



The Honorable the Lieutenant Governor in Council is pleased to direct that all Appointments, Orders and Notifications by Government, published in the Java Government Gazette, be considered as official, and duly attended accordingly by the parties concerned.  
**J. DUPUY, Acting Secretary to Government.**  
 BATAVIA, May 1, 1814.

Den Heere Luitenant Gouverneur heeft goedgevonden, te bepalen, dat alle de van wegens het Gouvernement in de *Javasche Gouvernements Courant*, geplaatst wordende Aanstellingen, Orders en Bekendmakingen, als Officiele moeten worden aangemerkt en by ieder als zodanig moeten worden erkend.  
**J. DUPUY, Waarnemend Secretaris van het Gouvernement.**  
 BATAVIA, den 1ste Mey 1814.

VOL. III.

BATAVIA, SATURDAY, OCTOBER 15, 1814.

[NO. 138.]

### Advertisement.

**NOTICE** is hereby given, that the conditions of the sales of COFFEE, which took place under the advertisements of the 8th and 16th June, 1814, having stipulated for its clearance from the Stores within three months after the sale, and that period having some time since expired, any Coffee of those sales remaining uncleared on the 16th proximo, will be put up to re-sale by Auction, at the Stad-house in Batavia, the original deposit being considered to be forfeited, and any loss that may be incurred by the re-sale being made good by the first purchasers.

Notice is hereby further given, that the risk and charge attendant on this Coffee from the expiration of the stipulated period of clearance up to the actual time of delivery or until the 16th of the next month, if not cleared out at that date, will be considered to attach to the original Purchasers.

By order of the Honorable the Lieutenant Governor in Council.

**C. ASSEY,**  
*Secretary to Government.*

BATAVIA, Oct. 15, 1814.

### Advertentie.

**NADEMAAL** het by de voorwaarden van de verkopeningen van KOFFY, welke hebben plaats gehad ingevolge de Advertentie van den 8 en 16 Juni 1814, bedongen is, dat genoemde Koffy binnen drie maanden na de verkoping uit de Pakhuizen moest worden afgehaald—en dat tydperk reeds lang verstreken is, zo wordt hier scheid kennis gegeven dat alle zodanige Koffy, welke op den 16 der volgende maand noch in de Pakhuizen mogt leggen publiek op het Stadhuis te Batavia zal verkocht worden, terwyl het gedeponneerde gedeelte der kooppenningen zal bevestigd worden als verbeurd, en alle verliezen by de tweede verkoopning zullen gedragen worden door de eerste kopers.

Terzelve tyd wordt kennis gegeven dat de risico ende ongelukken op de bewaring van gemelde Koffy lopende, zedert de ommekeer van het tot den afhaal bepaalde tydperk, tot op het oogenblik dat dezelve werkelijk wordt afgehaald, daar wel, tot den 16 der volgende maand voor de nalatigen, voor rekening zal wezen van de eerste kopers.

Ter Ordonnantie van den Heere Luitenant Gouverneur in Rade.

**C. ASSEY,**  
*Sec. van het Govt.*

BATAVIA, den 15 Oct. 1814.

### Advertisement.

**NOTICE** is hereby given, that the seventh half yearly Lottery of the Provingo Paper Currency will take place on the 1st proximo at the Stad House in Batavia in the usual manner.

By order of the Honorable the Lieutenant Governor in Council.

**C. ASSEY,**  
*Sec. to Govt.*

BATAVIA, October 14, 1814.

### Advertentie.

**WORDT** hiernevens bekend gemaakt dat de Zevende, half Jaarlyksche Lottery van de Propolingosche Krediet papieren, plaats zal hebben op den 1ste November aanstaande ten Stadhuis te Batavia op de gewone wyze.

Ter Ordonnantie van den Heere Luitenant Gouverneur in Rade.

**C. ASSEY,**  
*Sec. van het Govt.*

BATAVIA, den 14 October 1814.

### Advertisement.

**NOTICE** is hereby given, that a number of supernumerary ORDNANCE BULLOCKS will be sold on the 25th instant, by Public Auction, at the Stad-house at Batavia.—The particulars of the sale will be published in the next Gazette.

By Order of the Honorable the Lieutenant Governor in Council.

**C. ASSEY,**  
*Secretary to Government.*

BATAVIA, den 14 October 1814.

### Advertisement.

**NOTICE** is hereby given, to all whom it may concern, that the receipt of the Duty of half per cent on the Assessment of Houses and Gardens, within the limits of Batavia, published by advertisement of the 8th August last, has been prolonged to the 31st of the current month, and that after the said period no further payment will be received without the usual fine.

By order of the President and Bench of Magistrates.

**S. H. VAN SPRENGER,**  
*Dept. Secretary.*

BATAVIA,  
 October 5, 1814.

### Advertentie.

**VAN** wegen President en Magistraten wordt by dezen bekend gemaakt, dat den ontfangst van het half per Cent op de getaxeerde waarde der Tuinen en Erven binnen de limiten van Batavia, by Advertentie van den 8ste Augustus l. l. geannonceert, geprolongeert is niterlyk tot ultimo dezer, waarna geen betaling meer zal kunnen gedaan worden zonder de daarop bepaalde boete.

**S. H. VAN SPRENGER,**  
*Adjt. Secretaris.*

BATAVIA,  
 den 5de Oct. 1814.

### Advertentie.

**DOOR** Directeur en Commissarissen der Bank van Leening, word hier mede bekend gemaakt, dat gedurende deese maand, October, dagelyks (de Zaterdag, Zon- en Feest-dagen uitgezonderd) in gemelde Bank van Leening zullen worden ontvangen, de Verscheenen Renten op beleende Vastigheden in de maand April dezes Jaars, welke volgens 's Banks Instructie de dato 1ste November 1813, moeten worden betaald in Zilver Geld.

Ter ordonnantie van Directeur en Commissarissen voornoemd.

**P. DEKKER, Sec.**

BATAVIA,  
 In de Bank van Leening,  
 den 1ste October 1814.

### Advertentie.

**DIRECTEUR** en Commissarissen der Bank van Leening, maken hiermede bekend, dat op Manndag den 31ste October voor het gebouw van gemelde Bank van Leening, door Vendumeesteren verkoopning zal worden gehouden van eenige rusteende vervallen Panden, bestaande in Juweelen, Goud en Zilverwerken.—Welke op Saterdag den 29ste bevoorens voor een ieder ten toon zullen worden gelegd, des morgens van 9 tot 11 uren.

Ter ordonnantie van Directeur en Commissarissen voornoemd.

**P. DEKKER, Sec.**

Batavia den 1 October 1814.

### Advertisement.

**ON** Monday the 3d instant, will be exposed for sale, by A. H. EBEL, No. 16, New Port-street, at reasonable prices and for ready-money only; A variety of ARTICLES, chiefly imported on the ship *Commerce*, consisting of Glass-ware in sets—Soda and Siltace Water—Bristol hot Well-Water in bottles—Porter in cask—Port-wine in pipes—Square Iron—Iron Hoops and Oil Paintings—Ship Chandlery—Canvas—Coir Rope—Lines—Twine—Ghee—Bengal Butter, &c. &c.

BATAVIA,  
 Sept. 1, 1814.

### LOTTERY

**OF** a set of four fine Arab Carriage HORSES, well broken in, with an elegant SOCIABLE, lined with fine grey coloured Broad-cloth, blue Morocco Leather, and yellow Silk Lace; also, an elegant set of plated Harness, for four Horses, to which will be added two English Saddles for two Postillions, four handsome Horse-cloths, new Water Bridles and Halters.

List of the Colour, Age, and Height of the HORSES.

How to be put.	Colour.	Age.	Height.
Left front Horse or Leader.	Light bay, black main and tail, white hind legs, and a white spot on the head....	Near 4 years.	Four feet and almost 7 inches, or very near fourteen hands.
Right front Horse or Leader.	The same as above.	3 years.	Four feet and almost 7 inches.
Left hind or wheel Horse.	Light bay, black main and tail, white right hind foot, with a white spot on the head and a white nose.	Near 3 years.	Four feet and above 6 inches, or 13 hands and a half.
Right hind or wheel Horse.	The same as above.	3 years.	Four feet and 6 inches.

The LOTTERY will consist of Thirty Tickets, and one Free Ticket, the Price of each Ticket One Hundred and Eighty Spanish Dollars Paper Money;—it will be drawn as soon as the Tickets are disposed of, and the price for the same collected.

The Horses and Carriage may be seen at Mr. LINTEL's, Weltevreden, and the List for the Lottery at Mr. JAN PIET's, Batavia, every morning between eleven and twelve o'clock.

Just imported on the Ship

### MADRAS MERCHANT,

**CAPTAIN CHARLES EATON,**  
 FROM MADRAS.

TO BE SOLD AT MR. ARON LEVIE'S, IN THE VORREY, FOR READY-MONEY.

- All sorts of coarse Arcot Chintzes.
- Blue Cloth, of 8, 9, and 10 kall.
- White Salampores, of 7 kall.
- Arcot Carasas.
- Charlas.
- Sarasa.
- White Supersinam.
- White Moorees.
- Red Maloy Combays, of all sorts.
- Brown Salampores.
- White Chandernonnahs.
- Sadra Salampores.
- Wantapollum washed red Handkerchiefs.
- Brown Sathara Salampores.
- A quantity of Iron Hoops.
- Ditto Soap.
- Ditto fresh Cardamums.
- Madeira Wine, in pipes and half pipes.
- Europe Boots.
- Ladies' and Gentlemen's leather Gloves.
- Ditto ditto Hosiery.
- A few cases of English Claret, in seven chests.
- A quantity of Chittagong course Canvas, fit for coffee-bag.
- Europe Vinegar, in casks of 20 gallons each.

**C. EATON.**

BATAVIA, Sept. 28, 1814.

### TE HUUR.

**DE** Bazar te Tangerang, te bevragen by J. EKENHOLM.

### Vendu Advertissemerten.

Door Vendumeesters—zullen de volgende Venduties worden gehouden; als.

Op Maandag den 17 October 1814.  
**VOOR** 't Negotie huis van Gavork Manuck, staande op de groote Roea-macca, van diverse Negotie Goederen, als Brandewyn in vaten, Cust Zeep, Madera in bottels, Lywaten in soorten, Muselipatnamse Snuif Tabak en Gie in vatjes &c.

Op Dingsdag den 18 October 1814.  
**VOOR** een Huis van den Chineseen Souw Kongko, staande over de Toko-tiegar, van diverse Negotie Goederen, als Lywaten van differente soorten, Porcelainen, en andere Chinese Goederen, &c.

Op Woensdag den 19 October 1814.  
**VOOR** het Pakhuis van Jessen, Trail en Comp: staande aan de oostzyde van de Groote-rivier, van Glaswerken, Verfstoffen, Cognac Brandewyn, Madera-wyn, en andere Negotie Goederen.

Op Donderdag den 20 October 1814.  
**VOOR** de Woning van Carel Pieter Bony, staande op de kleine Roea-macca, van Juweelen, Goud, Sawas en Zilverwerken, Huismebelen, Wagen en Paarden, Slaven en Slavinnen, &c.

Op Vrydag den 21 October 1814.  
**VOOR** 't Sterfhuis van J. Bauer, staande aan de oostzyde van de Voorburggragt, van Huismebelen, Kleederdragen, Slaven en Slavinnen, nevens andere Goederen meer.

Op Zaterdag den 22 October 1814.  
**VOOR** 't Negotie huis van van Ryck, staande in de Nieuwpoortstraat, van differente Provisien, en andere Goederen onlangs alhier aangebragt met het Schip Star, Capt. Williams, als Brandewyn op vaten, Claret, Hoek, Sherry en Portwynen, Vin de Grave en Vin de Pucelle op bottels, als meede Cherry Brandy en Frambosen, Azyn op halve bottels, en het geen verder ten dage der verkoping zal werden opgeveild.

### Advertentie.

**OP** aanstaande Dingsdag zynde den 18de October 1814, zal ten overstaan van Gecommitteerde Heeren Weesmeesteren, door den Secretaris der Weeskamer JACOB HENDRIK DE HOOGH, voor een huis staande en gelegen aan de Oostzyde van de Tygersgragt No. 10, verkoopning werden gehouden van eenige mans Klederen, en een parthy Indigo, waar van de conditien dagelyks voor den verkoop van des morgens negen to 'smiddags twaalf uren, op het Secretary by den Adjunct Secretaris op het Stadhuis voor een ieder ter visie zullen leggen.

De Indigo kan daags te vooren door een ieder werden bezigtigd in het bovengenoemde huis alwaar dezelve geborgen is.

### TO BE SOLD BY PRIVATE CONTRACT,

**THE** HOUSE adjoining the Freemasons' Lodge La Vertueuse, consisting of two large Parlours, two Sleeping Rooms, of the same size, and two small Rooms, with boarded floors and ventilated, large dining Verandah, elegantly fitted up; and fit for the residence of a small genteel family—with suitable Out-offices, Kitchen, double Coach-house, with stabling for 16 horses, cow, and detached out-houses, Kitchen Garden in high cultivation, with extensive grazing or pasture land, well stocked with Cocoanut-trees, together (if required) with Furniture, Slaves, Horses and Carriages, Cows, Sheep, &c. &c. For particulars apply to

**J. FICHAT.**

JACARA, Oct. 13, 1814.



Notice.

THE doors of the Military Bachelor's Theatre will be opened at 1/4 past 6 o'clock on Monday evening...

Bekendmaking.

DE Deuren van het Militair Theater zullen Maandagavond ten half zeven uren geopend worden...

Advertisement.

THOSE to whom the Managers of the BACHELOR'S THEATRE are indebted, are requested to send in their accounts without delay.

ALLE de geengen welke iets te vorderen hebben, van de Directoren van het Militaire Theater, worden verzocht hunne teekeningen zonder verzuim af te geven...

Wanted

A Quantity of double STRAW BAGS, to contain about One Pecul Coffee, or 5 pieces answered—also, about 1000 GINNY BAGS.—Enquire at No. 32, Tiger Street.

Benoodigt

HEEN hoveelheid dubbele STOOZAKKEN, ter grootte van een Picul Coffy te kunnen inhouden, dan wel enkele Ongenaayde STOOZAKKEN, als noodt Een Duzend Pees Goeny zakken...

Lately Imported from England, BY THE SHIP STAR,

GOODS,

TO BE SOLD FOR READY MONEY ONLY, At No 5, Newport-street,

HODGSON'S Pale Ale, in casks—Ditto Porter, in ditto—Bottled Ale and Beer—Pickled Herrings—Do. Salmon—Cogniac Brandy—Rumpy Bottles—Corks—Pine Cheese—Pickles—Hats—Silk and Cotton Hosiery—Butter, in Jars—Pickles—Old Claret—Hock—Barbecue—Hops, &c. &c.

Advertisement.

J. B. SLOANE requests the Gentlemen of the Colony, who have book accounts with him will have the goodness to discharge them, without delay to enable him to meet the demands of his creditors.

Advertisement.

MR. NOTARY DROST, has to dispose of by Private Contract, his large and commodious Dwelling HOUSE, with the Godown, Stable, and Carriage House...

Advertisement.

LOST on Friday the 8th instant, a pair of gold mounted Spectacles, in a shagreen case, and a bunch of small keys, on a steel ring—Any person having found the same, and applying at the Java Government Gazette Office, will be handsomely rewarded on producing the lost articles...

Advertisement.

ALLE de gene welke iets te pretenzen hebben van, ofte verschuldigd zijn aan den Boedel van wylen... Laurenceau, worden verzocht daarvan binnen den tyd van zes weeken opgave te doen...

Advertisement.

THE Creditors of the late Captain FRANCIS LYNCH, are hereby requested to meet at the house of Mr. SMITH, Jacatra, on Thursday the 20th October instant, at half past 9, A.M.

W. YOUNG, Joint Executor; J. FICHAU, Joint Executor; R. T. SMITH, Joint Executor.

BATAVIA, Oct. 13, 1814.

Advertentie

DE Creditoren in den Nalatenschap van wylen de Heer FRANCIS LYNCH, worden verzocht om zich by aanstaande Dinsdag den 20de October, vóórgeen ten halftien uren te verspreken op Jacatra, ten huize van de Heer SMITH...

W. YOUNG, Joint Executor; J. FICHAU, Joint Executor; R. T. SMITH, Joint Executor.

BATAVIA den 13de Oct. 1814.

Advertisement.

On WEDNESDAY the 19th Instant, WILL BE SOLD BY PUBLIC AUCTION, AT THE PREMISES OF

Messrs. Jessen, Trail and Co. Great-river-street.

BENGAL Canvas—Coir Rope—Bengal Butter—Glass-wares—Wines—Carriages, &c. &c.

Advertisement.

On MONDAY the 24th Instant, WILL BE SOLD BY PUBLIC AUCTION, AT THE PREMISES OF

Messrs. Jessen, Trail and Co. Great-river-street.

THE EFFECTS OF THE LATE DOCTOR WALTER H. ROBERTSON, Consisting of

A LARGE and valuable collection of Books—Oil Paintings—Engravings—Surgical Instruments—Medicines, &c. &c.

Advertisement.

MESSRS. JESSEN, TRAIL and Co. have for sale a few boxes of choice old MADEIRA WINE, of a superior quality, imported into this Island to private order, for Silver Kuppen 32 per dozen, silver money, or bills on Bengal.

Advertisement.

ALL persons indebted to, or having any claims on the Estate of the late Laurenceau, are hereby requested to address themselves, within the space of six weeks from this date, to the Subscriber, Secretary to the Orphan Chamber.

J. H. de Hooen, Sec. BATAVIA, October 13, 1814.

Advertentie.

ALLE de gene die iets te pretenzen hebben van, ofte verschuldigd zijn aan den Boedel van wylen... Laurenceau, worden verzocht daarvan binnen den tyd van zes weeken opgave te doen...

J. H. de Hooen, Sec. BATAVIA den 13 October 1814.

Advertentie.

ALLE de gene welke iets te pretenzen hebben van, ofte verschuldigd zijn aan den Boedel van wylen... Laurenceau, worden verzocht daarvan binnen den tyd van zes weeken opgave te doen...

Java Government Gazette.

BATAVIA,

SATURDAY, OCTOBER 15, 1814.

APPOINTMENTS.

Mr. Cappellen, Senior Member of the Supreme Court of Justice, to act as President during the absence of Mr. Hope or until further orders.

Mr. De Jongh to act, provisionally, as fourth Member of the Supreme Court of Justice.

GENERAL ORDERS,

By the Honorable the Lieutenant Governor in Council.

BATAVIA, 14th Oct. 1814.

The following Orders issued by the Commander of the Forces are confirmed.

Extract General Orders by the Commander of the Forces.

Head-Quarters, Sourabaya, July 11, 1814. In Obedience to the Honorable Commandant of the Bengal European Regiment, Assistant to the Deputy Quarter-Master General, in India...

Lieutenant Wilson, placed in charge of the Commissariat Department at Sourabaya, as directed in the General Orders of the 2nd of May, 1814, is authorised to draw the rate of Sonat Kuppen Two Hundred and Fifty (250) per month...

(True Extract) L. CONROY, A. D. A. G.

Extract General Orders by the Commander of the Forces.

Head-Quarters, Sourabaya, April 27, 1814. Sergeant Peter Graham, of His Majesty's 58th Regiment, is appointed Provost Sergeant to the Troops proceeding on Foreign Service from the 15th instant.

Sergeant Graham will draw the same allowances as was granted to Sergeant O'Brien, on the expedition to Palembang. By order of the Honorable the Lieutenant Governor in Council.

C. ASSEY, Secretary to Government.

GENERAL ORDERS,

By the Honorable the Lieutenant Governor in Council.

BATAVIA, October 14, 1814.

Lieutenant Dudgeon, Acting Brigade Major in the Western Division, is permitted to draw the Staff allowance of that Office during the absence of Brigade Major Hassan on the public service.

By order of the Honorable the Lieutenant Governor in Council.

C. ASSEY, Secretary to Government.

GENERAL ORDERS,

By the Honorable the Lieutenant Governor in Council.

BATAVIA, October 14, 1814.

Extract in the General Order dated the 25th August last, regarding the appointment of Lieutenant Allan Cameron, of the Bengal Artillery, to act as Commissary of Ordnance at Djepang and Solo.

By order of the Honorable the Lieutenant Governor in Council.

C. ASSEY, Secretary to Government.

An entertainment was given yesterday evening at Weltevreden to Mrs. Raffles, by Major-General and Mrs. Nightingall. The party consisting of the Civil, Military, and Naval Officers, of His Majesty's and the Honorable Company's Service, and many of the principal Dutch inhabitants assembled at an early hour...

We are concerned to observe that the precarious state of Mr. Hope's health, which had long been suffering at intervals, has at length rendered a voyage to sea absolutely necessary for his recovery...

the Honorable Company's cruiser Benares, under appropriate salutes from the wharf and from that vessel.—Mr. Hope will proceed to Samarang in the Benares, and from thence to China in the Honorable Company's ship Scaleby Castle.—We understand that if his health derives the expected benefit from this voyage, Mr. Hope will return in about four months to Batavia.

Notwithstanding the unremitting exertions of all employed at the new Theatre at Weltevreden, an unavoidable delay of two or three days has rendered it necessary to postpone the opening until Monday next.

We are sorry to announce the loss of the brig Morning Star, Captain Smart, of Calcutta, which sailed from Batavia in March last, bound to New Holland—on her return from that place she struck on a shoal in the straits of Torres. The Commander and a few men only were saved, and succeeded in getting a conveyance to the shore from whence a party of His Majesty's troops were sent to the Commander of which vessel was an incident for this information.

His Majesty's ship Volage, with the Honorable Company's cutter, the Aurora, which sailed from this port on the 7th instant, on a cruise in search of the strange vessel, whose appearance in these seas was noticed in our last number, returned on Wednesday last without having been successful in her object.

SHIPPING INTELLIGENCE.

ARRIVALS. Oct. 9.—Brig Susana Barbera, E. S. Barbera, from Amsterdam, 8th Oct.—Cargo, Coffee.

Same day.—Schooner Swallow, F. Marting, from Cheribon 6th Oct.—Cargo, Coffee.

Do.—A Schooner, from Sumatra, 14th Sept. and 1st Oct. 1814.

Do.—Brig Hibernia, from Port Jackson, 1st August, added Samarang 4th October.

Do.—H. M. ship Volage, Captain J. Deary, from a cruise.

Same day.—H. C. cutter Ternate, from Ternate.

DEPARTURES. Oct. 8.—H. C. cutter, Capt. John Davidson, on a cruise.

Do.—H. C. cutter, Capt. W. Easton, on a cruise.

Same day.—Brig Swallow, Capt. F. Marting, on a cruise.

Do.—Brig Hibernia, on a cruise.

Do.—Brig Swallow, on a cruise.

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for permission to file a criminal information against the Editor, Proprietors and Printer of the Times News-paper, for a Libel contained in an Advertisement published in the said paper on the preceding day, in which Advertisement an allegation injurious to the Professional Character of Mr. Stanley was set forth by a person signing himself J. Smith. It appearing desirable that the name of Smith should appear in the same application, the motion was allowed to stand over till Thursday, and on that day Mr. Fergusson obtained a Rule of Court, ordering James Smith, James Mackenzie, Editor, and John Campbell Burton, a Proprietor of the Times Newspaper, to shew cause why a criminal information should not be filed against them, for the publication of the above mentioned Libel. The prosecution against De Mello, the printer, was dropped in consequence of the contrition expressed by him for his offence. Mr. Fergusson wished also that the Court would permit him to withdraw his motion as far as it affected Mr. Burton, as he had apologized to Mr. Stanley, and declared that he had not seen the paragraph complained of until after its publication, or he would certainly not have sanctioned its appearing in the paper of which he was a proprietor. The Court did not comply with this request, but directed that Mr. Burton should state the circumstances, and whatever else he might have to say in his own defence, in an Affidavit to be produced in Court.

Yesterday Mr. Fergusson on the part of the Prosecution moved that the Rule should be made absolute.

Mr. Strettel appeared as Counsel for Mr. Mackenzie and Mr. Burton.

He urged the impossibility of its being conceived for a moment by any candid person, that Mr. Mackenzie could have any intent to injure Mr. Stanley's professional character in sanctioning the publication of the Advertisement complained of. He was personally unknown to Mr. Stanley, and therefore could have no ill-will towards him, and he trusted their Lordships would have no hesitation in giving implicit credit to his assertion on Oath, that the offensive paragraph alluded to, was allowed to have a place in the paper of which Mr. Mackenzie is Editor, solely from an inadvertence to its culpable nature. This misapprehension, Mr. Strettel contended, was natural and easily to be accounted for. The most offensive word in the paragraph appears to be the title under which it was introduced. The word "Caution" by which it was headed, Mr. S. contended, might have been considered as addressed, not to the public but to Mr. Stanley, and intended merely to express a desire, that Mr. S. should regulate his conduct by the information therein conveyed. As to the expression "with intent to defraud" it would be absurd to consider these words otherwise than as merely declamatory, as the act stated to be the foundation of that allegation did in no way tend to support the charge. The Prosecutor had obtained these papers in the course of his professional duties as attorney for Mr. Smith, and it would be as wise to say "you eat your dinner with a fork instead of a spoon, with intent to defraud" as to make the detention of papers a ground for such an allegation. As there appeared nothing in the charge to support the imputation of fraud, it was perfectly natural for Mr. Mackenzie to consider these as mere idle words; and in that light only Mr. Strettel declared, that they were viewed by himself when he first read them. He was therefore surprised to learn, that Mr. Stanley had thought it necessary to include in his affidavit, a vindication of himself from so idle an accusation.

Mr. Strettel, on the part of Mr. Burton, begged to call their Lordship's attention to the particular circumstances in which he stood with relation to the property of that paper, as these were stated in Mr. Burton's affidavit.

It was very true that Mr. Burton had been on terms with the Proprietor of the paper called the Telegraph for the purchase of the copy right of that Paper, and of the types and other property belonging to it, and had actually paid down a considerable sum in part payment of such purchase. The name of the Paper was subsequently changed, and it was the same Journal which was now conducted by Mr. Mackenzie under the name of the Times.

In consequence however of certain obstacles which had occurred to prevent the conclusion of the bargain, no conveyance had been actually made of the property. It was therefore not surprising, that in such a case while a man might remain certain of his own right, he should hesitate, when called upon to give a decided

answer to a question demanding whether he was proprietor or not.

The words complained of by the plaintiff as having been used to his servant who went to make the enquiry, were satisfactorily accounted for, by the abrupt manner in which the question was put, as stated by Mr. Burton in his Affidavit. He therefore trusted that their Lordships would have as little desire as Mr. Stanley, that any further steps should be taken against Mr. Burton.

Mr. Strettel then proceeded to express a hope, that what he was about to state, would in like manner induce the Court, as well as Mr. Stanley, not to press hard on Mr. Mackenzie. He expected to make it fully appear that as there could have been no ill-will on the part of Mr. Mackenzie towards Mr. Stanley, so he had taken every means to repair the offence he had committed the moment he was made aware of its nature.

It would appear from Mr. Mackenzie's affidavit, that Mr. Stanley's letter announcing his intention to prosecute him for a libel, though dated 10 o'clock A. M. was not put into his Client's hands before 4 o'clock of the evening of that day. Previous to the receipt of Mr. Stanley's letter, Mr. Mackenzie had recalled from the Post Office the copies of the paper which had been sent there to be forwarded by Dawk—took out the obnoxious Advertisement, and in the absence of his printers, with his own hands inserted different paragraphs in their stead. And after the receipt of Mr. Stanley's letter, he sent him a copy of this new impression, offering him at the same time to publish an apology next day in an extra paper if required. To this Mr. Stanley answered, that he would not presume to dictate to Mr. Mackenzie what line of conduct he ought to pursue. Next day an apology appeared, the general spirit and tendency of which shewed an earnest desire on the part of his Client, to do away any bad impression respecting Mr. Stanley's conduct, which the Advertisement of the preceding day might possibly have produced. He therefore trusted that the Counsel for the prosecution, would overlook any particular expressions which might have been perhaps altered or omitted with advantage, and consider only the desire of atonement for the injury done the plaintiff, which this paper fully displayed. Accompanying this extra publication, Mr. Mackenzie wrote Mr. Stanley a letter, declaring that he had taken every step in his power to redress the injury he had done to Mr. Stanley, and expressing a hope that Mr. Stanley would consequently stop all further legal proceedings against him. In his answer Mr. Stanley complains, that a copy of the paper containing the libel had been actually sold at the Times Office, after notice of Mr. Stanley's intention to prosecute had been communicated to Mr. Mackenzie. In answer to this, Mr. Mackenzie declares upon oath, that to the best of his knowledge and belief, no copy of the first impression of the paper of that day had been sold at the office after 2 o'clock P. M. when he received the first intimation of the error he had committed, and further, that Mr. Stanley's letter was not received until 4 o'clock of the same afternoon. If Mr. Stanley then harboured any remains of resentment against Mr. Mackenzie on this score, he trusted it would be entirely obliterated from his mind after hearing the affidavit. Judging from Mr. Stanley's own letter, he conceived that gentleman could have no other object in the present prosecution, than to bring the matter to a public discussion; and this object having been now fully attained, he trusted to his liberality, that the contrition expressed by his client, would be a sufficient atonement for the offence, and that he would not press for any further punishment. He would advert to another circumstance complained of by the prosecution, but which he would contend, could only be adduced as an additional proof of the earnest desire of his client to proceed in making every possible atonement in his power. Mr. Stanley it appears, sent a note to the Editor of the Calcutta Gazette, begging him to insert in that paper, a paragraph advertising to Mr. Mackenzie's conduct, attached to which was the paper which had been published by him that morning as an apology. The Editor of the Gazette sent this application with a note to Mr. Mackenzie, desiring to be informed whether Mr. Mackenzie had any objection to the publication of such a paragraph. Mr. Mackenzie in reply gave his fullest sanction to the measure proposed. Why the paragraph did not afterwards appear is a different matter, for which Mr. Mackenzie cannot be held responsible. It is true that the apology might have been sent for insertion to the other papers,

of the week; but this might perhaps have been considered by the Prosecutor as cutting both ways—as spreading the poison as widely as the remedy; and we all know that in cases of this sort, the poison will adhere where the remedy can never reach it. Mr. Strettel concluded with expressing his hope, that Mr. Stanley would desire to withdraw, and that their Lordships would acquiesce in his withdrawing his application for filing a criminal information against his clients.

The Affidavits of Mr. Stanley, of his writer George Aviet, of DeMello, printer of the Times, of Mr. Burton, and of Mr. Mackenzie were then read.

The principal points stated in these affidavits have been already related. The only fact respecting which any of these seemed at variance with another, was one which affects the question as to the deliberation with which Mr. Mackenzie weighed the propriety of publishing the offensive matter. DeMello swore that when he received Mr. Smith's note with the Advertisements, he carried them to Mr. Mackenzie, who said he would consult Mr. Wordsworth before admitting them. Mr. Mackenzie deposed, that he has no recollection of ever having proposed, or ever thought of consulting Mr. Wordsworth respecting these Advertisements.

Mr. Smith was then allowed to put in his affidavit. It appeared that the Counsel for paupers had been directed to assist him, but as that gentleman did not approve of the statements which he proposed to make, Mr. Smith chose to draw them up himself. The general tenor of the affidavit went to accuse Mr. Stanley of most improper conduct in numerous instances, in his relation of Attorney for the deponent. Several of these charges were to us unintelligible, and the rest were of such a nature that we decline laying them before the public, until we can accompany them with the answer which is to be given into Court by Mr. Stanley, on Monday next. Mr. Lewin expressed his hope that the Court would not defer the consideration of the case of the other defendants, on account of the new matter which had been alleged by Mr. Smith; but the Court observed that Mr. Smith's accusations were of such a description that if well founded, the course of prosecution must be entirely altered, and the Prosecutor instead of being permitted to proceed by the mode of criminal information, must be sent with his complaint to the Grand Jury. The Attorney for paupers and the Advocate General were then directed to assist the Defendant Smith, in throwing his allegation into a regular form.

## EUROPEAN EXTRACTS.

HANOVER, FEB. 6.

His Royal Highness the Crown Prince of Sweden has addressed the following Proclamation to the French nation:—

"Frenchmen!—It is not a stranger who addresses you, but a man who is bound by the dearest feelings to your happy country. To you he owes his first fame; you have seen him defend your cause while it was noble and just; you have seen him shed his blood with joy for his country, when you fought for it; you have seen him make all your wishes—all your hopes his own—and exert himself to make the French name beloved even in the countries to which he conducted your victorious banners.

"Frenchmen!—What is become of your innumerable armies? What of your military glory? Where are those legions which were your pride, and which seemed to insure your prosperity for ever? What scourge has carried them off? All are sunk into a dreadful abyss! Ten years ago your frontiers seemed to bid defiance to attack, now they are invaded. Europe admired you then; see what you are now! When your eyes overlook the globe, they can scarcely discover a single friendly people, and every where they meet with countries which are the graves of thousands of Frenchmen.

"Who is the author of so many evils? A man who is not a Frenchman by birth. By what ill fate is he become your master and your scourge? The commencement of his military career was marked by a bloody scene in the walls of Paris—then you had to reproach him with the death of 40,000 brave men, whom he meant to sacrifice in another part of the globe, to his purpose of becoming Emperor of the East. Deceived in his hope, he left his army, and while he suffered his comrades to perish in the burning deserts of Lybia, he himself, in order to return to France, violated the law of quarantine which St. Louis had observed.

"Unhappily so many acts of violence

were rewarded with the consular dignity, and soon after the Imperial purple.

"After he had attained the supreme power, he promised France eternal repose, and Europe peace. You believed him. What has he done to fulfil your hopes? Broken every treaty as soon as he had made it.

"This peace-maker of the world has carried death and desolation into Spain, and made you the instrument of his ambition. You have seen how he sowed the seeds of discord between the father and the son, how he then appeared in Bayonne, as mediator, promising in the face of Europe to allay the quarrel which he had himself inflamed; and how often alleging the paternal dignity and the respect due to grey hairs, he robbed both of their dignity, sending the one to prison and the other to exile.

"Europe was still silent, stupified by so many horrors, but so far was the patience of the Princes and people from satisfying the man whose yoke you bear, that his ambition seemed only to be increased by it. We saw him annihilate his own work; fall upon his allies as upon his enemies; tear one of his brothers from the throne, which he had himself created; rob another of part of the dominions which he had given him. We saw how he made the overthrow of one country follow the incorporation of that of another; and in his convulsive rage, rob Europe of the last illusion of a durable state, with which it seemed to console itself.

"At last he was at the goal, when he left his dominions to lead the French 700 leagues from their country, and by this gigantic enterprise, realised all that is related of the conquerors of antiquity. At this period of his adversity, when the dawn of freedom rose upon Europe, what did you think of him, who after such various miseries and sufferings, which he had brought upon the finest army, left it in the abyss of destruction, into which he had plunged it—what did you say of the General who thus betrayed his unhappy soldiers, and abandoned them in immense deserts of snow, without food—without clothing—without a guide.

"Behold here the miserable remains of an army but lately so fine, stretched out upon the ice, perishing by the three-fold death of cold, famine, and wounds! See the author of all the sufferings of these wretches renounce every sentiment of pity, thinking only on his flight! he yet ventures to appear before you, to demand from you new exertions, new levies of troops. He has obtained but too many. Again have 200,000 Frenchmen perished, to drench with their blood the soil of Germany, whose inhabitants loved the French, and did not resolve upon revenge till after 13 years of ill treatment and disgrace. Divine justice has baffled the last efforts of expiring tyranny. The painful sacrifices which you have again made, have not been able to stop the progress of your misfortunes.

"Now, Frenchmen, Germany is free; but Napoleon, driven back to the natural boundaries of your empire, will require from you new sacrifices. To obtain them, he will tell you that the Allies intend to divide France—and he who wished to bring under his yoke all nations, from Naples to Stockholm, from Lisbon to Moscow, will talk to you of the boundless ambition of his adversaries. But your reason will teach who is the author of this war; whether it is he who, without remission, carries war into all countries and nations, or those who have only repelled a hostile attack, and pursued the aggressor.

"The Allies will not divide France—they desire it to be independent itself, and to acknowledge the independence of all other nations. They offer it peace; they demand it, because the world requires it, and because they make it their glory to end the miseries of the world. They ask peace from the French Senate; and if the Senate does not venture to decide for this peace, universally desired, they demand it of the Armies and of the People—exhausted in its population—loaded with taxes—wounded in its noblest feelings—robbed of its children, whose industry is filtered away, and who, since Napoleon has governed it, has neither peace for the present, nor security for the future.

"Frenchmen! look round you. The abyss is still open! the hand which plunges you into it is still lifted! Shall it throw the last of you in. Will you permit the whole population of your country to perish! And do not you perceive, that nothing can better the inhuman man whom fate has hurled over you? In the wide circumference of the beautiful once happy France where is the man who enjoys his freedom, his life, and whom the commands of Napoleon have not reached?



"Compel him then to conclude the peace which is required from you. On the other hand, should the dreadful evils which result from a tyrannical Government prevent the French people and its armies from declaring for peace, the Allies must lament that they cannot reach the oppressor of France, but through a people whom they esteem, and even then their motto will be, *war with the Corsican—integrity of the territory, peace and friendship with delivered France.*—(German Observer, Feb. 20.)

The following Declaration appeared on the 17th, at Middlefort, in the Island of Funen:—

"By the care of the Danish Government, the war which already for fifteen years had devastated Europe, had not disturbed the repose of the Danish nation, when the King, for a moment, saw himself under the necessity of using defensive means, partly for the protection of his subject's commerce, and partly for the security of his provinces, bordering on Germany.

"The attack made by the English on his Majesty's capital, and carrying off the Danish fleet, in the year 1807, put an end to the happy tranquillity which his Majesty had until then been enabled to preserve for his subjects.

"The Danish States at that time had the same common enemy with France, and the consequence was that an alliance was sought and concluded with that Power. The Emperor openly and directly promised men and money; and a numerous army immediately moved into the provinces belonging to his Majesty the King.

"It was agreed that the expence of its support should be defrayed by the French Government, and this amounted to a sum of several millions of rix dollars. Without undertaking any thing, however, this army remained a burthen longer than the Danish Government thought requisite.

"The expence of its support remained unpaid, and the request of Denmark on this point were equally fruitless, as those concerning the announced requisitions in money.

"The situation of a State whose resources were already diminished by the naval war, and by these novel disbursements, became totally exhausted, again suffered a most prejudicial influence from the shutting of the Continental Ports, which was represented as one of the means for obtaining a general peace. The annexation of the Hansé Towns and contiguous provinces, to the French empire, became afterwards a most heavy burthen, with regard to the commercial intercourse with Germany.

"Its effects extended even to literary connections. Earnest professions, which were frequently renewed, had given hopes that these obstacles, which were so directly contrary to the good understanding in which his Majesty contributed all in his power to remain with the French Government, would have been removed, but these hopes always remained unfulfilled.

"Whilst the French army was retreating in the winter between 1812 and 13, the Imperial troops, which, according to a particular agreement were to have remained for the protection of the frontiers of Holstein, were drawn away.

"As the French Government had at the same time declared its intention of entering into negotiations for peace with all her enemies, the King deemed it important for him to make overtures of peace to Great Britain. The alliance with France was now become of no utility. The King would willingly have prevented the cities of Hamburg and Lubeck from again falling into the hands of the French, in order to keep the war from his own frontiers, and save from destruction those cities, whose interests are in such direct connection with those of his subjects. But his Majesty was obliged to desist from the prosecution of this plan. His interests, therefore, required that he should accept the offer made him of renewing the alliance with France, and to give it a larger extension, in order to assure him of a powerful assistance against those Sovereigns who had not hesitated to declare, that they would support the demands of Sweden, which were so inimical to the integrity of his states.

"The King on his part has conscientiously performed the stipulations of the treaty. Whilst his auxiliary troops were fighting by the side of the French troops, they received only a part of the pay which, according to the agreement was their due; and his Majesty's subjects suffered a considerable loss, as well by the embargo laid on their property, which was deposited in the cities of Lubeck and Hamburg, of which the French Government took to itself the privilege of disposal, as by taking away the funds of the bank of the last-

mentioned city. The promises of restoration given in consequence of the complaints thereon made, remained equally with the reclamation made on the subject, without effect.

"It was assured, by the treaty, that 20,000 men should be in readiness to protect the Dutchies and Jutland, but Marshal d'Eckmühl quitted the position, which covered those provinces, and retreated with all the troops under his command to Hamburg, leaving the King's troops to their own fate, and who were not able to withstand the superior force, which was moving forward, to force, by their overmatch in strength, an entrance into the country. The enemy's irruption into the Dutchies, together with the loss of the fortresses, was followed by the King being forsaken by an ally, on whose assistance he had reasonable grounds for placing a reliance.

"His Majesty has been under the necessity of consenting to the greatest sacrifices, to protect the remaining part of his States from invasion, with which they were threatened by land, by the combined troops of several Powers, and for the purpose of again recovering possession of those provinces which had fallen into the enemy's hands.

"He recalled his Minister at the Court of the French Emperor, and declared to the Minister of his Imperial Majesty residing at this Court, that he could no longer consider him as being in that capacity, and that opportunity should be given him for his return to France.

"His Majesty likewise declares, that he will join the Sovereigns united against France, in order to assist in bringing about a general peace, for which all the nations of Europe are languishing, and which is so necessary for the Danish States.

"Middlefort, Jan. 17, 1814."

### Vervolg van het Ontwerp van eene Grondwet voor de VEREENIGDE NEDERLANDEN.

#### VIERDE HOOFDSTUK.

##### Van de Justitie.

Art. 99.—Er zal allomme in de Vereenigde Nederlanden regt gesproken worden uit naam en van wege den Souvereinen Vorst.

100.—Er zal worden ingevoerd een algemeen Wetboek van burgerlyk regt, lyfstrafelyk regt, van den koophandel, en van de zamenstelling der regeerlyke magt en de manier van procederen.

101.—Ten einde aan de Ingezetenen dezer Landen te waarborgen de onschatbare voorregten van burgerlyke vryheid en persoonlyke veiligheid, zullen de volgende regelen de grondslagen der wettelyke beschikkingen uitmaken.

a. Wanneer een Ingezetenen in buitengewone omstandigheden door het politiek gezag mogt worden gearresteerd, is hy, op wiens bevel zoodanige arrestatie heeft plaats gehad, gehouden daarvan terstond, aan den plaatselyken regter kennis te geven, en voorts den gearresteerden binnen den tyd van drie dagen aan dezelfs competenten regter overteleveren.

b. De criminele regtbanken zyn bevoegd en verplicht, elk in haar ressort, te zorgen, dat zulks stiptelyk worde nagekomen.

b. De regterlyke magt wordt alleen uitoefend door regtbanken, welke by of ten gevolge dezer grondwet worden ingesteld.

c. Niemand kan tegen zynen wil worden afgetrokken van den regter, dien de wet hem toekent.

d. Op geene misdaad mag ten straf gesteld worden de verbeurdverklaring der goederen aan den schuldigden toebehoorende.

e. By criminele vonnissen, ten laste van eenen beschuldigen gewezen, moet de misdaad worden uitgedrukt.

f. Alle vonnissen moeten met opene deuren worden uitgesproken.

102.—Er zal een opperste Gerechtshof worden ingesteld onder den naam van Hoogen Raad der Vereenigde Nederlanden. Deszelfs leden worden, zooveel mogelijk, uit alle de Provincien of Landschappen genomen.

103.—Van eene voorgevallene vacature wordt door den Hoogen Raad aan de Staten Generaal kennis gegeven, die, ter vervulling van dezelve, eene nominatie van drie personen aan den Souvereinen Vorst aanbieden, ten einde daaruit eene keuze te doen. De Souvereinen Vorst heeft de directe aanstelling van den Procureur-Generaal by den Hoogen Raad.

104.—De leden van de vergadering der Staten Generaal, de Hoofden der ministeriële departementen, de leden van den Raad van State, de Commissarissen van den Souvereinen Vorst in de Provincien of Landschappen staan te regt voor den Hoogen Raad, wegens alle misdryven in de waarneming hunner functionen begaan. Zy mogen echter deswegens nimmer in regten betrokken worden, dan na dat door de vergadering van de Staten Generaal daartoe uitdrukkelijk verlof verleend zal zyn.

105.—De Hooge Raad neemt ook kennis en beoordeelt alle commune delicten door gemelde personen, gedurende den tyd hunner functionen, begaan, gelyk mede tot deszelfs

opzettic behoren de misdryven der leden van zoodanige andere hooge kollegien en ambtenaren, als by de wet nader zal worden bepaald.

106.—De Hooge Raad beoordeelt over alle actien, waarin de Souvereine Vorst, de Leden van het Vorstelyk Huis, of de Staat, als gedaagden, worden aangesproken.

107.—De Hooge Raad heeft het toezigt op den geregelden loop en de afdoening der registers; op de nakoming van de wetten, betreffende de administratie der Justitie en den vorm van Regtspleging by alle Hoven, Regtbanken en Regters, en kan derzelver handelingen, dispositien en vonnissen, daarmede openlyk strydig, vernietigen en buiten effect stellen, zonder zich nogthaus in de beoording der zaken intelaten.

108.—Aan den Hoogen Raad valt beroep van alle gewysden in civiele zaken, welke ter eerste instantie gediend hebben voor de Provinciale Hoven naar de bepalingen hiervan by de wet te maken.

109.—Er zal zyn in elke Provincie of Landschap één Gerechtshof, ten ware by de wet een Hof over meer dan eene Provincie of Landschap mogt worden gesteld. Van eene voorgevallene vacature wordt door het Hof kennis gegeven aan de Provinciale Staten, die, ter vervulling van dezelve, eene nominatie van drie personen aan den Souvereinen Vorst aanbieden, ten einde daaruit de keuze te doen.

De Souvereinen Vorst heeft de directe aanstelling van den Procureur-Generaal by gemelde Hoven.

110.—Het beleid der criminele Justitie in de Vereenigde Nederlanden wordt by uitsluiting van alle andere tot nu bestaan hebbende regeren, aan de Hoven provinciaal, of aan daartoe, zoo veel nodig, opgerigten regtbanken toebetrouwd.

111.—Het beleid der civiele Justitie wordt opgedragen aan zoodanige regtbanken, als daartoe nu of in der tyd noodig bevonden worden.

112.—Voor het overige word de zamenstelling en magt der Hoven, zoo wel als die van de verdere criminele en civiele Regtbanken, onder den naam van Hooge Vierscharen, Schepenenbanken, of anderen, en het gezag der Procureurs-Generaal, Hoofd-Officieren en Baljuwen door de wet bepaald.

113.—De leden en ministers van den Hoogen Raad en provinciale Gerechtshoven, benevens de Procureurs-Generaal by dezelve, worden voor hun leven aangesteld. De tyd der bediening van alle andere registers wordt by de wet bepaald.

Geen regter mag gedurende den tyd zynner bediening van zynen post worden ontslagen dan op eigen verzoek of by regterlyk vonnis.

114.—De wet regelt de judicature van de overtredingen op het stuk van alle belastingen zonder onderscheid.

115.—Er zal een Hoog Militair Gerechtshof zyn, voor hetwelk het krygsvolk te water en te lande, wegens alle delikten, door hen gepleegd, zal worden te regt gesteld, volgens de nadere bepalingen by de wet vast te stellen.

116.—Het krygsvolk te water en te lande is, met betrekking tot alle civile zaken, onderworpen aan den burgerlyken regte.

#### VYFDE HOOFDSTUK.

##### Van de Finantie.

Art. 117.—De Souvereine Vorst en de Staten Generaal gezamentlyk zyn alleen en by uitsluiting bevoegd tot het heffen en regelen van belastingen.

De belastingen, by het aannemen dezer grondwet bestaande, blyven op den zelfden voet, tot dat er anders over beschikt worde by de wet.

118.—De schuld wordt jaarlyks in overweging genomen ter bevordering der belangen van de schuldeischers van den Staat.

119.—Het toezigt en de zorg over de zaken van de Munt met den aankleve van dien, en de beslissing der questien over het altooi, essai, en wat dies meer is, wordt opgedragen aan een kollegie onder den titel van Raden en Generaal-meesters van de Munt, achtervolgens zoodanige instructien, als by de wet zullen worden vastgesteld.

By vacature zenden de Staten Generaal eene nominatie van drie personen aan den Souvereinen Vorst, welke daaruit de verkiezing doet.

120.—Er zal eene algemeene Rekenkamer zyn ten einde jaarlyks de rekeningen der verschillende ministeriële departementen opteemen en te liquideren; mitsgaders behoerlyke rekening en verantwoording te vorderen van alle byzondere Lands comptabellen, alles achtervolgens zoodanige instructien, als by de wet zullen worden vastgesteld.

De leden van deze Rekenkamer worden, zoo veel mogelijk, uit de Provincien genomen.

By vacature zenden de Staten Generaal eene nominatie van drie personen aan den Souvereinen Vorst, welke daaruit de verkiezing doet.

#### ZESDE HOOFDSTUK.

##### Van de Defensie.

Art. 121.—Het dragen der wapenen tot handhaving der onafhankelykheid van den Staat en de bereijling van deszelfs grondgebied blyft, overeenkomstig 's Lands oude gewoonte en het grondbeginsel by de Unie, van Utrecht aangenomen, een der eerste pligten van alle Ingezetenen dezer landen.

122.—Dienvolgens is het ook ten allen tyde

eene der eerste zorgen van den Souvereinen Vorst, dat er eene toereikende Zee- en Landmagt onderhouden worde, aangeworven uit vrywilligers, het zy inboorlingen of vreemden, ten einde te dienen in of buiten Europa, naar de omstandigheden.

123.—Behalve de vaste Zee- en Landmagt zal er steeds zyn eene Nationale Militie, waarvan in vredens tyd jaarlyks een vyfde gedeelte wordt ontslagen en door anderen, te gelyken getale, vervangen, zoo veel mogelyk te nemen uit vrywilligers, en anders by loting uit de ongetrouwde Ingezetenen van 18 tot 23 jaren. Die welke hun ontslag zullen bekomen, kunnen onder geen voorwendsel, tot eenigen anderen dienst, dan voor de hierna te melden Schutteryen worden opgeroepen.

124.—De Militie komt in gewone tyden jaarlyks eenmaal te zamen, om, gedurende eene maand of daaromtrek, in den wapenhandel geoefend te worden; blyvende het nogthaus aan den Souvereinen Vorst voorbehouden, om, wanneer hy zulks voor 's Lands belangen mogt geraden oordelen, een vierde van het geheele getal te doen zamenblyven.

Ingevalle het, by buitengewone omstandigheden of dreigend oorlogsgevaar, noodig zyn mogt de geheele Militie byeen te roepen en te doen zamenblyven, zal zulks, indien de Staten Generaal niet vergadert zyn, gepaard gaande met eene buitengewone byeenroeping van de zelve, ten einde van het verrigte opening te geven en de verdere daartoe betrekkekyke maatregelen met de vergadering te beramen.

125.—In alle Steden worden, als van ouds, Schutteryen opgerigt tot behoud der inwendige rust. Deze Schutteryen dienen in tyden van oorlog en gevaar tegen de aanvallen van den vyand. In dit geval worden er ook Schutteryen ten platten Lande ingesteld, welke gezamentlyk met die der Steden dienen als een Landstorm tot verdediging des Vaderlands.

126.—De bepalingen, welke door den Souvereinen Vorst, zoo omtrent het getal en de inrigting der Militie, als opzigtekyk het geend Landstorm betreft, noodig geoordeeld worden, zullen het voorwerp eener, door Denzelven voortgedragen wet uitmaken.

#### ZEVENDE HOOFDSTUK.

##### Van de Waterstaat.

Art. 127.—De Waterstaat blyft een der eerste nationale belangen, en word bestuurd door eene byzondere administratie, ter benoeming en onder het opzigt van den Souvereinen Vorst.

Dienvolgens behooren by uitsluiting tot de beheering der Directie van den algemeenen Waterstaat alle zoodanige Zee- of Rivierwaterkerende Dyk, Sluis en andere Waterwerken, als uit de algemeene Schatkist betaald en onderhouden worden.

Voor zoo verre soortgelyke werken door eenige kollegien, gemeenten of particulieren bekostigd worden; staan dezelve onder het onmiddelyk toezigt der Directie van den algemeenen Waterstaat, welke zorg draagt, dat de aanteleggen werken aan de algemeene belangen geen nadeel toebrengen en aan dezelve kollegien, gemeenten of particulieren daaromtrent de noodige voorschriften geeft.

129.—Onder de beheering der Directie van den algemeenen Waterstaat zyn mede, by uitsluiting, begrepen alle zoodanige wegen en bruggen, waarvan het onderhoud door 's Lands kas gedragen wordt, of daarvan de zorg, om reden van algemeen belang, door den Souvereinen Vorst aan gemelde Directie wordt opgedragen.

130.—De Staten der Provincien of Landschappen hebben de beheering van alle zoodanige Dyk, Sluis, en andere Waterwerken, mitsgaders van alle zoodanige bruggen en wegen blyven hunne Provincie of Landschap, als niet vallen in de termen van art. 128 en 129, ofte wel daarin vallende door den Souvereinen Vorst, om het nup der zaak, mede aan hunne administratie mogen worden opgedragen. Voor zoo verre de hier bedoelde werken door enige kollegien, gemeenten of particulieren moeten worden aangelegd en onderhouden, zorgen dezelve Staten, dat hier aan naar behooren voldaan worde.

131.—De gemelde Staten hebben het toezigt en gezag over Hooge en andere Heemraadschappen, Waterschappen, Dyks- en Polderbesturen en andere dergelyke kollegien, hoe ook genaamd, binnen hunne Provincie of Landschap, onverminderd nogthaus de bepaling by het tweede gedeelte van art. 128 voorkomende.

De laatst goedgekeurde reglementen dezer kollegien maken den voet van derzelyer inrigting uit, behoudens nogthaus het regt der Staten, om daarin, onder goedkeuring van den Souvereinen Vorst, verandering te maken en onverminderd de bevoegdheid der kollegien, om aan de Staten zoodanige veranderingen daaromtrent voorfedragen, als zy, voor het belang der Ingelanden zullen vermeen te behooren. Wat de benoeming en het maken van nominatien voor gemelde kollegien aangaat, zal daaromtrent door de Staten der Provincien of Landschappen eene voordragt aan den Souvereinen Vorst gedaan worden.

Ten aanzien van de beheering of het toezigt, het welk by art. 130 aan de Staten is of in het vervolg zal worden opgedragen, blyven de daar bedoelde werken onderworpen aan het oppertoezigt van den Souvereinen Vorst, welke, te dien aanzien, naar bevind van zaken handelen kan, even als by art. 91 omtrent alle andere zaken is vastgesteld.



SATURDAY, OCTOBER 15, 1814.

The Courier, May 4.

HOUSE OF COMMONS.

## ROMAN CATHOLICS.

Mr. Blake moved for leave to bring in a bill to remove doubts as to the meaning of the 33d of the King granting relief to the Roman Catholics, as it applied to the town of Galway. He stated that the Act, which had been passed in the spirit of conciliation, had been much evaded. The Roman Catholics of Ireland residing in the towns, were not placed on an equality with the Protestants as to the obtaining of their freedom, and in many places there were combinations against taking Catholics as apprentices. This was not only a grievance, as depriving them of the equality in freedom that the Act of the 33d of the King contemplated, but was also a great hardship, as preventing them from learning those trades, by the exercise of which they would be enabled to support themselves and their families in comfort.—After making many observations, in a very low tone of voice, on the manner that those grievances applied to the Catholics of Galway, he concluded by moving for leave to bring in his bill.

Mr. Daly said that he should not oppose the present motion, but instead of considering it a bill to remove any existing doubts as to the provisos of the statute, he considered it merely a bill for letting in 10,000 or 11,000 new votes for the election.—Leave granted.

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

Mr. Rose moved for an account of the amount of wheat and wheat flour exported from this country, and imported into it, from the year 1697 to the year 1812.

The account was ordered, and afterwards brought up.

## SLAVE TRADE.

Mr. Wilberforce rose to make the motion of which he had given notice, for an address to His Royal Highness the Prince Regent, to take the present opportunity of proposing to Foreign Powers the abolition of the Slave Trade. It would not be necessary for him to take up so much of the time of the House at present, as he had been obliged to take up at former times, before Parliament was so well acquainted with the nature of that traffic which this Country was so anxious to have abolished. In the years 1806 and 1810, the House of Commons had voted *nem. con.* addresses of a nature similar to the present. It was impossible, however, for any person who opened his eyes to the general situation of the world at present, not to see that there never was a period more favourable, a better prospect of success, or more powerful motives for interference than there was at the present time. It was a time in which the British Cabinet and Foreign Governments were more closely drawn together, and more intimately connected, than at any former period. It was a time when all the nations of Europe were about to revive their commercial relations with each other, and to study the elements of a lasting peace. When we considered the very extraordinary circumstances in which we now stood, and the extraordinary successes we had experienced in a long course of providential events, it appeared to him that there was no better or more acceptable mode of expressing our gratitude to that Providence which had brought us in safety and triumph out of all our difficulties and all our trials, than to do what in us lay to diminish the mass of human misery and suffering. Never did any time appear fitter for the proposition he had now to make. The great continental powers had distinguished themselves by their moderation and generosity, and had shewn a temper and character that left no doubt but that they would be well disposed to contribute to any great plan for the relief of suffering nations. When the present circumstances were taken into consideration, when it was considered what great provocations some of the Allied Powers had received from France, and what noble revenge they had taken by returning benefits for injuries, and good for evil, he felt a most sanguine hope, that when they were made thoroughly acquainted with the nature of this horrid traffic, they would as a sequel to their noble conduct with respect to the affairs of the Continent, join heartily in this great act of justice and humanity. The only objection that he had heard to embrace this opportunity was this; some people said, "What! can you expect that foreign nations will adopt in a moment, and upon the first proposition, a measure which you took 19 or 20 years to consider before you resolved upon?" This, however, was not the case. It was true, that it had been spoken of in Parliament for a great number of years; but when Parliament became fully acquainted with the real nature of this trade, they immediately, by their resolutions, acknowledged it as the bounden duty of this country, as a Christian nation, to get rid of the trade as

soon as it could in safety be done. It was only before the nature of the trade was understood, that there was any doubts upon the propriety of the abolition. As soon as it was understood, and the light had broke in upon that den of human sufferings, it was agreed by all men that, sooner or later, the trade must be abolished. At the time when this question was first agitated, there were great and powerful interests contending against it. It was then represented that the commerce and marine of this country would be ruined by the adoption of such a measure; that the estates in the West Indies could no longer be cultivated; and that the slaves which were now sold to our islands, would be, in future, murdered on the coast of Africa. Those things were so confidently asserted, that it naturally produced some hesitation. We had, however, ventured to try the experiment, and the threatened evils had not taken place. We had, therefore, tried the experiment for all other nations; and in now proposing to them to abolish this trade, we could confidently tell them that those evils were not likely to ensue. We, who tried the experiment, risked most important interests on the trial; but the risk to many of the continental nations would be comparatively nothing. The Slave Trade of France had been practically destroyed by the war; and therefore that country had nothing to give up in this respect: if they were to take up the Slave Trade now, it must be considered rather as embarking in a new trade, than a continuation of the old one. We could give to other nations the benefits of our knowledge and experience on this subject, and he knew no other way in which we could better express our thankfulness to God, and our benevolence to man, than by rescuing the great African continent from blood and tears. Those nations who had never exercised this trade could not hesitate to agree to the proposal; and those nations who have exercised it, would see how closely the circumstances of this trade resembled the evils from which Europe had been lately rescued by the mercy of Providence. He did not wish to appear to insult over him who had lately fallen; but in justice to his subject he must say, that there appeared such an affinity and connection between the slave trade and Buonaparte, that while he was in power there was but little prospect of any general agreement of nations to abolish it. Far different, however, was the temper and character of that Sovereign who now fills the throne of France. As for Buonaparte, he considered him a far greater enemy to mankind, from his principles, than even from his conquests: from his openly laughing to scorn all the established principles of religion and morals, he was, indeed, a deadly enemy to the happiness of mankind. The abolition of the slave trade could never be agreed to by him, as he had not principle enough even to understand the motives of it. When that most able and eloquent champion of the abolition (Mr. Fox) spoke to him upon the subject, he found it impossible to convince him that England, or any other country, could seriously wish for the abolition of a measure from which revenues were derived, from motives of mere humanity. The present King would be faithful to the great duties of the station he occupied, and there was something even in the misfortunes which he had experienced, that opened the mind of man to pity and relieve the miseries of others. As to Spain, she was no longer in those delicate and critical circumstances, when the Government would be afraid of adopting a measure that might give offence to the merchants of Cadiz, or some other town that might be interested in the trade. Spain was now in that state of security that there was nothing to prevent her from adopting any measure that she thought right to be adopted; and he thought the natural feeling of a nation so lately emancipated from sufferings, must be to abolish that trade which produced so much suffering to others. As to Portugal it was known that the Prince Regent of Portugal had signed an engagement with this country, for the gradual abolition of this trade. He then read some regulations which had been adopted by the Portuguese Government, but which did not go much further than the regulations formerly adopted in this country with respect to the middle passage. The monstrous inhumanity with which the slaves were treated on this passage roused the attention of our legislature before they had resolved on the immediate abolition; and Sir W. Dolben brought in a bill which received their sanction for the better treatment of the slaves on this passage. But what was the advantage of allowing a little more room or food on their passage, while the trade itself was allowed to exist? He then commented at some length on the regulations adopted by the Portuguese Government, which, to his feelings, were more provoking than even doing nothing for their relief. He observed, however, that the language of humanity was used throughout the

paper; and therefore, if there was no substantial amelioration, he attributed it to want of sufficient information on the subject, or their attention being properly directed to it. It was really impossible to reconcile the principles of humanity and the slave trade together. The benefits of the abolition, however, could not be obtained, unless all nations would unite in the measure. Sweden had already acquiesced in the proposition of our government. Denmark, much to its honour, had discontinued the trade for a long time; and America had declared against it. He did not think the present motion necessary for the purpose of reminding Ministers of the subject; but his object was to strengthen their representations, by shewing to all foreign powers, that the British Parliament had not acted from a mere transient fit of humanity and justice, but that they considered this as a subject of the most serious nature, and never could lose sight of it. After the glorious conclusion of a war that had afflicted the world with so many evils, nothing could be more cheering and refreshing to the mind, than to have this general acknowledgment of the grand principles of humanity and morality, which would in future extend their benefits to the whole of the Continent of Africa. It would be a noble sequel to the glorious events which had taken place in Europe, if a foundation were now laid for the future security, peace, and happiness of the inhabitants of Africa. Our thanksgivings to Heaven for our own deliverance, would not then be met by the shrieks of the suffering natives of another country. It should never be forgotten that what was complained of was not merely the sufferings of those individuals, torn from their country and their friends, and sold to slavery; but the great sum of African misery was, that, in consequence of this trade, internal wars were forever raging in Africa, and its inhabitants were unacquainted with peace or security. Although he was no advocate for the Roman Catholic religion, yet he must still do that justice to many of the heads of it to say, that the decrees of the Pope and the recommendations of their clergy had principally contributed, in former times, to the enfranchisement of the lower orders of the people of Europe. He, therefore, did believe, that the spirit in that religion would now, in Catholic countries, incline the rules "to do justice and to love mercy;" and he thought that the reverence now shewn to the Pope, was a pledge that the Catholic countries would not oppose a proposition made to them in the true principles of christianity. The slave trade had been described by Mr. Pitt as the greatest practical evil which had been suffered to afflict the human race. He concluded by moving an Address to the following effect:—"That the House, relying in confidence on the solemn assertions and declarations which it had promulgated in 1806 and 1810, for the absolute and unequivocal abolition of the Slave Trade, humbly besought the Prince Regent to interpose the good offices and interference of Government with the Allied Powers on the Continent, to induce them to aid and assist in this desirable and humane object, by discountenancing and forbidding the same in their respective dominions."

The motion having been read from the Chair, The Chancellor of the Exchequer said, he was happy to give his most cordial concurrence to the motion of the Hon. Gentleman: and he could not refrain from hoping, that when the subject was submitted to the consideration of that most illustrious assembly of Sovereigns, its important views would be effected; and that they would be anxious to wipe away the iniquitous stain. He could not but hope, that the unanimous declaration of the British Parliament would have a due effect, and that the Hon. Gentleman would witness the conclusion of that happy work, which he has so ably and perseveringly carried forward.

Mr. Ponsonby gave his most cordial approbation to all that had fallen from the Hon. Mover. He alluded to the despotism which had just been overthrown in France, and observed, that the Governments of Europe may rejoice in that just combination of power which has rescued them from the thralldom of a single individual.—Strange, therefore, would it be, if Europe, owing her glory and safety to the interposition of Providence, should make so ungrateful a return as to join in the infliction of misery on his fellow-creatures. He would add, that that power which had endeavoured to found an excuse for the Slave Trade, on motives of humanity, had itself been guilty of a most disgraceful offence against humanity. Such language was a mean, malignant and rancorous attempt to combine the attributes of virtue with an endeavour to increase the miseries of the human race.

Mr. Canning rose, not to express his sentiments on the abolition of the Slave Trade, that was unnecessary, as they were already known to the House; he rose to declare it to be his opinion that the vote which they were

about to come to this night, would not be a barren vote, but one that would materially aid the great cause they were anxious to promote. Their unanimity on this occasion would not merely support what they had already done, but would do much towards persuading the Great Powers of Europe, to unite with England to put down the Slave Trade. Let it not be said when this language was held, that the English were always vaunting of their importance in, and influence over Europe. On such an occasion they had a right to expect their example and authority would produce the happiest results. With those powers who had not acknowledged the injustice of this traffic in human blood, the authority of Great Britain must have some weight, and with that larger portion who, approving the principle acted upon by England, feared the application of it in their own case, our example must prevail. The apprehension they at present entertained, must be in a great measure removed, when they saw that we, after cutting off the trade, which was to us a source of wealth and power (if it ever had been a source of wealth and power to any nation on earth) had lost nothing by obedience to the dictates of humanity, but had still been able not only to defend ourselves, but to contribute largely to the restoration of the independence of Europe.—(Hear, hear!) With those powers who had not recognised the propriety of abolishing the Slave Trade, he would take a higher tone than he thought it would have been wise in the day of their distress, when struggling with difficulties, they looked to this country, for he would take a higher tone with them for this reason, were they in some sort dependant on us; a strong remonstrance on this subject, would have gone with too much of authority; but now that the danger was past, and they had recovered their independence, we might assume a loftier tone without appearing to insult them, by holding out a threat if they refused to comply with our wishes. Spain and Portugal could now defend themselves without our assistance, and they could decline attending to our representations without fear of being abandoned to ruin. This then was the time when we could speak with most freedom, for as we could urge it with more of delicacy than formerly, so we could press it with more of firmness. The happy adjustment of the affairs of the world, which seemed now about to take place, would be incomplete, if an attempt to put an end to the Slave Trade did not form one grand feature of it. The technical consent to its abolition of those powers who were not actively engaged in it, ought to be obtained, as if this were not done, their flags would be abused by individuals belonging to other countries, who would be ready to avail themselves of this subterfuge to avoid punishment. The sanction of all the great nations of Europe to its being done away was necessary, and of vast importance, not so much for the mighty power they possessed, as for the use they had made of that power. If their consent were not given to the abolition of the Slave Trade, things would not merely remain as they are in this respect, but the traffic in slaves would be greater than it had been for many years. The question then was, whether the æra of a general peace in Europe, should secure the repose of Africa, or furnish a new starting-post for the plunder and devastation of that quarter of the globe. He hoped, the voice of the people, heard through that unanimous vote of the House, in favour of that which justice, which humanity, and which sound policy, all combined to recommend to every nation, would not appeal to the assembled Majesty of Europe in vain.

Mr. Prothero strenuously supported the motion, and hoped to engage in the Slave Trade would be made a breach of the Public Law of Europe.

Mr. Marryatt could take upon himself to state, that those connected with the West India Colonies were as anxious as any other class of persons could be, for the universal abolition of the Slave Trade. Unless the House and the country went further than they had yet gone in this business, though they had washed their own hands of the guilt, they had done little towards lessening the evil which they proposed to remedy, as while the subjects of other countries engaged in it at all, they did more in proportion as this country did less. From the Report of the African Society, it appeared that up to the year 1810, the average number of slaves obtained from Africa annually amounted to eighty thousand, one half of which were carried away by the Spaniards, and the other half by the Portuguese. That traffic which was formerly carried on in English ships was thus kept up in Spanish and Portuguese vessels.—The abolition of the Slave Trade had produced one good effect, that of greatly ameliorating the condition of the slaves in the colonies. The negroes were much better treated, and the old system of having night and day gangs



