

THE EXAMINER.

No. 125. SUNDAY, MAY 20, 1810.

THE POLITICAL EXAMINER.

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

No. 123.

MR. PONSONBY'S SPEECH.

THE speech of this gentleman on the Privileges of the Commons has become curious for three reasons; first, because it is reckoned by both parties a piece of argument not to be refuted;—second, because it really does contain all the arguments used by those parties;—and third, because those parties desire us to regard it as a *fine* speech,—a constitutional speech, says Mr. ADAM,—an eloquent speech, says Mr. PERCEVAL,—a most constitutional and most eloquent speech, say the government papers. Let us examine these beauties a little: neither their lustre nor their logic will blind us.

It will be recollected by the reader, that this Mr. PONSONBY, who was IRISH LORD CHANCELLOR, is the author of the notorious simile about the noon-tide traffic for seats in parliament, and that when Mr. PERCEVAL and my Lord CASTLEREAGH were caught in the fact of trafficking and were considered by Mr. MADOCKS as the most proper objects for exposition, he took their part with much pathos, declaring that *because* the practice had so long prevailed and was so generally known, he thought it neither liberal nor just to select these two individuals as *victims*. This is the gentleman, who now comes forward, with indignation in his heart and a set of law-folios under his arm, to vindicate the “*dignity* of the House of Commons” and the “*liberties* of the country.” Of dignity and liberty his notions indeed seem to be equally strange. He thinks it possible for the House to be dignified in the midst of corruptious “*as notorious as noon-day*,” and he holds the liberty of Great Britain to consist in the *unlimited power* of one House of Parliament—nay, of either branch. The fact is exactly such:—let us hear him for himself, as his words appeared in the ministerial papers:—“*I shall ground what I have to offer*,” says our constitutional orator, “*upon two principles:—the first is, that each House of Parliament is, in its respective capacity, the sole judge of its own privileges,—the sole judge how far those privileges are to be carried,—and the sole judge of the manner in which those privileges are to be exercised. It follows by consequence, that no other court in this country has the right to interpose their opinion upon what is privilege of Parliament,—the nature, the extent, or the exercise of it.—The other proposition which I shall lay down as a principle is, that whenever the Court*

of Parliament, no matter which House of Parliament, has declared a matter to be privilege, all other courts throughout the country are bound to pay respect and implicit obedience to that declaration.” Our orator was not aware that in this auspicious commencement of his speech he stumbled upon a gross absurdity,—a contradiction defying all logic:—he says that *each* House of Parliament is, in its respective capacity, the sole judge of its own privileges, their *extent*, and *exercise*. Now how is this possible? If each House is to create privileges of whatsoever kind it pleases, to carry them as far as it pleases, and to exercise them in any way it pleases, each House can do what it pleases; in a word, we have not only one House omnipotent, but there are *two* omnipotent Houses existing at one time! Never was absurdity in a more frolicsome humour than when she made the IRISH CHANCELLOR talk thus. Could not Mr. PONSONBY discover, that two Houses of Parliament properly constituted, must necessarily put limits to each other's privileges, and that it is impossible for either of them, whether in its respective capacity or not, to exercise unlimited privileges over the people? The Lower House, for instance, claims the privilege of imprisoning whom it pleases;—suppose the Upper House should claim the privilege of releasing from prison whom it pleased, a privilege not a jot more absurd than the other:—the Commons imprison a man, the Lords order his release, and thus their omnipotencies clash; for it is in vain to say that each House must yield to the other's “*respective capacity*”: the moment this “*respective capacity*,” on either side, obstructs the exercise of the other's privileges, that moment the privilege so obstructed is no longer unlimited even *respectively*. But it is needless to suggest instances; this *principle*, as Mr. PONSONBY calls it, is of the true Athanasian order; its contradictions are too intricate even for faith; and all the anathemas with which Mr. PONSONBY winds up his doctrines, will not bring over one decent logician to his cause, however they may influence *your safe-side* believers.

But Mr. PONSONBY will at least have the House of Commons to be omnipotent, and the very first argument he uses for it is in his usual consistent style:—“*It has been argued*,” he says, “*that no unlimited or undefined power ought to be known by the Constitution. I do not argue thus from what ought to be, but what actually is. The Constitution vested discretion, and there can be no Constitution under Heaven which must not vest discretion somewhere. If the King's Bench passes an erroneous judgment in law, there lies an appeal by writ of error to the House of Lords: their Lordships may confirm that wrong judgment instead of rescinding it: here then is an injury without a remedy, but who will argue from thence against the wisdom of vesting such discretion in the House?*”

—Nobody, perhaps; but Mr. PONSOMBY proves nothing by this argument, which is as weak as it is old. It is agreed that an *ultimate* discretion must be vested somewhere, and there may be an injury without remedy in consequence of this discretion; but there is not a jot of analogy between a discretion *subsequent* to trial, and a discretion *previous* to trial. There is an appeal to the House of Lords, and "their Lordships," as Mr. PONSOMBY observes, "may confirm a wrong judgment instead of rescinding it;" but still this discretion is only in consequence of an *appeal*, an appeal *after* trial by one's peers. This may or may not be, as it happens, an injury without remedy, but it is not such *till all other remedies have been exhausted*. How then can Mr. PONSOMBY venture to argue from a discretion so gradual and so genial, that the House of Commons ought to enjoy a discretionary power *before* such trial,—a discretionary power, not in consequence of appeal, not in consequence of the failure of other remedies, but self-produced, self-guided, and alone, neither preceded by justice, nor followed by natural submission.

Really the arguments of the Right Honourable Casuist are so futile and fantastic, that had they appeared in the shape of a pamphlet, they would not have been worth notice; and they are only worth it now, inasmuch as they are held up as a specimen of Parliamentary talent. His three other arguments regard the power of the House to commit for libel in particular, and he grounds these upon what he would call, I suppose, three more principles; 1st, That nobody can call the *Parliament* to account; 2d, That libel is an obstruction to the proceedings of the House, and, therefore, ought to be punished at discretion; and 3d, That the Trial by Jury does not take place in every case of offence, and therefore need not in the present case.—By Parliament we understand, though Mr. PONSOMBY may not wish us to do so in this instance, the Legislature generally considered, and it is very true and very right, that nobody can call the Legislature, generally considered, to account; but this trick of words is too stale and absurd to be tolerated any longer; and once for all I protest, in the name of the Reformists, against those who would confound the House of Commons with the Parliament—the branch with the tree—the part with the whole. The power and privileges of the House of Commons are not to be compared for an instant with the whole power and privileges of the Legislature, and yet these men would have us confound them together, when they talk of the privileges of *Parliament*, the customs of Parliament, and the omnipotence of Parliament. The Parliament makes laws, repeals them, renews them, and as the representative of *all* the King's subjects, enjoys a high discretionary power; but the House of Commons, considered in its individual capacity, cannot do this and does not enjoy this. The great complaint against the Commons is that they would usurp the powers of the Legislature, or rather go beyond

its virtual powers, and invade the chartered liberties of the nation. The Commons cannot make laws, they cannot repeal or renew them, and who shall tell us they can supersede? We are told of the powers of the High Court of Parliament, and of the Law of the Parliament, which is part of the Law of the Land; but these are all general terms, applicable only in a general sense, and not to the individual capacity of the House of Commons. It is right that law should in great measure be indefinite with regard to the Parliament collectively considered; but what the Reformists say is this, that law must not be indefinite with regard to any individual branch of the Legislature acting by itself; for the moment law is indefinite with regard to such branch, that branch becomes a tree of itself, and despotism takes instant root.

That the House of Commons should enjoy every privilege connected with the safety and facility of its proceedings, nobody attempts to deny, but here its privileges terminate, and if Mr. PONSOMBY tells us that it is presumptuous to say so, I say it is infinitely more presumptuous in any one to assert the contrary, for such a one must presume upon the utter slavery of Englishmen. Mr. PONSOMBY would take advantage of the universal opinion respecting obstructions, to construe libel into an obstruction; but if libel be construed without any more ado into an obstruction, there is no possible case of disputable offence that may not be so construed, for libel is of all other offences the most disputable and indefinite; libel therefore must not depend for its punishment upon the discretion of any assembly, still less upon the discretion of an assembly thinking themselves libelled: it must be first proved to be real libel, and this can and ought only to be proved by a man's disinterested peers. Again, even supposing the individual libel *likely* to obstruct the House, the House has no business to proceed against it as a positive and existing obstruction, for it is an offence that has not yet interfered with them whatever it may do, and in the mean time it is *cognizable* by a Court Law. Again, granting that an obstruction has been the manifest consequence of a libel, the House has no need to interfere with the first cause which is cognizable by the Court Law; all that it has to do is to proceed against the obstructors and to punish and remove the obstruction. But be all this as it may, common justice tells us that obstruction must not be punished till it be proved. Discretionary punishment for *constructive* offences is a monster born of oppression, and would lay waste any country in the world, as it has done hundreds. The public cannot be too much warned against listening to any argument enforced by construction, which is one of the deadliest weapons a ruler can wield against freedom, as all history has shewn us; for it is at once the most effectual and most unavoidable of weapons, coming upon you as it were in the dark, and reaching a vital part whatever may be your attitude or your defence. Nothing could better shew the imbecility of Mr. PONSOMBY's case, than his resorting to an argument, so fearful in some points of view, so

utterly ludicrous in others. If libel is to be construed into obstruction whenever the House pleases, do they ever intend to make a sudden stop in the midst of peaceable debate, and in consequence of a libel vote themselves hindered, hounded, and gagged? This is indeed a way to petrify themselves and every body else. If any thing called libel is to be called obstruction, then must the members be at once obstructed and not obstructed; insulted in going to the House when there is not a person by; shoved about and kicked at the door by invisible legs; stopped when they are going to speak by unseen hands; and run through the bodies without knowing it. No wonder Mr. LETHBRIDGE's hair stands an end in a house so haunted. Mr. PONSONBY may call this present *Examiner* a libel against him; if so, it will of course be an obstruction, and we shall have him writing a letter to his parliamentary friends, informing them, that he should certainly have been in the House, had he not been most horribly arrested by a newspaper, several paragraphs of which, having grievously insulted and taken forcible possession of him, did most maliciously keep him fastened to his chair, and thereby prevented him from affording proper help to the great cause of Opposition.

The rest of our Orator's speech consists of some half-dozen quotations, which they call learning, and a comparison between the hypocrites of CROMWELL and the modern Reformists, which they call eloquence. Precedent is a great thing with Mr. PONSONBY, and it is indeed very useful in the absence of argument. "Where," he indignantly asks, "are we to look for the privilege of Parliament, if not in the customs and practices of Parliament?" Why, in reason, in common justice, in Magna Charta, in the Bill of Rights, in the Bible of the Constitution, not in arbitrary reigns, or any other reigns, not in customs which have become obsolete and unseasonable, and which among other precedents, afford precedents for the rankest oppression. Quotations affect the present argument quite as little: you may quote opinions from law-writers, just as you please, either for and against the case, and Mr. PONSONBY, with his folios and his leaves turned down, comes to the argument precisely like an advocate, never telling us that there are quite as many passages to be found on the other side of the question. He cannot speak of the Crown, but he falls instantly into a heap of inconsistencies. The passage is too curious to be omitted. "Whilst the people's feelings," he observes, "were estranged from the Commons, they were directed to look to the Crown for the guardianship of their rights. What! the Crown protect the liberties of the English people? Attached as he was to a limited monarchy, he would contend there never was, during the whole period of our history, a Monarch, except the virtuous Monarch now upon the throne of these realms, who ever loved a House of Commons,—there never was a King, with the same exception, who was not an enemy to public liberty. He sounded this opinion upon no invidious comparisons of one reign with

another. It was human nature; and there never yet lived the man who loved that power which acted as a controul upon his wishes and his passions." Here we are assured, that it is absurd to look to the Crown for the protection of our liberties, and why? Truly, because the present King is the only King of England who was ever attached to liberty; yet in a line or two after, we are told that for a King to be attached to liberty is contrary to "human nature," and that "there never yet lived the man who loved that power which acted as a controul upon his wishes and passions." The deductions are exquisite, for it follows from all this, that the King is a great lover of liberty, and yet the worst person to whom the people can apply for it's protection; that he is a philosopher above "human nature," and yet not to be trusted with too much power; and finally, that either the Commons have never once contradicted his wishes and passions, or, that though he has arrived to the 72d year of his age, he has "never yet lived." If this is mere jargon, the reader must thank Mr. PONSONBY who uttered it, and not me who have taken pains to analyse it.

In short, without questioning Mr. PONSONBY's motives in the least, I beg leave to think, with all due deference to Mr. ADAM, Mr. PERCEVAL, and the *Morning Post*, that there has seldom been delivered in the House of Commons a speech that did less honour to the orator and less good to his cause. We are desired to consider it as a constitutional speech, when it breathes nothing but indefinite power; we are desired to consider it as an eloquent speech, when it cannot boast a single originality either of sentiment, allusion, or phrase; we are desired, in a word, to consider it a fine speech, when it has neither reasoning, nor rhetoric, nor even speciousness. One must lament to see the public impression respecting parliamentary talent so weak, that whenever a member delivers his opinions at any length and intersperses them with one or two quotations and decent periods, such as any gentleman would use at table, people are struck with admiration and cry out, "What an excellent speech."—Nothing can be severer

FOREIGN INTELLIGENCE.

FRANCE.

BAYONNE, APRIL 23.—According to letters from Madrid of the 13th inst. that capital continues to enjoy the greatest tranquillity. Gen. Bonnet has obtained important advantages over the Asturians. Troops are incessantly passing through this place for Spain. Between 50 and 60,000 men are on their march for that country.

GERMANY.

RATISBON, APRIL 26.—All the advices from Constantinople make mention of the influence exercised there by the English party. To this fact must undoubtedly be ascribed the report so generally circulated in Germany, of a war against the Turks having been concerted between three great Powers. It is certainly time that the Porte should

be brought back to the line of her interests. The Continent will not suffer the English to be masters of the ports of the Ottoman Empire, which they have converted into entrepôts for their commerce with the bordering States. The Russians seem resolved to prosecute the war with vigour; Austria can act when she chooses on the side of Servia; and France, by being mistress of Illyrium, is enabled to strike a great blow.

PROVINCIAL INTELLIGENCE.

LIVERPOOL.—There is a half-price contest going on at the theatre here, which exceeds in violence the O. P. war at Covent-garden. The Managers refuse to admit at half-price. On Monday a dreadful tumult took place, when the Mayor with his constables was obliged to interfere. The audience quitted the House, but the people assembled on the outside and broke the windows, doors, &c. with stones. One man was taken into custody.

BATH.—This city was thrown into the utmost confusion on Wednesday, by disturbances occasioned by the Mendip Local Militia, commanded by Colonel Rogers, who are on permanent duty there. A deduction had been made from their marching guinea for trousers, which so enraged the men, that they refused obedience, and some of them were sent to jail in consequence. In the evening, the prisoners' comrades attacked the prison, broke open the doors and released them; in which exploit, several of their officers were ill-treated for interfering. Dispatches had been sent off for aid; the Lancashire Militia arrived on Thursday from Bristol; two troops of horse were expected, but the riots still continued.

NOTTINGHAM.—A Requisition has been presented to the Mayor, for the purpose of calling a Meeting to consider of a Petition to Parliament for a Reform, &c. &c.

Extract of a Letter from Chichester, (from an Evening Paper). "On Thursday a party of Officers, occupying the entire width of the foot pavement, hustled a young man, who met them, from off the pavement into the street. Remonstrating at this rudeness, one of the Officers knocked him down. The townsmen ran to his assistance, on which the Officers drew their swords, and cut away at all who opposed them. During this affray, a messenger was dispatched to the barracks, which are distant about a mile, and in half an hour the piquet guard of the 13th Light Dragoons arriving, were preparing to charge upon the people, when, fortunately, John Blagden, Esq. one of the Magistrates of the city, arriving, the effusion of blood was prevented by the spirited and resolute conduct of that gentleman. The Mayor, Wm. Humphrey, Esq., soon after arrived, and by the united efforts of these very respectable Magistrates, tranquillity was at length restored; though, we lament to say, not until several persons had received very severe cuts."

On Thursday, Abraham Hunt was murdered in the house of Peter Lloyd Tuteman, Esq. at Auneshay Green, Bucks, by two villains, who broke into the parlour where the old man and his wife (who had the care of the house) were sitting, and bound them to the drawers. The murderers, not being able to enter the study, demanded the key of the poor man, who not answering immediately, they fell upon him with sticks, and beat him on the head till he was lifeless! They then took property to the amount of 200l.—The poor woman was found in the morning, in a state of insensibility, bound to the drawers.

A man named Done was executed on Wednesday evening at Chester, for the murder of Betty Eckersley, who was found drowned in the Lymn canal, tied up in a sack, with her head out, her hands tied, her neck distorted, marks of violence on her arms and breast, and a stone of sixty pounds weight tied round her middle! On the night of the 28th of August, Done had forced the unfortunate girl into the cabin of his boat: the next night, the landlord of a public-house at Lymn, and a woman who lived near the canal, heard dreadful shrieks proceeding from a distressed female, and the words, "O Lord Jesus!" Done,

after his trial, confessed that he had put her into the sack and thrown her overboard, though he told the Judge he was as innocent of the murder as his Lordship.

A lad ten years old, at Chisk, while playing with a gun, was desired by the maid-servant to shoot at her, not thinking the piece was loaded; the boy did so and killed her on the spot!

IMPERIAL PARLIAMENT.

HOUSE OF LORDS.

This House has been occupied during the week in passing various bills agreed to by the Commons; but no debate of importance has occurred. On Thursday, on the second reading of the Reversion Bill, it was again rejected without a division. How long the Ministers will carry on the face of suffering this Bill to pass the Commons and then rejecting it in the Lords, it is impossible to imagine.

HOUSE OF COMMONS.

Monday, May 14.

The Wiltshire Canal Bill was read a third time and passed.

Mr. ASTELL presented a Petition from the East India Company, which was received and read. It took a retrospective view of the connection between the India Company and the British Government since 1793; stating that upon the expenses incurred by several expeditions, debts were incurred which were never liquidated; but that a considerable balance was due to the Company, which they now prayed to have examined by the House, and any balance that might appear due to them be paid.

Referred to the Committee appointed to consider of the Affairs of the India Company.

MAJOR CARTWRIGHT'S PETITION.

Mr. WHITBREAD said, he held in his hand a Petition from Mr. John Cartwright, whose political opinions were well known to the country; and though these opinions might not exactly coincide with those of some of his Majesty's Ministers, yet it seemed those of them who were in the Admiralty Department, did not conceive so ill of them; for Mr. Cartwright, after having been 48 years in the naval service, the greatest part of which time he had been a Lieutenant, had very lately, without any solicitation on his part, or any expectation of having such an honour conferred on him, found himself promoted by the Board of Admiralty, at the age of upwards of seventy, to be a Master and Commander!—(A laugh.)—Mr. Cartwright had published a great many of his political opinions, but always in so temperate a way, that those who differed with him could not find fault with his language. Some of the doctrines in this petition were expressed in very strong terms; but such, as in his opinion, could not be deemed offensive. There were many parts of it in which he (Mr. Whitbread) agreed, some of which he doubted, and others in which he differed; but, upon the whole, it was such a one as he thought it his duty, being applied to, to present to the House.

The petition was brought up and read by the Clerk.—It stated the petitioner's surprise at the decision of the House in the case of Lord Castlereagh; and that the sale of seats in the House was as notorious as the Sun at noon-day; and that he could not but be shocked at the profligacy of selling seats, and the audacity of vindicating it. That Sharpers, Nabobs, and East India Despois, had long been known to have their actual agents Members of the House. That the agent of a French King's Mistress had once a seat in it; and those of the Nabob of Arcott had been proved to amount to seven!—It then went on to censure the illegal and unjust proceedings of the House in the case of Sir Francis Burdett, and the employment of a standing army to quell a rabble, when the *Posse Comitatus*, properly employed, would have been fully sufficient to have maintained the peace. That the Government itself was only to blame, if they were compelled to call on the standing army to

quell disturbances, because it had neglected to keep up the civil power. Civil Government was alone free Government; military interference was rank despotism. The number of the standing army which had, on a late occasion, been brought into London and its vicinity, was 34,000 soldiers, with a strong train of artillery—a force equal to that with which a King of England had beaten the whole French army at the battle of Cressy! Such treatment of the People was not to be endured. The petitioner, therefore, hoped the House would take in good part this humble expostulation, and prayed that they would retrace their steps and retract those proceedings, of the flagrant illegality of which, he presumed no one could entertain a doubt. &c. &c.

Mr. WHITBREAD moved that the petition do lie on the table.

Mr. PERCEVAL said, there were two expressions in the latter part of the petition which he thought very indecorous, viz. "that such treatment of the people could not be endured," and "the flagrant illegality of the conduct of the House." Those alone were, he thought, sufficient to justify the House in not suffering the petition to lie on the table. This petition was so long, that if the House entertained it, they might soon expect to receive folios.

Mr. WHITBREAD was sure the petitioner had not the smallest intention of insulting the House. He believed he was only actuated by the ambition of having his sentiments on the late proceedings recorded on the Journals of the House. He was surprized to hear the Right Hon. Gentleman object to the length of petitions. Petitioners had a right to state their grievances in the way they thought best; and if they were to be confined to any particular length, the right of petitioning would, in many cases, be done away. The Right Hon. Gentleman had, however, only touched on two expressions in the petition as in his opinion indecorous, one of which was, that the House had done some things past endurance. There might be many cases in which the people might say the acts of the House were past endurance. If they had a person on the rack, and the tortures of which proved his death, he might very naturally, during the continuance of his torments, say it was past endurance; and could any one deny it? When the taxes were collected in such an arbitrary manner as they now were, could the people, when expressing their incapacity to pay them, be blamed for saying it was past endurance? He thought not: it was very natural for them to say so, because they felt it; and if they petitioned to be relieved, what other language could they use to express their feelings more appropriate than that it was past endurance? Another point mentioned was, that which mentioned the illegality of the late proceedings. Was it to be wondered at, that a Gentleman who thought them illegal should say so? He for his own part had no doubt of the legality of the Speaker's warrant, where it was issued for proper purposes; but he had great doubts as to the legality of an instrument, enforced on the principal of actual law, which had not the authority of any other than that branch of the Legislature which issued it. Since the determination of the Committee, and the resolution of the House to plead to the action, the subject must be brought before Court, and if that Court should determine against it, it must then be allowed to be illegal. He thought, therefore, that to reject a petition on account of such an expression, would be going too far, and should therefore vote, that it do lie on the table.

Mr. RYDER thought the expression, "such treatment of the people past all endurance," fully sufficient to warrant the rejection of the petition; and if the House permitted such insulting language, they would deserve to receive it.

A division took place—For receiving the petition 32—Against it 91.

DUKE OF BRUNSWICK'S PENSION.

Mr. TIERNEY should have hoped that after the very liberal conduct of Parliament towards the Civil List at a time not long past, some means might have been provided for affording relief to the Duke of Brunswick, without coming to Parliament for another grant of public money. When he recollected that it was within the last two years, no less a sum than 10,000l. per annum was voted for the Duchess of Brunswick, he thought

that if there had been any other mode of providing for his Highness without laying additional burdens on this country, it should have been resorted to. Now if any other fund could be shewn to exist sufficient to relieve the country of the burthen of this pension, and he understood that the Droits of the Admiralty were sufficient—(Mr. Perceval appeared to not assent)—he thought that such fund ought to be applied to that purpose. He could not see any more wholesome application of those Droits, which were supposed by many to be the absolute property of the Crown, than to be applied towards making a suitable provision for so near a relation of his Majesty. He concluded by moving an Address, which was to the following purport—"That the House having proceeded to take into consideration his Majesty's Message, and participating in the anxiety of his Majesty to make a suitable and permanent provision for a Prince so nearly allied to his Majesty, had granted for that purpose the annual sum of 7000l. secured on the Consolidated Fund; but at the same time the House could not forbear humbly representing to his Majesty, that notwithstanding their great anxiety to provide suitably for a Prince so nearly allied to his Majesty, yet it was their duty to state, that this country had been long suffering under heavy and increasing burthens in consequence of the war which it is now engaged in with France, and of which it could not foresee the termination, and therefore that the House implored his Majesty to order such sum as could be spared out of any other fund which was disposable, to be paid over to the Consolidated Fund, to indemnify it for the additional burthen which this pension would create."

Mr. PERCEVAL considered that such an application to his Majesty would be perfectly novel, and such a thing as had never before been adopted by Parliament. If the House really agreed with the substance of the Address moved, it would be a more gracious, or rather a less offensive manner, to seek their wishes by addressing his Majesty at once to grant such a sum out of the Droits of the Admiralty for the general service of the country, and not for this particular pension. It must be recollected, that out of those Droits of Admiralty his Majesty had recently give large sums for the service of the Country. Between three and four hundred thousand pounds had been given on account of the prizes taken at Copenhagen, which otherwise must have been purchased from the captors. If the Duke of Brunswick had been no relation of his Majesty, still from his sufferings he had a claim to the generosity of the English nation. It must also be recollected, that the annuity was only contingent, as it was to last no longer than the Continent remained in the present unsettled state, and, therefore, it would not be easy to ascertain what sum from the Droits of the Admiralty would be an equivalent for an annuity so circumstanced.

Mr. CREEVEY would not by any means admit that the Droits of the Admiralty were the absolute property of the Crown. He thought, that when the King accepted a fixed annual income of 800,000l. it was supposed that he had given up all other claims. It never could be conceived at that time that such a sum as seven or eight millions could get into the hands of the Sovereign, after the commutation which had been made. When it was considered how this House had, over and over again, assisted the Civil List—when it was considered how they had, over and over again, made the most liberal provisions for every branch of the Royal Family, and even what large sums it had voted to pay their debts, he thought that no unnecessary burdens ought now to be laid upon the country, but that the Droits of the Admiralty ought to be applied in the present instance.

Mr. HUSKISSON said, that if there was a large disposable fund in the hands of the Crown, Ministers ought to advise his Majesty to apply a part of it to the purpose stated in the motion.

Mr. Secretary DUNDAS maintained the strict right of the Crown to dispose of this fund in any manner that it might think proper.

Mr. RHOENSA thought it peculiarly the province of Parliament not to allow any King to miss money in this way, because it might happen, by the discovery of a mine, or by the unnecessary declaration of a war for the purpose of acquiring Admiralty Droits, he might be rendered independent of an House

of Commons. Thus, it was well known, Charles the Second declared war merely for the purpose of obtaining the Smyrna fleet. The question for the House now to consider was, whether they would lay an additional burthen upon an oppressed people, when there was an opportunity of avoiding it? He should vote for the motion, both out of respect to the Crown and conciliation towards the People.

The House divided—Ayes, 86—Noes, 103—Majority, 17.—Adjourned.

Tuesday, May 15.

There was nothing of importance before the House this day. Mr. WITBREAD took an opportunity of observing on the disputes with America, that though Mr. Erskine might have violated the letter of his Instructions, he thought he had acted in conformity with their spirit.—To this Mr. CANNING replied, that the Papers on the table would prove that Mr. Erskine had exceeded his Instructions,—had acted not only in direct contradiction to the letter but to the spirit of them—and had not only done that which he had been instructed not to do, but had abstained from doing that which he had been instructed to do.

Wednesday, May 16.

The House resolved itself into a Committee of Ways and Means.

THE BUDGET.

Mr. PERCEVAL observed, that the statements which he had to introduce to the House were extremely interesting, and particularly applicable to the present crisis; since they tended to enliven that gloomy view of our affairs, in which even well-meaning and well-disposed individuals were at this time by far too apt to indulge. One of our most gloomy years, according to apprehension, had been one of our most prosperous years; and our finances would be found to be in a state of progressive improvement. Here the Right Hon. Gentleman entered into an enumeration of the pecuniary obligations and resources of the country. He asked for a vote of credit to the effect of *Seventy Millions*; but there was no necessity to have recourse to any new taxes. He hoped that the present practice of drawing the Lottery in one day would, as it prevented mischievous insurances, bar all objections to that mode of supply. He had just made a loan of twelve millions, eight for Great Britain and four for Ireland, at the rate of 4l. 4s. and 2½d. interest, terms which, the House knew, were most favourable for the country. There were no arrears on the Property Tax beyond 1807; and the last produce of the Assessment was 11,400,000l. After stating what the House had already voted, the Extraordinaries required, Supplies for the Army, for Miscellaneous Services, the excess of the War Taxes, the produce of the Customs and Excise, the Exchequer Funded Bills, and the charge upon the Loans, he congratulated the House on the flourishing condition of our resources. The Consolidated Customs of the present year exceeded those of the former year; while the Arrears of the Assessed Taxes were not more than 600,000l. though these, the House must see, ought to be kept down as much as possible. He should now propose that 9,700,000l. should be applied out of the excess of Taxes in 1808, arising from the consolidation of Stamp Duties, which he was the first to suggest. Still it was a new course to look to the surplus of former Taxes for present supply; and, on this account, though it came from him, he called upon the House to watch the proceeding with jealousy. The arrears of the Assessed Taxes and Property Tax amounted, in the last year, to 2,800,000l.; which was to him a strong reason for avoiding any new taxes. Notwithstanding the great opposition of the enemy, the traffic of our country was answerable to the most sanguine expectation. Our imports had exceeded, in the sum of five millions, the most productive year (1802) of the last peace; and our exports, in the same way, between eight and nine millions.—We were not even stationary, which was the best fate that had been anticipated for us; but we were absolutely progressive.—(Hear, hear, hear.)—Our internal trade, especially in the cloth manufacture, our Inclosure Acts, our public works, all evinced the unabated accumulation of wealth, by the industry and property of the country. Neither were we a fall-

ing or a falling country. Much had we still to console ourselves with, nor was there any great calamity to be yet apprehended by us. Bonaparte had told us that he wanted ships, colonies, and commerce. What then? He had lost all the colonies of France; his navy was in his ports, and not fit to come out; and as to his commerce, our Orders in Council had reduced the trade of France at least four-fifths. Bonaparte had in these things been quite retrograde. Mr. Perceval then moved the usual resolutions resulting from his statement.

Mr. HUSKISSON agreed that the country was in a progressive state of improvement. He had never stated the contrary, however his opinions might have been misrepresented; but even from the opinion of his Right Honourable Friend, that no permanent taxes could be found to meet the exigencies of the State to which insuperable objections would not be raised, he was convinced we could not go on raising one million or 1,200,000l. additional yearly. He was sure that no Minister could long support our immense annual expenditure. He wished to see the subject fairly stated; he wished to see a permanent system established to carry on a protracted warfare, even for an undetermined period. He could not bear the idea of thus going on year after year without providence or foresight; and such a conduct reminded him of an answer of a French Minister a short time before the revolution, who, to remonstrances on approaching and inevitable difficulties, carelessly answered, "*Après nous le deluge.*" He was by no means desponding, but he would have such a statement made, to convince the enemy that we had full means to continue the contest. Another motive for establishing a permanent system was the fluctuation of revenue, and the certainty that some of the principal resources of this year would not be found for the next. With a permanent system of adequate taxation, a strict economy was immediately connected, and he had expected to see that necessary virtue practised in this year's expenditure, as his Right Hon. Friend had manifested his earnest intention to turn all his thoughts to that subject. He thought it impossible that we could long go on, if a few millions a year were not deducted from our expenditure; and yet in this year's Budget the expenses were greater than in any preceding one, without some of the principal items being sufficiently accounted for. He adverted especially to the increase in the number of seamen, which he thought unnecessary in the present state of the war. We could never expect to reduce the enemy, as formerly, by the destruction of his fleets, or the annihilation of his remaining trade. It had been said that the darling object of his ambition was "ships, colonies, and commerce;" that ambition, he believed, however, had now taken a different turn; and his peculiar madness—for all conquerors were more or less tainted with some—appeared to be the total destruction of trade. Of course it would never be expected that all our efforts at sea could bring the contest to an issue. The Hon. Gentleman next adverted to the finances of Ireland, which he thought far from flourishing.

Mr. ROSE perfectly agreed in every thing that the Right Hon. Gentleman had said about economy, the necessity of which he had been one of the first to represent; but he thought it rather hard that his Right Hon. Friend should be called upon to provide for more than one year's expenditure—a thing, he believed, which had never been heard of. He defended the application of the overplus of the Consolidated Fund, on the ground that the nation had a right to expect that no new taxes should be laid, as in all conscience we had done enough for posterity.

Mr. TIERNEY had never depreciated the resources of the country, although he had been accused of it; but he thought that a good deal of our boasted prosperity was fictitious, and he would continue to think so, till proofs of the contrary were adduced. He thought the summing up of the Budget mortifying, as he saw in it no signs of that economy professed by Ministers, and recommended from the Throne. He objected particularly to the vote of credit as enormous, considering that we had no allies to subsidize on the Continent, and that Portugal had been already provided for. In congratulating the Chancellor of the Exchequer on the unparalleled favourable terms at which he had obtained the Loan, he attributed that circum-

stance entirely to the quantity of superabundant capital which could find no employment, as he did his former financial success to unexpected good luck.

Mr. PERCEVAL in reply, agreed to what had fallen from the Right Hon. and the Hon Gentleman on the subject of economy; at the same time he warmly defended his statements and his measures.

The Resolutions were then agreed to.—Adjourned.

Thursday, May 17.

DUKE OF BRUNSWICK'S PENSION.

The third reading of this Bill was carried by a majority of 29, there being 22 against it and 51 for it.—It was then moved that the Bill do pass.

Mr. MARTIN said, that this annuity ought to be granted out of the Droits of Admiralty Fund, of which four or five millions, it appeared, had not been applied to public purposes. It was high time the situation of the country should be considered; no less than two hundred millions sterling had been added to the National Debt, between 1794 and 1808!!!—He really must say, that it was hardly fair, after the large additions that had been made to the Royal Privy Purse, to lay this new burthen on the public.

Mr. PERCEVAL said, there was not more than from one to two millions of the Droits at the disposal of the Crown.

Mr. W. SMITH thought it monstrous that the Crown should have had at its disposal within a few years the enormous sum of eight millions! When the King paid the Army and Navy out of his own funds, it was but fair that the captured property should be at his disposal; but when the country paid nineteen millions for the Navy, and nearly as much for the Army, it was not equitable that the Crown should have the property taken. It was in fact a bounty upon injustice, for large sums might thus be procured by improper captures. The capture of the Spanish treasure frigates was a great blot on the Administration of Mr. Pitt. Such temptations ought not to exist.

Mr. WHITBREAD asked, whether it was wise, whether it was even affectionate to his Majesty, to advise him to overlook the Admiralty Droits and apply to his subjects, at a time when even the Chancellor of the Exchequer had admitted the difficulty of finding new sources of taxation, and when the absolute necessity of retrenchment was allowed upon all hands?

Mr. PERCEVAL maintained that the grant of this annuity ought to be quite independent of the Admiralty Droits.

The House divided,—when there was a majority of 28 for the motion; and this Pension to the King's Nephew, of 7000l. per annum, was accordingly agreed to—by the *Guardians of the Public Purse*.

FINANCE.

The House having gone into a Committee upon the Third Report of the Finance Committee, Mr. BANKES made a motion which had for its object the abolition of *Sinecure Offices*, and the establishment of a Fund to provide for long and efficient public services. This measure was supported by Mr. MARTIN, Lord ALTHORPE, Mr. PETER MOORE, Mr. WHITBREAD, and others, on the ground that the public were unanimous in their wish for the abolition of *Sinecures*, from the gross system of favouritism pursued in the manner of conferring them.—It was warmly opposed by all the Treasury men, with Messrs. WHARTON and PERCEVAL at their head, who contended most unblushingly that the influence of the Crown had not increased, and that the people would not be any gainers by the abolition of *Sinecure Offices*!!—[In the course of this debate it appeared that Mr. PERCEVAL does not mean to take the salary of the Chancellorship of the Exchequer (having already filled his coffers from the public purse). Mr. Teller of the Exchequer YORKE, too, imitating so bright an example, it seems has declined accepting the additional 2000l. per ann. granted to the First Lord of the Admiralty.—Now if Mr. YORKE will give up his salary of 2700l. a year for doing nothing,—and Mr. PERCEVAL will also resign his *Sinecures* and *Reverendships*, the Public will doubtless believe that their present conduct proceeds from principle and not from policy.—They might indeed then shame the GRENVILLES into similar

acts of decency.]—Mr. BANKES's motion was however lost by a majority of six, there being 93 for it, and 99 against it.—Adjourned.

Friday, May 18.

The Bill for allowing the Trustees of the late Drury-lane Theatre to rebuild the same, was read a first time.

SIR FRANCIS BURDETT.

Mr. GIDDY brought up the Report of the Select Committee appointed to search for precedents in the case of Sir F. Burdett. It states in substance that the Committee had traced the Privileges of the House, such as lately exercised, back to the earliest periods, and that they were confirmed by usage immemorial; that the Law of Parliament is the Law of the Land, and essentially necessary for preserving the Rights and securing the Liberty of the People. Mr. GIDDY moved that the Report be printed.

A debate of some length ensued, Mr. HORNER and Mr. PONSONBY were against the Report, on the ground that no arguments were necessary to prove the existence of the Privileges of the House; while Ministers argued for the propriety of the course pursued. Mr. WHITBREAD, however, having pointed out many gross inaccuracies in the Report, particularly one, in which the opinion of Lord Chief Justice Wilmut is cited, though that opinion could not have been given, as the Chief Justice died before the time stated,—the Report was sent back for re-committal. Sir SAMUEL ROMILLY assigned as a reason why he did not chuse to form one of the Committee, that his opinion on the general subject was so much in opposition to that of the other Members, that he did not wish by attending to create any useless impediment.

SALE OF SEATS—LORD CASTLEREAGH.

Lord A. HAMILTON moved that the Resolutions of the House respecting Lord Castlereagh's attempt to traffic for a Seat in Parliament, should be expunged the Journals. His Lordship prefaced his motion by various arguments showing the propriety of their erasing such inconsistent Resolutions. Before the last Sessions, the purchase and sale of Seats in Parliament had never been openly avowed. Several Petitions had lately been rejected, because they contain observations respecting the Sale of Seats, though such observations were actually founded on facts. The House ought not to put it in the power of any one to say, that they had one practice recorded on their Journals, and another for judging of Petitions from the People. To maintain their consistency, they must expunge those Resolutions, or at least that part of them which admitted the traffic in Seats.

Lord CASTLEREAGH complained of the motion as a harsh attempt to disturb the resolves of the House, which had decided that no criminating Resolution was called for, as the transaction alluded to had not taken place.—It would be, in fact, to put him again upon his trial after having been acquitted.—The motion was negatived without a division.

CATHOLIC CLAIMS.

Mr. GRATTAN should consider himself a fortunate man, if he lived to see the prayer of the Catholic Petitions acceded to, as it would unite in bonds of harmony all classes of his Majesty's subjects. He highly approved of the Veto, as the First Magistrate ought to have a check on the Pope, who was now and might ever be under the controul of a Foreign Potentate. To give up such a check would be madness.—The Catholics solemnly deny that the Pope has any temporal power, and they also as solemnly abjure his deposing power. England had possessed Ireland for 500 years, and the result was, according to some, the matchless depravity of the people. This he denied. The vices that deformed his country sprung wholly from oppression.—It was said, the Catholics did not want emancipation; that in fact they did not know the meaning of the word! But let any poor ignorant Catholic be asked, "Do you know the difference between the situation of a Catholic and that of a Protestant?" He would immediately answer in the affirmative, and bring forward his catalogue of mortifications, of insults, and of sorrows. When the minds of the Catholics were thus debased by oppression, they were prepared to welcome a foreign

invader. Freemen only could resist Bonaparte with energy. It was really preposterous to detach so large a portion of our fellow-subjects from the common cause. It was like enacting that, whereas, we are engaged in a most sanguinary contest, and as it is particularly desirable that we should avail ourselves of the aid of the whole population, a fourth part of them are hereby disqualified from serving their country. The Catholics pay for the support of the Protestant Church in Ireland, and for this support their privileges are taken away. Suppose a Preacher should say from his pulpit, "Love your enemies—Do as you would be done by; so may God incline your hearts to injure one-fourth of your fellow-subjects!" To ruin the Empire was to divide the people in the face of the enemy. Here are some millions of people, in a country blessed with a fertile soil, with a temperate climate, having no enemy but its own laws, sinking into ruin from the Penal Code,—a judgment of God on the people for receiving it! In conclusion, Mr. GRATTAN said, he wished to avoid the dungeon of bigotry and the mad-house of prejudice,—to forget those who forget their God in the detestable cult of fanaticism. Oblivion is patriotism and concord is salvation. Bellona had shut her gates, and Bigotry had spent her fury. Not one petition had been presented against the Catholic Claims. London had not petitioned against them; several Counties had stepped forward in their favour; the Oxford University did not oppose them; and even the Pulpit acknowledged their claims. He begged the House to remember, that in 1792 it had established Popery in Canada,—that it had recently sent an army to maintain a nation in all the rights of the Roman Church,—and that there was but one Country which it had not embraced.—Mr. GRATTAN finished by moving that a Committee be appointed to consider the Catholic Claims.

Sir J. HIPPESLEY seconded the motion; when, on the suggestion of Mr. O'HARA, the debate was adjourned to Thursday next.—Adjourned till Monday.

TUESDAY'S LONDON GAZETTE.

BANKRUPTS.

- C. Adam, Pancras lane, Finsbury-square, merchant.
 J. Reid, Friar-street, Soho, Grocer.
 R. Simpson, Great Bell-alley, merchant.
 W. Woodward, Fore-street, carpenter.
 G. L. Neve, Ipswich, linen-draper.
 S. Davle, Lyme Regis, vintner.
 T. Williams, Denbigh, draper.
 N. Gribble, Crescent-place, Surrey, dealer.
 J. Chinery, Great Mary-le-bone-street, grocer.
 W. Dennison, Winterburne Steepleton, Dorset, butcher.
 J. Roberts, Welford, Gloucester, baker.
 A. Cohen, Manchester, merchant.
 W. Canniford, George-street, Oxford-street, baker.
 T. Groves, Kingston-upon-Hull, ironmonger.
 P. Turner, Market Raisin, Lincoln, grocer.
 J. Angell and W. Frankum, Reading, woollen-draper.
 W. Bush, Ashwick, Somerset, dealer.
 C. Court, Cambridge-row, Hackney-road, merchant.
 W. Mitchell, Turnwheel-lane, sugar-factor.

SATURDAY'S LONDON GAZETTE.

This Gazette contains an account of the capture of the French privateer La Dorade, of 10 guns and 45 men, by the Orestes sloop, Capt. Lapenotiere.

It contains also, a Proclamation from Whitehall, offering the King's Pardon to any one who shall discover the writer of an Anonymous Letter to the Marquis of Blandford, threatening his life, and containing "the most gross, scandalous, and indecent imputations;" The Marquis also offers Two Hundred Pounds to any person making the discovery. The writer of the Letter is named, and desires the Marquis to make it known to this world that he may not be

BANKRUPTCY SUPERSEDED.

J. Dyton, Liverpool, druggist.

BANKRUPTS.

- T. Rooke, Bengeo, Hertfordshire, farmer.
 E. Toop, Bath-square, Portsmouth, sail-maker.
 R. Kirk, Dartford, Kent, victualler.
 W. Silverlock, Newport, Isle of Wight, cabinet-maker.
 J. Stork, jun. Kingston-upon-Hull, grocer.
 J. Fewster, Liverpool, joiner and house-builder.
 J. Lyon, Richmond, Saddler.
 T. Wellings, Church-lane, Whitechapel, painter and plasterer.
 N. Whyte and A. Graham, Birapingham, muslin-dealers.
 J. Payne, West-square, Southwark, army-contractor.
 J. Nicholls, Gray's-Im, scrivener.
 J. Rushton, Manchester, dealer in cotton.
 W. Oakley, Church-street, Horsleydown, woolstapler.
 T. Limbrick, Hawkesbury, Gloucestershire, linen-draper.
 W. Reah, Sanderland near the Sea, leather-cutter.
 I. Tooke and A. Todd, Strand, wine-merchants.
 J. Kenrick, King-street, Soho, money-scrivener.
 R. Lemare, Nine Elms, Surrey, brewer.

PRICE OF STOCKS ON SATURDAY.

3 per Cent. Cons. 10 $\frac{3}{4}$ | 3 per Reduced 69 $\frac{1}{2}$

Some REMARKS on the new and promising BUDGET next week, when the *Examiner* will be happy to return to his THEATRICAL CRITICISMS after a silence of some weeks, for which he apologizes to his belles-lettres readers.

H. G.'s LINES are rejected, not because they are bad in themselves, but because the new name—*House of Correction*—as applied to a certain Assembly, is erroneous in point of fact, as that Assembly corrects nothing, not even the most profligate cases brought before it.

AN ADMIRER OF FEMALE EXCELLENCE, next week.

Various Communications are delayed merely for want of room, which the prorogation of Parliament will shortly create.

THE EXAMINER.

LONDON, MAY 20.

No apology need be made to the reader for the insertion of Mr. O'CONNOR'S Narrative: an apology would rather have been necessary, had it been omitted; for it is fit that every Englishman, who has the least thought and feeling, should know the injustice, the cowardly oppression, the various and continual suffering, which that Gentleman has undergone. Never was there a more fearful specimen of Mr. FOXSON'S doctrines about *constructive offences*. It was enough that Mr. O'CONNOR was *suspected*, and he was insulted by every opprobrious epithet, imprisoned in every species of confinement, acquitted only to be re-accused and re-acquitted, put to every kind of obstruction and expence, dragged from place to place without a sentence, and finally banished from his country, and compelled to live wherever the King pleased in England, where after having for years in vain demanded to be tried, *suspicion* has opened his wounds anew, and he has been compelled, in justice to his feelings, to tell the English nation what he has suffered. I trust there is not one of my readers but will receive the manly and affecting Narrative as he ought, with respect for the writer and indignation against his dastardly tormentors.



Mr. O'CONNOR, a man of great and, as it should seem, most deserved influence among his countrymen, was a REFORMIST in Ireland at a time when the immediate Government of that country felt that a Reform of abuses would be the ruin of itself; he was persecuted in consequence with a hatred very diabolical but not at all surprising, and if he had not felt a bitter indignation against his country's oppressors, he would have been no longer an Irishman or a man. But nothing has ever been proved against him, and so far from thinking badly of his sentiments against that Government, I do not choose to say what I think of those who could be Irishmen and hold different sentiments. I see by the *Political Register* of yesterday, that Mr. O'CONNOR intends to publish an account of the conduct towards him of those men who administered the affairs of Ireland during the residence there of Lord CAMDEN and Lord CORNWALLIS." I have no doubt that from this statement the public will derive great information, for as he observes, they are wretchedly ignorant of the affairs of Ireland, and there is a native and careless dignity about Mr. O'CONNOR's style, that well becomes his name and his nation, and is evidently the result of a feeling and an upright mind.

The account of the battle generally believed to have been fought in Portugal between Lord WELLINGTON and Marshal NEY, has not yet arrived. The advices from his Lordship reach to the 6th inclusive, and were brought by a Merchant who is arrived at Plymouth in the Goshawk from Oporto. After quitting Viseu, his Lordship was supposed to have proceeded in an easterly direction, with the view of getting to Salamanca and to have actually passed the Portuguese frontiers—He took, however, a more south-eastern course, and crossing the Coa, marched to Almeida, on the eastern bank of that river, pushing his advanced guard to about three leagues to the south east of Almeida. The enemy, meanwhile, had marched from Salamanca, and, crossing the mountains on the south of Leon, had proceeded to Ciudad Rodrigo, on the eastern bank of the Agueda, about twenty-three miles distant from Almeida. Of the strength of the respective armies we are not informed. The British army is combined with the Portuguese. NEY can hardly be so strong, unless he has drawn reinforcements from the south and from the centre of Spain, and been joined besides by JUNO, who is understood, after the capture of Astorga, to have taken a southern direction, for the purpose of joining NEY. On his march, a part of his army, about 1000 strong, was attacked near the North-eastern frontier of the Province of Tralos Montes, by 1500 Spaniards; after a sharp action, the enemy were retreating, when a body of their cavalry came up and enabled them to defeat the Patriots.

His Majesty's ship *Amelia*, has arrived at Falmouth from Spain, with two Spanish Deputies from the Gallician Junta, to solicit a supply of arms from our government. The accounts by this conveyance state, that the enemy have taken the city of Astorga, and were expected at Corunna and Ferrol. There was a report at Corunna that the enemy were advancing against Portugal with a large force, and

that Lord WELLINGTON was about to set off with the British and Portuguese force under his command to meet them.

The campaign between the Turks and Russians has been opened by some slight skirmishes. The combatants of both armies are said to amount to 300,000 men.

The Ministers expect to get through the public business, so as to be able to prorogue Parliament the 16th of June.

The SPEAKER, by his Counsel, has filed a special plea to the process instituted against him by Sir F. BURDETT. It consists of Not Guilty as to the trespass, assault, and false imprisonment; and he further pleads the privilege and authority of the Commons of the United Kingdom, by virtue of which privilege he issued the warrant against the plaintiff. To this plea the plaintiff will either reply or demur; if he replies, then the defendant will demur to the application, and argument will next take place in the Court of King's Bench on such demurer. It will then rest wholly with the Court to say whether the case shall or shall not go to a Jury.

The third Anniversary of the "Triumph of Westminster and the Fairity of Election," is to be held on Wednesday at the Crown and Anchor. The gallant Lord COCHRANE takes the Chair, and the Stewards consist of 28 active supporters of constitutional liberty in Westminster.

The Princess of WALES completed her 42d year on Thursday.

All the Royal Family, as well as the Physicians, are now in constant attendance on the Princess ADELIA at Windsor. Her Royal Highness, whose health has been in the most melancholy state ever since the Jubilee, is hourly expected to be relieved from all her sufferings, which she has so long borne with much fortitude.

Eternal gratitude is due to the "sacred nine" of Rye, in Sussex, whose patriotism, under the influence of Mr. THOMAS LAMB, *Tally-Cutter* to the Exchequer, has returned to Parliament Mr. WILLIAM JACOB, an eminent merchant of the city of London, to denounce, as "profligate desperadoes," the Lord Mayor, and the Sheriff of Middlesex! "Descend, ye nine, descend and sing!" the praises of another nine, whose fame bids fair to eclipse yours. The nine maids of Helicon may some morning be forgotten,—but the nine patriots of Rye, with Mr. WILLIAM JACOB, shall exist for ever in the memory of their grateful country, embalmed with the fragrance of a rotten borough, and preserved in the pickle of political corruption.—*Stamford News*.

Mr. PITT's Birth day, the 28th inst. is to be celebrated this year with unusual splendour; and it is, we understand, intended to ornament all the saloons where entertainments are given on this occasion with a stupendous device formed of paper—*papier mâché*, so curiously gilt, as to convey to the mind of a superficial observer an idea of gold! On the pedestal is to be emblazoned the amount of the national debt at the commencement and at the termination of the Administration of this "great Statesman;" and from the summit is to float a blood-coloured flag, bearing this inscription, "The immortal Statesman that reduced the power of France, in the same proportion as he extended the liberties of his native land;" and exhibiting on the reverse this memorable sentiment of "the great man now no more"—"Without a Reform in the Commons House of Parliament, no honest man can retain the situation of Minister of this country."

The Ministers are all in high glee; they have obtained the invaluable support of Mr. Giddy.

It is said that Sir FRANCIS BURDETT has been abridged in his walk within the Tower. When he visited the Manufactory of Gunstocks a few days since, the honest workmen huzzaed him on his departure; for which mighty offence, it is reported that several have been dismissed from the Tower.—Ob, these dignified Ministers!

It should appear that all the enemies to Parliamentary Reform and the correction of abuses, are skulkers. In London, in Middlesex, and at Westminster, these poltroons did not dare to shew themselves at the public meetings legally convened, and to oppose, with the manly character of Englishmen, the resolutions and petitions brought forward; but they sneak into holes and corners, and then come out with their Counter-declarations. This is pusillanimity of the lowest and basest kind. As to the signatures of the City Declaration, what do those signatures exhibit but the names of a host of contractors, loan-jobbers, money-lenders, and money-lovers, with a retinue of their needy dependents, such as are always to be found in shoals near the seat of Government, and particularly near the seat of a Government, whose annual expenditure is 76 millions a-year. A declaration so obtained is worth as little as Mr. WINDHAM's *purity*, as Mr. CANNING's *friendship*, as Lord CHATHAM's *military skill*, as the Marquis of WELLESLEY's *plot*, or as the researches of the Finance Committees nominated by the Right Hon. S. PERCEVAL!

THE FRIENDS OF REFORM IN CANTERBURY on Monday held a Meeting in the High-street of that City, opposite the Guildhall, Mr. WM. CHALK in the Chair,—who called upon the Meeting to follow the noble example of the Electors of Westminster at their late Meeting, “who, in the presence of an army, and under the controul of the very men whose proceedings they were compelled to reprobate and condemn, conducted themselves with the greatest propriety.”—Mr. WM. FRIEND followed, and in a speech of great force proposed various resolutions respecting the House of Commons, J. G. Jones, and Sir F. Burdett,—a Petition to the House, and an Address to the Patriot in the Tower,—all of which were highly approved of.—Mr. FRIEND introduced the Address to Sir FRANCIS by observing, that he had known Sir FRANCIS for more than 20 years; that he had a princely fortune, which he dispensed in a princely manner;—that he never aimed at distinguishing himself by driving on a coach-box, but employed himself as a man of study and a Gentleman.—“But,” said Mr. FRIEND, “his great crime is, that he goes into the House of Commons and there speaks his mind, without considering whether the proposer of the question it is or out of power!—all he wishes is, that the House of Commons should inquire into the modes of expending the public money; that a Member of Parliament should not be running into a Minister's parlour in the morning, to know how he should vote in the evening. Nor does he go into a Nobleman's parlour, to consult whether the vote he is to give will affect his own or any other party. No; he considers only the propriety of the question as it affects the interests of the English nation.”—A Vote of Censure on the Mayor, for refusing to call a Common-Hall, was then carried, after which the Inhabitants, who had conducted themselves throughout the business, like reflecting people, with moderation and firmness, peaceably departed to their homes.

The following Paper was put into Mr. FRIEND's hands at the Canterbury Meeting of Reformists;—

Roman and Christian Patriotism united; or a Scripture Specimen of Noble Opposition to Arbitrary Power.

THE ANCIENT MAGNA-CHARTA PLEADED BY THE APOSTLE PAUL.

The Chief Captain commanded him to be brought to the castle, and bade that he should be examined by scourging; and as they bound him with thongs, Paul said unto the Centurion that stood by—Is it lawful for you to scourge a man that is a Roman, and uncondemned (that is without a trial).—Acts 22, 25.

And the High Priest Annanias commanded them that stood by to smite him (Paul) on the mouth. Then Paul said unto him—God shall smite thee; thou whited wall, for sittest thou to judge me after the law, and commandest me to be smitten, CONTRARY to law.—Acts, 23, 2, 3.

At another time, when the Magistrates began to be ashamed of their conduct, and wished for the Apostles to be privately let out of prison—Paul nobly said—They have beaten us openly uncondemned, being Romans, and cast us into prison, and now do they thrust us out privily.—Nay, verily, but let them come themselves and fetch us out.—Acts, 16, 37.

British Christians! An example so illustrious, is worthy your imitation.

COUNTER-MEETING OF SOME MIDDLESEX FREEHOLDERS.

On Wednesday, in consequence of a paragraph in some of the Ministerial Papers, a Meeting was convened at the Freemason's Tavern, of the Freeholders who were supposed to be adverse to the recent proceedings at Hackney. For a considerable time there was not more than twenty persons in the room, but at last the room began to fill. Mr. BYNG came forward and stated, that he had attended in consequence of a letter from one of his Constituents, but he really thought it was a Meeting designed for those persons only who disapproved of the proceedings of the County at large. Mr. MELLISH and his followers came in whilst Mr. BYNG was speaking, and a violent tumult took place, which Mr. MELLISH, for the moment, put an end to, by desiring, in bad English, those who were for the Counter-declaration to withdraw into another room. They accordingly did so; but the indignation of the independent Freeholders was loudly expressed: they insisted there should be no proceedings carried on in privacy; and accordingly they proceeded in a body, and forced open the door in which Mr. MELLISH's Conclave were debating. A scene of uproar again ensued. At last one Sir WILLIAM GIBBONS (a 500*l.* a-year pensioner) was put into the Chair, and desired by Mr. MELLISH to read the Counter-declaration, the Honourable Member observing, it was of no consequence whether it was heard or not. Every sentence of the Address was received with unequivocal marks of abhorrence. The Mellishites then again withdrew into another room, upon which Mr. BENTLEY was called to the Chair amidst loud applauses. Mr. THOMPSON, in a very neat speech, recommended coolness and moderation, and trusted that no pretence would be given to Ministers to suspend the Habeas Corpus Act. He then moved a variety of Resolutions, expressive of the sense of the Meeting on the conduct of Mr. MELLISH and his Party, in clandestinely going about to counteract the proceedings of the Freeholders at their full County Court, legally assembled. He also moved, and it was carried without a dissentient voice, that Mr. MELLISH had forfeited the confidence of his Constituents, and was no mor-

worthy to be their Representative. The Meeting then adjourned, happy in the triumph they had obtained over a junta of shallow ministerial dependents.

FINE ARTS.

ROYAL ACADEMY EXHIBITION.

No. 4, *Andromache imploring Ulysses to spare the life of her Son*. G. DAWE, A.—Mr. DAWE's choice of pathetic subjects is judicious, not only as he appears to have a strong feeling in it, but also as it is of more general interest than those which are addressed to the imagination and the understanding; for the powers of ratiocination, and the glowings of fancy, belong less impressively and universally to the human character than the affections of the heart. Maternal solicitude and cruel inflexibility are the prominent features of this subject, and the heart of every spectator, and the inquisitorial mind of every critic, acknowledge their forceful impression. *Andromache*, fallen on her knee, and grasping her dear *Astyanax* with one arm, seizes the robe of *Ulysses* with the other, in order to secure his attention to her suit, which she prefers with an impassioned eloquence of voice, countenance, and gesture. The countenance and mien of *Ulysses* are equally adapted to express his stern and immovable mind. He turns away from the agonized parent, wraps himself in his cloak with an air of inflexibility, and fixes on her a withering look of dark determination, while a soldier, in obedience to his cruel mandate, is about to drag the infant from its mother's arms. The Grecian fleet, and Troy smoking in ruins, appear in the distance. The whole has a classical aspect, and is drawn with firmness and precision. Vigorous, however, as is the delineation of character, it would be more so if the figure of *Ulysses* was divested of something of a theatric air, which derogates from the simplicity of historic dignity, of that simplicity which is so supereminent in the works of RAFAELLE, and the reverse of which is so offensive in many of those of GUIDO, as the affectation of it is in the paintings of most of the French artists of the last century. Mr. DAWE, in the superior satisfaction with which artists as well as authors view their own productions, may possibly conceive this to be a harsh, if not a false opinion; but truth, in the examination of works brought before the tribunal of the critic and the public, must be ever paramount to fastidious feelings about giving offence, and especially where its hand is exercised to root up weeds which check the growth of more than ordinary merit. I am perpetually assailed by the resentments, the friendships, and the prejudices of many of those artists, who occasionally come under the animadversions of the *Examiner*. One condemns me for making invidious comparisons between one living artist and another, because it excites jealousy and wounds the feelings, and asserts that my comparisons should be made only with former artists. Another says, I am altogether mistaken because, forsooth, I wage war with some favourite error or one which he has not talent to mend. A third is alarmed for fear I should be instrumental in reducing to penury the industrious, and in many respects meritorious, though in others mistaken artist. By almost all I am reviled for occasionally pointing out defects which all more or less partake of, and for praising excellencies in others, of which each individual is deficient. But the reformist in art

must, like the reformist in politics, be content to raise a host of bitter enemies, and to be subject to the perpetual assault and battery of vanity, ignorance, and self-interest.

R. H.

BRITISH INSTITUTION.

The Directors met on Thursday, for the purpose of awarding the Premiums to the successful Prizes Candidates. The following was their decision;—

To Mr. HAYDON, the premium of One Hundred Guineas, for his Picture of *The Assassination of Dentatus*.

To Mr. HILTON, the premium of Fifty Guineas, for his Picture of *The Surrender of Calais*.

The Noblemen and Gentlemen, with his Highness the Duke of GLOUCESTER at their head, who have patronized the Plan for the Encouragement of Engraving, recommended by the Calcographic Society, again met on Wednesday last, at the Clarendon Hotel, when the Plan was finally arranged, and ordered for publication. The plan is shortly this:—Seventeen hundred guineas are to be raised in 170 shares of 100 guineas each, the whole of which is to be invested in the funds by the Committee of Shareholders. This sum, with the interest, will enable the Engravers to execute, with their best powers, twenty plates, the size of the *Death of Wolfe*, in the line manner—six in the dotted style—and four in mezzotinto.—The subjects are to be selected from the works of the most eminent ancient and British Masters, sixteen of which are to be historical, and four landscapes. As soon as this series is completed, other plates will be commenced, so that the Shareholders, who are to be remunerated by proof impressions of the prints, will be in the constant reception of the finest works the country can produce, for the best artists are to be employed. A Museum, a School of Engraving, and a Fund for Decayed Artists, form also a part of this plan, for which the British Artists will be entirely indebted to the Calcographic Society, who, in defiance of the sneers of the weak and the opposition of the wily, and actuated by an honest wish to benefit their brethren as well as themselves, have thus brought their scheme successfully before the public, with the disinterested aid of those distinguished persons who form the Committee of Management, in whose hands the prosperity of the undertaking may be considered as ensured.

POOR GENTLEMEN,

MR. EDITOR,—I am one of that unfortunate class of persons who once was enabled, tolerably well, to support the character and appearance of a gentleman; but now, through the almost insupportable pressure of increasing taxes, and the unnecessary imposition on every article necessary to form a decent appearance in the world, I am reduced to the situation, and insulted with the appellation, of a distressed buck. 'Tis now almost four years since my body was graced with a new suit, which you must think has long shewn its age; like the wearer it has experienced many changes, being under the necessity of mounting a new set of buttons with every changing fashion, besides the frequent sprinkling with a little table beer, before I dare venture to walk with the sun at my back. As I have paced the streets on a summer's afternoon, I have heard it said respecting me, what a miserable shadow of respectability! while others more severe have declared that

my boots had felt the shock of many an engagement. I must confess, that beside new bottoming, they have received so many additions, that it would be hardly possible to find the original workmanship. Nor does my hat and gloves pass unnoticed, the former of which I purchased from a gentleman's butler for three shillings. Thus, Sir, like some monster, I am driven by distress from the society of those who once associated with me, and am obliged to fly through all the courts and alleys of the metropolis, to avoid the insults of the merciless and ignorant. With the sum of twenty-five shillings per week, the usual income of a collecting clerk, I some years ago could dine at a respectable ordinary more than twice a week; but now I dare not venture near an eating house on a Sunday, lest my re-elbowed coat and my greasy pantaloons, or my more eloquently distressed appetite, should proclaim my privations, and purchase more insult; so that now I am compelled to carry a cheap half-dressed bone, or a small portion of bread and cheese, in my pocket, to the most refined public-house I can find, where I have frequently been obliged to hear the most flagrant outrages offered to common sense, by the boorish puns and vulgar jests of town carters and inn porters, whose leisure hours are employed in the exercise of tap-room eloquence. Thus, after passing a day of anxious care, I am compelled to retire to my apartment, which is a lofty attic, to contemplate my misery, without the most distant prospect of a termination thereof. If, Mr. Examiner, you have any regard for insulted human nature, I conjure you to cry aloud against the abominably disgraceful extent of our public burthens, which if not speedily removed must sink not only you and me as individuals, but the Nation and Government itself, into the bottomless abyss of destruction.—Sir, I remain your very distressed, but most obedient humble servant,

THE WRECK OF A GENTLEMAN.

POWER OF PARLIAMENT.

MR. EXAMINER.—As the pending trial between Sir F. Burdett and the Speaker of the House of Commons involves a more than ordinary portion of public interest, I shall make no apology for submitting the following Resolution of the Commons, relative to their own privileges, passed in the year 1763:—

“Resolved, by the Commons in Parliament, that *privilege in Parliament does not extend to the case of writing and publishing seditious libels, nor ought to be allowed to obstruct the ordinary course of the laws,*” &c.

It will be seen by the above Resolution how far the House of Commons have violated their own law in the persons of Sir F. Burdett and Mr. Jones. Let us revert to the opinion of Lord Littleton upon this subject when it came to be discussed in the House of Lords. I shall not transcribe the whole of his speech on the occasion; but as both the resolution and speech bear so immediately upon the point at issue, and neither of them having been hitherto noticed, I trust the following extracts will not prove unacceptable to your readers:—

“My Lords,—All *privileges* are subordinate to the great laws of society; to the good order, the peace, and the safety of the State.

“Privilege must not be exercised to the grievous inconvenience and detriment of the public; it must not obstruct the public justice; it must not endanger the public safety.

“The administration of justice, and the execution of laws,

are, by the Constitution of our Government, entrusted to the Crown and its Officers; but entrusted under checks beneficial to liberty, beneficial to justice. But if you change this system; if you take the executive power from the Crown, and place it in either House of Parliament, what check, what controul, will then remain? An arbitrary power will be there, which is no where else in our Government—an arbitrary power without appeal!

“I therefore hope your Lordships will not differ from the Commons in this resolution. In order to preserve the independence of Parliaments, it will be necessary to preserve the reputation of Parliament in the minds of the people, and the love of it in their hearts. How, my Lords, can this be done, if they find it an obstacle to that equal justice which is their birthright and their safety?

“Upon the whole I am confident your Lordships will on no account depart from that maxim which is the corner-stone of all government; that justice should have its course without stop or impediment. *Jus, fas, lex, potentissima sint.* This, my Lords, is the very soul and essence of freedom. Obstruct this, and you immediately open a door to all violence and confusion; to all the iniquity and all the cruelties of private revenge; to the destruction of private peace, the dissolution of public order; and, in the end, to an unlimited and despotic authority, which we must be forced to submit to, as a remedy against such intolerable evils. The dominion of law is the dominion of liberty. Privilege against law, in matters of high concernment to the public, is oppression, is tyranny, wheresoever it exists.”

Such was the language of a scholar, a man of genius, and a patriot; a man who was an ornament to his country in public and in private life. The authority of such men will always have its weight in all ages; men, of whom it may be truly said, that they but begin to live when they are dead. Such a man is Sir Francis Burdett. And although we have every reason to wish for the latest prolongation of his earthly existence, we have no less cause to hope that his spirit may animate posterity, till time shall be no more. I am, Sir, &c.

PHILO-JUSTITIA.

Southwark, May 9, 1810.

TO THE RIGHT HON. LORD ELLENBOROUGH.

MY LORD,

May 7, 1810.

Pleased and proud of the Charge which your Lordship lately delivered to the Jury, in the case of the “*KING v. LAMBERT* and another,” I venture to address you on the momentous subject now agitating the mind of the whole country. I say *pleased*, my Lord, because it is a pleasing circumstance at the present day, when the hydra-headed monster, *Corruption*, is scowling at us from every secret crevice of the Court, that a Judge presides over the bench of common law, who dares to contend against the profligacy of assumptive power; and I say *proud*, because, in common with every fellow-Englishman, I feel that whilst our laws are dealt to us with such a sturdy correctness, this country must remain the same unrivalled land of genuine freedom it has boastingly been for ages.

It appears to me, my Lord, that in considering the right of committal of any individual by the House of Commons, the question has not been sufficiently separated between the Privileges of the House of Commons simply, and that of the Parliament collectively.

“The power and jurisdiction of Parliament,” says Sir Edward Coke, (4th Ins. 36.), “is so transcendent and absolute, that it cannot be confined, either for causes or persons, within any bounds. And of this High Court”

he adds, "it may be truly said, *si antiquitatem spectes, est vetustissima; si dignitatem, est honoratissima; si jurisdictionem, est capacissima.*" And it has been said by one of our best writers on English jurisprudence, that the "privileges of Parliament are very large and indefinite, for Sir John Fortesque, on a question propounded to the Judges concerning them, in the name of his brethren declared, that they ought not to make answer to that question, for it hath not been used aforetime, that the Justices should in any wise determine the Privileges of the High Court of Parliament. For it is so high and mighty in its nature, that it may make law; and that which is law it may make no law: and the determination and knowledge of that Privilege belongs to the Lords of Parliament, and not to the Justices."—(Blackst. Comment. b. I, p. 163.—Seld. Baronage, Part I, c. 4.)

The power of Parliament, my Lord, is, without doubt, all-supreme in legislation, when that Parliament is exercised in all its constituent parts, the King, the Lords Spiritual and Temporal, and the Commons: "Parts, (Blackst. Comment. b. I, p. 160) of which each is so necessary, that the consent of all three is required to make any new law that shall bind the subject." But when one branch of the legislature arrogates to itself the accumulated power of the whole three, then does it become a grand constitutional question, whether it be invested with the authority it assumes.

"For though, in the times of madness and anarchy, the Commons once passed a vote (4th Jan. 1648) that whatever is enacted or declared for law by the Commons in Parliament assembled hath the force of law; and all the people of this nation are concluded thereby, although the consent and concurrence of the King or House of Peers be not had thereto, yet when the Constitution was restored in all its forms, it was particularly enacted by Statute 13 Car. II. c. 1., that if any person shall maliciously or advisedly affirm, that both or either of the Houses of Parliament have any legislative authority without the King, such person shall incur all the penalties of a *præmunire*." (Blackst. Comment. b. I, p. 160.)

It does also appear to me, my Lord, that the power and Privileges of the House of Commons do not extend beyond offences committed "*scilicet curia*," and "*flagrante delicto*." Like a Court Baron, or any other Court that is not of Record, it may commit in case of any obstruction of its immediate functions; but, not having any criminal jurisdiction, it cannot, in committing, exercise its powers beyond the limits of its own walls. Mr. Serjeant Hawkins, in speaking of the several Courts of criminal jurisdiction, only enumerates the following:—

1. The Court of the High Steward of England.
2. The Court of King's Bench.
3. The Court of the Constable and Marshal.
4. The Court of the Justices of Oyer and Terminer.
5. The Court of the Justices of Gaol Delivery.
6. The Court of the Justices of Assize and Nisi Prius.
7. The Court of the Sessions of the Justices of the Peace.
8. The Court of the Coroners.
9. The Sheriff's Term.
10. The Court-Lect.

Had the House of Commons any criminal jurisdiction, it would have been noticed by the Learned Serjeant: on the contrary, he does not allow its proceedings to be classed with those of the different Courts of Record: and Mr. Peake, in his learned Treatise on the Law of Evidence, is

speaking "of public writings not being records," observes:—"Though I have, agreeably to the modern decisions, placed the proceedings of the House of Commons in this class, yet it seems formerly to have been matter of doubt, whether the Journals of that House were not entitled to the authority of Records in the strict technical sense of that word. Sir Edward Coke, whose high opinion of the authority of Parliament is well known to every constitutional lawyer, has contended that they were so; and in support of his opinion has referred to the Statute 6 Hen. VIII. c. 16., which prohibits the absence of any of the Members without licence entered of Record in the Book of the Clerk. Notwithstanding this high authority, it has been said, that as the House itself is not a Court of Record, none of its proceedings are so; and such is now the general opinion." And he adds, "in cases where either House of Parliament merely comes to resolutions as a foundation for other proceedings, these resolutions are no evidence of the truth of the fact resolved; and therefore, on the trial of Oates, (4 St. Tr. 39.), the resolution of the two Houses as to the existence of the Popish Plot, was properly held to be no evidence in a Court of Justice of the truth of that fact; and in two much later cases, in one of which the House of Commons had resolved that a publication was a libel on the House, (Rex v. Stockdale, K. B. Westminster, after Mic. 30th Geo. III.), and in the other, that it was a libel on the Constitution, (Rex v. Reeves, K. B. Guildhall, after Easter, 36 Geo. III.) and where the Attorney-General was ordered to prosecute, the Jury were nevertheless directed to consider the intention of the defendants, and in both cases acquitted the party who was so prosecuted."—Ch. 2. S. 2.

We look up to you, my Lord, for a dignified declaration of the Law of the Land; and, adverting to what your Lordship observed in the case of the King and Lambert, that "there is only one Being to whom error is not imputable," we confidently trust in the impartiality of your judgment, and the constitutional correctness of your decisions.—I have the honour to be, with all respect,

Your Lordship's obedient servant,

TRISHIANES.

MR. ROGER O'CONNOR'S NARRATIVE.

"From a desire to make the People of England acquainted with Ireland, of which they know worse than nothing, receiving as they do all their accounts through the medium of a description of persons, in the constant habit of calumniating that people; and from a wish to give the people of England the means of forming a judgment between the Government of Ireland (during the residence there of Lords Camden and Cornwallis) and me, it cannot, especially at this moment, be thought obtrusive in me to lay before a just, but prejudiced public, a faithful Narrative of those facts, which took place in my particular, commencing on the 27th of December, 1798, and ending on the 8th of May, 1803, a space of nearly seven years, during the whole of which time, a continued fire of persecution was kept up at me. Connor Ville, the former place of my residence, is situated about fourteen miles from Bantry Bay, where a French fleet made its appearance on the 23d of December, 1798. To oppose a landing of the troops on board this fleet about 5000 of the Irish Militia had advanced and occupied the villages about me.—For the manner in which my tenants, my friends, and myself, treated these men, I refer to the panegyrics in the Houses of Parliament, in England and Ireland at the time. We cheered them in their distress, we administered to their wants, of which they had no ordinary share.—On the 27th of December, about nine o'clock at night, such a violent

night as my remembrance cannot parallel, I was informed that my potter's lodges were full of soldiers, in quest of quarters.— I went to them. They were in a sad plight. I found them to be two companies of the Wexford Militia, with seven or eight officers. Day or night, rough or smooth, my countrymen were welcome to me. I had then a large house, well stored. I was in the midst of plenty; full of happiness. I brought all the men to my house. My mind has no register of the time they remained with me, nor what I did for them. My tenants were very good to those with them. My friends (that was, the whole country far and wide) opened their doors to this native army; let them want for nothing; and even when the terror of invasion had subsided, my tenants and myself presented the poor fellows with the billet-money, to which we were entitled, to buy them shoes and stockings.—I did my utmost to make the situation of the officers as comfortable as possible; and this I will say, that I received from all more thanks than were due, and experienced their gratitude far exceeding the obligation. I learned afterwards, that these officers (strangers heretofore to me) had been directed by some agitators to my house, in the expectation of my not admitting them, which was the opinion also of all the officers in that army. I dare say, such of them as live at this day, will acknowledge that they received a more hearty welcome at Conner-Ville than at the house of the most "loyal" man in Ireland; that is, the man that has the largest pension or most lucrative sinecure or post in the kingdom. Whilst this army was in their cantonments in my neighbourhood, when the men lost their muskets, bayonets, and ammunition, which frequently happened, they came to me; I had the things restored to them. The soldiers became attached to me. Long, indeed always, before these events, I had been an object of great jealousy and hatred; I had ever been in the habit of committing a crying sin in Ireland. I had borne myself so to all the people, that they were greatly attached to me. I had appointed arbitrators in every parish, through an immense district, who decided all controversies; the occupation of the petty-fogging lawyer was nearly gone; I curbed the vice of drunkenness; I prevented riots; I did all the good I could. It will not, therefore, surprise any person in the least conversant with the character or complexion of the ruling factions in Ireland, that I was an abomination to them; and when to these vices, in their eyes, the thanks of the poor soldiers were superadded, my crimes were not to be endured, and I became an object of suspicion and distrust.—In this state of things (the French force having long left the coast) a young man from my neighbourhood had gone in the beginning of March to see some friends of his at Bantry, where he was arrested for administering the Oath of Union. On being questioned, he acknowledged that he had received it from my Steward, a lad not more than 18 years of age, who was also arrested, and both were conveyed to the prison of Cork, where every means were used to extort confessions from them to implicate me. They declared, however, that I was the last person to whom they would disclose any thing of the kind. Their honesty and persistence in truth were called treason to their country and attachment to me; and a Council was called together in Dublin, at which it was determined, that I was very dangerous, and a warrant was issued to arrest me on suspicion, the Act of Habeas Corpus being, at the time, suspended. The secret, however, was not well kept. I discovered the plot. I lay down in my own house the night on which I knew that an attempt was to be made to seize on me by a large detachment of horse (attended by Lords, Esquires, and Generals, and their Staff); and before they had marched half a mile from their quarters, I was (at a distant of 12 miles) apprized of their having set out. They made their search for me and a considerable depot of arms, which they were informed were secreted in the lofts and cellars of my house: neither were there, and they marched back. The next day I wrote to the Judge, who was then holding the Assize at Cork, saying, that "if he would give me assurance of a TRIAL then, for any thing that could be alleged against me, I would go to him, otherwise I would not surrender." As he was not authorized to give me the assurance I demanded, and as I preferred the liberty of the com-

mon air and the use of my own limbs, to unlimited imprisonment, I stood out till the latter end of April; when finding my health somewhat hurt from the manner of my living, particularly from damp, I left home and came to England on the 27th of April, where I remained till the middle of June, when I received advice from home, that several of my tenants, and others of the poor people, to the amount of fifty-one, had been flung into prison, and that two unhappy men had been induced to swear against them. The same packet also contained a Proclamation that had been issued by Lord Camden on the 17th of May before, inviting every person to come in and surrender, and give security for the peace, on an assurance of being no further questioned. Very happy at the opportunity this Proclamation afforded me, to developé the conspiracy against the people in prison, and to aid them in their defence, I returned to Ireland, surrendered myself at Mallow to Lord Kinsale and Sir James Cotton, on the faith of the Proclamation; performed the terms required of me, which was to give bail to be of the peace for seven years, of all which I apprized Lord Camden and his Secretary, and Mr. Pelham, now Lord Chichester, the 18th of June. From Mallow I went home on the 5th of July; and, on the 14th, was arrested by Brigadier General Sir Eyre Coote, at his camp, whither he had invited me. Before he detained me, he looked for greater certainty into his orderly book, and there found, as he said, an order dated the 1st of July to arrest me. On his having done so, he was at a loss what to do with me, and attended me to Bandon, where I was to remain till he heard from Dublin. On the 3d day of my stay in Bandon, I received a letter from Mr. Pelham, dated in Dublin the same day I was arrested at the camp near Bandon, 186 miles from town, saying, that Lord Camden wished much to see me in Dublin, and that, if I would comply, I might depend upon my person being perfectly safe from arrest; and that I should be permitted to return home immediately. This letter I communicated to Mr. Coote, who said, that as Government did not know of my arrest at the time Mr. Pelham wrote, he could not let me go till he received an answer from Dublin to his letter, apprizing the Government of my being in custody.—In a few days he received his orders, which were to send a military officer to attend me; and Captain Roche and I set out for Dublin.—The Captain had a sword, and he had on a sash and gorget. There is a high hill between Bandon and Cork; we alighted from our carriage; it is a place of rendezvous; some 20 or 30 carriers were assembled here; they had not seen me since my return from England. Captain Roche first saw his danger; his sword could not defend him; his sash and gorget could not protect him. I perceived the workings of his mind; a look of kindness from me to him would save his life; I superadded a word of esteem. Captain Roche was not molested. We arrived in Cork that evening, where we halted for the night. A man of the city got access to me. Cork is the place of my nativity; I have friends there; would that every man could say the same where he is best known! I discovered that it was intended to offer violence to Captain Roche; I prevented it. I took him in safety to Dublin. On our way we called at the camp at Ardshinnan, where the Wexford Militia lay. All the Officers requested of Captain Roche to tell Lord Camden the services I rendered them, and the thanks they owed me. We arrived in Dublin, and saw Lord Chichester, who liberated me from arrest, and wrote to Mr. Coote that I was not to be molested again. I returned home, and in the beginning of September, I went to the Assizes of Cork for the purpose of defending my tenants against the conspiracy before-mentioned. I sent them all to their homes, and prosecuted the witnesses, who were both transported for perjury to Botany Bay. I now hoped to enjoy with my family that peace which innocence has always a right to expect. I was cruelly deceived. An unsigned, unsworn-to paper, was sent up to the Grand Jury, on the 17th day of the Assizes, when two of the Judges had left the County, and a bill of indictment was found against me, for High Treason. On this paper I was arrested, and flung into prison, where in a dungeon nine feet square, fifty beyond description, I lay rotting for seven months, never hav-

ing felt the influence of the sun, nor breathed on by the air, during the whole time; at the end of which, I was conveyed from this dungeon to the Court to go through "a trial" upon charges of every species of Treason and Rebellion. Two witnesses were brought up, under a strong military guard. They were sworn. What did they depose? *That they knew nothing of me; that one of these papers was written without the knowledge of the witnesses; that, when it was read to him, he declared it to be false, and refused to swear to it; that he was offered 300L. a-year to swear to it, and threatened to be instantly shot if he persisted in his refusal; and he did persist.* The other witness swore, that what was called his information, was all written down without consulting him; that, when he refused to sign it, he was threatened to be hanged; and that, at length, he was prevailed on to put his name to it, on his receiving an assurance, that it never was to appear, and that it was only a matter of form. *I was acquitted instantly.* All the people, all the military, expressed their joy; the Judge trembled; he was seen stretching out his imploring arms from the bench to me in the dock, amongst robbers and murderers; he was heard to cry to me for mercy to protect him; and I did protect him: not a hair of his head was touched. On my being released, I did not return even to my house; I did not even take one day's repose. No; my beloved brother was a prisoner at Maidstone; he is one year younger than I am; we were reared and educated together; never one day or night apart for eighteen years. The thought of him banished every other idea from my mind; I set off to him that very night; arrived in London in four days, as quickly as I could travel. I wrote to the Duke of Portland for permission to be admitted to my brother; I received his answer, at five o'clock next morning, *by four King's Messengers with a warrant to arrest me; and from my bed was I taken to the house of Mr. Sylvester, and that evening was I taken off for Ireland.* We landed about ten miles from Dublin, at night; I saved Mr. Sylvester and the Bow-street Constable, my companion, from a watery grave, and conducted them safe to Dublin, where we arrived at three o'clock in the morning. I now, for the first time since I left London, lay down, and had not been in my bed more than three hours, when Mr. Sylvester awaked me, to tell me that another King's Messenger had, that moment, arrived from the Duke of Portland *to take me back instantly to London.* This was about seven o'clock in the morning; about twelve, Mr. Sylvester informed me, that Mr. Cooke desired to see me at the Castle. Mark the instability of fortune. Behold O'Connor brought by a constable to have the liberty of being admitted to the presence of Mr. Edward Cooke! I did see him; the interview was not of long duration; the conversation was not of many words; but it is important. I asked him the meaning of these proceedings; what post-haste treason I had committed in the four days that I travelled from Cork to London, above 400 miles. Hear his answer: "*We do not pretend to have any charge against you; but we know your power, and suspect your inclination; had my advice been taken, you should not have been brought to trial in Cork. My opinion was, that you should have been kept in confinement under the suspension of the Habeas Corpus Act, and it now appears I was right.*" Well, that afternoon, about two o'clock, I was obliged to set off back again towards London, where we arrived on the fourth morning, having been forced to perform journeys of nearly 1200 miles, and cross the Irish sea three times, in 13 days and nights, during the whole of which time I never was permitted to take off my clothes, nor to lay down, *for more than seven hours!* I was kept in custody at the house of Mr. Sylvester till my brother's acquittal at Maidstone, when we were both taken to Dublin, where we were lodged in the same prison room, on the 2d of June, 1798. In July a special commission was opened in Dublin, for the trial of all those against whom any charges had been exhibited; amongst whom neither my brother nor I were. Three had been executed. Mr. Byrne, a relation of the Marchioness of Buckingham, was condemned, and was to be executed on the 24th of July. On Sunday, the 22d, some negotiation was set on foot, in a way never yet ascertained, between the Go-

vernment and some of the state prisoners in Dublin, of which it appears that neither my brother nor I had any intimation till Tuesday, when Mr. Dobbs and the Sheriff of Dublin entered our apartment, and shewed us a paper, purporting to be an acquiescence on the part of seventy-three of the prisoners, to give information of any arms, ammunition, and plans of warfare; and to emigrate, on condition of a general amnesty, and of pardon for Mr. Byrne, who was to die that day, and for Mr. Oliver Bond, who was, at that moment, on his trial, *if he SHOULD be condemned.*—My brother and I declined entering into any agreement. Mr. Byrne was ordered for instant execution, which instantly took place; Mr. Bond was to die on the Friday. We heard no more of the paper, till Thursday evening late; when the same Mr. Dobbs, accompanied by Mr. Samuel Nelson, one of the prisoners from another of the prisons, came to that where my brother and I lay. All the prisoners were called together; Mr. Dobbs produced a letter he had just received from Mr. Cooke, stating, "*that if my brother and I would enter into a treaty with the Government, by which we should engage to give every information in our power of all matters relating to the Rebellion, and particularly our relations with foreign states, there should be a general amnesty, Mr. Bond should be pardoned, and we should be permitted to emigrate to any country not at war with England; but that if we persisted in our refusal, military commissions should be issued in the north for the trial of the prisoners there, the courts should proceed in Dublin, and the yeomanry should remain on active duty!*" We both refused. We said, *if there are any charges against us, proceed upon them. Why proceed against others, because we will not enter into any negotiation?* We went to our own room, whither Mr. Dobbs presently came. He represented to us the dreadful scenes of slaughter and devastation that would follow close upon our declaration. It appears, that my brother was influenced by these considerations, and to save an unarmed people, he consented to sacrifice himself; but I heard these proposals and threats with a very different ear.—My answer was, *that I set at defiance all their machinations; that I was ready to meet any charge that could be brought against me; but that I never would enter into any agreement with the Castle of Dublin during my life. Nothing now was left unattempted to induce me by fair promises, or to intimidate me by the most alarming threats, to sign this agreement. All were unavailing.* At length Mr. Marsden came, as if *secretly and as a friend, to let me know what, by chance, he had heard at the Castle.* That it was determined to *seize my estate, if I did not comply.*—My answer was, that I was prepared against every thing; that I was absolute never to comply. In consequence of which, orders were dispatched to the officer commanding at Bandon, to send detachments of horse and foot to take possession of my house, which they did, to the amount of between 2 and 300 men; they *expelled four of my infant children, and my servants; the officers broke open my cellars; drank all my wine; they ordered the men to kill my sheep and oxen, on which the whole party subsisted; they converted my iron gates into shoes for their horses; they made a log of windows, doors, and frames of the house and offices; burned all my farming utensils; destroyed my gardens, and the wall trees, the hot-house, green-house, and all the plants; turned all their horses out into young plantations, which were all ruined; stole every thing moveable; and committed every species of devastation for eight or nine weeks that they remained there; for which I never received one penny as remuneration, from that day to this.* After this visitation, it was again demanded of me *to sign the paper.* My answer was always the same. Still was I kept a prisoner; and when those who had entered into the agreement were sent to Scotland, I was forced by Justice Atkinson, and a company of the Buckinghamshire Militia, at the very point of the bayonet, into a coach, conveyed on board a tender, and conducted to Fort George, in which military garrison I was kept for a year and ten months, where, by the lenient treatment I received, I lost the use of my limbs, and was reduced to the very verge of life; at the end of which time I was brought to London,

and LET GO on the 24th January, 1801, upon a dreadful recognizance to some immense amount, *not to return to Ireland, and to reside in such part of England as the King of England should, from time to time, appoint (and Middlesex was named) during the then war.* I took a house at Southgate, in Middlesex, where I resided for half a year; but having no land there, I looked out for a place with land, to occupy my time. I found one to suit at Elstree. As I was a stranger, and as the rent amounted to 500*l.* a year, I applied to my old friend and companion, Sir Francis Burdett, who immediately became my security. There I lived for one year, when, the Treaty of Amiens taking place, I was desirous of returning to my own country, and applied to Sir Richard Ford, the Magistrate, before whom I acknowledged the recognizance, to get it up. *In vain.*—After many fruitless efforts, he at length informed me, that it was determined NEVER to give it up, *as long as I retained the power of living in the South of Ireland.*—I judged it better to part with Conner Ville than be shut out from my country. I got A LICENCE to go to Ireland, and, on the 1st of May, 1803, I let a lease for ever of the place of my earliest days. Whereupon, I got up my recognizance immediately. I purchased for 40,000*l.* from Lord Wellesley, the castle and estate of Dungan, within a few miles of Dublin, where I have resided with my family ever since, coming over occasionally to visit Sir F. Burdett, and a few other friends in England, where, though I have estates, I have never been known, directly or indirectly, to interfere in any concerns of the country; I never attended a public meeting or a public dinner; though I have many friends, I seldom associate with any one but Sir F. Burdett and his family.—My fortune is ample; and, neither I nor any one of my family ever eat one morsel that was not produced from our own estates. We never received any of the people's money, in the shape of pensions and places, nor was any man's meal or comforts ever diminished by one of us. Surely, then, I must be a most disloyal Traitor! In fine, many, very many, of the people of Ireland love me; the Militia was attached to me. I surrendered on the solemn faith of a proclamation, which faith, towards me, was broken; I protected Captain Roche; I defended the Judge; I saved Mr. Sylvester and the Bow-street Constable. There is no kind of place that has not been my prison; my own house, camps, guard-houses, taverns, and hotels; castles, wherries, packet-boats, messenger's houses, court houses, hridewells, state-prisons, (as they are called), tenders, garrisons, palaces; and, as a prisoner, have I been travelled about from my own house in the south to Carrickfergus in the north of Ireland; from the western extremity of Wales, to Maidstone, nearly the eastern extremity of England; from Dublin to Fort George in Scotland, within forty miles of John O'Grot's House, to London; in mail coaches, hackney coaches, post carriages, and garts; on foot and on horseback. And all because (for I know no other cause) that ten years before the French Revolution, I saw the absolute necessity of a Reform in the Commons in Ireland, which was acknowledged afterwards by the factions of England and Ireland; and because I would not consent to a legislative Union, which I regarded as equally ruinous to both parts of the kingdom.—On the whole, then, let the people of England, now that they are in possession of their sober senses, decide between my accusers and me: whether the laws were infringed by ME, who have gone through every ordeal, who have always courted investigation and enquiry; who for years NEVER CEASED TO DEMAND TRIAL; or by THEM, who sought the protection of a BILL OF INDEMNITY, passed by an assembly of which they themselves made a part?

ACCIDENTS, OFFENCES, &c.

Sunday evening, as a party of ladies and gentlemen were returning to London from Twickenham, the boat in which they were ran foul of a barge below Hammersmith, and had nearly been sunk. A lady of the name of Stebbs, the wife of an artist

in Argyle-street, was forced overboard by the shock; and immediately sunk. Her brother, who was in the boat, jumped after his sister, but she never rose. The deceased has left three young children.

On Tuesday evening, as Mr. Mortellari, the composer, was passing through Portland-place, he saw a Gentleman leaning on the iron rails of a house, as if unwell. He was approaching to offer assistance, when the stranger fell into his arms and expired. He was about 52 years of age, and the name of Taylor was found on a card in his pocket.

Monday afternoon, at Charing-cross, as a chariot was passing along at a quick rate, in order to extricate it from a train of brewer's drays, one of the hinder wheels caught one of the stoppers, and the chariot was overturned with considerable violence. It contained a lady and three children; one of the latter, about 4 years old, was so hurt that she died soon afterwards.

A young man of the name of Yeough was killed on Tuesday in the Park, in a pitched battle with Geo. Sorrel. The parties having quarrelled, they staked two guineas each, to decide their dispute in a pugilistic combat. They fought for three quarters of an hour, and neither would resign, until at length, whilst Yeough was running in upon his adversary, he met a blow on the forehead, which caused his death.

EXTRAORDINARY ROBBERY.—On Tuesday night, about eleven o'clock, as an old Gentleman who resides near Manchester-street, was sitting in his front parlour, no other person being in his house, he was extremely alarmed by the sudden appearance of a man, with a black crape over his face. The terror of the old gentleman was considerably increased by the man not speaking, but repeatedly making a noise like the barking of a mastiff dog. The robber opened the back parlour door, and beckoned to the old gentleman to follow him, which he refused. The robber then forced him into the back parlour, pointed at an iron safe, and made signs for him to open it. The old gentleman not complying, the robber proceeded to take the keys from him, and, in the scuffle, the old gentleman fell over a chair, and a table fell upon him, which cut upon his nose, broke his shins, and bruised him in a shocking manner. The robber took out three gold watches, three gold snuff-boxes, several diamond and pearl rings, and other trinkets, to the amount of between four and five hundred pounds; then, after giving the old gentleman several severe blows, he took the candle, left the room, and locked the old gentleman in. After some time, the old gentleman recollecting himself, and gave an alarm to the neighbourhood. The neighbours broke open the doors. They found that the villain had left the candle in such a position, as there was no doubt but he intended to set fire to the house. The old gentleman keeps a carriage, which was out with his niece, who resides with him, and the footman attending her; they did not return till one o'clock. It so happened that there was no female servant belonging to the family at the time, the old Gentleman having changed his servants very often lately, and behaved rather in an eccentric manner towards them.—It is strongly suspected that the robber was a servant, who had formerly lived in the family.

MARRIAGES.

Yesterday, at Northumberland House, Lord Francis Murray, second son of the Duke of Athol, to Lady Anne Maria Percy, second daughter of the Duke of Northumberland. The Archbishop of Canterbury performed the ceremony.

DEATHS.

On the 21st of March, at the Royal College, Greenwich, in the 22d year of her age, of a decline, Miss Dorothy Elizabeth Ellison.

Also on the 7th of April, at Guernsey, after a short illness, Mrs. Esther Eliza Basden, wife of Captain Basden, of his Majesty's 89th Regiment, daughter of Captain Joseph Ellison, 2d Captain of Greenwich Hospital, and Director of the Choke at Greenwich.

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