take refuge in General Erskine's camp. The General immediately hastened to our relief and proceeded at once to seize Mahdo Doss's garden, the ordinary residence of the assassin, to which

with his followers he had at this time retired. It was found that Vizier Ally had fled, and in the evening accounts came of his having been seen accompanied by no more than forty or fifty horsemen making his retreat towards Etzeen-Ghur.”

Besides the letter from which we have made the above extract, the obliging courtesy of Mr. Davis has allowed us to see the copy of another which he addressed on the same subject to J. T. Harrington, Esq. then Register to the Nizamut Adawlut. This letter contains the depositions of several witnesses implicating the baboos of the Rajah's family in the projects of Vizier Ally, whose object was to excite in the pergunnahs a general insurrection against the Company. On the discomfiture, however, of the assassin, he sought refuge with the Rajah of Berar, a powerful and independent chief, who refused to give him up unless under a stipulation of his life being spared. To this it was thought prudent to accede, and being accordingly delivered into our hands, he was brought down to Calcutta, and confined at Fort William in a sort of iron cage, where he died at the age of thirty six years, after an imprisonment of seventeen years and some odd months. The expenses of his marriage in 1794 amounted to thirty lacks of rupees, while seventy rupees were sufficient to defray all the cost of his funeral in 1817; a strange reverse of fortune, but one which no good man can regret.

## MISCELLANIES.

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### VOYAGE FROM CALCUTTA TO OCHOTSK IN SIBERIA.

(From the Asiatic Journal.)

**T**HE Brothers, Capt. Gordon, which lately returned to the port of Calcutta, has performed a voyage deserving on several accounts of particular attention. The first direct attempt at commercial enterprise betwixt the ports of Calcutta and Ochotsk possesses no common share of interest. A narrative of it, from Capt. Gordon's pen, has been published in India. The Brothers left Calcutta on the 9th May 1817, with a cargo composed of such articles as it was thought would be most in request in Siberia, and with a crew of six men. The burden of the vessel does not exceed sixty-five tons; and when we consider the length and difficulties of the voyage she undertook, we wonder not a little at the intrepidity which resolved in so small a bark to encounter the stormy seas of Ochotsk. The captain states, that the commencement of his voyage was far from promising, having met with a good deal of bad weather; sprung a leak, and been obliged to put back to refit. After overcoming

these difficulties, the Brothers was at length enabled to proceed on her voyage, and without any thing remarkable arrived at Ochotsk on September 27th. Unfortunately she reached the port of her destination a few days after the merchants, who are in the habit of frequenting it from the neighbouring coasts, and from the interior, had taken their departure; and as the winter was soon expected to set in, in all its Siberian severity, there was no time to be lost. Accordingly the cargo of the Brothers was got on shore, and lodged in a warehouse to wait the return of the season when mercantile transactions can be carried on in these inhospitable regions. Mr. Eddis, a partner in the speculation, remained at Ochotsk with the cargo; and the vessel, under the command of Capt. Gordon, left the port on October 19th, and again reached Calcutta in January. In April of the present year the Brothers was lying in the Hoogley river, taking in a cargo for a second trip to Ochotsk; and as Capt. Gordon expects to be able to sail much sooner than he did last year, he is in hopes of arriving at Ochotsk early in June,

where we hope he will find a good market to reward him for undertaking so new and hazardous an adventure. The following extract from Capt. Gordon's narrative begins where the greatest interest begins,—after reaching the sea of Ochotsk ; conducts us with the vessel to the desired port ; and ends with the safe return of the Brothers to Calcutta.

“ At sunset we had the unspeakable joy to find ourselves arrive at length in the long looked for sea of Ochotsk ; and notwithstanding the lateness of the season, the frailty of our little bark, and our want of knowledge of the situation and nature of the port of our destination, we could not but anticipate a successful issue to the voyage ; which at its commencement, appeared to be opposed by the elements and every adverse circumstance. Our hopes were more than realized ; for we glided through this sea, if possible, more agreeably than we had passed through those of China and Japan ; and on the evening of the 27th September our eyes feasted themselves in viewing the coast of Siberia. In the course of the night the wind headed us off so, that we fetched in shore considerably to the eastward of the point for which our course had been shaped. At noon being within a league of the shore, in nine fathoms, had to tack ship ; the breeze freshening at N. W. drove us off shore, and until the 3rd of October we were unable to regain our station : then at 3 A. M. a fine little breeze favoured us from the N. E. and carried us by nine o'clock close in shore. Having six fathoms, bore up and

rap along the coast with regular soundings, at the distance of two miles off shore, eagerly looking for our own port as well as for some traces of human beings of whom we might be able to enquire concerning it. At ten o'clock we descried a flag-staff on the pitch of a point (Maruchan point), and soon afterwards the flag-staff on a small hill inland of it. Our hopes were now all alive ; every rock and every valley was declared to be a house or a village, until a nearer approach proved it otherwise. At length we saw a house in reality, but such an one as made us all shudder ; a few rough logs of wood piled on each other, enclosing a few feet of ground, and covered in with moss and rubbish, presented to our view an hovel, which we could only regard as the temporary abode of unfortunates wrecked on this inhospitable shore, and at the same time thought that some of the drift wood, which covered the beach, resembled the bleached remains of a vessel. We passed near enough to ascertain that the habitation had long been without inhabitants ; and at half-past ten rounded Maruchan point very closely, hoping to find the river of Ochotsk as we luffed round, but in this we were disappointed, and had to heave to for a few minutes, in order to commit to the deep the body of a second victim to the severity of the climate. Having performed this melancholy task we bore away again and almost immediately got sight of three steeples, and in a few minutes saw other buildings near them ; our joy now was complete, our toils were already forgotten,

gotten, and we only wondered at arriving with so little difficulty. Curiosity was eager, to ascertain what kind of a place Ochotsk was, and to make out the shipping; but we could neither perceive ship nor boat of any description, even when near enough to observe the manner in which the gazers on the beach were dressed. On nearing the mouth of the river, we had the mortification to find it inaccessible without a pilot, as a heavy surf broke right across it, being in three fathoms sand. At half-past one P. M. came to anchor for the purpose of getting the boat out: whilst furling sails, a boat came out of the river towards us, and we were most agreeably surprised on being hailed in English. She contained an English captain and an American gentleman, besides the Russian pilot, and finding it was our intention to go into the harbour, we were desired to bear a hand, as the tide was just about to turn, and it would scarcely be practical, even as it was, to get in: the wind had just shifted in our favour, and freshening carried us in a few minutes over the bar, and we moored in the Ochotsk to the great joy of every one on board. Our vessel drew but seven feet water: had she drawn two feet more the pilot would not have attempted the river so late on the tide, hazardous as it is to remain in the road; which for the three days succeeding that of our arrival, presented to the view but a sheet of foam, in which I imagine no vessel could long ride.

“Capt. Eddis passed an hour or two on shore with our countrymen, and brought on his return

but dismal accounts regarding a market, as the dark side alone had been brought to view. Before morning we viewed things more favourably than they had been represented, and ventured to hope that some articles of the cargo might find a sale next season, although there was not the value of two dollars specie, neither any merchandize or merchant in the place. The last of the merchants had left Ochotsk about fourteen days before our arrival. The Governor, Capt. Menitsky, of the navy, also had quitted Ochotsk about a month, and left the port in charge of His Highness Prince Alexander Schakooskoy, a lieutenant in the imperial navy, from whom we received an uninterrupted series of the kindest attentions, which laid us under the most lasting obligations to this truly noble young man. The importation of a foreign cargo being without precedent in the archives of Siberia, the Prince was at first rather at a loss how to act, and felt his situation doubly disagreeable from the circumstance of having applied for leave to retire from the service; but meeting with some papers relative to goods imported into Kamtschatka, in or about 1812, by Mr. Dobell, on board of two American brigs, he found it remained doubtful if the tariff, with all its restrictive and prohibitory clauses, would be opposed to this attempt at opening a trade with these remote regions.

“Mr. Dobell’s adventure, like our own, was chiefly owing to the representation of Capt. A. Von Krusenstern, the Russian circumnavigator. It was of considerable



siderable value, and contained a judicious, though far too plentiful assortment of articles, for the use of the inhabitants of Kamtschatka, whose poverty soon showed the ruinous consequences which would attend this attempt to serve them, especially if the tariff was enforced. Repairing to the capital, Mr. Dobell met with a most gracious reception from the Emperor, who presented him with a valuable ring on account of services rendered Capt. Krusenstern at Canton, and issued an ukase, permitting the sale of prohibited articles then imported into Kamtschatka, on the payment of thirty per cent, reducing the duties chargeable by the tariff on articles to perhaps an average of about twelve per cent, and making free of duty articles of indispensable necessity, as provisions, clothing, furniture, stationary, &c. It was also noticed, at or about this time, that a deviation from the commercial policy of the empire must be made in favour of the insulated inhabitants of Ochotsk and Kamtschatka. Since then, a second ukase has been issued, declaring Mr. Dobell's goods duty free (whether the whole, or the remaining portion I cannot say): that gentleman has also been appointed Russian consul general at Manilla, and is expected to proceed there very shortly, but with what particular object in view is hard to say; possibly in the way of his own business rather than of that of the empire. One of his brigs, the *Sylph*, he begged the Emperor to accept of, and though declined, she yet remains at Kamtschatka in ordi-

nary. Great part of their cargoes are yet on hand, though retailed by the pound of sugar and bottle of rum, and hawked about to every part of the peninsula by two Americans, who have married grand-daughters of Capt. Cook's friend, the worthy priest of Paratounka. The person who boarded us was one of these agents, who came over from Kamtschatka in the spring with some goods, which not disposing of, detained him at Ochotsk until the next year.

"The goods imported on the Brothers are considered as being within the meaning of the first ukase, and application has been made to have the second extended to them. My hopes for succeeding in this are sanguine, and founded on the character and intelligence of governor Menitsky, who, in unison with the government, I believe to be desirous of inviting commerce to the port for the sake of their own subjects, who it can never be doubted would thus be greatly benefited. Capt. Menitsky, it is to be feared, will not again return to Ochotsk, where he has presided five years, as he has the government of Yahutsh, and has applied to be permitted to retire from the navy. He, together with the governor of Kamtschatka, Capt. Rackard, was brought up in the British navy. During the last eight years, Kamtschatka and Ochotsk have been naval governments, and are likely to gain much by the change, the officers in that department of the imperial service being far more polished and intelligent than the military; these places are also garrisoned entire.v

entirely by seamen, who mount guard and perform all the other duties of soldiers.

“As the winter had made rapid strides, and no alternative remained but to discharge the cargo and proceed to sea again, this was done on the 18th of October, much to our satisfaction; for the prospect of wintering in so desolate a place was not agreeable.

“Ochotsk contains about an hundred log edifices, inhabited by twelve hundred souls; it is situated on a strand of shingles, which having become insulated and untenable, has been abandoned for a more suitable spot on the opposite side of the harbour. The Government-house, hospital, barracks, court-house, and some magazines, had been removed before our arrival and during our stay. Newport was considerably increased at the expense of Old Town. These log buildings are removed with the facility of tents, yet they are very comfortable inside, and well adapted to the country.

“The port is very extensive, but for the greater part dry at low water: it lies about latitude 59 deg. 20 min. north, and longitude about 143 deg. 12 min. east of Greenwich. It is high water on full and change days, at ten hours and a quarter. Spring tides rise eight, ten, to even twelve feet, with a southerly wind in the autumn. The bar is said to have five feet on it at low water spring tides, which I rather doubt. Vessels drawing about twelve feet ought not to visit this port; though they may make shift to enter it on emergency, as it is the only place in these seas

where any thing can be done in the way of repairs. The coast is bold and clear of hidden danger; it may be discovered a great distance off, being mountainous and usually clad in snow, the reflection of which, opposite the sun, is seen a long way; the soundings also appear to be regular, and a good guide at night, and in thick or rainy weather, which prevails throughout the summer season. The great disadvantage of this coast is, that stretching in an east and west line, without any place of shelter, a vessel caught near it with a southerly gale, and unable to work off, must either ride it out or else be wrecked. Losses by shipwreck do not appear at present to be at all common; and gales, I believe, are neither frequent nor severe. None of the charts or maps of this coast are to be depended on in any degree; but as far as they extend, the surveys of Broughton, Krusenstern, and Golovin, are very accurate.

“Ochotsk is the channel of communication between Russia and its settlements in Kamtschatka to America; the latter are under the exclusive direction of a mercantile company, whose charter has but two years to run. They have of late attacked the Japanese; settled a colony in California, a considerable distance within the Spanish lines; and also seized on one of the isles of the celebrated Tamahana, whom it was intended to have dispossessed of Owyhee,—but failing in effecting this, the next to it, Mowee, was taken. These proceedings of the company, together with the want of honor which has marked

marked their transactions, not only with their servants and subjects, but also with the public, has rendered them abhorred as a body, and makes it probable that a very different charter will be substituted for the old one. Very probably another effort will be made by them to create an Indian Company, either independent of, or as an appendage to the American Company. Litka, in Norfolk Sound, is the residence of M. Brénoff, the Company's agent, who is absolute, and exercises almost regal powers; he has a fleet of about ten sail of vessels, one of which is of three hundred tons, and with many of the others, was built in the colonies. Had our voyage been directed to that point, it might have proved more advantageous than we can now expect it will do.

“Kamtschatka, with all its natural advantages, appears to be at a stand, if not declining, as its population has dwindled to a mere nothing; the aborigines are reduced to less than six thousand, and have made no advances in civilization: the Russians resident there do not amount, I believe, to a thousand.

“Shaping a course to the southward, we passed in sight of Tonoo rock, about midnight of the 19th. This rock being bold to, and discernible at a considerable distance, may be steered for by vessels uncertain of their true place, by reasons of fogs, &c. It lies in the meridian of Ochotsk. Being favoured with fair winds, in three days our mast-heads, rigging, and sails were clear of the ice and snow, which had adhered to them; but the wea-

ther continued sharp. On the afternoon of the 22nd, made the coast of Sagallen in lat. 51 deg. 30 min. N., and being well in with it at midnight, had to put about. The weather after this was very bearable: at times it appeared to be felt less sensibly than when crossing the same parallels a month before, on our way to the northward. On the 29th we quitted the sea of Ochotsk, by passing through Pico channel, the same by which we had entered it; and then having sea room, and the prospect of enjoying a more genial climate in a few days, could not but look on the voyage as accomplished. Impelled along by the most favorable gales, Sandown Point, on the coast of Nippon, was made at daylight of 4th November, and at noon we were up with White Point, and steering in for Yeddo Bay, where I was inclined to pass a day or two. After working to windward, and tossing about most terribly for a week without making an inch, we were necessitated, for want of time, to bear away, with the poor consolation of being only in like case with H. M. sloops Resolution and Providence, who, in 1776 and in 1796, were in the early part of November drifted about at the mercy of the strong N. E. currents they met with on this part of the coast. During this time fires were kindled nightly along the coast, and similar signals were made in the day when near any village or town, either by way of invitation or else to warn us of danger. The boats we passed nearer to, did not at all appear to shun us, and had I wished

wished it would no doubt have visited us. N. E. and easterly winds carried us on very agreeably, and at daylight, the 17th, made two small islands of the Loo-choo Group; and the following midnight shaved the S. E. point of Great Loo-choo: we saw nothing of it. The night of the 22nd returned to us the China Sea, through which we repassed with pleasure; and made Pulo Aoa on the 4th December, having been absent from it four months and two days. On the following night we had but light airs; yet the current was so strong that in the morning we had Bintany N.E. point west of us. Light airs and a continuance of the current detained us from entering the straits until the 10th noon. The 13th we anchored off Malacca, and sailed again in the evening in company with several ships. The roughness of our copper, which was much injured by the ice, retarded our progress with light winds so much, that we did not get into the Ganges until the 13th January 1818; when, by God's mercy, our voyage was so far concluded, in the most agreeable manner. Indeed, since stopping the last leak, which was occasioned by the blow of our anchor when coming down the river, we have enjoyed the most favorable winds and weather I remember to have had on any voyage, and have not had either a gale or squall of any consequence during the same period; so that our masts, sails, and rigging do not appear to have suffered more injury than they would have received from mere exposure to the weather, in a like period,

if under furl off Chandpaul Ghaut."

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 NEW SOUTH WALES.

(From the same.)

The increase in the colony, of cultivation and live stock, from the end of 1813 to the end of 1815, has been on acres cultivated 3,756, pasture 46,645, horses and mares 437, and sheep 3,706. From 1800 to 1815, or in fifteen years, the increase of stock was surprising, being from 163 horses, their highest number for the first twelve years, to 2,328; from 1,044 horned cattle, to 25,279; and from 6,124 sheep to 62,476; without taking into the account the immense quantities of cattle annually killed for the supply of his Majesty's stores and general consumption.

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The following letter from Mr. Oxley, Surveyor-general of New S. Wales, contains the particulars of an interesting exploratory expedition.

(From the same.)

*Bathurst, August 30, 1817.*—  
 "Sir, I have the honor to acquaint your Exc. with my arrival at this place last evening, with the persons comprising the expedition to the westward, which your Exc. was pleased to place under my direction.

"Your Exc. is already informed of my proceedings up to 30th April. The limits of a letter will not permit me to enter at large into the occurrences of nineteen weeks; and as I shall have the honor of waiting on your Exc. in a few days, I trust you will have the

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the goodness to excuse the summary account I now offer to your Exc.

“I proceeded down the Lachlan in company with the boats until the 12th May, the country rapidly descending until the waters of the river rose to a level with it, and, dividing into numerous branches, inundated the country to the west and N. W. prevented any further progress in that direction, the river itself being lost among marshes. Up to this point it had received no accession of waters from either side, but on the contrary was constantly dissipating in lagoons and swamps.

“The impossibility of proceeding further in conjunction with the boats being evident, I determined, upon maturer deliberation, to haul them up, and divesting ourselves of every thing that could possibly be spared, proceed with the horses loaded with the additional provisions from the boats, on such a course towards the coast as would intersect any stream that might arise from the divided waters of the Lachlan.

“In pursuance of this plan I quitted the river on the 17th May (mentioned by mistake in the last gazette the 11th), taking a S. W. course towards Cape Northumberland, as the best one to answer my intended purpose. I will not here detail the difficulties and privations we experienced in passing through a barren and desolate country, without any water but such rain-water as was found remaining in holes and the crevices of rocks. I continued this course until the 9th June; when, having lost two horses through fatigue and want,

and the others in a deplorable condition, I changed our course to north, along a range of lofty hills running in that direction, as they afforded the only means of procuring water, until we should fall in with some running stream. On this course I continued till the 23rd June, when we again fell in with a stream, which we had at first some difficulty to recognize as the Lachlan, it being little larger than one of the branches of it where it was quitted on the 17th May.

“I did not hesitate a moment to pursue the course of this stream; not that the nature of the country or its own appearance in any manner indicated that it would become navigable, or was even permanent, but I was unwilling that the smallest doubt should remain of any navigable waters falling westward into the sea, between the limits pointed out in my instructions.

“I continued along the banks of the stream until the 8th July, it having taken during this period a westerly direction, and passing through a perfectly level country, barren in the extreme, and being evidently at periods entirely under water. To this point it had been gradually diminishing, and spreading its waters over stagnated lagoons and morasses, without receiving any stream that we knew of during the whole extent of its course. The banks were not more than three feet high, and the marks of flood on the shrubs and bushes showed that at times it rose between two and three feet higher, causing the whole country to become a marsh, and altogether uninhabitable.

“Further

“Further progress westward, had it been possible, was now useless, as there was neither hill or rising ground of any kind within the compass of our view, which was only bounded by the horizon in every quarter, entirely devoid of timber, except a few diminutive gums on the very edge of the stream might be so termed. The water in the bed of the lagoon, as it might now properly be denominated, was stagnant, its breadth about twenty feet, and the heads of grass growing in it showed it to be about three feet deep.

“This originally unlooked for and truly singular termination of a river, which we had anxiously hoped and reasonably expected would have led to a far different conclusion, filled us with the most painful sensations. We were full 500 miles west of Sydney, and nearly in its latitude; and it had taken us ten weeks of unremitted exertion to proceed so far. The nearest part of the coast about Cape Bernouilli, had it been accessible, was distant about 150 miles. We had demonstrated, beyond the shadow of a doubt, that no river whatever could fall into the sea between Cape Otway and Spencer’s Gulph, at least none deriving their waters from the eastern coast, and that the country south of the parallel of  $34^{\circ}$ , and west of the meridian of  $147^{\circ} 30' E.$  was uninhabitable and useless for all the purposes of civilized man.

“It now became my duty to make our remaining resources as extensively useful to the colony as our circumstances would allow. These were much diminished: an

accident to one of the boats in the outset of the expedition had deprived us of one-third of our dry provisions, of which we had originally but eighteen weeks, and we had been in consequence for some time on a reduced ration of two quarts of flour per man per week. To return to the depôt by the route we had come would have been as useless as impossible; and seriously considering the spirit of your Exc.’s instructions, I determined, upon the most mature deliberation, to take such a route, on our return, as would I hoped best comport with your Exc.’s views, had our present situation ever been contemplated.

“Returning down the Lachlan, I recommenced the survey of it from the point in which it was made the 23rd June, intending to continue up its banks until its connexion with the marshes, where we quitted it on the 17th May, was satisfactorily established, as also to ascertain if any streams might have escaped our research. The connexion with all the points of the survey previously ascertained, was completed between the 19th July and the 3rd August. In the space passed over within that period, the river had divided into various branches, and formed three fine lakes, which, with one near the determination of our journey westward, were the only considerable pieces of water we had yet seen; and I now estimated that the river, from the place where first made by Mr. Evans, had run a course, taking all its windings, of upwards of 1,200 miles, a length of course altogether unprecedented,

precedented, when the single nature of the river is considered, and that its original is its only supply of water during that distance.

“ Crossing at this point, it was my intention to take a N. E. course to intersect the country, and, if possible, ascertain what had become of the Macquarie River, which it was clear had never joined the Lachlan. This course led us through a country to the full as bad as any we had yet seen, and equally devoid of water, the want of which again much distressed us. On the 7th August the scene began to change, and the country to assume a very different aspect; we were now quitting the neighbourhood of the Lachlan, and had passed to the N. E. of the high range of hills which on this parallel bounds the low country to the north of that river. To the N. W. and N. the country was high and open, with good forest land; and on the 10th, we had the satisfaction to fall in with the first stream running northerly. This renewed our hopes of soon falling in with the Macquarie, and we continued upon the same course, occasionally inclining to the eastward until the 19th, passing through a fine luxuriant country, well watered, crossing in that space of time nine streams, having a northerly course through rice valleys, the country in every direction being moderately high and open, and generally as fine as can be imagined.

“ No doubt remained upon our minds that those streams fell into the Macquarie, and to view it before it received such an ac-

cession was our first wish. On the 19th we were gratified by falling in with a river running through a most beautiful country, and which I should have been well contented to have believed the river we were in search of. Accident led us down this stream about a mile, when we were surprised by its junction with a river coming from the south, of such width and magnitude as to dispel all doubts as to this last being the river we had so long anxiously looked for. Short as our resources were, we could not resist the temptation this beautiful country offered us to remain two days on the junction of the rivers, for the purpose of examining the vicinity to as great an extent as possible.

“ Our examination increased the satisfaction we had previously felt; as far as the eye could reach in every direction a rich and picturesque country extended, abounding in limestone, slate, good timber, and every other requisite that could render an uncultivated country desirable. The soil cannot be excelled; whilst a noble river of the first magnitude afforded the means of conveying its productions from one part to the other. Where I quitted it, its course was northerly, and we were then north of the parallel of Port Stephens, being in latitude  $32^{\circ} 45' S.$  and  $148^{\circ} 58' E.$  longitude.

“ It appeared to me that the Macquarie had taken a N. N. W. course from Bathurst, and that it must have received immense accessions of water in its course from that place. We viewed it at a period best calculated to form



form an accurate judgment of its importance, when it was neither swelled by floods beyond its natural and usual height, or contracted within its proper limits by summer droughts. Of its magnitude, when it should have received the streams we had crossed, independent of any it may receive from the east, which from the boldness and height of the country I presume must be at least as many, some idea may be formed, when at this point it exceeded in breadth and apparent depth the Hawkesbury at Windsor. Many of the branches were of grander and more extended proportion than the admired one on the Nepean River, from the Warragamba to Emu Plains.

“Resolving to keep as near the river as possible during the remainder of our course to Bathurst, and to endeavour to ascertain, at least on the west side, what waters fell into it, on the 22nd we proceeded up the river, and between the point quitted and Bathurst, crossed the sources of numberless streams all running into the Macquarie; two of them were nearly as large as that river itself at Bathurst. The country from whence all these streams derive their source was mountainous and irregular, and appeared equally so on the east side of the Macquarie. This description of country extended to the immediate vicinity of Bathurst; but to the west of those lofty ranges the country was broken into low grassy hills and fine valleys, watered by rivulets rising on the west side of the mountains, which on their eastern side pour their waters directly

into the Macquarie. These westerly streams appeared to me to join that which at first sight I had taken for the Macquarie, and, when united, fall into it at the point on which it was first discovered on the 19th inst.

“We reached this place last evening, without a single accident having occurred during the whole progress of the expedition, which from this point has encircled, within the parallels of  $34^{\circ} 30' S.$  and  $32^{\circ} S.$ , and between the meridians of  $149^{\circ} 43' E.$  and  $143^{\circ} 40' E.$ , a space of nearly one thousand miles.

“I shall hasten to lay before your Exc. the journals, charts and drawings, explanatory of the various occurrences of our diversified route; infinitely gratified, if our exertions should appear to your Exc. commensurate with your expectations, and the ample means which your care and liberality placed at my disposal.

“I feel the most particular pleasure in informing your Exc. of the obligations I am under to Mr. Evans, the deputy-surveyor, for his able advice and cordial co-operation throughout the expedition; and as far as his previous researches had extended, the accuracy and fidelity of his narration was fully exemplified.

“It would perhaps appear presuming in me to hazard an opinion upon the merits of persons engaged in a pursuit of which I have little knowledge. The extensive and valuable collection of plants formed by Mr. A. Cunningham, the king's botanist, and Mr. C. Frazer, the colonial botanist, will best evince to your Exc. the unwearied industry and

and zeal bestowed in the collection and preservation of them;— in every other respect they also merit the highest praise.

“ From the nature of the greater part of the country passed over, our mineralogical collection is but small. Mr. S. Parr did as much as could be done in that branch, and throughout endeavoured to render himself as useful as possible.

“ Of the men on whom the chief care of the horses and baggage devolved, it is impossible to speak in too high terms. Their conduct, in periods of considerable privation, was such as must redound to their credit; and their orderly, regular, and obedient behaviour could not be exceeded. It may be principally attributed to their care and attention that we lost only three horses; and that, with the exception of the loss of the dry provisions already mentioned, no other accident happened during the course of it. I most respectfully beg leave to recommend them to your Exc.’s favourable notice and consideration.

“ I trust your Exc. will have the goodness to excuse any omissions or inaccuracies that may appear in this letter: the messenger setting out immediately will not allow me to revise or correct it.

“ I have the honour to remain, with the greatest respect, your Excellency’s most obedient and humble servant,

J. OXLEY, *Surv.-Gen.*”

“ To his Excellency  
Governor Macquarie, &c. &c. &c.”  
(True copy)

“ J. T. CAMPBELL, *Sec.*

DESCRIPTION OF AN ALMOST UNKNOWN GROUPE OF ISLANDS SITUATED BETWEEN JAPAN AND THE MARIANNE ISLANDS.

[*Compiled from Japanese Accounts by M. ABEL REMUSAT, M. D, Member of the French Institute and Professor of the Chinese and Mandchu Tartar Languages in the Royal College of France.*]

The immense progress the discoveries of navigators have made in geography rendering evident the imperfection of the charts compiled by the inhabitants of even the most civilized countries in Asia, have inspired an indifference for them not always well merited. While the sea has not been ploughed in every direction, the coasts followed and examined in all their extent, the interior of the countries surveyed by intelligent observers, the unoccupied spaces in our charts, will present a void that is perhaps deceptive. The indentations of the coasts, the concatenation of the mountains, the sinuosities of the rivers, the grouping of the islands, will remain merely ornaments too frequently arbitrary, and we may borrow the verbal or figured descriptions furnished by the natives without blushing, and appreciating their testimony by the knowledge acquired of their ability and exactitude, employ it for enriching the science in those parts our voyagers have not yet sufficiently investigated. If it was not known that attention and patience can supply all deficiencies, it would be difficult to conceive the precision of the conclusions

sions attained by Asiatics, destitute of the assistance geometry lends to geography. The large maps of China translated by Martini are two centuries anterior to the labours of the Jesuit mathematicians; it is, however, remarkable that the survey by the latter has not occasioned any material reform in the relative position of the cities of this great empire. It would certainly be very useful to possess the particular surveys of the coast preserved in the archives of every maritime province in China. It will be long before Europeans obtain permission to undertake a work that may be substituted for them, and if some parts of it were executed privately, the local knowledge which the natives alone are qualified for collecting could not be dispensed with.

The Japanese, a people who, though faithful disciples of the Chinese, show less prejudice against opinions not produced in their own minds, by adopting the methods of graduation and projection from the European charts, appear to have acquired peculiar claims to our attention when they apply these valuable instruments to the representation of their own or of neighbouring countries. The large map of Japan, forty nine inches and a half by thirty one, compiled in this manner, and reprinted with corrections, in 1744, is a magnificent geographical monument. Mr. Titsingh, formerly ambassador to China, brought several copies of this chart from Nangasaki, and it is probably from this excellent model Mr. Arrow-

smith has traced the coasts of Japan in his map of Asia. It is to be regretted that by inability to read the Japanese or Chinese names in the original, this estimable geographer has been obliged to limit himself to repeating the divisions, and the few details marked by Kämpfer. I have a copy on which Mr. Titsingh has written references to a table of Japanese names he had without doubt compiled, and that should be found attached to some other copy of the same map. It would be vexatious for this important work, as well as the other historical and geographical works death obliged Mr. Titsingh to leave imperfect, to remain in oblivion, without benefiting the public, or increasing the author's glory.

Another work also brought to Europe by Mr. Titsingh, and come into my possession since his death, is a description of the countries near Japan, published at Yedo in 1785. This description is in Japanese,\* accompanied by five charts, less beautiful indeed than the large map I have mentioned, but yet designed with much care, and submitted to graduation. It contains the following subjects.

1st. The general chart of the countries near Japan, representing Kamtschatka, the land of Yeso, the island Tchoka, the coast of Tartary, the peninsula of Corea, the coast of China to Formosa,

\* A translation of this work in Dutch, should, I think, be found among the manuscripts left by Mr. Titsingh, and deserves to be published whole.

the islands of Japan and Lieou-Khieou, with another groupe of islands to which I shall return immediately.

2nd. The particular map of Yeso with the neighbouring part of the continent and the northern point of Japan. This map furnishes curious details of all the southern part of Yeso often visited by and since dependent on the Japanese. The north is least charged with names, and there are visible traces of the attempts made by the Japanese geographers to reconcile their own knowledge with the notions borrowed from Europeans of the island Tchoka, the mouth of the Sakhalian-oula, &c.

3rd. The chart of Korea. It is known that the map compiled by P. Regis, which D'Anville has included in his Atlas, is merely founded on the descriptions given by the Chinese and Mandchus to this missionary. Great differences may therefore be expected to be found between the two maps. That of the Japanese, is very detailed and apparently very exact; the distinction of capital and secondary cities, of towns, fortresses, encampments, &c. is carefully marked by appropriate signs, and the distance of the principal cities from the capitals of provinces is expressed in day's journeys. Unfortunately the names are only written in Chinese, except the capitals, to which the Japanese name is added; so that we do not yet possess the vernacular name, as the Corean pronunciation would express them very differently from the others.

4th. The chart of the Islands

Lieou-Khieou, Madjikosima; and Thai-wan or Formosa, with those of the south west point of Japan. The number of islands composing these groups is much more considerable than in our most recent charts, even in that compiled in 1809, from the Journal of the Frederic of Calcutta. The distance between the principal islands and the courses from Japan to the Chinese continent, are marked in Ri or Japanese miles.

5th. The chart of a small archipelago not named in our charts, or rather which has not yet been inserted in them. The Japanese, who appear very well acquainted with these islands, call them Bo nin Sima, or Mo nin Sima, uninhabited islands; not that they are now actually destitute of inhabitants, but they were known to be so for a long time, and because those they contain now are colonists come at a known time from the south-east point of Ni-fou. As most geographers do not place any islands in this part, and as those who place them there do it from vague and insufficient accounts, I have considered it useful to collect what the Japanese have communicated relative to them. They bear a character of exactness which renders them worthy of some attention. Some errors of detail may have glided in, but it is impossible that the substance should not be generally true. It is for voyagers who visit these seas to teach us how far the Japanese accounts may be depended on, and, if I dare say so, to verify the discovery made at Paris, of a new groupe of islands

in the eastern ocean; not but that navigators and geographers have been long advertised of the existence of these islands, and have had some confused ideas on this subject, even from the time of the first navigations in these latitudes. If, as there is reason to believe, the volcano islands discovered by the ship San Juan in 1544, are the same as the Sulphur island of Cook's third voyage, the uninhabited island found by that vessel thirty leagues further north-east, called Forfana in Galvaom's account, should have made part of our groupe. The Spanish chart Admiral Anson took on board the Acapulco Galleon in 1743 placed here the islands of St. Alexander, Farrallon, Todos los Santos, and an unnamed groupe which Mr. Brice has quite recently restored to his charts with a note dictated by a wise reserve, that they are islands whose existence is doubtful. That communicated to Mr. Peyrouse at Monterey added to the island St. Alexander, those of Fortuna, Volcano, St. Augustin, and a groupe entirely corresponding with ours, under the name of *Islas del Arzobispo*. These Archbishop's islands, supposed by Tuckey\* to form the northern point of the Mariannes, and by Zimmerman† to agree with the *Grampus* of Meares, have experienced various fortune in modern charts. Some French geographers have retained them with their name; Mr. Arrow-

smith has suppressed them in his map of Asia, but figured them in his general map, under the form of a small pointed groupe without a name, and in his large map of the world in sheets has added to them from the voyage of the *Nautilus* in 1801. Disappointment and Moore's islands, which correspond with the S. W. and N. E. extremities of the Bonin islands, and since G. Delisle nearly all geographers have retained the islands St. Roch, St. Thomas, and St. Matthew, which may have made part of the Bonin islands and should have been seen by Fondrac in 1709, in his voyage from Macao to California in the French ship *Le St. Antoine de Pade*.\*

These different accounts do not appear sufficiently exact to admit the existence of a groupe of islands in this place as being demonstrated. But I believe a different opinion will be formed when they are found to be completely confirmed by the Japanese. To show that the description given by them is not at all opposed to what our most modern navigators communicate, I will briefly state the courses of the most celebrated in the Japanese seas. The *Castricom*, after sailing round the island of *Fatsisio*, did not descend southward below Blue island; the *Resolution*, returning from *Kamtschatka* in 1779, ascertained the position of Sulphur island and of another very elevated island about eight leagues north of it, which perhaps agrees with one of the most

\* *Maritime Geography*, Vol. 4, Page 15.

† *Australien in Hinsicht der Erd Menschen und produkt kunde*, &c.

\* *Miguel Venegas Noticia de la California*, Page 4, App. 5.

southern of our groupe. Captain Meares must have passed very near it in 1788; but from the 29th degree of latitude this navigator experienced continual fogs, which were sometimes so thick as to prevent seeing from one end of the ship to the other; yet towards the point corresponding with the Bonin islands he met with land birds, herbs, and other signs generally regarded by seamen as indications of the vicinity of land. Colnett passed to the north of Fatsisio. Broughton followed the same course in 1796, and stood close by the coast of Ni-fon, in returning the following year. Admiral Krusenstern sailed to the south, but only at a short distance from Fatsisio; his course in 1805 was as southerly as that of the Resolution in the longitude of our islands. All these navigators, therefore, have passed too far north or south, to fall in with the Bonin Islands. The space left between their courses, in this part, includes seven degrees of latitude, that have not been examined, which is more than sufficient for the Archipelago described by the Japanese.

Kæmpfer is the only author who has collected any particulars relating to them, but his statements are so inexact, that it is impossible to derive any advantage from them. About the year 1675, he says, the Japanese accidentally discovered a very large island, one of their barks having been forced there in a storm, from the island Fatsisio, from which they computed it to be three hundred miles distant towards the east. They met with

no inhabitants, but found it to be a very pleasant and fruitful country, well supplied with fresh water, and furnished with plenty of plants and trees, particularly the arrack tree, which, however, might give room to conjecture, that the island lay rather to the south of Japan than to the east, these trees growing only in hot countries; they called it Bune Sima, or the island Bune, and because they found no inhabitants upon it, they marked it with the character of an uninhabited island. On the shores they found an incredible number of fish and crabs, some of which were from four to six feet long.\*

There are many inaccuracies in this account, as we shall immediately show;—besides the position of the discovered island being so vaguely indicated, that without additional information it would be impossible to make use of the discovery. This agrees with Capt. Burney's opinion expressed in his large and magnificent work on the history of the Pacific Ocean, where, after having cited the passage from Kæmpfer, he adds:—"it would be useless to make any conjecture on the situation of this island, except that the miles are probably Dutch measure, fifteen to a degree. The crabs, from four to six feet long, no doubt were turtle."†

\* History of Japan, b. i. ch. iv. p. 69.

† A chronological history of the voyages and discoveries in the South Sea and Pacific Ocean, Vol. iii. page 103. This work still scarce in France, as well as several others previously cited and many valuable charts, were communicated to me by

What an author so able and so profoundly versed in these subjects considers impossible, would certainly be so for any other person, and I should never have thought of examining this point in geography, if accident had not thrown the original chart I have mentioned into my hands, as well as the description accompanying it. I shall employ both in extending and rectifying Kämpfer's relation.

In the first place, this learned traveller speaks but of one large island, while the Japanese geographer counts eighty-nine, the largest of which does not exceed the size of the island Fatsisio. The relation of the German traveller places the island discovered by the Japanese three hundred miles east of Fatsisio, and appears to connect itself with the fables reported of the gold and silver islands, which common opinion places in this direction. The original description places the Bonin islands exactly to the south of Fatsisio, at a distance of about eighty leagues, which confirms and justifies one of Kämpfer's conjectures. The name Bunesima is corrupted; it should be written Bonin Sima, or Monin Sima, that is uninhabited islands, literally islands destitute of men. To render the description I have extracted and trans-

M. Walckenaer. The useful information which this learned geographer obligingly furnished has enabled me to determine the degree of knowledge possessed by Europeans of the latitudes where the Bonin islands are situated, with greater precision than would have been possible without his assistance.

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lated from the Japanese, more intelligible, I have annexed a sketch of part of the general chart, comprehending, in addition to the new archipelago, the southern coast of Japan and Lieou Khieou to show the relative situation of these islands. I have not deemed it necessary to correct or add any thing to the original by using our knowledge, but have preferred enabling others to judge of the knowledge of the Japanese. The only change made is, extending the graduation over all the chart which is only marked on the edges in the original. It is seen from this, that the space occupied by all the islands extends from the 25th to the 29th parallel, which appears very unlikely at the first glance, and is opposed to the general calculation of distances, and to the particular chart where the latitudes are marked on the two principal islands. This last chart also presents differences in the configuration and position of the islands. I have deemed it proper to preserve these also, and have placed an extract from the particular chart, which appears to merit most confidence, at the side of the general chart as an illustration.\*

\* The following approximative calculation fully reconciles the accounts furnished by the Japanese geographer. Fatsisio, according to Broughton and the Japanese, is in 33° north latitude—distance to the first Bonin island one hundred and eighty Ri, or eighty leagues;—undecided distance to the northern island, and the size of the intermediate islands about twenty-five leagues;—latitude of the northern

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It is probable that the first distance, that taken from Fatsisio, is nearly correct, and that the errors of the general chart arose from the geographer not knowing how to reduce and retain his design within the prescribed limits. This circumstance also explains the reason why Capt. Gore and Admiral Krusenstern did not perceive and fall in with the Bonin groupe after leaving Sulphur Island—it is that they did not reach the 25th parallel of south latitude—as I have been obliged to represent it for the sake of conformity with my original. According to Kämpfer, Fatsisio, where state criminals are confined, is the most southern Japanese island on the eastern side. The green colour, which is appropriated to the Japanese possessions, is extended on my chart to some islets situated south-east of Fatsisio, of which Ardo Sima, or the Blue Island, is the chief. From Fatsisio to the first islet marked red, that is belonging to the groupe of uninhabited islands, the distance to the south is estimated at one hundred and eighty Ri, making about eighty

island according to the Japanese chart,  $27^{\circ} 30'$ ,—distance to the southern island twenty Ri, or near ten leagues;—latitude of the southern island according to the same chart  $27^{\circ}$ . Some islets situated further south are at too small a distance from this for the whole groupe to be supposed to extend  $269.30'$ . The distance between the principal islands is marked on the chart in Ri, of about fifty to a degree, with Arabic figures, and their circumference in Roman numerals. These estimates are taken from the particular Japanese chart.

Eight Ri from thence to the second islet, then seven to the third, then three to an island without any particular name, although five Ri in circumference. This island is mountainous, and overgrown with wood. To the south is another woody island, seven Ri in circumference, on whose western side is a stream of fresh water. From thence is a passage into the principal island called the Northern Island, whose very irregular contour is estimated at fifteen Ri, or seven and a half leagues. In the eastern part is a temple dedicated to the Spirits. On the northern side the coast advances, following a chain of mountains, with a large village on the west side: this habitation has no other name. Towards the middle of the isle, on the northern part, is a village named O-moula. The rest of the country is covered with trees and valuable plants, except a square and a level tract, four ting in extent, on the western point. O-moula is situated in latitude twenty-seven and a half.

From the northern to the southern isle, twenty Ri is reckoned; this is ten Ri in circuit, and is exactly under the twenty-seventh parallel. It is mountainous in almost every part, and covered with very large trees, except toward the south, where there is an open plain. To the south and south-east are two other inlands, one two, the other three Ri in circumference, both covered with trees. Besides these, there are a multitude of islands, whose magnitude and relative distance are not noticed; most of them are covered with  
wood,

wood, and many are merely summits of very high rocks. The number of islands called uninhabited, is eighty-nine, large and small. The Japanese description reckons two large, four of a moderate size, and four small. The rest are not particularly designated, merely consisting of shelves and very high rocks, such as our navigators have remarked in all these seas.

According to the same description, in the ten islands of some extent already mentioned, there are a great number of trees and plants, and wherever the country is level, there are houses and inhabitants. In the seventy others (seventy-nine should be stated), the earth is too uneven and rugged, the mountains too steep, and vallies too confined for inhabitation; but there are small arms of the sea well supplied with fish, and the inhabitants of the adjacent islands visit them for collecting their productions; that is, to fish there.

These islands, situated in the twenty-seventh degree, enjoy a mild temperature, which occasions the mountains and vallies to produce all kinds of legumes and grain, wheat, rye, small rice, &c. The wood, called black mortar wood by the Chinese, and Nasaki faze by the Japanese, is found there. Wax is also collected, and the fisheries and hunting are very abundant, and make large returns.

The author of the description details the different kinds of trees and animals found on these islands. Among the first is the Kian-mou or hard tree, which he says is the most precious; another very high

tree, whose Japanese name I do not know; the Areka, Roycouyer, White Louan, Katsiyasi, Sandal, Camphor, a large tree with leaves shining, as if varnished, and a number of others. He afterwards describes the principal plants, birds and fishes, which are very abundant there, but which I deem it unnecessary to notice.

The Japanese pretend to have known these islands a long time, under the name of Siao li youan,\* which was the name of a man who formerly discovered them; but it appears that they have sometimes confounded them with the Mariannes, particularly when they state that two hundred years ago Megaraniyou (Magellan), an Italian, discovered them at the same time he discovered the new world. They add, that on the Dutch charts they are named Ouisou to Yeirand, that is the great or sterile land, for the Chinese name has both these meanings. Perhaps Woest Eyland, that is the desert island, in Dutch. But it is to the third year, Yun phao, that is, 1675, as Kämpfer states, we must remount for the discovery of these islands, at least for founding the establishments that have peopled them. We may suppose that at this epoch they began to be well acquainted with, and to distinguish them from the other countries situated southward of Japan. It was then that the names they bear still were given, though that

\* I write this name in the Chinese manner, not knowing how the inhabitants pronounce it, for want of a Japanese vocabulary.

of uninhabited islands has long ceased to be appropriate. The author I have followed relates, that a merchant of the province of Fitsen, sailing from the point of Idsou, accidentally touched at these islands, and thinking that their products would repay the expense of establishment, returned afterwards with thirty men, and furnished with a patent or seal which guaranteed the possession to him. The only difficulty he experienced in going there from Idsou was a very rapid current setting from east to west, which sometimes changes its direction. This current, situated to the north of Fatsisio, between that island and the island Mikouri, is called Kourosigawa, or the black current.

It appears that the colonists who are established in the Bonin islands, devote themselves to fishing, the cultivation of the earth, and collection of the medicinal substances and valuable woods that grow there. The Japanese government has not taken possession of them formally, and the limits of the empire are still at Fatsisio; yet it is very probable that they would not see the establishment of Europeans there without displeasure. Better informed persons may decide, if the situation of these isles in the vicinity of a nation closed against commerce, may attach some importance to them. I thought that the preceding notice might at least be interesting to geographers. The peopling these islands at so recent a period is in itself an unimportant fact, yet calculated to assist in elucidating the peopling of the

Oceanic islands, and of the new world.

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CAPE OF GOOD HOPE.

(From the same.)

Description of a meeting which took place between his Excellency the Governor, Lord Charles Somerset, and Gaika, king of the Caffres.

“ His Excellency Lord Charles Somerset having completed his military inspection of the eastern frontier, thought it advisable, previous to adopting a new system for preventing the future depredations of the Caffre people on the inhabitants of this part of his Majesty’s settlement, to have an interview with the principal Caffre chiefs, in order, if possible, amicably to arrange with them a plan for putting a stop to the frequent vexations which their incursions have latterly caused; and this interview having taken place, his Excellency and suit returned to this place this evening.

“ The Caffre chief Gaika having been apprized of his Excellency’s intention to visit him, and having expressed his satisfaction thereat, his Excellency assembled an escort at Van Aard’s on the Great Fish River, on the 29th of last month, consisting of 100 dragoons of the 21st regt. detachments from the 72nd and 83rd regts., the Cape regiment, and a small detachment of Artillery, with a light 3 pounder and 4½ inch howitzer, under the command of Lieutenant-Colonel Cuyler; together with 200 armed and mounted burghers of the Uitenhage

Uitenhage district, and 150 of the Groaff Reynet district under the command of Mr. Landdrost Stockenstrom, and marched on the 30th and 31st March and 1st April, to the Cat River, in the neighbourhood of which it was understood the Caffre chief was on a hunting expedition, attended by about 800 Caffres.

“ Previous to taking up his ground, on his arrival, his lordship sent forward Major Fraser, of the Cape regiment, with the commandant Nel, and some armed burghers, to apprise the chief of his approach, and to invite him, with as many other chiefs as could be collected, to the conference, to which proposition he readily assented; but the day having proved extremely rainy, the meeting was postponed to the following morning, which circumstance was communicated to his Excellency by a deputation consisting of four persons, two of whom were chiefs, and the two others members of Gaika’s council. A hesitation took place on the next morning, the chief’s council having advised him in the night not to put himself in his Excellency’s power, and the same deputation arrived early in our lines to apprise his Excellency of the change. These ambassadors, however, having received the usual presents, recommended that as Gaika was not far off, a message should be sent to him with assurances of his personal safety. This having been done, notice was brought of the chief’s approach, upon which the troops were turned out, and formed into line upon his Excellency’s marquee, the walls of which were

taken down, for the purpose of making the approaching conference as public as possible; the burgher cavalry was disposed at right angles with the troops of the line, thus making three sides of a square, the two pieces of ordnance were placed on each side of his Excellency’s tent. His Excellency’s body guard was formed in the rear of the tent. A chair was placed for his lordship’s accommodation, and mats were spread for the chiefs who were to accompany Gaika. About eleven he made his approach, marching in the centre of a square formed with great regularity by a guard of about 300 well armed Caffres.

“ Lieut.-Colonel Cuyler, Major Fraser, and Mr. Landdrost Stockenstrom, all known to him, went to greet him on his approach, and were introduced to the chief ’Tsambie, Gaika’s uncle. The square then opened and formed into line, and the chief’s Gaika and ’Tsambie came forward, and walked to the marquee arm in arm with Lieut.-Colonel Cuyler, Major Fraser, and Mr. Stockenstrom, several other chiefs being in the rear, the Caffre guard following.

“ His Excellency having taken his seat, Gaika was placed on his right hand, next to him ’Tsambie, then Botma ’Enno, Macommo, and several other chiefs, Gaika’s son (a fine youth about nineteen, of remarkably expressive countenance), sat immediately behind his father; one of Gaika’s council, and his interpreter, were immediately behind him on his left. His Excellency was attended by Lieut.-Colonel Bird and  
 Captain

Captain Sheridan, and by the Landdrosts and Heemraden of the two frontier districts, and two interpreters. The Caffre guard sat in semicircle behind their chiefs, and paid great attention to what was passing.

“ The conference lasted near three hours, minutes of the whole being made by Lieut.-Colonel Bird; the mutual interests of the two countries were discussed.

“ Gaika expressed great anxiety that his people should be permitted to trade with the colony for iron, copper, copper-wire, and other articles, of which the whole nation was much in want, and in return for which they could barter ivory and skins: this was agreed to, and it was settled that they should come to Graham's Town twice a year for the purpose, provided they had licence and passes from Gaika himself, which passes should be produced to the officer commanding at De Bruin's-Drift, the only entrance to be permitted. Gaika observing that other chiefs claimed equality with himself, and were quite independent; he was answered, that he had always been acknowledged by the Cape governors as the principal Caffre chief, and that if other chiefs wished to correspond and trade with the colony, they had it in their power to do so by applying for his passport, without which none could be admitted into our territory. Gaika expressed his satisfaction at this arrangement, and addressing the other chiefs, called their attention to the Governor's declaration.

“ Gaika, in presence of, and with the concurrence of the other chiefs, agreed to use his utmost

endeavours to put a stop to the continual depredations committed on the colonists; and he consented, that in future cases of cattle being stolen from the colony, and traced to any particular kraal, that kraal should be made responsible for the cattle, although not to be found there, and should be bound to furnish from its own herds the number of cattle stolen from the colony; he said this would be right and just, and would induce the kraals to give up and not to secret the thieves, as they now did. He said he would assuredly punish with death any Caffres he discovered plundering the colonists; and added, that he knew an Almighty Ruler presided over all chiefs, however great, and that they were accountable to him for the right or wrong they permitted.

“ A Caffre who had been taken in the act of committing depredation on the Sunday River, was then returned to Gaika, and his pardon stipulated for. Gaika questioned him in a most authoritative manner, and then said that the whole Caffre people was indebted to his Excellency for saving this man's life, for that he should certainly have had him put to death, but for the powerful interference of the 'Koze' Kooloo (*Great Chief*).

“ The gracefulness with which Gaika spoke was very striking, and the manly and decided tone he took was extremely impressive.

“ The Caffre language is very soft, abounding in vowels; the *z* appears to recur frequently; they have a slight clack similar to the Hottentot aspiration, though not so strong.

“ Gaika’s dress did not differ from that of the commonest Caffre, except that he had a handkerchief tied round his head, Tsambie’s kaross was a handsome tiger skin, and he had round his head a bandeau of about an inch in breadth, made of very small beads.

“ After the conference had terminated, presents were produced and given to the several chiefs; particular articles had been selected for Gaika and his son. His Excellency also presented Gaika with a beautiful grey horse.

“ After the chiefs had withdrawn, various articles were distributed among the Caffre soldiery, and the whole party then retired, seemingly well pleased with the liberality they had experienced.”

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METHOD OF RENEWING THE GIOHAR, OR FLOWERY GRAIN OF PERSIAN SWORDS, COMMONLY CALLED DAMASCUS BLADES,

(By MR. S. BARKER, *His Britannic Majesty’s Consul-General at Aleppo.*)

(From the same.)

Having bought two Kermani Dabans, and perceiving that some parts of them had a yellowish tint, by which they were disfigured, I employed a sword-cutler to renew their *Giohar*.

The operation was performed in my presence, before sun-rise, which he said was necessary, because two strong a light would prevent his distinguishing whether the blade were equally red hot; on the perfect equality of which depended the success of the pro-

cess, for it was that failure which had caused the yellow spots above mentioned.

He prepared a wooden trough the length of the blades, four or five inches broad, with equal depth, full of liquid composition made of equal quantities of *surege* or sesamum oil, mutton suet, virgin wax, and Persian *Naft* (Naptha), or rather the dregs of the latter, it being too costly an article.

He began by making a charcoal fire in a small earthen vessel, which after being well alight, he strewed on the ground in the form of a blade, and put loose stones all round to keep it together.

He then fanned it till it was red hot all over, and laid the blade flat on the lighted coals, having first bent the handle for the convenience of holding it, by a pair of pinchers.

He then completely covered the blade with fresh charcoal unburnt, and continued to fan it with a large Turkish feather fan as equally and as forcibly as possible, until the latter charcoal had become as red as the first. When he judged (what experience alone can teach) that it was now sufficiently hot to be plunged into the trough above described, he seized the proper moment; and on this depends the success of the operation, for if the blade remain a little too long in the fire, the *Giohar* will be entirely effaced, or if it is not hot enough, or unequally so, it will have the defect that we were endeavouring to remove.

When he plunged the blade into the trough, it seemed to me of the colour of a soldier’s dirty coat,

coat, or cherry red. In plunging it he was anxious that no part of the blade should touch the composition but at the instant the whole was immersed. It lay in the trough a few minutes to cool.

He then took it out and laid it upon the coals, fanning it an instant to set the grease that stuck on it on fire, and when it smoked no longer, he let it again grow cool, and then scraped off gently with the back of a knife, the ashes of the stuff that still adhered to it.

The charcoal employed was in pieces of from half to three quarters of an inch square, more or less; the best sort is made of deal, and it must be fresh or virgin, for it will not do if it has been lighted and extinguished. I observed that he fanned the blade more at the thicker parts than towards the point.

The composition in the trough serves for a great number of blades, and is better the older it grows, requiring only to be replenished as the quantity diminishes.

The blade having been a little crooked in the tempering, it was straightened, and then gently passed on a circular whetstone. It was then polished. He laid it on a board, with a piece of wood forcibly rubbed emery powder and oil on it, and lastly, burnished it with a bit of iron till it was quite bright, and could not be distinguished from a common English sabre. The operation of polishing took up five or six hours.

He then made use of lime to take off the oil, and was extremely careful not to touch it with his

hands, as its being perfectly free from grease is essential to its taking well the *Giohar*.

To secure that point further he rubbed tobacco ashes and water on it.

He then prepared a horse bucket full of clear water, and a small Turkish *lead*en drinking cup (porcelain or glass would do as well, but no other metal than lead). In this cup he dissolved in a few minutes a little *zagh*\* and pure water.

Then with the ends of his fingers he *basted* the blade with rapidity up and down, and seemed anxious that it should be served all equally, and as much as possible at once.

Every two or three minutes he washed the blade with the water in the bucket, and repeated the operation of the *zagh* water eight or ten times, that is until he perceived the *Giohar* did not become more distinct after fresh tending with the *zagh*.

He then wiped it dry and oiled it; and when this last operation is performed in the winter, the water in which the *zagh* is dissolved should have the chill taken off.

The names of the different sorts of Damascus blades are as follow, classed according to their relative value:—1. Kermani Daban. 2. Lahori Kará Khorasán. 3. Lahori Neiris. 4. Dishí Daban. 5. Herkek Daban. 6. Elif Stamboul. 7. Eakd Sham. 8. Barjaz

\* The *zagh* made use of by the sword-cutlers here is procured from the mountains of the Druzes, and from no where else; it is produced by a mineral spring near a place called Ghazir.

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Khorasán.



Khorasán. 9. Sari Hindi. 10. Korun Hindi. There are swords also like Persian gun barrels, only plated or cased with the sort of steel that takes the *Giohar*; but they are easily distinguished by carefully examining the back of the sword.

The art of founding the metal of which the Persian blades are made is lost, although it is still met with in lumps, which show from their form that they were cast in moulds.\*

These moulds are worked into blades for swords, daggers and knives, but are sometimes not sufficiently malleable for any purpose, probably because the art of properly working them is also lost with that of their original cast or composition, for it appears not to be a simple of uncompounded metal.

*Directions for renewing the water of Persian gun-barrels.*

Take a barrel that has lost the regularity of its water by use or rust, and have it scrubbed bright with scowering paper, or any other means, until it has the appearance of common iron.

Force a stick into the muzzle of sufficient strength to hold the barrel up, that the necessity of touching it during the operation may be avoided. A paste must then be made of a kind of brim-

\* It may be doubted whether the Persians ever possessed the art of smelting the fine metal of Damascus blades. It is not probable that so lucrative a knowledge would have become entirely extinct, whilst we know that the Wootz of India is brought to England in lumps cast in hemispherical moulds.—*Ed.*

stone, called here *Kibreet ul Gemel*, sal ammoniac, and common salt mixed with water in the following proportions: of the first, one hundred and eighty drachms; of the second, twelve; and of the third, fifteen drachms. When it is of the consistency of stiff clay, let it be plastered, or laid on, so as to cover the whole surface of the barrel an inch or more in thickness; but particular care must be taken, that in making the clay adhere closely to the barrel, not the least air is suffered to intervene, because wherever there is a globule of confined air on the barrel, there it will come in contact with the composition, and consequently not be acted on by the corrosive qualities of the clay. It must be laid on wet, and suffered to continue a sufficient time, more or less according to the state of the atmosphere. In the experiment I made, it was exposed to the air in the shade of a room in the middle of summer for twenty-four hours. The operator told me, that in winter it should be placed in a moderately warm atmosphere.

The art of composing (for it is certainly a composition) the steel of Persian sword blades is undoubtedly lost, but I have been told, that the iron of their gun and pistol barrels is still manufactured in some towns of Persia and Turkey.

I was assured, that it is done by entwining together certain proportions of steel and iron drawn out, to great length, and again drawn out, and so on till the two metals become incorporated, which on undergoing the operation

tion above described, shows not on its surface the waving flowery grain by which it is distinguished.

If that is the case, it would seem, that the clay corroding only the impure particles of the composition, leaves the veins of steel in all their doublings exposed to the view, and in a slight degree to the touch.

PYRAMID OF CHEFREM OPENED  
BY M. BELZONI.

(From the same.)

“On my return to Cairo, I again went to visit the celebrated pyramids of Ghiza; and on viewing that of Cephrenes, I could not help reflecting how many travellers of different nations, who had visited this spot, contented themselves with looking at the outside of this pyramid, and went away without inquiring whether any, and what chambers exist within it; satisfied, perhaps, with the report of the Egyptian priests, ‘that the pyramid of Cheops only contained chambers in its interior.’ I then began to consider about the possibility of opening this pyramid. The attempt was perhaps presumptuous; and the risk of undertaking such an immense work without success deterred me in some degree from the enterprize. I am not certain whether love for antiquity, an ardent curiosity, or ambition, spurred me on most in spite of every obstacle, but I determined at length to commence the operation. I soon discovered the same indications which had led to the development of the six tombs of the kings in Thebes, and which induced me to begin the opera-

tion on the north side. It is true, the situations of the tombs at Thebes, their form and epochs, are so very different from those of the pyramids, that many points of observation made with regard to the former, could not apply to the latter; yet I perceived enough to urge me to the enterprize. I accordingly set out from Cairo on the 6th of February 1818, under pretence of going in quest of some antiquities at a village not far off, in order that I might not be disturbed in my work by the people of Cairo. I then repaired to the Kaiya Bey, and asked permission to work at the pyramid of Ghiza in search of antiquities. He made no objection, but said that he wished to know if there was any ground about the pyramid fit for tillage; I informed him that it was all stones, and at a considerable distance from any tilled ground. He nevertheless persisted in inquiring of the Caschief of the province, if there was any good ground near the pyramids; and, after receiving the necessary information, granted my request.

“Having thus acquired permission, I began my labours on the 10th of February, at a point on the north side in a vertical section at right angles to that side of the base. I saw many reasons against my beginning there, but certain indications told me that there was an entrance at that spot. I employed sixty labouring men, and began to cut through the mass of stones and cement which had fallen from the upper part of the pyramid, but it was so hard joined together, that the men spoiled several of their hatchets

hatchets in the operation; the stones which had fallen down along with the cement having formed themselves into one solid and almost impenetrable mass. I succeeded, however, in making an opening of fifteen feet wide, and continued working downwards in uncovering the face of the pyramid; the work took up several days, without the least prospect of meeting with any thing interesting. Meantime, I began to fear that some of the Europeans residing at Cairo might pay a visit to the pyramids, which they do very often, and thus discover my retreat, and interrupt my proceedings.

“On the 17th of the same month we had made a considerable advance downwards, when an Arab workman called out, making a great noise, and saying that he had found the entrance. He had discovered a hole in the pyramid into which he could just thrust his arm and a *dejerid* of six feet long. Towards the evening we discovered a larger aperture, about three feet square, which had been closed in irregularly, by a hewn stone; this stone I caused to be removed, and then came to an opening larger than the preceding, but filled up with loose stones and sand. This satisfied me that it was not the real but a forced passage, which I found to lead inwards and towards the south; the next day we succeeded in entering fifteen feet from the outside, when we reached a place where the sand and stones began to fall from above. I caused the rubbish to be taken out, but it still continued to fall in great quantities; at last, after

some days labour I discovered an upper forced entrance, communicating with the outside from above, and which had evidently been cut by some one who was in search of the true passage. Having cleared this passage I perceived another opening below, which apparently ran towards the centre of the pyramid. In a few hours I was able to enter this passage, and found it to be a continuation of the lower forced passage, which runs horizontally towards the centre of the pyramid, nearly all choked up with stones and sand. These obstructions I caused to be taken out; and at half-way from the entrance I found a descent, which also had been forced, and which ended at the distance of forty feet. I afterwards continued the work in the horizontal passage above, in hopes that it might lead to the centre; but I was disappointed, and at last was convinced that it ended there, and that to attempt to advance in that way would only incur the risk of sacrificing some of my workmen; as it was really astonishing to see how the stones hung suspended over their heads, resting, perhaps, by a single point. Indeed one of these stones did fall, and had nearly killed one of the men. I, therefore, retired from the forced passage, with great regret and disappointment.

“Notwithstanding the discouragements I met with, I recommenced my researches on the following day, depending upon my indications. I directed the ground to be cleared away to the eastward of the false entrance; the stones incrustated and bound together

together with cement, were equally hard as the former, and we had as many large stones to remove as before. By this time my retreat had been discovered, which occasioned me many interruptions from visitors, among others was the Abbé de Forbin.

“ On February 28th, we discovered a block of granite in an inclined direction towards the centre of the pyramid, and I perceived that the inclination was the same as that of the passage of the first pyramid, or that of Cheops; consequently I began to hope that I was near the true entrance. On the 1st of March we observed three large blocks of stone one upon the other, all inclined towards the centre; these large stones we had to remove as well as others much larger as we advanced, which considerably retarded our approach to the desired spot. I perceived, however, that I was near the true entrance, and in fact, the next day, about noon, on the 2nd of March, was the epoch at which the grand pyramid of Cephrenes was at last opened, after being closed up for so many centuries, that it remained an uncertainty whether any interior chambers did or did not exist. The passage I discovered was a square opening of four feet high and three and a half wide, formed by four blocks of granite; and continued slanting downward at the same inclination as that of the pyramid of Cheops, which is an angle of 26 deg. It runs to the length of 104 feet 5 inches, lined the whole way with granite. I had much to do to remove and draw up the stones, which filled the passage down to

the portcullis or door of granite, which is fitted into a niche, also made of granite, I found this door supported by small stones within 8 inches of the floor, and in consequence of the narrowness of the place, it took up the whole of that day and part of the next to raise it sufficiently to afford an entrance; this door is 1 foot 3 inches thick, and together with the work of the niche, occupies 6 feet 11 inches; where the granite work ends; then commences a short passage, gradually ascending towards the centre, 22 feet 7 inches at the end, on which is a perpendicular of 15 feet; on the left is a small forced passage cut in the rock, and also above, on the right, is another forced passage, which runs upwards and turns to the north 30 feet, just over the portcullis. There is no doubt that this passage was made by the same persons who forced the other, in order to ascertain if there were any others which might ascend above, in conformity to that of the pyramid of Cheops. I descended the perpendicular by means of a rope, and found a large quantity of stones and earth accumulated beneath, which very nearly filled up the entrance into the passage below which inclines towards the north. I next proceeded towards the channel that leads to the centre, and soon reached the horizontal passage. This passage is 5 feet 11 inches high, 3 feet 6 inches wide, and the whole length, from the above mentioned perpendicular to the great chamber, is 158 feet 8 inches. These passages are partly cut out of the living rock, and at half-way there is some mason's work

work, probably to fill up some vacancy in the rock; the walls of this passage are in several parts covered with incrustations of salts.

“On entering the great chamber, I found it to be 46 feet 3 inches long, 16 feet 3 inches wide, and 23 feet 6 inches high; for the most part cut out of the rock, except that part of the roof towards the western end. In the midst we observed a sarcophagus of granite, partly buried in the ground to the level of the floor, 8 feet long, 3 feet 6 inches wide, and 2 feet 3 inches deep inside, surrounded by large blocks of granite, being placed apparently to guard it from being taken away, which could not be effected without great labour; the lid of it had been opened; I found in it only a few bones of a human skeleton, which merit preservation as curious relics, they being, in all probability, those of Cephrenes, the reported builder of this pyramid. On the wall of the western side of the chamber is an Arabic inscription, a translation of which has been sent to the British Museum.\* It testifies that “this pyramid was opened by the Masters Mahomet El Aghar and Otman, and that it was inspected in presence of the Sultan Ali Mahomet the first, Uglich.”† There are also several other inscriptions on the walls supposed to be Coptic. Part of the floor of this chamber had been removed in different places, evidently in search of treasure, by some of those who had found

their way into it. Under one of the stones I found a piece of metal something like the thick part of an axe, but it is so rusty and decayed that it is almost impossible to form a just idea of its form. High up and near the centre there are two small square holes, one on the north and the other on the south, each one foot square; they enter into the wall like those in the great chamber of the first pyramid. I returned to the before-mentioned perpendicular, and found a passage to the north in the same inclination of 26 deg. as that above: this descends 48 feet 6 inches, where the horizontal passage commences, which keeps the same direction north 55 feet, and half-way along it there is on the east a recess of 11 feet deep. On the west side there is a passage 20 feet long, which descends into a chamber 32 feet long and 9 feet 9 inches wide, 8 and 6 feet high: this chamber contains a quantity of small square blocks of stone, and some unknown inscriptions written on the walls. Returning to the original passage, and advancing north, near the end of it is a niche to receive a portcullis like that above. Fragments of granite, of which it was made, are lying near the spot. Advancing still to the north I entered a passage which runs in the same inclination as that before mentioned, and at 47 feet six inches from the niche it is filled up with some large blocks of stone put there to close the entrance which issues out precisely at the base of the pyramid. According to the measurements, it is to be observed that all the works below the base are cut into the living rock, as

\* We cannot find that this inscription has yet reached its destination.—*Quarterly Review*.

† A Tartaric title, as Uleg Bey, &c.

well as part of the passages and chambers before mentioned. Before I conclude, I have to mention that I caused a range of steps to be built, from the upper part of the perpendicular to the passage below, for the accommodation of visitors.

“ It may be mentioned, that at the time I excavated on the north side of the pyramid, I caused the ground to be removed to the eastward, between the pyramid and the remaining portico which lies nearly on a line with the pyramid and the sphinx. I opened the ground in several places, and, in particular, at the base of the pyramid; and in a few days I came to the foundation and walls of an extensive temple, which stood before the pyramid at the distance of only 40 feet. The whole of this space is covered with a fine platform, which no doubt runs all round the pyramid. The pavement of this temple, where I uncovered it, consists of fine blocks of calcareous stone, some of which are beautifully cut and in fine preservation. The blocks of stone that form the foundation are of an immense size. I measured one of 21 feet long, 10 feet high, and eight in breadth) 120 tons weight each); there are some others above ground in the porticoes, which measured 24 feet in length, but not so broad nor so thick.”

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*Rules of Safety from Contagion, and Regulations to Exterminate Contagious Fevers.* By JOHN HAYGARTH, M. D. F. R. S. and F. R. S. E.

It is not generally understood

to what kind and degree of danger other parts of the British dominions are exposed from the Typhous Fever which has spread so fatally in Ireland, and in some towns of England and Scotland.

*The typhous contagion remains in the body in a latent state from about the 10th to the 72nd day, reckoning between the time of exposure to the poison and the commencement of the fever. This law of nature I discovered in 1781, from observations on 72 cases. It was fully confirmed by Dr. Bancroft in 1809, from observations on 99 cases. He observed that the latent period of Typhus varied from the 13th to the 68th day. Hence it is manifest that an infected person may travel in perfect health, from and to the remotest part of Ireland and Britain. The increase of fever in Liverpool, Glasgow, London, &c. is thus clearly explained.*

At this time of alarm and serious danger, I desire the favour of you, Mr. Editor, to republish, the following Rules of safety for visitors of infectious families, and Regulations to exterminate the typhous fever.

“ At the request of Sir Thomas Bernard the Society for Bettering the Condition of the Poor, gratuitously circulated the following Rules and Regulations to prevent Infectious Fevers, extracted from a manuscript of Dr. Haygarth's with his permission, which is since published in a letter addressed to Dr. Thomas Percival on the prevention of infectious Fevers.

“ RULES of SAFETY from CONTAGION for VISITORS,

Which would enable all, even medical

medical and clerical visitors of the sick to perform their important duties with safety to themselves, are printed by the Society with a view to their being distributed, so that a copy may be put up in every house where there is an infectious fever."

*"It may be proper previously to observe that an infectious fever, in a small, close, and dirty room, is caught by a very great proportion of mankind; not less than 22 out of 23, or a still higher proportion; but in a large, airy, clean apartment, even putrid fevers are seldom or never infectious. When this poisonous vapour is much diluted with fresh air, it is not noxious. From a large collection, and an attentive consideration, of facts relative to this distemper, have been formed the following Rules.*

"1. As safety from danger entirely depends on cleanliness and fresh air, the room-door of a patient ill of an infectious fever, especially in the habitations of the poor, should never be shut; a window in it during the day ought to be frequently opened. In bad cases, a current of air, between a window and door both wide open, may be proper: if the air be very cold or damp, the curtains of the patient's bed may be drawn close during this ventilation, should peculiar circumstances require such caution. These regulations would be highly useful, both to the patient and nurses; but are particularly important, previous to the arrival of any visitor.\*

\* Might not a leaden casement or other cheap contrivance be fixed in

"2. The bed-curtains should never be close drawn round the patient; but only on the side next the light, so as to shade the face: except while there is a current of air between a window and door.

"3. Dirty clothes, utensils, &c. should be frequently changed, immediately immersed in cold water, and washed clean.

"4. All discharges from the patient should be instantly removed. The floor near the patient's bed should be rubbed clean every day with a wet mop, or cloth.

"5. The air in a sick room has, at the same time, a more infectious quality in some parts than in others. Visitors and attendants should avoid the current of the patients breath,—the air which ascends from his body, especially if the bed curtains be closed,—and the vapour arising from all evacuations. When medical or other duties require a visitor to be placed in these situa-

a window of each room, at the expense of the landlord, or society, to supply fresh air, which is most essential for the prevention of infection? or, might not visitors, and in some mild cases, the inmates of the poorest cottage, be preserved from contagion, by taking out a pane of glass from the top of a window, and replacing it after all danger of fever had ceased? A paper attached by a wafer at the four corners, might cover as much of this opening as the coldness of the season may require, and occasionally during the night, the whole opening; an attentive and intelligent Inspector, by such dilution of typhous miasms with fresh air would render them innocuous, if strict Rules of cleanliness in the infectious house be executed.

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tions of danger, infection may be frequently prevented by a temporary suspension of respiration.

“6. Visitors should not go into an infectious chamber with an empty stomach; and, in doubtful circumstances, on coming out, they should blow from the nose, and spit from the mouth, any infectious poison, which may have been drawn in by the breath, and may adhere to those passages. *Jan. 23rd. 1804.*”

*Heads of a Plan for the Extermination of Infectious Fevers.*

Infectious fevers occasion much misery and mortality among mankind: they produce the greatest wretchedness in poor families; but persons in all ranks of life are in some degree exposed to the danger. This fatal pestilence is most destructive in large towns, but it often spreads in country villages for months and even years together. The intelligent and benevolent inhabitants of any place may, however, with ease and certainty, preserve their poor neighbours and themselves from infectious fevers and all their calamitous consequences, by forming themselves into a Society, and by providing a commodious house, or wards for the reception of such patients, and by carrying into effect the following

REGULATIONS:

“I. Let a reward of one shilling be given to the person who brings the first information to the society, that an infectious fever has attacked any family: let this reward be increased to two shillings, if the intelligence be given within three days after the fever first began in the family.

“II. Let the patient, who is ill of the fever, be removed to the hospital on the day when such information is given. He must be carried in a sedan chair of a peculiar colour, to be employed solely for this purpose, with a moveable linen lining, which is always to be taken out and shaken in the fresh air after it has been used, and to be frequently washed: let the sedan be constructed in such a manner, as to lean backward in various degrees, so that the patients may lie in a recumbent, or half recumbent posture, as may best suit their strength. A main purpose of the society will be to remove from the infectious house the first patient who is attacked; and as soon as possible.

“III. The house, whence the patient is removed to the feverward, must be immediately cleansed; and all the dirty clothes, utensils, &c. be immersed in cold water. When the clothes are wrung out of it, they must be exchanged for a time with clean second-hand clothes, as a shirt for a shirt, a sheet for a sheet, &c. to be supplied by the charitable society. Every box, drawer, &c. in the infectious house must be emptied and cleansed:—the floor must be swept clean, and then rubbed with a wet cloth or mop; fresh air must be admitted so as to pass through the chamber between a door and a window, the walls must be washed clean where bedaubed with contagious dirt.

“IV. The clothes received from these poor people, wrung out of the cold water, must be again washed in cold water; that,

that, when patched and cleaned, they may be again employed.

“ V. A medical inspector should be appointed to see these regulations executed, at a competent salary; together with certain rewards according to the success of his measures:—he should be entitled to a reward of

for each family, which has been preserved from infection by his attention, when one in it had been attacked by the fever.

“ VI. Each poor family, whose house has been cleansed by *themselves* as here directed (according to a certificate from the inspector which is to specify every circumstance above-mentioned in the 3rd regulation) shall be entitled to a reward of : and, if the remainder of the family continue uninfected for six weeks after the first fever-patient has been removed to the hospital, the said family must be entitled to a farther reward of . The inspector shall give the family a promissory note, or a certificate, for this purpose.

“ VII. The inspector must keep a register of infectious fevers, upon the same plan as was executed with success, for six years, by the inspector of the Small Pox Society at Chester; in which is entered, in separate columns of a table, 1st, the patient's name; 2d, street; 3rd, occupation; 4th, when the fever began; 5th, number ill of fever in each family; 6th, date of information; 7th, date of removal; 8th, whence infected; 9th, when washed and aired; 10th, family infected, or preserved; 11th, regulations observed or transgressed.

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“ VIII. Let a copy of these regulations be printed upon one page, and be placed in every house infected by a fever, and in every house in the neighbourhood, which is in danger of receiving the infection. By such instructions, poor people will be enabled to give timely notice to the society so as to avert the dreadful calamities which they would otherwise suffer.

“ The benefit of these regulations to preserve poor families from all the variety of wretchedness occasioned by infectious fevers, will be exactly in proportion to the spirit and punctuality with which they are executed.

“ The zealous, judicious, and successful exertions of the Board of Health at Manchester, in 1796, afforded the fullest confirmation of the principles and the practical conclusions, which Dr. Haygarth has detailed in his letter, lately published and addressed to Dr. Perceval, on the prevention of infectious fevers, p. 108, 109, 110. The facts there stated prove, beyond all controversy, that the regulations above recommended if faithfully executed, will suppress infectious fevers in a most wonderful manner. But it is manifest that fever-wards, for the reception of poor people, unaided by measures to purify their habitations, will answer this purpose in a very imperfect manner. *7th May, 1802*”

In Chester, as in most large towns, the typhus fever had long prevailed, but was generally confined to the dwellings of the poor. In 1783, it was communicated, and was fatal to some persons of

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higher

higher rank, which occasioned a general alarm of danger, as all were then manifestly exposed to it. On that occasion I proposed to receive patients ill of typhus into separate wards of the Chester Infirmary, and to cleanse their houses from all contagious dirt. This measure has been accomplished with complete success. In this manner, typhus has been exterminated from Chester for 35 years, though frequently, as above explained, brought thither by persons infected in other places. In October 1817, Dr. Edward Percival visited the fever wards of the Chester Infirmary, where he found only two patients, and one of them was ill of an inflammation of the lungs. He asked whether there were not usually more patients in these wards, and was answered in the negative. Many towns have followed the example of Chester, in establishing fever hospitals; but, so far as I know, few or none of them have completely executed the incomparably more important regulations of cleansing the dwellings of poor patients from contagious dirt. In towns where even fever hospitals themselves are not kept clean, nor supplied with fresh air, no hope whatever can be entertained that the infectious habitations of the lower orders of people will receive the benefit of the proposed salutary purification. A most intelligent medical friend of mine viewed the fever hospital at Liverpool in October 1817, and found it so close, and smelled so offensively, as to express to me repeatedly, his apprehensions, that he had, by that visit, exposed himself to much danger of infec-

tion. The newspapers have since announced that a physician of this hospital, Dr. Barrow, had caught and died of a typhus fever. Dr. Carson, the other physician of this hospital, has since that time, had a fever, from which he recovered. In the same town Dr. Goldsmith and Mr. Carter, surgeon apothecary to the dispensary, have lately died of the typhus fever. These events prove how truly and how accurately an estimate of danger from infection, had been formed by my medical friend. In a Dublin hospital, containing many more patients ill of typhus, he had for 5 years attended his daily duty as a physician, without any injury or apprehension of danger, merely by requiring strict attention to cleanliness and ventilation.

The Rules and Regulations, above given, do not depend upon conjecture, but on much more convincing evidence than most other kinds of medical and philosophical knowledge. They are founded upon facts, observed by myself and confirmed by the testimony of many impartial and intelligent medical witnesses; and upon the uniformity of the laws by which contagion spreads among mankind. Upon these data calculations are instituted to prove the truth of these practical principles to the high probability of hundreds, indeed many hundreds to one. These facts, and conclusions deduced from them were published in my "*Letter to the late Dr. Thomas Percival, of Manchester, on the Prevention of infectious Fever, in 1801.*" Subsequent facts have occurred to

me, which confirm the same doctrine, even to demonstration, as if health remains I purpose to explain.

Being fully convinced that these Rules and Regulations, might save many lives, and preserve the lower orders of people

from great wretchedness, I anxiously request that they may be copied by Editors of Newspapers, and other periodical publications, which, by the general diffusion of knowledge, are become so highly useful and honourable to this age and nation.

## P O E T R Y.

## ELEGY.

**Y**ES—Britain mourns; as with electric touch  
 For youth, for love, for happiness destroyed,  
 Her universal population melts  
 In grief spontaneous, and hard hearts are moved,  
 And rough unpolished natures learn to feel  
 For those they envied levelled in the dust  
 By Fate's impartial stroke, and pulpits sound  
 With vanity and woe to earthly goods,  
 And urge and dry the tear.—Yet one there is  
 Who 'midst this general burst of grief remains  
 In strange tranquillity. Whom not the stir  
 And long-drawn murmurs of the gathering crowd,  
 That by his very windows trail the pomp  
 Of hearse, and blazoned arms, and long array  
 Of sad funereal rites, nor the loud groans,  
 And deep-felt anguish of a husband's heart,  
 Can move to mingle with this flood one tear.  
 In careless apathy, perhaps in mirth,  
 He wears the day. Yet is he near in blood,  
 The very stem on which this blossom grew,  
 And at his knees she fondled in the charm,  
 And grace spontaneous, which alone belongs  
 To untaught infancy.—Yet oh forbear,  
 Nor deem him hard of heart; for, awful, struck  
 By heaven's severest visitation, sad,  
 Like a scathed oak amidst the forest trees,  
 Lonely he stands; leaves bud, and shoot, and fall;  
 He holds no sympathy with living nature,  
 Or time's incessant change. Then in this hour,  
 While pensive thought 's busy with the woes  
 And restless change of poor humanity,  
 Think then, oh think of him, and breathe one prayer,  
 From the full tide of sorrow spare one tear,  
 For him who does not weep.

Mrs. B——d.

FROM

## FROM A SELECTION OF IRISH MELODIES.

BY THOMAS MOORE, ESQ.

## 1.

I SAW from the beach, when the morning was shining,  
 A bark o'er the waters move gloriously on;  
 I came, when the sun o'er that beach was declining,  
 The bark was still there, but the waters were gone!

Ah! such is the fate of our life's early promise,  
 So passing the spring-tide of joy we have known;  
 Each wave that we danc'd on at morning ebbs from us,  
 And leaves us at eve on the bleak shore alone.

Ne'er tell me of glories serenely adorning  
 The close of our day, the calm eve of our night;—  
 Give me back, give me back the wild freshness of morning,  
*Her* clouds and *her* tears are worth evening's best light.

Oh! who would not welcome that moment's returning,  
 When passion first wak'd a new life thro' his frame,  
 And his soul, like the wood that grows precious in burning,  
 Gave out all its sweets to love's exquisite flame.

## 2.

DEAR Harp of my Country! in darkness I found thee,  
 The cold chain of silence had hung o'er thee long,  
 When proudly, my own Island Harp! I unbound thee,  
 And gave all thy chords to light, freedom and song!  
 The warm lay of love and the light note of gladness  
 Have waken'd thy fondest, thy liveliest thrill;  
 But so oft hast thou echoed the deep sigh of sadness,  
 That e'en in thy mirth it will steal from thee still.

Dear Harp of my Country! farewell to thy numbers,  
 This sweet wreath of song is the last we shall twine;  
 Go,—sleep, with the sun-shine of fame on thy slumbers,  
 Till touch'd by some hand less unworthy than mine.  
 If the pulse of the patriot, soldier, or lover,  
 Have throbb'd at our lay, 'tis thy glory alone;  
 I was but the wind, passing heedlessly over,  
 And all the wild sweetness I wak'd was thy own.

## 3.

AS slow our ship her foamy track  
 Against the wind was cleaving,  
 Her trembling pennant still look'd back  
 To that dear isle 'twas leaving.  
 So loth we part from all we love,  
 From all the links that bind us;  
 So turn our hearts, where'er we rove,  
 To those we 've left behind us.

When round the bowl of vanish'd years  
 We talk with joyous seeming,  
 And smiles that might as well be tears,  
 So faint, so sad their beaming;  
 When mem'ry brings us back again  
 Each early tie that twin'd us;  
 Oh! sweet's the cup that circles then  
 To those we 've left behind us.

And when in other climes we meet  
 Some isle, or vale enchanting,  
 Where all looks flow'ry, wild and sweet,  
 And nought but love is wanting;  
 We think how great had been our bliss,  
 If heav'n had but assigned us  
 To live and die in scenes like this,  
 With some we 've left behind us.

As trav'lers oft look back at eve  
 When eastward darkly going,  
 To gaze upon that light they leave  
 Still faint behind them glowing,—  
 So, when the close of pleasure's day  
 To gloom hath near consign'd us,  
 We turn to catch one fading ray,  
 Of joy that's left behind us.



## 4.

WHENE'ER I see those smiling eyes,  
 All fill'd with hope and joy and light,  
 As if no cloud could ever rise  
 To dim a heav'n so purely bright,—  
 I sigh to think how soon that brow  
 In grief may lose its ev'ry ray,  
 And that light heart, so joyous now,  
 Almost forget it once was gay.

For Time will come with all his blights,  
 The ruin'd hope, the friend unkind,  
 And Love, who leaves, where'er he lights,  
 A chill'd or burning heart behind.  
 And youth, that like pure snow appears,  
 E're sullied by the dark'ning rain,  
 When once 'tis touch'd by sorrow's tears,  
 Will never shine so bright again.

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TO THE MEMORY OF

JOSEPH ATKINSON, ESQ. OF DUBLIN.

(BY THE SAME.)

IF ever lot was prosperously cast,  
 If ever life was like the length'ned flow  
 Of some sweet music, sweetness to the last,  
 'Twas his, who, mourn'd by many, sleeps below.

The sunny temper, bright where all is strife,  
 The simple heart that mocks at worldly wiles,  
 Light wit, that plays along the calm of life :  
 And stirs its languid surface into smiles ;

Pure Charity, that comes not in a shower,  
 Sudden and loud, oppressing what it feeds ;  
 But like the dew, with gradual silent power,  
 Felt in the bloom it leaves along the meads ;

The happy grateful spirit, that improves  
And brightens every gift by Fortune given ;  
That wander where it will, with those it loves,  
Makes every place a home, and home a heaven :

All these were his—Oh ! thou who read'st this stone,  
When for thyself, thy children, to the sky  
Thou humbly prayest, ask this boon alone,  
That ye like him may live, like him may die.

THOS. MOORE.

THE END.













