

THE EXAMINER.

No. 73. SUNDAY, MAY 21, 1809.

THE POLITICAL EXAMINER.

Party is the madness of many for the gain of a few.

SWIFT.

No. 73.

POLITICAL HONESTY.

I HAVE often instanced Sir FRANCIS BURDETT's reputation as a proof of the great utility of private virtue to public men. By private virtue I mean not only the duties of domestic life, but all those little habits of general conduct, which evince a contempt for worldliness and trick, and stamp the man of dignified independence. Such a character, as it is the only one worthy to advocate the cause of Reform, is also the only one capable of advocating it to any lasting purpose; and if the Ministers could honestly avow what it is which they most fear in their parliamentary opponents, they would say, "Their reputation for sound honesty." It is a common observation, that if one of the Reformists in Parliament had been convicted of a tenth part of the political sins of the present Ministry, he would have experienced no mercy. Only put Sir FRANCIS BURDETT, for instance, in the place of my Lord CASTLEREAGH, when his Lordship's *vote* was put to the vote. How patriotic would have been the horror! How fierce would have been the joy! Yet the charges of corruption, and the proofs of actual commission, are entirely against the Reformers: the placemen, though they are ever on the watch to spy over an enemy as bad as themselves, dare not bring any such charges against the Reformists, not only because the proceeding would be too barefaced, but because they are aware they cannot bring any such proofs. I dare say, when Mr. WARDLE rises in the House, a sudden convulsion seizes the fibres of all the placemen, past as well as present: one trembles for himself, another for his agents, and a third upon every account: this man, whose memory is painfully exact, summons up all his powers of forgetfulness; that man trusts to no powers but those of face; the Minister, in the mean time is counting how many friends are present; and in fine, all the corruptors and the corrupted, who compose what in compliment to the people is called the majority of our Representatives, rouse all their sympathies and resolve, to adhere to each other to the last inch of place. Yet look at the opponents of these men. Does Sir FRANCIS tremble when such a thing as Lord CASTLEREAGH gets up? Does Mr. WHITEHEAD tremble? Does Sir SAMUEL ROMILLY tremble? Does General FERGUSON, who charged the French at Vimiera, tremble? Does Lord COCHRANE, the heir of NELSON's greatness, who blazes like a comet along the coast of Europe, tremble? Whatever may be said of faction and of conspiracy by those hireling scribblers, who to my knowledge

act as vilely as they write, posterity will venerate the present cause of Reform, when it reflects upon the private as well as public qualities of the men I have just mentioned—men, who without concern for what is called interest, and without even a combination with each other, have acted upon one principle, avowed one great object, and enjoyed one universal burst of gratitude from an admiring people. Mr. CANNING, with a particularity a little remarkable, when Lord CASTLEREAGH and Mr. PERCEVAL were accused the other day, was anxious to convince the House that the latter was a man gifted with every private virtue. The anxiety did him honour; and I recollect the time when those who always differed with Mr. PERCEVAL on political subjects did certainly regard him as one who preferred integrity to corruption; but Mr. CANNING either talks or thinks like a Courtier, he either speaks for the sake of gloss, or differs materially from the rest of his countrymen respecting gross inconsistency, gross time-serving, gross partiality, and a few other courtly matters, which instead of belonging to "every private virtue," belong to no virtue whatever. Let Mr. CANNING bring his proof: the public like proof though his friends do not. It will be said perhaps that Mr. PERCEVAL is equable and affable in his temper: be it so: I admire his good sense with respect to temper:—it will be said also that he is charitable and makes a number of poor people comfortable: be it so: I admire his heart with respect to alms-giving; "charity covers a multitude of sins," and I would deprive no man of his surout. But do these compose "every private virtue" that is to be expected in a man of so exalted a station? What does Mr. CANNING say on the score of self-dignity, of rigid independence, of that *equal eye* which is the first attribute of a great ruler? Let him compare Mr. PERCEVAL with the men I have just mentioned, and show us in what instance his friend has desisted, for conscience sake, the tricks and subtleties of political casuistry like Sir FRANCIS BURDETT, the lucre of state like Mr. WHITEHEAD, or the whole prospect of advancement like Sir SAMUEL ROMILLY? These are the virtues which a sound Englishman should extol and exemplify; these are the private virtues which are inseparable from public virtues, and belong to nothing mean, nothing sordid, nothing shuffling. People who talk of the art of politics, of its expediencies, and its little necessary tricks, talk so because their own advancement depends upon the abuse of sound policy: it may be necessary for a serpent to get on in a crooked and creeping manner, but a man walks straightly and uprightly, and has but one great and glorious object, the reward of virtue:—the English poet has given a beautiful turn to that line of OVID—

Os homini sublimē dedit, cœlumque iurari;

Man looks aloft, and with erected eyes

Beholds his own hereditary skies.

DRYDEN.

Had courts make false politics: a tricking statesman fills the court with men like himself, manages them in his own way, finds it difficult of course, and then would have us believe that his own folly is political wisdom. "I have been frequently assured by great Ministers," says SWISS, "that politics were nothing but common sense; which, as it was the only true thing they spoke, so it was the only thing they could have wished I should not believe." I think it is the same profound observer, who remarks, that there cannot be a greater slur upon an age, than when an ardent attachment to political virtue is called romantic. To compromise with corruption, and be content with any time-serving minister who manages to be charitable out of five sinecures, may suit those who in answer to our demand of Reform, are always telling us that we are better off than the French. Heaven forbid I should compare even half an Englishman with an entire slave! But what have we to do with French degrees of comfort, and French standards of comparison? If a man would have me be content with any ruling corruption because I am better off than the French, he might as well have me live upon rancid butter because I should be better off than the Greenlanders who feed upon train oil, or persuade me to eat my fish half done because the Tartars can eat it raw. An Englishman should be without comparison, if it is true that his Constitution is incomparable: he should be English in his rights, in his comforts, and in his glory; but let us ever remember, that he will be nothing of all this, unless he is an honest Englishman. French glory may go hand in hand with slavery, with fashion-mongering, with tyranny, with all sorts of fantastic inconsistencies; but English glory is inseparable from freedom, and freedom is inseparable from virtue.

67

FOREIGN INTELLIGENCE.

FRANCE.

PARIS, MAY 9.—The Emperor has answered the letter of the Landamman of Switzerland, of the 15th ult. concerning the neutrality of the country, saying that he required compliance with this neutrality. On this account Mr. Reinhard, the first Burgomaster, has been nominated Extraordinary Minister to repair to the head-quarters, and request his Majesty to state what steps he wishes neutral Switzerland to take during the war.

Intelligence of the 6th and 7th, received from Italy by the telegraph, states that the Viceroy was on the point of pursuing the Austrian army, which had precipitately fled. On the 4th, the head-quarters of the Viceroy were at Treviso; and the country between Milan and Venice is quite free.

FOURTH BULLETIN OF THE FRENCH GRAND ARMY.

Head-quarters, at Brannau, May 1.

On the crossing of the bridge at Landsbut, Brigadier-Gen. Lacroix gave proofs of valour and coolness. Col. Lauriston placed the artillery advantageously, and contributed much to the happy issue of the splendid affair.

The Bishop and the principal public functionaries of Saltzburgh repaired to Burghausen, to implore the clemency of the Emperor for their country. His Majesty gave them his as-

surance, that they should never again come under the dominion of the House of Austria. They engaged to take measures for recalling the four battalions of the militia, which the Circle had delivered, and of which a part were dispersed and fled.

The head-quarters are to be this day removed to Ried.

At Brannau, magazines were found with 300,000 rations of biscuit, and 6000 sacks of oats. The Circle of Reid has furnished three battalions for the militia, but the greater part of them are returned again to their habitations.

The Emperor of Austria was three days at Brannau; he was at Scharding when he heard of the defeat of his army. The inhabitants consider him as the principal cause of the war.

The famous volunteers of Vienna passed through this place after the defeat at Landsbut, throwing away their arms, and carrying with them in all haste their terror to Vienna.

On the 21st of April an Imperial Decree was published in the capital, declaring the ports to be again opened to the English, the treaties with this ancient Ally renewed, and hostilities against the common enemy begun.

General Oudinot has taken prisoners a battalion of 1000 men, between Altham and Ried. This battalion was without cavalry and artillery. On the approach of our troops, they made an attempt to fire with their small arms, but being surrounded on all sides by the cavalry, were obliged to lay down their arms.

His Majesty caused several brigades of light cavalry to pass in review at Burghausen, and among others those of Hesse Darmstadt; at whose appearance he was pleased to express his satisfaction. General Marulaz, under whose command the corps stands, presented several of them, to whom his Majesty was pleased to grant decorations of the Legion of Honour.

General Wrede has intercepted a Courier, on whom were found two letters in pieces, from which we may perceive the state of confusion in which the kingdom is.

ITALY.

MILAN, APRIL 30.—Private letters from Zara assure us that the Russians have re-commenced hostilities against the Turks, and that the war with Russia has been formally announced, by order of the Divan, to the people of Constantinople.—(Moniteur, 9th May.)

GERMANY.

BOHEMIA, MAY 1.—The Archduke Charles has proceeded through Cham towards Budweis, in order to direct his march from thence to Lintz, or more easterly on the Danube. General Hillier, with the 5th and 6th corps of the army, will take the same direction by another road.

SWEDEN.

LETTER FROM THE EMPEROR BONAPARTE TO THE DUKE OF SUDERMANIA.

MY BROTHER,

Paris, April 12, 1809.

I have received your Royal Highness's letter of the 17th of March. You are right to believe that I wish Sweden to enjoy tranquillity, happiness, and peace, with her neighbours; neither Russia, Denmark, nor myself, were eager to make war against Sweden; but, on the contrary, did every thing in our power to ward off disasters which it was easy to foresee. I have taken the earliest opportunity to acquaint those Courts with your Royal Highness's sentiments and views, and trust that they will perfectly agree with me in opinion, and that it will not be our fault if Sweden should not be restored to the full enjoyment of happiness. Soon as I shall be informed of the intentions of my allies, I will not fail to communicate them to your Royal Highness. In the mean time you will not entertain a doubt of the respect which I entertain for your nation, of my wish for its happiness, and of the high esteem with which your character and virtues have inspired me for your Royal Highness. I pray to God to keep you, my brother, in his holy guard.—Your good Brother,

NAPOLÉON.

PROVINCIAL INTELLIGENCE.

WILTSHIRE MEETING.—A Meeting was held on Wednesday at Salisbury, of the Freeholders, Landholders, and other inhabitants of the County of Wilts, to give thanks to Mr. Wardle. It is believed, that so numerous and respectable a meeting of that county is not within the recollection of any one. The business was opened in a most eloquent speech by HENRY HUNT, Esq. of Sans-Souci Cottage. He said, that the members of government, when Mr. Wardle brought forward his charge, asserted that there was a Jacobin conspiracy: it turned out, however, that the conspirators were not Colonel Wardle, Sir F. Burdett, Lord Falkstone, Mr. Whitbread, or any of the minority of 125, but the Duke of York himself, who had been conspiring against the House of Brunswick. There was indeed another foul conspiracy,—a conspiracy against our laws,—against the Act of Settlement, which placed the House of Brunswick on the Throne, of which one member of the government was lately convicted. After thanking Col. Wardle, you will not, said Mr. Hunt, withhold your thanks from Sir F. Burdett, because hireling writers, placemen, and pensioners, have been lavish in their abuse of that exalted character.—(Loud applause!)—Mr. Hunt, in alluding to the gross corruptions of the state, observed, “This, gentlemen, is a subject on which a very numerous class of persons in this kingdom feel particularly tender. For not a word on this point can we mention but out flies the whole crew of Placemen and Pensioners, from Lord Castlereagh and John Bowles—those pure and immaculate characters—down to the very window peeper. [Applause—“that’s true! hear! hear! huzza!”] All of them open mouthed, with one accord, join in the full cry of jacobinism and an attack on the prerogatives of the Crown.—But so far are we from wishing to attack the Crown, that our first and most earnest object is to support the real prerogatives of the Crown—we want to get rid of that influence which holds the Crown in subjection. Our efforts are solely directed to the rescuing of the country from those imminent perils into which it has been brought by the progress of corruption. The very word pension is odious, it has long been so, and I trust you will excuse me if I here call to your recollection the well known explanation of that word in the dictionary of the great and celebrated Dr. Johnson, as being so exactly correspondent with my present feelings on the subject—“A PENSION,” says he, “is an allowance made to any one without an equivalent. In England it is generally understood to mean pay given to a state hireling for treason to his country.” [Loud cries of “So it is—the true meaning!”] And a PENSIONER he says, is “A slave of state, hired by a sfi-gend to obey his master.” The authority for which definition he happily illustrates by the well known lines of Pope:—

“In Britain’s Senate he a seat obtains.

“And one more pensioner St. STEPHEN’S gains.”

Let any man look at the annual expenditure of the nation, which, within a very few years, has increased from 16 millions to the enormous and almost incredible sum of more than 70 millions. Let any man look at this single fact, and then say, whether it is not necessary to check that corrupt influence to which we are indebted for this lavish expenditure.—But the existence of corruption is no new doctrine; for, since the Act for Triennial Parliaments was passed, we have had no fewer than sixty-five Acts of Parliament to secure the freedom and purity of Election, of which Acts sixteen or seventeen were passed during the early part of the present reign, and sorry I am to say, with very little effect. Corruption is a crying and wretched evil, and there surely cannot be any man so weak as to expect that the House of Commons will reform itself; it might as well be expected that a malefactor, while there is a chance of a reprieve, should put the halter round his neck, and drive the cart from under him, as that Parliament should reform itself.—[“True, true,”—loud and continued applause.]—The House of Commons can never be reformed while there is a majority in that House of Placemen and Pensioners sitting in it.—[Never, never.]—That corrupt influence which is now become so notorious, has been eloquently described by the late

Mr. Burke, as “the everlasting spring of prodigality, the destruction of the liberties of the people, and of the wisdom of our counsels.”—Nor was the opinion of the immortal Chatham less decisive on this important subject. He most energetically observed, “That what was called the management of the House of Commons—that is, the exertion of corrupt influence, was unknown to the Constitution.” There are large sums of money in the public accounts sunk under the head of secret service money. Boroughs are bought with the money that comes out of our pockets to pay for secret services—bought for some state hireling, who receives a pension for supporting the Minister—(Applauses.)—If England is to be saved from the fate which has overtaken Holland, Italy, and Prussia—from that fate which now threatens even Austria—we must immediately set about the important work of effectually rooting out those corrupt practices, which have more powerfully contributed to the downfall of those Governments than all the armies of Napoleon. You must instantly set about this great work with firmness and perseverance, but at the same time with temperance and moderation; for the Constitution of England, of which we must never for one moment lose sight, does not admit of this great object being effected in any other manner;—we are assembled in this place to support that Constitution, of the violation and infringement of which we complain,—and let it be remembered that we are not assembled in this place as a matter of indulgence, nor to require any favour: we are assembled here to exercise our indisputable rights, and to which we all know and feel we are entitled, (Applause.)—If England is to be saved, the people must be assured that they are fairly dealt by, and the money produced by the load of taxes with which they are so heavily burthened, is spent honestly. [“That’s all we want.”] On the subject of the Resolutions, which I am now about to propose, I think every one must feel the absolute necessity of a Parliamentary Reform [“That we do”—loud applause] and feeling that necessity, I don’t know why we should not set the example in this county. It is of no use to petition the Parliament, that is out of the question,—we must petition the Throne. It is expedient that we should meet at some early day to petition his Majesty to assist us in this great and necessary undertaking, and in enabling us to preserve the laws of the land. Gentlemen, I beg leave to offer you my thanks for the attention with which you have honoured me. That there are many gentlemen now present who could have discussed these topics more ably than myself, I am fully conscious, but I do venture to assert, that I yield to no man in zeal for the welfare and preservation of the Constitution; for as Lord Bolingbroke has most eloquently expressed it—“The Constitution of England is the business of every Englishman.”

The Resolution proposed by Mr. HUNT was passed, with the dissent of only two or three persons, out of as many thousands who were present. Mr. BLEEK then, in a most animated speech, proposed a vote of censure on the conduct of the Representatives of the County, which was carried by acclamation.

MANCHESTER, MAY 23.—Saturday last, George Glover, aged 23, and Wm. Proudlove, aged 30, were executed at the new drop, Chester, for stealing salt, and for discharging a pistol at the officer of excise. These unfortunate men had been connected with a dangerous gang, who confined their depredations principally to salt stealing. They confessed the robbery, but solemnly denied the act of shooting, which they laid to the charge of one of the gang now at large. Soon after receiving the sacrament (in which they were joined by the wife of Proudlove, the mother of Glover, and four convicts) they walked firmly to the cart, and were conveyed to the fatal drop, which was hung with black, and a curtain placed before them, till the moment, when it was drawn, and the stage fallen. Horrid to relate, both the ropes snapped and broke a few inches from their necks, and the poor creatures fell upon the terrace. The shock upon the feelings of an immense multitude cannot be described; human sensibility was harrowed to the very soul, and the moans, cries, and tears of the people loudly spoke the poignancy of their hearts. Strange, however, to tell, the poor

sufferers appeared to feel little, either in body or mind; they lamented it had happened, and spoke of it as of a disappointment. After coolly walking back again to the jail, they requested the chaplain to be again sent for, wishing to devote this short painful respite to their eternal concerns. This was of course readily granted, and about three in the afternoon they suffered a second execution, and were launched into "that bound from whence no traveller returns."

Thursday se'night as Mr. Banks, linen-draper, and Mr. Sherry, hatter, of Portsea, were returning from Goodwood races, in a single-horse chaise, the horse took fright near Chichester, when Mr. Banks sprang from the chaise, alighted on his head, and instantly expired. This unfortunate young man was but 21 years of age. There is a circumstance connected with this accident which makes it the more affecting:—The father of the deceased, a linen-draper, in Cheapside, was on the road to visit his son; when the coach was passing the fatal spot, he enquired the cause of the assembled crowd, and was told a Mr. Banks had been killed; he thought that it might be his son did not cross his mind, and the body was removed to Chichester. When Mr. B. arrived there, he was led by reflection to make further enquiry, and requested to see the corpse; when to his inexpressible grief and surprize, it proved to be that of his son!

IMPERIAL PARLIAMENT.

HOUSE OF LORDS.

Monday, May 15.

The Newspaper Discount Bill, and Militia Completion Bill, were passed.

CRUELTY TO ANIMALS.

Lord ERSKINE moved the second reading of his Bill to prevent wanton and malicious Cruelty to Animals. As the law at present stood, this species of cruelty was undoubtedly punishable; but the cases in which it chiefly came under the Courts were, where the parties were considered rather as injuring the property of their masters than as being guilty of a violation of those duties which we owed to the lower creation. He wished to restrain a description of beings who knew little more of the laws than that they afforded them too much facility for mistreating the animals under their care. His object was to prevent such men, when reprimanded, from retorting with curses, and asking whether the animal belonged to their reprover? His Lordship distinguished between the dominion which man might justly exercise over the lower orders of the creation for his sustenance and convenience, and the duty, though one of imperfect obligation, which he lay under, of not abusing that power so as to put animals under his protection to unnecessary pain. The Preamble of the Bill asserted this principle to the furthest extent that morality and religion could carry it; because he looked to a degree of efficacy from the solemnity of that sanction, beyond what he could reasonably expect from the enactments of the Bill. His Lordship regretted, that the Bill for preventing Bull-baiting had failed in the other House; and much more so the opposition which it met with from a man of genius (Mr. Windham), but whose understanding was, nevertheless, a little awry upon this point. In the present Bill he had introduced no specific provision as to that practice. If Bull-baiting did not, in the estimation of Magistrates and Juries, come under the description of wanton, malicious, and unnecessary cruelty, then it would remain untouched by the Bill; but if it did, in any case, then of course it would be punished; and he was certain that his friend would be the last man in the kingdom to justify the offender. His Lordship then proceeded to consider the enacting part of the Bill, declaring the offence to be punishable as a *misdeamour*; and, from various analogous questions, which Judges and Juries were every day called upon to decide, he argued that little difficulty would be practically felt in determining whether in any particular case the offence had been committed, or whether no further pain had been inflicted than might be deemed necessary for the purpose of cor-

rection. The Noble Lord severely reprobated the practice of running horses, to great distances, against time, where the very formation of the bet was something beyond what was to be expected from the ordinary powers of the swiftest animal. He also adverted to a set of men called *Niggers*, who buy up worn out and disabled horses, upon a speculation of how long they can be made to draw under the severest torture, or for the purpose of being cut up into dog's meat, in which latter case they are kept without sustenance of any kind, until the state of the market requires their being butchered.

The LORD CHANCELLOR approved of the principle of the Bill, but thought the application of it attended with some difficulty. The Bill was then read a second time.—Adjourned.

Tuesday, May 16.

The House was, for a considerable time, occupied in hearing Counsel, in the case of Mr. White, proprietor of the Independent Whig, which was brought under their Lordships' consideration by a Writ of Error from the Court of King's Bench.

Mr. CLIFFORD, in behalf of the plaintiff, contended, that the judgment under which he now suffers imprisonment in Dorchester jail was illegal on two grounds:—1. That the Court of King's Bench had no authority to confine offenders, except in its own prison, or the jails of the county where the Court sat, or those of the place where the offence was committed.—2. That the part of the sentence which related to the finding of securities for the preservation of the peace, was so vaguely expressed that it might operate to the perpetual imprisonment of Mr. White—a mode of punishment unknown to the laws of England. The Learned Counsel quoted a number of cases, from the beginning of the reign of Charles I. to the year 1723. The power assumed by the Star-Chamber, of imprisoning the victims of their cruelties in remote parts of the kingdom, at a distance from their relatives and friends, was one of the chief grievances alleged against that Court. Even in the arbitrary period of James II. there were Judges in the King's Bench who refused to gratify the Court by assuming the power of carrying sentences into execution at a distance from where the offender was tried, or the offence committed. Whatever deviations had taken place from this rule up to a very recent period, were extremely slight, and even these were, in some cases, the subject of much doubt with the Court itself. But however numerous the precedents might be, he would not allow them the force of law. General Warrants were, as in the case of *Wilkes*, declared to be illegal, notwithstanding their being almost undisputed down to that period. The only effect which Lord Camden would allow to precedents in that question was, that they might go to diminish the quantum of damages. With regard to the second point, he objected to the sentence, because it did not state whether the libel was true or false, nor what was to become of the prisoner if he should not be able, at the expiration of his three years' imprisonment, to find sureties to keep the peace for five years. It did not appear that he would in that case be released, even at the end of those additional five years. If the libel had been declared to be true, then the difficulty of finding security would be insuperable, and he apprehended that Mr. White must totally abandon his concern, and forfeit his means of livelihood before he could procure his release. Viewing the subject either with regard to this alternative, or that of indefinite or perpetual imprisonment, he conceived the sentence to be incompatible with the spirit of that provision of the Bill of Rights, which says, that excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.

The ATTORNEY-GENERAL argued in support of the legality of the judgment:—he said, that the power of the King's Bench extended to every part of the kingdom; and he conceived this to be a point universally allowed. With respect to the practice, innumerable instances might be produced to prove that the Court never confined itself within the limits assigned to its jurisdiction by the Learned Gentlemen.—The Attorney-General here mentioned a variety of instances where convictions having taken place, or offences having been committed, in distant counties, the offenders were punished in *districets*, Surrey, and London, and *vice versa*. In the majority of the early cases quoted it appeared, that the sentences were pronounced

in Westminster Hall, and wholly, or partially, executed in London; but this, he contended, was equally decisive against Mr. Clifford's argument, as if they had been executed in the remotest part of the kingdom. He totally disavowed the construction attempted to be put on that part of the sentence which exacted security for the preservation of the peace. If the conclusion which he suggested should prove to be the fact, it was not to be imputed to the law; but to the apprehensions which might be entertained from the violent disposition of the offender. Most certainly, if a libel appeared in his publication after his enlargement, he would advise process for a recovery of the penalties from his securities. The only difficulty, therefore, under which he would be placed, was one from which, consistently with the end of justice and the public safety, he could not be relieved. The removal of that difficulty was, however, completely within his own power.—The further proceedings were postponed to Thursday.—Adjourned.

Wednesday, May 17.

The Scotch Local Militia Bill was read a third time and passed.—Adjourned.

Thursday, May 18.

Counsel were again called to the Bar in the case of Messrs. White and Hart, of the Independent Whig.

The SOLICITOR-GENERAL spoke at considerable length in support of the sentence of the Court of King's Bench, pursuing the same line of argument as the Attorney-General.

Mr. CLIFFORD, in reply, briefly restated the doctrines he had laid down in his opening, with regard to the jurisdiction of the Court of King's Bench, and contended, that nothing had fallen from the Learned Gentlemen on the other side of the Bar which in the least shook them. The Counsel having withdrawn,

Lord STANHOPE said, he would decline voting upon the question, but he would suggest some comparative inquiry into the nature of offences and punishments, for without that it would be impossible to ascertain whether in this case the Bill of Rights had been violated by the infliction of a cruel and unusual punishment.

The LORD CHANCELLOR quoted various cases, in which similar punishments had been inflicted, from the Revolution downwards. He concluded with proposing a question to the Judges upon the point of law.

After a short conversation among the Judges present, who, according to the custom in such cases, were those only of the Courts of Common Pleas and Exchequer,

The Lord Chief Justice of the Common Pleas stated for himself and his learned brethren, their complete conviction of the legality of the sentence. As to himself, though he had been upwards of 50 years a professional man, he had never heard a doubt raised with respect to the competence of the Court of King's Bench to commit persons to any of his Majesty's jails in every part of the kingdom.

Lord ERSKINE concurred in opinion with the Learned Judges.

The LORD CHANCELLOR briefly expressed himself to the same effect; and the judgment of the Court below was affirmed.—Adjourned.

Friday, May 19.

The Temple-Bar and Snow-hill Improvement Bill were read a third time and passed.

On the motion of Lord ERSKINE the Committee on the Annual Projection Bill was postponed to Wednesday se'night.—Adjourned.

HOUSE OF COMMONS.

Monday, May 15.

The Report on the Bill to prevent the Sale of Offices was taken into consideration, and Lord FOLKESTONE moved a clause, that 50l. together with complete impunity, should be granted to any person who should inform against such as should be concerned in violating the provisions of the Bill; but this clause was opposed by Ministers, on the ground that it might expose innocent men to punishment by holding out such an advantage to any guilty person to transfer the crime from himself

to another.—It was contended on the other side, that the principle existed in all the Statutes for the encouragement of Informers, in the Bribery Act, &c. and that the clause was absolutely necessary to give the Bill effect.—It was however negatived.—The penalty against the person convicted was then fixed at not more than 500l. nor less than 50l.—Adjourned.

Tuesday, May 16.

At four o'clock the SPEAKER counted the House, when there being but 36 Members present, an adjournment took place.

Wednesday, May 17.

The Vauxhall Bridge Bill was read a third time and passed.

Mr. MADOCKS rose to state that a report which had gone abroad, that the charges against Mr. Perceval and Lord Castlereagh were made at the instigation of Mr. Quintin Dick, was totally groundless.

Mr. FOSTER read a letter from Mr. Quintin Dick, which went to state, that Ministers had never behaved to him in the manner reported.

In a Committee of Ways and Means the Chancellor of the Exchequer obtained leave to establish Lotteries for the current year.—Adjourned.

Thursday, May 18.

MONUMENT TO CAPTAIN HARDINGE.

Mr. WARD rose to move for a great national honour to a most gallant Officer, who had been a boy in years, but a hero in service. At the commencement of his career, the Officer he alluded to, was under Sir Sydney Smith, at the siege of Acre; he was blown up in a ship, in which his Captain fell. He afterwards commanded a gun-boat on the coast of Egypt, for his gallantry on which occasion, he received a gold medal from the Grand Seignior. He afterwards distinguished himself on the coast of France, where he was particularly noticed by Sir James Saumarez. His next exploit was still more conspicuous than any he had achieved before: it was that of cutting out the Atalante brig from the coast of Holland. The brilliancy of this service was particularly noticed by the Admiral, although described in a very modest manner by Captain Hardinge himself. Another part of his military career was that of taking a Dutch ship, in which he killed the Captain, who had obstinately refused to give up the ship. And such were the feelings of Captain Hardinge on that occasion, that he never could refrain from tears when he mentioned it.—The last gallant action he was engaged in was that in which he fell so bravely, after fighting for three days with the Piedmontaise frigate, a French ship of superior force to that which he so ably commanded; and which had been for many years the terror of the Indian Seas. So persevering was the valour of the British sailors in this engagement, that the San Fiorenza was obliged to withdraw from the action to repair her damages. She renewed the fight again on the third day, and in that last battle the gallant Captain fell. The Hon. Member then observed, that it was unnecessary to impress on the House the necessity of the Country bestowing some lasting monument of gratitude to a hero that fell in its defence. Such acts of national gratitude operated as the greatest incentives to gallant actions in ancient times; and, indeed, in all ages of the world. The merchants at Bombay, with Sir James Mackintosh at their head, subscribed 3000l. to the erection of a monument to this gallant Officer; and would the British House of Commons shew itself inferior in generosity to a few merchants in the East Indies?—Here the Hon. Member read some letters written to the uncle of Captain Hardinge, bearing testimony to the great merit and heroic exploits of this Officer; and among them was one from Earl St. Vincent, in which this illustrious Admiral says, he could not refrain from shedding a tear over the departed Hero.—He hoped there would be no opposition to the present motion. The case of Capt. Pauldner was one in point. He then concluded with moving an Address to his Majesty, beseeching him to give directions that a monument be erected in the Cathedral Church of St. Paul, London, to the memory of the late Capt. Nicholas Hardinge, for his eminent services in the course of a gallant life, and

particularly in the engagement in March, 1808, with a French ship of superior force, in the Indian Seas, on which occasion he fell gloriously fighting in the cause of his country; and that the House would make good the expence of erecting the same.

Mr. WINDHAM did not rise to deny the merit of the Officer in question; but if these honours became too frequent and general, the value of them was done away. It was not alone sufficient that there should be great gallantry, but there should also be great national service, which every body acknowledged and felt; the important benefit of which should, in a manner, run before the public feeling. In point of mere merit, that was to be found in numberless minor achievements. Thecoxswain of a boat might have as great merit as the greatest hero; but it was not the custom to extend such an honour as this to such a person. The rank of the person always had something to do in the granting of such honours. A certain rule existed, and if that was departed from, the whole effect of such an honour might be done away. It was for this reason only that he opposed the motion.

Lord CASTLEREAGH, Mr. WILBERFORCE, Mr. LONG, Mr. CURWEN, and others, supported the Motion; Mr. WYNNE and Mr. WHITBREAD were of the same opinion with Mr. WINDHAM.—Mr. WYNNE moved the previous question, which was negatived, and the Motion was then carried *nem. cou.*

BILLS OF DIVORCE.

Lord PORCHESTER rose to call the attention of the House to the Standing Order lately adopted by the House of Lords. He did not complain of this as any infringement on the privileges of the House of Commons, but he thought it necessary to point out the difficulties it would throw in the way of their proceedings. The Standing Order would take away from that House all power of legislative discussion, on every Divorce Bill that should come before it. Here, he said, a public principle was introduced in a private measure, and such public principle was to be carried into effect by a side wind. Against this, it was the duty of the House to be on its guard. Suppose the House of Commons was to enact some regulation of a public nature in a Money Bill, would not the Lords think that an infringement on their right of discussion; and would they not feel themselves bound to throw out such a Bill? He could see no reason why the House of Lords, with the Ecclesiastical and Legal Monks belonging to it, should arrogate the right to correct the morals of the people. Morals could not be mended by severity. That rigour of Legislation which drove an unfortunate female for ever from society, would do more injury than benefit to the public morals. To drive a woman into this state of Parliamentary prostitution would be unjust in itself, and cruel to the individual. It was declaring a public law in a private Bill. He therefore moved that a Committee be appointed to search the Journals of the House of Lords of this year, respecting any Standing Order on the subject of Divorce Bills.

Mr. PERCEVAL said, he could not comprehend the argument by which the Noble Lord meant to impeach a Standing Order by which the other House of Parliament might think fit to regulate its proceedings. He could see nothing in that order which infringed on the rights of that House. The Noble Lord did not inform the House what that Order was. He understood this Standing Order to be the mode by which the Lords were to regulate the introduction of Divorce Bills. But it did not bind the Lords to pass every Divorce Bill in that form. The only question now was, had the Lords, in any way, violated the privileges of the Commons? He thought they had not. They opened the doors of their House to a certain private Bill, but said it could not come before them, except on a certain condition, specified in a certain clause. But that regulation could have no effect on the deliberations of the House of Commons.

Mr. PONSONBY thought the proceeding was most unconstitutional, most derogatory to the privileges of the House, and ought to be resented. Every man knew the object of the Lords was to compel the Commons to legislate according to their

will. For this reason he would support the motion of his Noble Friend.

Mr. C. WYNNE considered that every House of Parliament had a clear and undisputed right to make any Standing Order that they may think proper.

The House divided:—For Lord Porchester's Motion, 43; Against it, 67.

CHELSEA HOSPITAL.

Sir C. MOSELEY wished to know from the Chancellor of the Exchequer, whether he had ever recommended it to Col. Gordon to give up his lease at Chelsea, as he had promised to do, as he (Sir C. Moseley) had heard, when coming down to the House, that the Colonel had relinquished his bargain.

Mr. PERCEVAL said, he had made no unqualified promise of advising Colonel Gordon to quit his lease; but had stated, that if the Lords of the Treasury found on enquiry that the ground occupied by Colonel Gordon was of real advantage to the House, he (Mr. Perceval) would take it upon him to advise Colonel Gordon to give up the ground.

DEBATING SOCIETIES.

The ATTORNEY-GENERAL rose to move for leave to bring in a Bill to alter and amend an Act passed in the 39th of his present Majesty. He said that in the 36th of the King it was enacted, that certain unlicensed meetings should be considered as disorderly houses; and that the 39th went rather farther than that, by specifying the species of meetings. He then moved that leave be given to bring in a Bill to alter and amend an Act passed in the 39th of his present Majesty, relative to certain meetings.

Mr. PONSONBY said, he really was not competent to understand what the Honourable Member's object might be in the present motion; he would therefore be glad to have it more fully explained.

The ATTORNEY-GENERAL explained, that by the 36th, the house in which a Debating Society was held on different subjects, and where money was taken at the door, without a licence, was considered as a disorderly house. But as some doubts had arisen about the definition there given to the Meeting, he wished it amended.

Mr. WHITBREAD said, he would refrain from making any observations on the Bill till it went into a Committee; yet he could not help thinking the Hon. Member had some reason for bringing this Bill forward now.—Leave was given to bring in the Bill.

MR. CURWEN'S BILL.

On the motion of Mr. CURWEN, the Bill for preventing Bribery at Elections was read a second time; and on the question being put for a Committee on it,

—Mr. PERCEVAL said, he had several objections to make against the way in which the offence is described in the Bill; against the manner of punishing the offence; and against the oath to be taken to prevent it.

Mr. CURWEN thought some means might be taken to remedy these objectionable parts if they were found to be truly so. He hoped that the Chancellor of the Exchequer would give this Bill his support, if not, that Parliament must lose entirely the confidence of the people.

Mr. WINDHAM said, he would not now enter into the merits of the Bill, he merely rose to give his protest against the assertion that Parliament had at all lost the confidence of the nation.

After some further observations from Mr. Whitbread; Mr. Lockhart, Lord Folkestone, &c. the Bill was ordered to be committed.

WAYS AND MEANS.

On the Report of the Committee of Ways and Means being read.

Mr. WHITBREAD objected to the Portuguese Loan, because he was confident it would never be paid.

The CHANCELLOR of the EXCHEQUER declared, that he would never have undertaken to furnish this Loan, had he not the fullest reliance on the honour of the Prince of Brazil, and his determination to fulfil his engagement.

Mr. WHITEHEAD next objected to the Resolution for raising a sum by Lottery, and repeated the arguments he had before used on the subject.

After some discussion the House divided.—For the Resolution, 90—Against it, 36.

Mr. FOSTER moved the Order for committing the Irish Distillery Bill.

Mr. HUTCHINSON rose to express his wish that this order might be postponed on account of the absence of Sir J. Newport, who was confined by indisposition, and whose abilities were so necessary in discussing the measure.

Mr. FOSTER said, he did not conceive it necessary to postpone the Bill on that account; and besides, the Bill had been discussed before.

Mr. M. A. TAYLOR objected to the Bill, and declared it as his opinion, that the Right Hon. Gentleman wished to hurry it through the House, in the absence of a Right Hon. Baronet, whose great abilities on this, as well as most other subjects relating to Ireland, he was afraid to encounter.

Mr. FOSTER said, he held the intimation thrown out against him, respecting his motives on the present occasion, in contempt. He was not afraid to meet the Hon. Baronet alluded to, or any other Member, upon any subject of discussion in that House.

Mr. TAYLOR said, he would repeat what he had asserted, that the Right Hon. Gentleman was afraid to discuss this measure in the presence of the Right Hon. Baronet, because he was afraid of his great abilities; and that that was his motive for wishing to hurry the business through the House.—[Here there was a loud cry of *Order! Order! Chair! Chair!*]

The SPEAKER said, it was disorderly for one Member to impute improper motives to another.

After some further discussion, Mr. CROKER moved the House to be cleared of Strangers. This was done accordingly, and the House continued debating for an hour and a half, and the Bill was ordered to be committed.—Adjourned.

Friday, May 19.

The House went into a Committee on the Woollen Manufactory Bill.

Mr. G. ROSE said, the present Bill was one of the utmost importance to the country in general; but the persons labouring at the woollen manufactories were most concerned, and they had accordingly been heard at the Bar by Counsel. Their wish was to abolish the use of machinery in the different branches of the woollen manufactory; but that circumstance he (Mr. Rose) thought would make us lose one half of those manufactories we now have.

The amendments were then agreed to, and the Report was ordered to be received on Wednesday.

IRISH TYTHES.

Mr. PARNELL moved, that the Petitions laid before the House last Session from the Queen's County, and that of Kerry, in Ireland, against the exaction of Tythes, be read, which was done. He then said, that besides these, the counties of Tipperary, Clare, Wicklow, and Armagh, had also petitioned last Session to the same effect. He did not enter on this subject from personal motives, but because so large a proportion of the people of Ireland, particularly his own constituents, were against the Tythe System; and he believed, if the rest of Ireland had been called on for their opinion in the same manner, it would have been the same with the others. From what he knew, he also believed that the body of the Clergy were anxious to have some equivalent for Tythes, as in the collection of them among the poor people in Ireland, they are as much harassed and aggrieved as the people themselves. It was his decided opinion that the grievances of the people, relative to Tythes, are not occasioned by the Clergy, but by the cruelty and rapacity of Tythe Proctors, whom they are obliged to employ to collect them. Neither do the Clergy receive near one-tenth of the produce allotted them by law. These Petitions, he said, were not from the Catholics, for they do not wish to interfere with the Church Establishments of the Protestants, as has been scandalously reported; nor did they result, he believed, from any party feeling. He had last

Session submitted this measure to the Minister, (Mr. Perceval) who saw much difficulty in it, yet promised to entertain a measure for the abolition or commutation of tythes; he therefore postponed it. But being afterwards told by that Right Hon. Gentleman that he did not mean to bring forward any measure on it, he (Mr. Parnell) found it necessary to do it himself. He then quoted the opinions of Dr. A. Smith, Thomson's Annals of Agriculture, and Dr. Baileys, on the subject of Tythes; the latter of whom says, that they are a tax on industry, and that too on such industry as immediately feeds mankind. Mr. Parnell descanted on the irregularity of payment attendant on tythes, and other disadvantages. He said more cruelty and tyranny accrued from this in Ireland, than is to be found any where, from the tythe-proctors whom the clergy are obliged to employ to collect them from the poor people. If his motion was passed he thought it would contribute to the general commutation of tythes; and undoubtedly at the present crisis it is desirable to conciliate the people of Ireland. He adverted to the promises of Lord Castlereagh, at the Irish Union, to have tythes abolished. He then moved for leave to bring in a Bill to enable ecclesiastical bodies to demise tythes for certain yearly rents, for the term of 21 years.

Mr. PERCEVAL thought it necessary, when he rose to dissent from the present motion, to give his reasons, especially as he had formerly viewed it in a more favourable light. He then considered it as a remedy for the many great complaints made against tythes in Ireland, such as their destroying the profits gained by the poor from agriculture. But he had found it, from mature deliberation, to be so full of difficulty, that he did not see the smallest probability of doing it with success; and as it is now brought forward, it is most objectionable, by raising the expectations of a general commutation among the people, who, when it does not come about soon, may grow clamorous for it.

Mr. TIGHE dwelt upon the necessity of following up the motion of the Hon. Gentleman, in order to preserve the tranquillity of Ireland.

Mr. DENNIS BROWNE said, he knew that all the disturbances which happened so repeatedly in Ireland originated in the subject of tythes; and he thought the tranquillity and safety of Ireland required that some plan should be immediately adopted for modifying the tythes.

Mr. GRATTAN was confident the poor of Ireland would be much better for a commutation. The securing to the Clergy the enjoyment of incomes could not be depreciated by the alteration in the price of land, and the securing the people in the enjoyment of the fruits of their industry, would, he contended, be the greatest blessing that could be conferred on the Irish Clergy, and on the nation at large. For these reasons he would support the present Bill.

Mr. MAURICE FITZGERALD said, the peasantry of Ireland laboured under a most heavy and grievous tax, from tythes alone. These people paid a rent which was greater than the value of the land itself. They were in their condition worse than the negroes in the West Indies. Their condition was wretched beyond that of any other people. He knew that a great part of the peasantry of Ireland lived throughout the greater part of the year on potatoes and water; and that the tythe-proctors oppressed them with the most unbounded severity.—He thought it necessary, for the safety of the country, that some regulation should be adopted on the subject.

Mr. CROKER objected to the measure, because it went to perpetuate the tythe system, so as to put it out of the power of Parliament to correct.

Mr. HUTCHINSON supported the motion.

Mr. FRENCH wished the subject might be put off till next Session; and therefore moved the previous question.

Mr. WILBERFORCE thought some plan for regulating the tythes in Ireland absolutely necessary.

Mr. CANNING thought nothing could produce more inconvenience than to agitate a question without any hope of coming to a conclusion. No man could expect that the Bill would pass in this Session, and the introduction of it would

to tell the people of Ireland, that the question was afloat, and leave it to every man to settle it according to his own fancy.

After a short reply from Mr. PARNELL, the House divided. For the previous question, 137—Against it, 62.

The Report of the Committee on the Public Expenditure was deferred till this day se'night.

Mr. PEACOCK then moved his Resolutions *pro forma*, which, with leave of Mr. MARTIN, were ordered to be taken into consideration this day se'night.

The consideration of Mr. CURWEN'S Bill for preventing Bribery in Members of Parliament, was, after a short conversation between Lord Folkestone, Mr. Curwen, Mr. Cockburn, Sir W. Wynn, and Lord Milton, postponed till Thursday next.—Adjourned.

MR. CURWEN'S BILL.

The following is the form of the Oath, and the penalties consequent, contained in Mr. Curwen's Bill for better securing the Purity of Parliament:—

"I, A. B. do swear, that I have not, by myself or by any other person or persons, for or on my behalf, nor have or have any other person or persons, to my knowledge or belief, for or on my behalf, or at my charge, or in trust for me or for my use or benefit, either before, or at, or after my election, directly or indirectly purchased or bargained for the purchase of the nomination, recommendation, interest, or influence, or pretended nomination, recommendation, interest, or influence of any person or persons, in order to my election or return, or causing or procuring my election or return to serve in Parliament, or for or in order to the causing or procuring, of endeavouring to cause, any person or persons having right of voting, or claiming to have right of voting, to vote for my election or return; nor have I given or paid any money, fee, gratuity, loan of money, annuity, reward, or profit, directly or indirectly; and that I have not made or entered into, nor will I make or enter into, any promise, agreement, engagement, covenant, contract, obligation, bond, or assurance, to give or pay any money, fee, gratuity, loan of money, annuity, reward, or profit, or to give or procure any office, commission, place, appointment, or employment, or reversion of any office, commission, place, appointment, or employment wh tever; and that I have not in any way, means, or device, contracted or agreed, nor will I, by any way, means, or device, contract or agree to give or pay any money, fee, gratuity, loan of money, annuity, reward, or profit, directly or indirectly, or to give or procure any office, commission, place, appointment, or employment, or reversion of any office, place, appointment, or employment whatever, for any such nomination, recommendation, interest, or influence, or pretended nomination, recommendation, interest, or influence as aforesaid, either before, or at, or after my election. So help me God."

Which said Oath shall be taken and after the same shall be taken and made at the same time and in the same manner as the Oath of Allegiance and Supremacy.

And be it further enacted, That if any person or persons taking the said oath, hereinafore set forth and prescribed to be taken, shall have done any thing contrary to such oath or their oath, or shall be convicted by due course of law, he or they shall incur and suffer the pains and penalties which, by the laws and statutes of this realm, are enacted or inflicted in cases of wilful and corrupt perjury.

TUESDAY'S LONDON GAZETTE.

BANKRUPTS.



W. J. Charlton, Edgeware-road, builder. Attornies, Messrs. Gale and Son, Bedford-street.

J. Barton, West Cowes, brewer. Attorney, Mr. Drake, Old Fish-street.

W. Weaver and J. Holt, Spring-gardens, musical-instrument-maker. Attorney, Mr. Vincent, Bedford-street.

H. Moggridge, Fleet-street, boot-maker. Attornies, Messrs. Higden and Sym, Carriers'-Hall.

W. Jones, Woolwich, tailor. Attorney, Mr. Moore, Woolwich.

W. Munt, Portsea, plaisterer. Attorney, Mr. Poulden, Portsea.

O. J. T. and F. H. Greenway, Bristol, stone-masons. Attornies, Mr. Coulson, Bristol.

W. Booth, Carlisle, grocer. Attorney, Mr. Hodson, Carlisle.

C. Charlton, Newcastle-upon-Tyne, merchant. Attorney, Mr. Foster, Newcastle.

J. Towel, Tetney, Lincolnshire, victualler. Attorney, Mr. Berry, Great Grimsby.

T. Cox, Great Yarmouth, corn-merchant. Attorney, Mr. Preston, Yarmouth.

CERTIFICATES—JUNE 6.

E. Hise, Little Castle-street, tailor.—R. Manghan, Brentford, draper.—Sam. Roberts, Gloucester, brush-maker.—J. F. Schwedersky, Newcastle-upon-Tyne, merchant.

SATURDAY'S LONDON GAZETTE.

This Gazette contains a letter from Captain Parker, of the Melpomene, giving an account of his having chased a Danish man-of-war cutter on shore, and afterwards destroyed her, with some other vessels, by the boats of that ship, under the directions of Lieutenants Plumridge and Rennie; the latter Officer and five men being severely wounded. In which enterprise great gallantry and spirit appears to have been displayed.—Also a letter from Captain Dolling, of the Trompeuse sloop, giving an account of his having, on the 16th instant, in company with the Badger sloop, fallen in with eleven of the enemy's gun-schuyts, standing to the eastward from Boulogne. On the approach of his Majesty's sloops, the enemy endeavoured to put into Ambletuse; but three of the vessels having overshot that harbour, were obliged to go round Cape Grisnez, and were attacked in the night by the boats of the Trompeuse and Badger, under the direction of Lieut. Strong, of the former; two of them, mounting two long six-pounders and two howitzers, with 13 men each, were boarded and brought out under a heavy fire from the enemy's batteries and musketry on the beach, and the third was driven amongst the rocks, where she appeared to be rendered useless. One person belonging to the Trompeuse was slightly wounded; the enemy had two wounded, and six threw themselves into the water.

BANKRUPTS.

H. Wyatt, Snow-hill, shoemaker. Attorney, Mr. Mawley, Dorset-street, Salisbury-square.

S. C. Alger, Gracechurch-street, porkman. Attorney, Mr. Oldham, St. Swin's-lane, Lombard-street.

C. Berry, jun. and H. Rochester, Norwich, booksellers. Attornies, Messrs. Simpson and Ruckham, Norwich.

P. Stuart, Fleet-street, printer.—Attornies, Messrs. Dixon and Allen, Paternoster-row.

J. Abris, Stratford, Essex, coal-merchant. Attornies, Messrs. Robinson and Lee, Lincoln's Inn, London.

J. Mundell, Penonville, insurance-broker. Attornies, Messrs. Palmer, Tomlinson, and Thomson, Cothall-court, Throgmorton-street.

J. Skilbeck, Huddersfield, York, merchant. Attorney, Mr. Sikes, Dewsbury, York.

CERTIFICATES—JUNE 10.

J. Allen, Rotherhithe, Surrey, coal-merchant.—J. Robinson, Liverpool, provision-merchant.—R. Fox, Rugby, Warwickshire, scrivener.—J. O. Parr and T. C. Patrick, Suffolk-lane, London, insurance-brokers.

PRICE OF STOCKS ON SATURDAY.

Consols. . . . 68½ | Red. . . . 67½ | Omnium . . . 1½ prem.

TO CORRESPONDENTS.

The Editor takes the earliest opportunity of informing his readers, that Mr. B. P. CAPPER, of the Secretary of State's Office, was introduced in last week's paper, by a very careless mistake, and with much severity, as the publisher of a list of the "Boroughs, Towns, &c. over which particular persons are supposed to have a certain degree of influence," &c. &c. This list is not a part of the *Imperial Calendar* published by Mr. CAPPER, but of the *New Companion to the London and Royal Calendars*, printed for STOCKDALE in Piccadilly, which was bound up with Mr. CAPPER's work, and thus gave rise to the mistake. Mr. CAPPER is requested to accept the Editor's sincere apologies for the error, and his best thanks for the temperate and gentlemanly letter sent to the Examiner Office.

Our Correspondents will have the goodness to excuse us for a week or two, till our pages are a little less in arrears with temporary matter.

THE EXAMINER.

LONDON, MAY 21.

The host of reports take their departure, as usual, at the end of the week, and make way for a simple fact or two. It has been rumoured for some days past with much confidence, that the French had grossly misrepresented the first fortunes of the campaign, that the Austrians had gained a decided victory at Lintz, and of course that the whole aspect of the war was changed; but according to the latest intelligence which arrived yesterday afternoon from Hamburgh, the French main army was still advancing by forced marches towards Vienna: BONAPARTE on the 3d instant had his head-quarters at Wells, MASSENA at Lintz, and the Bavarian General WREDE at Lambach. The Austrians again acknowledge the disastrous issue of the battle of the 22d, which continued for five days uninterruptedly, but attribute it to the enemy's superiority in cavalry. This is an awkward excuse. They seem to be convinced, now that the enemy is on the road to their capital, that a central union of their forces would have opposed the central system of BONAPARTE with much better effect, and though they affect to believe that General HILLER, who succeeded the Archduke LEWIS, is strong enough to prevent the progress of the conquerors, yet the Archduke CHARLES is expected to come round from the Bavarian frontiers and co-operate on the one side, and the Archduke JOHN to leave the Tyrol and co-operate on the other. BONAPARTE by the rapidity of his advance seems to have anticipated these attempts at a junction, and if we may judge of the event by the present state of the Austrian positions, so like their old fatal want of foresight, he will, as usual, defeat them one by one till he enters Vienna for the second time and "shuts the gates of mercy" on the family of Austria.

Sir A. WELLESLEY has hastened *a la Napoleon* for Oporto, and has received, it is said, a proposition of capitulation

from SOULT, which was refused. The British have three times the number of forces, and the very mention of capitulation must rouse a vengeful recollection in the breast of our gallant General, who is now the first in command and has nothing to *pique* him into foolish compliances. A battle was expected to take place when the last accounts came away, and the result of course cannot be doubted.

THE LATEST INTELLIGENCE FROM THE CONTINENT, RECEIVED YESTERDAY.

Augsburgh, May 5.

"According to official reports, the Emperor Napoleon had his headquarters, the day before yesterday, at Wells—Masseua, at Lintz—and Gen. Wrede, at Lambach. The combined army is advancing by forced marches farther.

Vienna, May 3.

"The necessary measures are taking in case of a hostile demonstration against Vienna—The Corps of General Hiller is believed to be strong enough to prevent the advance of the enemy—The Reserve and the Militia of Lower Austria are also called out, and the Archduke Charles will co-operate on his side. The Moravian Militia are on their march, and the Hungarian Insurrection is organizing with great activity.—The Army of the Archduke John will either prosecute its career, or return to the support of the other Army Corps.

"The army of the Archduke Ferdinand has fully completed the object of its original destination. Our cavalry will immediately be largely increased. The Burgher cavalry of this city have already offered to serve in the field, but it has been deemed right to retain them in Vienna.

"On the 28th the Empress set out for Upper Austria, on a visit to his Majesty."

ELEVENTH BULLETIN OF THE AUSTRIAN ARMY.

The information respecting the battle of the 22d, which has been received by his Majesty, has laid a foundation for the best hopes. The result of that sanguinary contest was unexpected. In the evening, as the Couciers left the field, a great superiority of cavalry decided the action unfavourably for our arms. The left wing was compelled to give way. According to a report from his Royal Highness the Generalissimo, dated on the 23d, from the heights of Ratishon, the grand army has crossed the Danube, and taken the road to Waldmuenchen.—Thus terminated a most obstinate battle, which had continued for five days without interruption. Fortune often fluctuated. The loss on both sides is immense. This shews that the contest was carried on both with courage and animosity. Every one must do justice to the behaviour of our troops. The Generalissimo bestows uncommon praises on the conduct of the army, which has been quite exhausted by continued fatigue. Lieut. Field-Marshal Baron Hiller is between the Isar and the Inn. We have for the present changed our operations from the offensive to the defensive.

TWELFTH BULLETIN OF THE AUSTRIAN ARMY.

Head-quarters at Rakaw, before Warsaw, April 21.

His Royal Highness the Archduke Ferdinand with the army under his command crossed the Pilica at Nove Miesto on the 15th, and entered the Duchy of Warsaw. On the 17th our troops first met the enemy at Pietrikozy and Konic, and immediately attacked them. On the 19th the enemy took a very advantageous position at Raszya, and was reinforced with all the troops which were in Warsaw. But in spite of all the difficulties of the ground, the Austrians commenced the attack. The enemy made an obstinate resistance, and by the approach of night retreated to his entrenchments in the front of Warsaw. Our loss is about 71 killed, 255 wounded, and 72 missing. Among the dead we have to regret three brave officers; there are seven among the wounded. The Imperial troops closely pursued the enemy, who entered Warsaw on the 20th. In order to spare the town the Archduke consented to enter into a negotiation with the General commanding the enemy's troops.

and a treaty was concluded by which the latter has bound himself to evacuate Warsaw on the 25th, at five o'clock in the afternoon.

[The 13th and 14th Bulletins bring down the operations to the 27th, and state that the enemy had advanced to Scarding and Esserbing.—Upon the enemy's advanced posts reaching Esserbing, the army under General Hiller broke up, and by the 27th the advanced guard was at Obersberg and stretched forward towards Scharding.—The second corps of reserve was at Altheim—the rest of the army at Weng. Every thing indicated an approaching battle.]

The Officer who arrived with dispatches to Government from Heligoland, is said to have brought intelligence of insurrections pervading all the Northern parts of Germany. In Hanover, it is added, the people surrounded and compelled 3000 troops to lay down their arms.

It appears that the French squadron which escaped from L'Orient last February, made their appearance in the West Indies about the 25th of March. Having received information of the fall of Martinique (for the relief of which they were destined) from two captured vessels, they steered for the Saints, passing so near to Mariagalante as to be fired on by the batteries. Sir ALEXANDER COCHRANE soon had intimation of their movements, and immediately proceeded from Martinique with the Neptune, 98, Pompee, 80, York, 74, Captain, 74, Intrepid, 64, and several frigates, to the Saints; and on finding the enemy secure from attack in the harbour, which is protected by two strong works on the heights that form one side of the bay, made instant application to Lieutenant-General BECKWITH, for the aid of a military force. Troops would probably proceed from Martinique about the 8th of April, to co-operate with the Admiral, who was determined to attack the enemy within the harbour; and as a landing can easily be effected, and mortar batteries established on one side of the bay, a few shells from which, thrown with the precision lately evinced against Fort Desaix, will oblige the French squadron to choose the alternative of surrendering, or destroying their ships: it is only a miracle that can preserve this fine squadron to France, which consists of Le Courageux, 74, Le Delapoult, 74, Le Polonois, 74, l'Italienne, 40, and La Furieuse, 40, all new ships. So much for "ships, colonies, and commerce."

Two Gottenburgh mails have arrived.—The report is, that the Swedish Councils, thus early after the convocation of the Diet, have determined to shut their ports against us, and to join their neighbours in the war. This resolution is assigned as the reason for Mr. MERRY's leaving Stockholm on the 7th inst.; and we understand he has already arrived in London. By the same authority we are informed that the Court of Petersburg declared war against the Emperor FRANCIS on the 2d inst. We entertain more doubt as to this part of the statement than we do on the former. The papers brought by the mails bring us some account of military movements and preparations in the Prussian States.

Portuguese Papers have been received down to the 6th instant, at which period Sir A. WELLESLEY had marched against SOULT. Sir ARTHUR has been appointed Field-Marshal General of the Portuguese forces. These Papers say Alcantara, Esbin, and Valencia, are reported to have been taken by the British troops. General CRADOCK is gone to Gibraltar.

On Friday her Majesty completed her 65th year, which was celebrated at Windsor in a private manner.

The business in the Courts yesterday was uninteresting. At the Old Bailey, one Cole was convicted of bigamy.

When Lord ERSKINE mentioned the ass among the other ill-used beasts, in his speech in the House of Peers, several of the Noble Hearers sympathetically pricked up their ears.

THE OPERA.

MR. EDITOR,

Expectation that has been so long on tiptoe, waiting with impatience the arrival of Madame BUSSANI, has at length been gratified, and the tantalizing winds, so long unfavourable, have at last wafted her to England, to restore the drooping spirit of the Italian Opera; but so much has she fallen short of our ideas in the specimen of her talents given on Tuesday night, in *La Serva Raggiatrice* (*The Crafty Servant*), that those who most ardently wished her arrival are now most anxious for her return. This Lady, *la prima donna buffa*,—the principal comic actress at Lisbon, was represented as a fascinating woman of great vivacity and vocal talent, but the moment she appeared on the stage, it was discovered that her fascination was the fascination of a Lady at sixty, her vivacity vulgarity, and her vocal talent a collection of untuned screams as hard and harsh as the tone of a penny trumpet. Her action consists of a great variety of grotesque attitudes, that have not the least reference to the character she represents, and are used in regular succession, as if she had previously determined how many times each should be introduced. Her hands are in perpetual motion; at one time they are applied to her jaw, as if afflicted with the tooth-ache; from thence they take a flight over her head and point at the stars; then to the back of her ears, as if deafness had seized her; and finally, resolve into their most favourite motion, which resembles that of the equestrians at ASTLEY'S when alternately tossing and catching oranges. The disappointment felt by this Lady's failure is, not compensated for by the performance of Signor PEDRAZZI, whose voice is too weak and figure unprepossessing for the stage: in slow airs, particularly the first in the Opera, he exhibits some taste, but his flourishes are more like the crowing of a cock than a human voice. Both he and BUSSANI cannot do better than to embark in the first vessel for Lisbon, and charm the ears of the Portuguese again, as the English will, I am sure, resign them with pleasure to those who can enjoy them. MORELLI and NALDI having but indifferent characters, and SIBONI and RIGHI none at all, the Opera has no attraction but the music, and even this is not very good: it is the composition of GUGLIELMI *le fils*, who is evidently an imitator of his father's style, though, in my opinion, of inferior ability; his airs are pleasing, but not enriched with much science—a defect borrowed from his father, who from carelessness or indolence produced many songs of the most common-place description. The Opera was received throughout with such disapprobation as should have prevented its repetition, yet, from a paltry hope of obtaining success by falsehood, it has been announced as received with unbounded applause:—this impertinent mode of opposing the public opinion has been long the practice of the English stage, but never till now adopted at the King's Theatre.

H. R.

ROYAL ACADEMY EXHIBITION.

119. *The Bard*,—from *Gray*.—B. WEST, P. R. A.—A venerable Bard standing on the brow of a stupendous rock, agonized at the murders of his inspired brethren, and falling country, and implacating prophetic vengeance on a sanguinary foe, is a subject partaking of the sublime, because emotions of terror, of resentment, and sorrow, are its objects. This sublime depicted on canvass, is the result of dignified attitude, of correct and animated forms and passion, of brisk effect of colour, and of strength and solemnity of light and shadow. Such is this picture. The mixed feelings of grief, and an anger which pours curses on an advancing enemy, are powerfully portrayed in the Bard's face, turned head, and extended arm. A corresponding dignity of simple and broad folded drapery is gracefully thrown over his majestic form, without diminishing its action or the beauty of its proportions. The flesh is as admirable for colour and drawing as the President's famous picture of *Achilles* in the possession of Mr. T. HURD; but I do not subscribe to the assertion that it is equal in majesty to the *Moses* of MICHAEL ANGELO or the *Deity* of RAFAEL'S *Vision of Ezekiel*, from which GRAY borrowed his idea of the *Bard*; though I think, in spite of the prejudice against modern art, that the President's *Christ healing the Sick*, *Lear in the Storm*, *Death on the pale Horse*, and many other grand performances, rank him with those great masters. It is however dignified. Simplicity, solemnity, and force, extend to the light, shadow, and colouring. The strong and central light covers the whole of his form, which is robed in yellow, sable, and white, and surrounded by a sable garb, emblematic of his woe, and by sombre masses of cloud and rock. Terror, destruction, and death, hover with the Eagles who are waiting for their prey. That this great Painter is not employed to ornament with his vigorous and inspiring pencil the churches and other public buildings of our metropolis, has long been a disgrace to the British Government. What grandeur would a large picture of his *Death on the pale Horse* add to St. Paul's; what pathos and patriotic feeling his *Death of Chatham* to the House of Lords. Every lover of his country and the Arts must feel disgusted and indignant at this, when they recollect, that independently of the immense mass of useless places and pensions, there is one Peer who, as Postmaster-General, has the modesty to receive twenty thousand pounds a year out of the pockets of a distressed people for doing nothing. What would not this sum effect annually for the Arts?

From the trash with which it is mostly filled, and from its indistinct light, the Anti-room seems to be considered by the Academy, as I am sure it is by the tasteful visitor, little more than a mere vestibule to the large room, and is therefore frequently hurried over with scarcely a glance. If however the visitor will allow me to be his intellectual caterer, I advise him to pause as he enters this sepulchral Anti-room, and I am confident that in Mr. HAYDON'S picture of *Dentatus making his last desperate effort against his Soldiers who murdered him in a narrow pass*, No. 259, he will enjoy a treat served up by the hand of genius and displayed with a refinement of science and of art. Had Mr. HOWARD known that the hangers intended paying him the injurious compliment of hanging his *Christ blessing young Children* in the same room, and on the same side of it with the President's, whose vigour makes it appear doubly feeble, if he had consulted his reputation this year,

he would have requested that those injudicious friends would not kill him with kindness, but ensure him a retreat into the less exposed Anti-room, and hang Mr. HAYDON'S where his now stands. On this animated canvass a large body of the Roman Tribune's soldiers, bribed by the envious of his fame to destroy him, are retreating from the successful fury of his resistance. Some in foul retreat, are eagerly abandoning the danger of his horrid sword. One especially, looks fearfully back, as if, though at a secure distance, he was still in danger. Another, whose countenance is consummately villainous, filled with "treasons, stratagems, and spoils," is more dubiously retreating. Others, especially the traitor in close fight with *Dentatus*, with more infamous intrepidity, scarcely shrink from the unerring sword of his antagonist, which, as he presses on his foes, he wields with the most determined valour, heightened by indignation at their baseness. This contempt is well expressed by the projection of the under lip, and the impetuosity of his attack, by his glowing eye, and the forcible action of his limbs and muscles. A soldier who has been mortally wounded, is making in death a last feeble thrust at the hero. Approaching death changes the lively hue of his skin; his head droops, his limbs relax, his eyes beam faintly, and he falls, looking at his conqueror with impotent rage. The bloody, pale, and clenched hand of a slain soldier, is as forcibly depictive of the sanguinary terror of the conflict as a host of corpses; and the trumpeter calling the men together from the unavailing conflict, adds to the warlike bustle and effect of the scene. A soldier who has been disarmed, and ghastly pale with fear, is very naturally though unavailingly warding off with his hand the death-dealing sword of *Dentatus*. A group of Soldiers are seen on the top of a rock tumbling down masses of it on the devoted head of the otherwise unconquerable hero. The light and shadow are massively and powerfully arranged. The colouring of the picture is the only part I conceive, with deference to the superior judgment of Mr. HAYDON, exceptionable. It is too mellow and harmonious for so bustling, so elevated a subject. It wants more sudden contrasts. I have the coincidence of Sir J. REYNOLDS, who was of opinion that a clashing in the colours is more suitable to such bold subjects. Titianesque harmony, as it is expressive of the beautiful, detracts from the sublime. It soothes with pleasure:—the reverse rouses by its abruptness. There is however some opposition of cold and warm colour. The muscular forms and actions are detailed with scientific accuracy. A prime beauty in this piece is, that it is no imitation of any master. The great prototype is nature, to which the painter, from his previous anatomical proficiency, has been enabled most successfully to refer for the perfecting his hues, forms, and expressions of passion. I recommend to Mr. DRUMMOND to look at these for their precision, and to Mr. FUSELI for their propriety. Lord MURGRAVE has the honour of possessing this piece, and of patronizing its highly gifted author.

Mr. BIRD, like WILKIE, paints the human passions as they are the spontaneous effusions of the heart in humble and domestic life, and of strong, natural feeling, unchecked by any artificial refinements of polished society. Their pictures therefore will delight as long as the overwhelming hand of time spares them, as the human heart is the same in all ages; and they will delight more universally than those of a higher class, which address themselves to the cultivated and therefore partial refinements of taste. The models of these artists of unsophisticated nature, are more

or less present to every one; every one's feelings therefore, are judges. WILKIE and BRON evince much judgment in their choice of subjects. Like Mr. STOTHARD's famous picture of the *Pixins* from QUADRE, they are of that forcible and various passion which strikes at once irresistibly on the heart, and they are generally rendered more interesting by the introduction of an incident connected with, but not immediately necessary to the main story. To these first requisites of powerful emotion and judicious choice of subject, they add the secondary one of identifying delicate surfaces and outlines, or, as it is generally denominated, high finishing. To harmony of clear-obscure and colour, BRON has not yet attained, and it is here and in some small defects in the drawing that I think him inferior to WILKIE. In the important one of grace of form and attitude he promises to have the advantage of his rival. WILKIE has yet exhibited little of either.

Mr. BRON's *Good News* exhibits an assemblage of every age and sex listening to a Cobbler who is reading a Newspaper just brought by the Post-boy, panting and hot. He is wiping his forehead, and receiving a recruiting glass from the handsome Br Girl, who is in one of those natural attitudes of insinuating ease that would bestow grace on the most polished circle of fashion. The Cobbler is angrily turning his head to check the interruption of a person who is repeating the joyful news to a delighted deaf man. A boy in a fixed posture, his hands clasped behind him, and his face riveted on the reader, listens attentively. In the centre is the portrait of an old veteran who was at the siege of Quebec. One hand rests on his hip, the other exultingly brandishes a cane with the consciousness of military worth and the ardor of one who had often seen "how fields were won." In this, as in the rest of his figures, the painter has shewn that acuity of discrimination which, avoiding caricature, carries character to the utmost verge of propriety. A wooden leg has been suggested as an improving appendage to this warrior, but I think this would lessen the spirit by the lameness and ugliness of the object. A youth, lighting his pipe, is absorbed in the news. Near the centre, sits a venerable farmer in sympathetic remark with the veteran. His intelligent countenance glows with patriotic joy, and his easy and incumbent posture, reclining backward in his chair, displays a mind wrapt up in the glad tidings. The painter's close attention to nature is observable in the greyness of touch about his eye,—a colour peculiar to old men who are much in the fields. A handsome young mother sits by him listening with delight. A child, leans with pleasing simplicity on her lap. Its hand clasped in its mother's is exquisitely tender and natural.—The general line of the piece is a mixture of cold, warm, and neutral tints, which, with the light and shade, are deficient in harmonious arrangement, and produce a very unpleasant effect in contrast with the harmonious picture by WILKIE, which is near it. This spottiness is greatly owing to the principal light on the female and child being too small, and from the light being equally strong on all the figures. A breadth of light is wanted above them on the half-tinted back-ground, which is too much crowded with culinary utensils. A few of such objects, as Mr. WILKIE now introduces them, break the insipidity of a blank wall, or agreeably diffuse the light by their sparkling transparency, but many of them disturb the attention from the mental expression of the piece, and exhibit at best but an insignificant talent.—One hand of the mother is too large, the

other is of a dirty colour, as is her child's neck. The child's drapery wants breadth of fold. The Post-boy's face is deficient in that redness so indicative of being over-heated. The outward angle, bone of the other boy is as high as the inner. In many respects the piece is delicately and accurately finished. This picture has been purchased by Mr. BAYON, a considerable merchant and banker of Bristol, but what is of more honour to him, a zealous lover of the Arts.

128. *The Cut Finger*. D. WILKIE.—This is the last and most perfect production of this excellent artist, for with character as forcibly drawn as any of his former, it is more perfectly coloured. Like Mr. TURNER's best landscapes, it is in a warm, mellow hue, with very little of grey or cold. The grey is chiefly on the back-ground wall, which has no more objects on it than merely to break its flatness. The light coming in at the right side diffuses itself gradually into shade to the left, illuminating the heads of a compact group in the centre, which relieves strongly from the shade. A boy in constructing a boat, that appears launched in a pewter basin, has cut his finger, which his grandmother is binding up. His vinegar countenance is distorted from pain and by anger at a girl who is forcing the knife from his clenched hand. Another girl is looking with sympathetic tenderness on the dressing of the wound by an old woman, whose unimpassioned but attentive countenance strikingly contrasts the fierceness of the boy's. Her shaven skin is exquisitely touched, as indeed is every object.

129. *The Rent Day*. D. WILKIE.—The colouring of this piece is not so pleasing as the last, for it is not so mellow, because the greys are a little too prevalent. It is however tastefully disposed, but the light and shade more so, for the sparkling brilliancy is qualified by a due degree of shadowy repose. The master light is, were it is most desirable it ever should be, in the centre, and is judiciously balanced in other parts, and chiefly on the most important objects. A Steward sits at a table listening to a Tenant settling. Another is reckoning by his fingers, and a third stands with his hand on a bag of money in conscious satisfaction at his ability to pay his rent fully up. A woman sits with her child waiting to settle. Her good condition of person and dress shews her to be a respectable yeoman's wife, and her placid appearance is a pleasing contrast to the fretful conversation of two women behind her. Mr. WILKIE has shewn his judicious attention to peculiar and striking appearances of character, in the thoughtful attitude of a man who sits with the head of his cane held perpendicularly against his teeth and pushing upwards his upper lip. He has also introduced the hitherto unpainted novelty of a man coughing in the last stage of consumption, admirably characterised by his lank form, his sunken cheeks, hollow eye, bent back, open mouth, and protruding head. His skinny skeleton is covered by a large cloak. A group of tenants who have settled, are regaling at a table covered with stout English fare. A footman is drawing a cork with waiter-like dexterity and vigour.—Let me here warn this judicious painter how he descends too low into objects of disgust. The bloat and voracious beastliness of one of the company, though natural, are of this description. Familiar life admits of a sufficient variety of comic incidents without imitating this gross Dutch taste. A glutton is as disgusting an object as the fighting fish-woman of HEARBY, though not so much so as his representation of a sore leg, which I would not hang up in the meanest place in my house.—The heads, hands, and various furniture, are most

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exquisitely finished.—This picture belongs to Lord Mulgrave.—The *Cut Finger* is Mr. Whitbread's property.

While so many men of elevated station are laying the golden axe of wealth and power at the root of their country's civil Constitution,—the purity of the Representation, it is a relief to one's indignant feelings to see some among them devote a portion of their time and wealth to the pursuits of intellect and the advancement of art. Among such distinguished individuals is Mr. THOMAS HOPE. His former book on *Furniture*, evinced much taste: his present one on the *Costume of the Ancients*, displays as much more as its subject is superior. Artists will derive great benefit from a work which has condensed so much useful information on the domestic, civil, and military dresses of the ancients, their instruments of sacrifice, music, &c. The verbal part usefully explains the graphic. Mr. HOPE wields his pencil and etching needle with much facility; which, with those of Mr. MOSES, have produced the elegant outlines in his book.

R. H.

PUBLIC ROBBERY.

The Commission of Military Inquiry has made its Ninth Report. It contains a summary of various Reports made by the Commissioners appointed to examine the accounts of the Public Expenditure for the King's forces in the West Indies, and they "disclose (say the Commissioners) such a mass of public corruption in persons connected with the West India Military Expenditure, as has never probably been equalled in the history of this country."

The persons who make the greatest figure in this Report of official villainy, are Mr. Isaac Phipps, Deputy Paymaster for the West Indies in 1791; and Mr. Valentine Jones, the Commissary-General.—The instructions of Mr. Phipps were, to proceed to the West Indies, and "to draw for such money, only as should be absolutely necessary; to negotiate the bills to the best advantage for the public, and at the highest rate of exchange that could be obtained; and to keep a regular account of the profit and loss which might arise therefrom. He was also to charge himself with the profit which might arise from the issue of coin to the troops; and he was to exhibit to the Commander in Chief, as often as required, an exact account of all his receipts and payments, and of the balance remaining in his hands." Instead of obeying these orders, he never entered himself upon the duties of his office, but employed various deputies, of the names of *Grime, Rose, Gordon, and Sayers*, who plundered the public in every manner that ingenuity could devise, and shared it with their principal in iniquity, Mr. Isaac Phipps.—The Report states,—

"The whole expenditure of the Pay Department in the West Indies, from 25th December, 1792, to 24th December, 1800, is stated in the First Report of the Commissioners (for examining West India Accounts) to have amounted to two millions and sixty-four thousand eight hundred and ninety-four pounds, six shillings and tenpence, but previously to 1st January, 1794, the expenses of the Commissariat were paid through the Deputy Paymaster. The public bills which were remitted by or on account of the individual who acted for Mr. Phipps as Deputy Paymaster, and which had not been traced by the Commissioners, as they state, without much labour and assiduity, amounted to about forty-one thousand three hundred pounds by Mr. Grime; sixty-two thousand pounds by Mr. Gordon; and sixty-one thousand pounds by Mr. Sayers; on which the Commissioners make the following observation:—

"To what purposes the sums thus remitted were destined, whether wholly to supply funds for mercantile pursuits, for drawing private bills with advantage, or for speculations of any other nature, our means of intelligence will not, at this moment, permit us to venture an opinion, although we have positive proof of the proceeds of those remittances having been ap-

plied to the private use of the persons whose names are before mentioned. The loss upon these bills by exchange is nevertheless charged to the public, in the same manner as if they had been negotiated through other mediums in the West Indies.—

"These are the more prominent parts of what is stated in the Reports of the West India Commissioners, relative to the conduct of the Deputy Paymaster General and of his Agents, during the period of the last war."

But Mr. Phipps appears to have been a very modest and discreet gentleman, compared with Mr. Valentine Jones, of whom it may be truly said, that, unless the Reports of the Commissioners be gross libels, he is a villain of the first magnitude. With this man plunder was the order of the day; he seemed to have held his office for no other purpose, and so long as he could get money, he stuck at no means to accomplish his base purpose. This Jones had held various offices in the West Indies, and had become acquainted with the whole detail of army expenditure there; so that, unprincipled as he was, he had ample means of carrying on his knavery, which he did to an extent and in a manner truly diabolical. He bought up new rum for the use of the troops, and sold it for old; and in order to conceal the cheat, he made his agents colour it, to give it an appearance of age. By one transaction only of this description, he fraudulently cleared no less than upwards of nine thousand seven hundred pounds; and when it is recollected that new rum has a most deadly effect on the health of the troops, some idea may be formed of the gold-blooded villainy of this wretch. In an examination of Mr. Murphy, of Dominica, the Commissioners state, that he denied any knowledge of the transaction; but that at the time when he was in Martinique, he was often applied to by the agents of Valentine Jones to sign receipts to vouchers for articles which he had not supplied; that he had no doubt but that the receipt for the price of the rum in question was one of them. He did this, it is further stated, because he understood it was a matter of form, and done daily by all the merchants of St. Pierre.

Mr. Jones's frauds were not confined to the article of rum. The Report goes on:—"It appeared from the evidence of Mr. Arthur Blair, a merchant at Martinique, that in the years 1796 and 1797, certain cargoes of provisions were consigned by Jones, Tomb, and Co. of Belfast, in Ireland, to Valentine Jones, which Mr. Blair, at the desire of Valentine Jones, permitted to pass through his name, under an agreement from Jones, that he would take them for Government at a price which he (Jones) fixed. The bills of lading were then delivered to Mr. Blair, who received bills of exchange from Mr. Jones for the payment long before the provisions were delivered into the King's stores: Mr. Blair said, that he could have bought the same kind of provisions cheaper in the island; that Jones of Belfast was Valentine Jones's father.

"In 1796, Matthew Higgins purchased, out of an American vessel at Martinique, 300 pipes of wine, at 50*l.* 18*s.* currency per pipe; this was afterwards sold to Valentine Jones, for the use of the public, at 90*l.* currency per pipe.

"In August 1796, Cruden of Martinique, having offered to sell some flour to the Commissary-General, Valentine Jones was referred by him to Winter and Co. who purchased it at twelve dollars per barrel, and Cruden said, that he would have sold it to Valentine Jones for the same price. The Commissioners state that in all Mr. Jones's vouchers for flour purchased during the corresponding period, it appears that twenty-one dollars per barrel was charged for it."

Even in his negotiation of Bills he contrived to cheat the public, through his deputy, Mr. Rose; and his attempt at concealment is not a little curious. In a letter to *our Glassford*, then under examination, he writes, "on the whole, you have one general answer in your power, which is, that you cannot remember points of business so long gone by."—From the following sketch of Jones's official conduct, given by the Commissioners, it is evident that he is a most accomplished knave:—

"It appears therefore to us, that Valentine Jones's very early framed and established, by means of combinations and

intricacies almost impervious, an over-ruling and highly injurious influence over the whole transactions of the public connected with the pay and enormous extraordinaries of the army in this part of the world. This influence was disseminated in various directions, through every branch of the department, and embraced persons of even the lowest description employed therein; and this influence, matured into a regular and far-extended system, produced an immediate loss and injury almost incalculable; and its remote consequences have been little less prejudicial by furnishing examples and precedents, that are to be clearly traced since that period in nearly all transactions of a similar description."

The agents of this man dispersed through the Islands naturally followed the example of their principal. One *Smith*, the Resident Commissary at Barbadoes, sold rum from the King's Stores, at a dollar per gallon, and replaced it by other rum for which he paid 3s. 9d. A formal complaint of this transaction was made to *Valentine Jones*, who refused to listen to it. *Fretwell Phillips*, Assistant Commissary, employed an auctioneer to sell 100 tierces of damaged flour from the King's stores, and got him to sign a false vendue paper as for two hundred and fifty tierces, sold at the same rate of price, by which *Phillips* could take credit in his store-account for one hundred and fifty tierces more than were sold, and apply them to his own use at the inferior price of damaged flour. And *Michael Sutton*, Assistant Commissary at St. Vincents, was in the habit of taking the empty casks as his own perquisite, for which he received at one time upwards of one thousand five hundred and eighty pounds.

In 1806, an indictment was prepared under the direction of the Treasury, and found by a Middlesex Grand Jury, against *Valentine Jones*, for having entered into a corrupt agreement with *Matthew Higgins*, to share the profits made by the latter; under which single agreement *Jones* shared 57,179l. These proceedings were suspended, the Defendant having obtained a Mandamus to *Dominica* to examine some witnesses, but no return having been made, steps have been taken to bring the matter to trial. It is to be hoped that *Jones* is well taken care of, or else we shall perhaps shortly hear of his taking a voyage to the Continent, whither, it is said, the celebrated *Emperor Woodford* has recently taken his departure; for the benefit of his health, of course; though it is to be lamented that his examination before the Auditors of Public Accounts had not been previously entered upon, as it is supposed he had it in his power to give some very interesting details respecting various matters relating to the Foreign Department of the War Office.

M. CHARMILLY.

The public are much indebted to Mr. Whitbread for having brought the subject of Foreign Corps before Parliament; and though his motion for a list of the officers employed in them was negatived, we trust that the policy of entertaining this species of military force will be again made the subject of serious discussion. It is one not only important in a financial view, seeing that these corps are the most expensive in the British army, but it is immediately connected with the safety of the country. Who can bear, without indignation, of the command of a regiment of English Yeomanry having been refused to the late Duke of Bedford, and of the command of a whole District being given, in open violation of the Act of Settlement, to a German Baron? Supposing even that it were found to be eligible (though we can see no reason for it) to admit foreigners into our army, there can be no excuse for omitting the precaution of officering them with Englishmen.—Let it be recollected that the British is, perhaps, the only service in Europe to which the imputation does not attach of being open to corruption, and to this high fastidious honour, which characterises the gentlemen of our army, may at least in part be ascribed the circumstances of our never having been beaten by an enemy when any thing like a parity of numbers left us a chance of success. But did the Hanoverians shew

that zeal and intrepidity in the defence of their own country, that even after abandoning it they ought to be entrusted with the defence of ours? The objection made by Lord Castlereagh the other evening to producing a list of the officers, was the strongest possible argument against the policy of appointing these officers to the situations which they now hold. It would, says his Lordship, be unkind and unfair to those gentlemen to expose their names. What! is any man ashamed of holding the King of England's commission? Does a Hanoverian or a Dutchman now-a-days feel himself degraded by serving under the British standard? Or have they some interest elsewhere, which they are afraid of compromising by a disclosure of their present employments? some land or some chattels, perhaps, in the power of the King of Holland or Westphalia, which they are afraid of losing? If so, let them make their election between King Louis, King Jerome, and King George. A man cannot at the same time serve two masters, particularly when they have interests so opposite as God and Mammon. Did it never occur to our sapient War Secretary that the very circumstances which would render it unpleasant for these foreigners to have their names published, might also considerably embarrass them in their choice of sides, were parties so balanced as to render it doubtful which of the two would eventually have the superiority? We mean not to insinuate that they would, in such a case, be guilty of treachery, but we do assert that men never ought to be employed to support a cause in which their whole interests are not embarked.

And if it be had policy to entertain a corps of Germans, officered by Germans, it is surely nothing less than insanity to raise corps of Frenchmen, officered by Frenchmen. And yet we find from the papers which have been laid before the House of Commons, that *M. Charmilly* (we must be allowed to demur to a title of nobility, claimed by the illegitimate son of *Mademoiselle la Chanterie*, a French opera dancer), that *Charmilly* (the traitor *Morla's* messenger to *General Moore*) did, in 1794, obtain letters of service to raise a corps of cavalry from among the French prisoners in this country.—Every one now must be shocked at the idea of such an appointment having taken place. But that the public may know what this single appointment has cost the country, we shall state what it appears from these papers, that this person has received for less than a twelve months service, his commission being dated on the 10th of December, 1794, and the battalion which he raised having been ordered to be reformed on the 17th of November, 1795:—

Five hundred men at the rate of 16 guineas each, the bounty allowed by Government, and the half of which was paid in advance to <i>M. Charmilly</i> , though it must be obvious to every one that French prisoners would have been glad to enlist without bounty,	£8,400
Paid on the reformation of the corps by order of Mr. Dundas, as a gratuity to <i>M. Charmilly</i> for his zeal and activity	2,000
Paid to <i>M. Charmilly</i> by order of the Treasury as a Compensation for Losses he sustained in St. Domingo	1,500
Full Pay as Colonel of Cavalry continued to <i>M. Charmilly</i> to the 19th of July, 1802, being nearly six years and a half, at the rate of something more than 812l. a-year	5,978
A Military Allowance for Life granted to <i>M. Charmilly</i> , at the time of his reduction from full pay, of 200 guineas a-year—equal to at least	3,000
Pension of 100l. a-year for life, granted to <i>Madame Charmilly</i> —equal to	1,500

Making a Total of 21,678

We must beg our Readers to recollect, that this sum *M. Charmilly* has received in cash; and that, besides this, he had the appointment of all his Officers, consisting of a Staff of nine persons, 11 Captains, 29 Lieutenants, and 20 Ensigns!

[The above article is copied from the *Morning Chronicle*. From the Finance Reports laid before the House, it appears

however, that when M. Charmilly gave in his account on the 1st of December, 1806, the charge against him was 18,633*l.* In the Report for 1808, these accounts have not yet been proceeded upon!—Mr. Windham may be said to be the father of these Foreign Corps, though neither the *Morning Chronicle* nor Mr. Cobbett, who are equally averse to the employment of Foreigners, will say one word on the subject of Mr. Windham's predilections, which were so strong in favour of Frenchmen when he was in Office, that even his own Agents of Frenchmen when he was in Office, that even his own Agents said that any detail of their misconduct would be very ill received. These Agents indeed spoke the truth; for when certain representations were made to him on the subject, the Reporter was received with the utmost coolness, and to this day no proper inquiry has yet taken place. But a day of reckoning must come, when, if the parties be not grossly calumniated, a scene of favouritism and fraud will be disclosed, which must cover all the actors and approvers with infamy.]

LORD PAGET AND LADY C. WELLESLEY.

When this unfortunate connection was publicly announced, Col. Cadogan wrote to Lord Paget:—

“Cooke's Hotel, Dover-street, March 28, 1809.

“MY LORD—I hereby request you to name a time and place where I may meet you, to obtain satisfaction for the injury done myself and my whole family by your conduct to my sister.

“I have to add, that the time must be as early as possible, and the place not in the immediate neighbourhood of London, as it is by concealment alone I am able to evade the Police.

“W. CADOGAN.”

LORD PAGET'S ANSWER.

“March 30, 1809.

“SIR—I have to acknowledge the receipt of your letter of the 28th inst. I have nothing to say in justification of my conduct towards your sister, but that it has been produced by an attachment perfectly unconquerable.

“She has lost the world on my account, and the only atonement I can make is to devote myself, not to her happiness (which with her feeling mind is, under the circumstances, impossible), but to endeavour, by every means in my power, to alleviate her suffering. I feel, therefore, that my life is hers, not my own. It distresses me beyond all description to refuse you that satisfaction which I am most ready to admit you have a right to demand; but, upon the most mature reflection, I have determined upon the propriety of this line of conduct.

“My cause is bad indeed; but my motive for acting thus is good; nor was I without hopes that you would have made allowances for this my very particular situation, and thereby have largely added to the extreme kindness you have already shewn to your sister upon this afflicting occasion.—I have the honour to be, Sir, your obedient Servant,
PAGET.”

“P. S. On referring to the date of your letter, it becomes necessary to assure you that I have only this moment received it.”

COL. CADOGAN TO H. SLOANE, ESQ.
(HIS INTENDED SECOND.)

“London, April 2, 1809.

“MY DEAR SIR,—I have availed myself of the very first moment in my power to relieve you from the anxiety you have for some days past been feeling on my account, by assuring you, that all communication between Lord Paget and myself has ceased.

“And in order that what has passed may not be misrepresented, I herewith enclose copies of the only letters that have been exchanged, and I have to request that you will shew them, together with this letter, to any of my friends, or of your own acquaintance, that might wish to read them.

“When my sister, after a separation of a very few days, returned to Lord Paget, and when I was convinced by a variety of circumstances, that the fear of my resentment had no farther effect in deterring her from that connection, I could no

longer restrain the impulse of my feelings, and immediately demanded that satisfaction from Lord Paget, which the laws of my country do not afford, but which I had a right to ask, and he was equally bound to give me, for the injury he had done myself and my whole family. This satisfaction, however, Lord Paget thought proper to deny me, alleging, as his letter expressed it, “that his life is not his own, but my sister's;” and thus making the very injury for which I demanded satisfaction his excuse for not meeting me. It is not unknown to you, that I have by concealment alone been able for some time to evade the Police, who, having anticipated the step I was likely to take, are still continuing in pursuit of me. Under these circumstances it would ill become me to apply to the conduct of Lord Paget the expressions that my feelings at this moment dictate; and I shall therefore leave it to you and others to determine whether the line he has thought proper to adopt on this occasion, is or is not the most honourable.—I remain, my dear Sir, your's most sincerely,
W. CADOGAN.”

“To H. Sloane, Esq.”

After this correspondence Lord Paget and Lady Charlotte retired to a village in Devonshire, when another letter arrived from the Colonel on the same subject. His Lordship being still determined not to meet him, the fugitives immediately forsook their retreat.

MR. WARDLE.

THE FOLLOWING COUNTIES, CITIES, AND TOWNS, HAVE VOTED THEIR THANKS TO MR. WARDLE.

COUNTIES—Middlesex, Berkshire, Norfolk, Hampshire, Huntingdonshire, Hertfordshire, Monmouthshire, Wilshire.

CITIES—London Corporation, Livery, freedom in a gold box, unanimous thanks; Westminster, Canterbury, F. Rochester, F. Gloucester, F. Hereford, F. Norwich, Worcester, Durham, F. Coventry, F. Salisbury, Winchester, Oxford.

TOWNS—Liverpool, Nottingham, F. Sheffield, Northampton, Bedford, F. Deal, Godalming, Calne, Radford, Sandwich, Odiham, Shrewsbury, Derby, Hythe, Dover, Lewes, Maidstone, Plymouth, High-Wycombe, Southwark, Reading, Poole, Boston, Pomfret, Shaftesbury, Highworth, Holbeach, Hull, Kendall, Stafford, Guildford, Southampton, Manchester, Okehampton, Doncaster, Berwick-upon-Tweed, Beverley, St. Ives, Christchurch.

SCOTLAND—Inverness county, Glasgow city, Ratherglen, Annan, Kilmarnock, Berwick, Kirkcudbright, Paisley, Renfrew county.

IRELAND—Dublin county, Dublin city, Londonderry, Belfast.

WALES—Wrexham, Carmarthen.

Those with the letter F. being corporations, have voted their freedom, to which the town of Liverpool added a service of plate, value 1000 guineas; the corporation of Rochester, a silver cup, value 200 guineas; and St. Ives, a silver cup, which this illustrious Patriot politely declined to accept.

LAW.

COURT OF KING'S BENCH.

Friday, May 19.

SWIFT & ROLFE.

The plaintiff is a celebrated Surgeon, who advertises “Salivation exploded.” The defendant is a City Surveyor, and being very ill with a sore throat and other alarming symptoms, applied to the plaintiff for relief, having found none from his former medical attendant. The plaintiff said he could certainly cure him, but the patient must minister to himself in some grains of prudence. He must abstain from City feasts, for on some of the dishes might be written “Death is here.” The plaintiff accordingly undertook the cure, and after many attendances, to the number of 179, the defendant was restored to health.—There were also some attendances on the defendant's lady, and some on his son, and the bill in the whole amounted to 104*l.*

guineas. That the defendant disputed as being too high, but after some conversation between Mr. Garrow, for the plaintiff, and Mr. Park, for the defendant, the former of whom recommended a reference, because the public investigation of the cause was of a very delicate nature, and the latter of whom stated that the sole throat was only a quincey, the case was referred to Mr. Pittman.

POUNCE.

BOW-STREET.

On Tuesday, Miss York, aged 24, was charged with shooting at Mr. Coombs.—Mr. C. stated, that on Sunday last, while looking at some men playing at cricket in Kempton Park, Sunbury, he observed Miss Y. in a paddock, parted by some paling, firing off a gun, on which he went towards her, and heard Henry Parker tell her, if she fired again in that careless way, he would take the gun from her. Miss Y. asked her servant who that fellow was? said she should take the liberty of firing at him, and immediately presented and snapped twice. He then got behind a tree, when she presented at him again, and the piece went off. He saw her put shot into it, and prime with powder, which her servant gave her.—H. Parker confirmed this testimony. He saw the ball strike the gravel about three paces before him, and on asking what she was firing at, she replied, that if he insulted her in her private walks she would shoot him. The ball made an aperture in the paling, on which Coombs and he jumped over, and wrested the gun from her. In defence, Miss Y. stated, that Coombs had made use of very improper language, and thrown pieces of paling at her.—Mr. Rolfe, uncle of Miss Y. and part proprietor of the park, stated, that the park had no road through it, and therefore the witnesses and the cricketers were guilty of a trespass; and endeavoured to discredit the testimony of Coombs; observing, that he was far from a respectable character. The Magistrate observed, that there was no justification of the violence, but would however, grant another hearing, on Mr. R. undertaking to produce his niece and the servant, who, he observed, was equally culpable. This Mr. R. agreed to, and said he would produce three witnesses, to discredit the testimony of the complainants.

Friday being appointed for the re-examination of Miss York, about 11 o'clock the lady and her servant were put to the bar, and Mr. Gurney attended as her counsel, but the witnesses were not to be found, though several of the officers stated, that they were at the office door at the time Mr. Gurney entered; and it being observed, that they were in conversation with the bailiff of Mr. Rolfe (Miss Y's uncle), it was naturally supposed that he had been tampering with them; on which the Magistrate observed to Mr. R. that it was a very improper return for the liberty shewn.—Mr. R. however, denied any knowledge of the circumstance, and the Magistrate committed Miss York to New Prison, and admitted the servant to bail.

ACCIDENTS, OFFENCES, &c.

On Sunday night, about ten o'clock, a fire broke out at Ralph's Quay, near Billingsgate. In a short time it communicated to several vessels, which, as it was low water, it was impossible to tow out of danger. The vessels burnt were, the Zealous brig, of Hull, which had nearly completed her lading, and a ship from Deal, laden with butter and tallow; the Margaret brig, of London, lost all her rigging, and the Perseverance, a cutter, sustained great damage; many other vessels were injured. An explosion of gunpowder on board the Britannia was fortunately attended with accident. Several stow and watermen's boys were destroyed, and but for the powerful effect of the River engine, the destruction of small craft would have been very great. About eleven, the flood line enabled the boats to row out many vessels that were in imminent danger. The warehouses on Ralph's Quay are a mass of buildings, containing a large quantity of goods, and other combustible articles, which produced flames of such

intense heat, that it was scarcely possible for the firemen to approach many parts where their exertions might have been of service. The insurances were greatly below the loss sustained. A fireman, named Kingman, was carried to St. Bartholomew's hospital, having been dreadfully scalded by the liquid butter, which got above his boot tops, when the floor of a warehouse, with several hundred firkins, fell in, and the whole of the ground floor was covered with a liquid mass of scalding butter, to the depth of nine inches. Another fireman had his knee dreadfully wounded by the accidental stroke of an axe. Messrs. Liddard and Elwin had their warehouses destroyed; and the Cooper's Arms, the Ipswich Arms, and another public-house on Dice Quay, were materially injured. The warehouses on the quay were entirely destroyed. The fire was not extinguished till late in the afternoon of Monday. No lives were lost, nor have we heard of any other serious accidents than those mentioned.—The following particulars of the cause of the fire are given by an eye-witness: a large quantity of turpentine that lay on Ralph's Quay, owing to the heat of the weather, had leaked considerably, and it is supposed the watchman was gathering it up for his own use, when a spark from his lantern set fire to that on the ground, which communicated to the cask. Aware of the danger, he called some other watchmen and Custom-house officers to assist in rolling it into the Thames, it being low water, but the cask burst, and the liquid fire ran along the shore, and spread to the small craft that lay there aground. The flames made rapid progress on the quays, and soon communicated to the warehouses of Messrs. Elwin and Co. and from them to Yates's and Co. while the sheds under which goods are shipped or landed, took fire, and it spread to the vessels. In the cellar of the warehouse upon Ralph's Quay there were, belonging to the Crown, a great quantity of over-proof seized spirits, which at one o'clock on Monday were not the least damaged; but there being no person present to give directions, the whole, with the exception of one piece of Holland, was either destroyed or buried in the ruins.

MARRIAGES.

On Wednesday at Devonshire house, the Hon. Mr. Lamb, son of Lord Viscount Melbourne, to Miss Le Jeune, a ward of the Duke of Devonshire. The grand suite of apartments were brilliantly lighted up for the first time these three years. His Grace the Duke of Devonshire gave the bride away, and Viscount Melbourne attended his son on the occasion. The two Miss Howards were bridesmaids. An elegant and select company were assembled in the evening, including his Royal Highness the Prince of Wales, Earl and Countess Courcy, Viscount and Viscountess Melbourne, Viscount and Viscountess Torphichen, Lord and Lady G. Cavendish, Lady E. Foster, and several other distinguished personages.

DEATHS.

Yesterday week, at Fulham, the venerable and much respected Dr. Beilby Porteus, Bishop of London. His Lordship, who had long been in a state which precluded his dissolution, was taken alarmingly ill about four in the afternoon, and expired at six, in his 74th year.

On Wednesday morning, S. Esdale, Esq. of Lower Fiddle-street, Finsbury; he was standing up, apparently in good health, for his wife to brush his coat, when he suddenly fell down dead.

Tuesday morning, in the 78th year of her age, Mrs. Ann Maria Smart, of Reading, relict of Christopher Smart, M. A. of Pembroke-hall, Cambridge, sister to the late Mr. Thomas Chapman, and upwards of forty years principal proprietor of the Reading Mercury and Oxford Gazette.

In Baker-street, Mr. Biggen. This lady was so attached to Colonel Moulton, who a few years ago unfortunately fell in a duel, that she lived wholly in retirement from that period till within the last fortnight.

Printed and published by JOHN HUNT, at the EXAMINER Office, 15, Beaufort Buildings, Strand.—Price 8d.